



An
Bord
Pleanála

Inspector's Report ABP-303384-19

Development	Demolition of a farm building and construction of 59 no. houses and associated site works.
Location	Boulaling, Riverstick, Co. Cork
Planning Authority	Cork County Council
Planning Authority Reg. Ref.	18/5274
Applicant(s)	Centmont Limited
Type of Application	Permission
Planning Authority Decision	Cork County Council
Type of Appeal	Third Party
Appellant(s)	(1) Liz Hughes (2) Con McCarthy
Observer(s)	None
Date of Site Inspection	9 th April 2019
Inspector	Elaine Power

1.0 Site Location and Description

The village of Riverstick is located approx. 14km south of Cork City and 8km north of Kinsale. The site is located approx. 550m east of the village centre. Riverstick comprises approx. 250no. residential units. Its centre is characterised by recently constructed townhouses and apartments with mixed uses at ground floor level.

The site is bound to the north by agricultural lands, to the south by Brookdale Road and 3 no. one-off rural dwellings, to the east by agricultural lands and a one-off dwelling and to the west by the Ballymartle GAA grounds. The site is irregular in shape and slightly elevated away from the public road. It is approx. 420m in length (north – south) with the widest section of the site (approx. 110m) located behind the existing one-off rural houses on Brookdale Road. It has a stated area of approx. 2.7ha and is currently in use as agricultural lands with mature trees and vegetation along the boundaries. There is a derelict agricultural building located along the southern boundary of the site adjacent to an overgrown laneway, which provides access to the site.

2.0 Proposed Development

The proposed development includes the demolition of a farm building (243sqm gross floor area) and the construction of 59 no. houses comprising 27 no. (45.7%) 4-beds, 28 no. (47.5%) 3-beds and 4 no. (6.8%) 2-beds. The house type include 11 no. (18.7%) detached, 46 no. (74.5%) semi-detached and 4 no. (6.8%) terraced dwellings. With the exception of 2 no. single storey dwellings all houses are 2-storey. The houses are traditional style with a mix of gabled ended and pitched roofs and the pallet of external finishes include painted render and blue / black roof slates.

The development includes 3 no. areas of open space / landscaped areas and a new 6m wide vehicular access to form a T-junction with Brookdale Road (L-3207).

Further information submitted altered the geometry of the internal access road and the layout of the scheme. Permission was granted for a revised scheme comprising 56 no. dwellings, 27 no. (48.1%) 4-beds, 25 no. (44.7%) 3-beds and 4 no. (7.2%) 2-beds. The house types include 6 no. (10.7%) detached, 46 no. (82.1%) semi-detached and 4 no. (7.2%) terraced dwellings. The majority of the houses (48 no.) are two-storey with 8 no. single storey houses provided.

The revised development also includes an additional 21 no. visitor car parking spaces located along the internal access road.

3.0 Planning Authority Decision

3.1. Decision

Permission was granted subject to 48 no. conditions. The relevant conditions are noted below:

Condition no. 1: Clarified that permission was granted for the revised scheme.

Condition no. 3: Related to a special contribution in respect of footpath improvement works to be carried out on the public road.

Condition no. 4 : Altered the layout: -

- (a) to omit Unit 1 and replace units 2-5 (4 no. units) with a different house type
- (b) omitted proposed tree planting in the northern half of open space area B

Condition no 6: Required the provision of internal footpaths and associated lighting

Condition no 10: Revised the boundary treatments.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The initial Area Planners report (12th July 2018) raised a number of concerns regarding the density, layout and design of the development, the lack of linkages to

the village and the quantity and quality of open space. It was initially recommended that permission be refused for the following reasons: -

1. Notwithstanding the location of the proposed site within the settlement boundary of Riverstick which is identified as a Key Village in the Bandon Kinsale Municipal District Local Area Plan 2017, it is considered that the proposed development having regard to the density of development and the number of residential units proposed, the substandard layout and design, the lack of usable / functional open space, the deficit in recreation and amenity facilities, the poor connectivity with the village core and lack of adequate pedestrian and cycle linkages to same, would ultimately result in a development which would be out of character with the immediate area, would not be in proportion to the pattern and grain of existing development in the vicinity of the site, would offer a poor standard of amenity for future residents, and would therefore be contrary to policy objective GO-01 of the Bandon Kinsale LAP 2017, would be contrary to policy objective ZU 3-1 of the County Development Plan 2014. The proposed development would be contrary to other policy objectives of the CDP 2014 including SC 5-2 and SC 5-3 and would also not be in accordance with guidance outlined in the document 'Sustainable Residential Development in Urban Areas 2009' and would therefore be contrary to the proper planning and sustainable development of the area.
2. Having regard to the proximity of the proposed development to the site boundaries, its position to the rear of single storey dwellings, the two storey nature of the development proposed and the open nature of the landscape, it is considered that the proposed development would have a poor visual relationship with its surroundings, would result in inappropriate overlooking of adjoining properties, would result in an incongruous and overbearing development which would seriously injure the amenities of the neighbouring dwellings and result in an unacceptable loss of amenity and privacy. The proposed development would also prejudice future developments on adjoining

sites having regard to the proximity of proposed dwellings to same. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

3. The proposed development would endanger public safety by reason of traffic hazard because the sight distance at the proposed access to the public road is severely restricted. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.

The Senior Planners Report (12th July 2018) recommended requesting further information to address concerns raised regarding the following issues: -

- Legal issues
- Traffic and car parking arrangements
- Water Services
- Impact on the Sporting Facility
- Boundary Treatments
- Ecological assessment
- Layout and Design of the Houses
- Recreational and Amenity
- Landscaping
- Management of the Development and Areas to be Taken in Charge.

The final report by the Area Planner (4th December 2018) recommended that, subject to alterations, which included the omission of 1 no. house, permission should be granted subject to 46 no. conditions.

3.2.2. ***Other Technical Reports***

Liaison Officers Report: (12th July 2018) No comment

Area Engineers Report: (11th July 2018) Recommended further information be sought requiring a traffic impact assessment, a Stage 1 Road Safety Audit, pedestrian link and lighting to the village and a cross section of the road. The report also noted concerns regarding the layout and design of the development. The concerns are reflected in the request for further information. No report on file for response to further information.

Estates Report: (25th June 2018) Recommended 15 no. items of further information be requested regarding the requirement for retaining structures on site, gradient of the internal access road, traffic and car parking, water services, external materials, boundary details and mitigation measure regarding proximity to the sports ground. Final report (26th November 2018) raised no objection to the response to further information.

Housing Officers Report: (19th June 2018) No objection.

Public Lighting Report: (11th June 2018) Recommended that further information be requested regarding a public lighting plan along the public road and within the site. The final report (20th November 2018) notes that public lighting concerns were not addressed in further information response. Recommends that if permission was being contemplated 9 no conditions should be attached.

3.3. Prescribed Bodies

Inland Fisheries Ireland: No objection subject to confirmation from Irish Water that there is sufficient capacity in the public system to accommodate the proposed development.

3.4. Third Party Observations

4 no. third-party submissions were received from (1) Oliver and June McCarthy, (2) Con McCarthy, (3) Gerard Geary and (4) Leonard Cronin (on behalf of Baile An Mhairtealaigh GAA) which raised the following concerns:

- Loss of privacy due to overlooking from the proposed development
- The location and design of the vehicular access arrangements will result in a traffic hazard. Permission was refused for an agricultural access at the same location.
- The provision of a new footpath will reduce the width of the road.
- The pedestrian route to the village is dangerous due to the lack of footpaths and geometry of the road. The proposed development will result in additional pedestrians using this substandard route and therefore result in a traffic hazard.
- The sewerage system is at capacity and can not accommodate the proposed development.
- The adjoining sports facility uses floodlighting and balls regularly end up on the subject site due to their proximity. No mitigation measures have been provided by the applicant.
- There has been no consultation with the adjoining sports facility regarding a pedestrian link to the site.

4.0 Planning History

4.1.1. Subject Site.

Reg. Ref. 10/5794: Permission was refused in 2010 for an agricultural entrance for the following reasons: -

1. *The proposed development would endanger public safety by reason of traffic hazard because the restricted sight distance available at the road frontage*

would preclude the provision of a safe and satisfactory means of vehicular access onto the public road.

2. *The proposed development would endanger public safety by reason of traffic hazard because it would add to the multiplicity of entrances onto a narrow road which is inadequate to cater for additional traffic movements likely to be generated by the development.*

ABP - 303372-19LV: Leave to appeal (for the subject development 303384-19) for Liz Hughes, who owns a property to the south of the site was granted for the following reasons:

- (i) the development, in respect of which a decision to grant permission has been made, will differ materially from the development as set out in the application for permission by reason of condition number 6 imposed by the planning authority to which the grant is subject, and
- (ii) the imposition of condition number 6 will materially affect the applicant's enjoyment of the land adjoining the land in respect of which it has been decided to grant permission or reduce the value of the land.

4.1.2. **Surrounding Sites**

Reg. Ref. 04/4459: Permission was granted in 2005 for 21 no. apartments, 13 no. commercial units, car sales showroom and a service station in the centre of Riverstick Village.

Reg. Ref. 05/7745: Permission was granted in 2006 for 11 no. townhouses and 4 no. apartments in the centre of Riverstick Village.

5.0 **Policy and Context**

5.1. **Bandon Kinsale Municipal District Local Area Plan 2017**

The subject site is identified as being within the development boundary for Riverstick. Riverstick is identified as a Key Village in the LAP. It is an aim to encourage its consolidation, preserve the landscape setting and promote development. There is a new Waste Water Treatment Plant in Riverstick with spare capacity to accommodate the targeted population growth. Water is supplied from Inishannon Water Supply and there are proposals for a new water storage reservoir to ensure there is sufficient capacity within the system.

DB-01: Within the development boundary encourage the development of up to 150 additional dwelling units during the plan period.

The LAP also notes that the recommended scale of any individual scheme should not exceed 25 units. Schemes in excess of 25 units will be considered where the overall layout reinforces the existing character of the village and is laid out, phases and delivered so as not to reflect a residential housing estate more suited to a larger settlement.

5.2. **Cork County Development Plan, 2014**

The subject site is located within the settlement boundary of Riverstick. Policy ZU 2-2 – Development Boundaries states *‘for any settlement, it is a general objective to locate new development within the development boundary, identified in the relevant Local Area Plan that defines the extent to which the settlement may grow during the lifetime of the plan’*.

1.1.2. The relevant policies of the Cork County Development Plan are set out below.

- HOU 3-1: Sustainable Residential Communities
- HOU 3-2: Urban Design
- HOU 3-3: Housing Mix
- HOU 4-1: Housing Density on Zoned Lands

- SC5-2: Quality Provision of Public Open Space
- SC 5-8: Private Open Space Provision
- TM 2-1: Walking
- TM 2-2: Cycling
- ZU 2-1: Development and Land Use Zoning
- ZU 2-2: Development Boundaries
- ZU 3-2: Appropriate Uses in Residential Areas

Cork County Councils Recreation and Amenity Policy Document is also relevant.

5.3. **National Guidance**

National Planning Framework (2018)

Guidelines for Planning Authorities on Sustainable Residential Development in Urban Area (2009).

Urban Design Manual, A Best Practice (DOEHLG, 2009)

Design Manual for Urban Roads and Streets DMURS (2013)

5.4. **Natural Heritage Designations**

There are no designated areas in the immediate vicinity of the site.

5.5. **EIA Screening**

Having regard to the limited nature and scale of the proposed development and the absence of any connectivity to any sensitive location, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

6.0 The Appeal

6.1. Grounds of Appeal

This is a third-party appeal by (1) Liz Hughes and (2) Con McCarthy, whose properties are located to the south west of the appeal site, against the Planning Authorities decision to grant permission subject to conditions. The issues raised are summarised below: -

- The proposed scheme would result in overdevelopment of former agricultural lands and would have a negative impact on the already overdeveloped village. The village does not have the necessary infrastructure and amenities to cater for the proposed level of development.
- The proposed development will impact on privacy of existing dwellings due to the proximity of the development to boundaries and the level differences on site.
- The proposed development will negatively impact on existing visual and residential amenities.
- Condition no 6 attached to the grant of permission requires the provision of a footpath and lighting on the approach to the village. This would impact on the front gardens of private houses. No consent to this work has been given.
- Having regard to the potential number of vehicular movements generated by the development, the location of the vehicular access between two bends with limited sightlines and adjacent to an existing agricultural access the proposed development would result in a traffic hazard.
- The sewer system does not have capacity for the proposed development.
- Blockages have occurred at the pumping station in the village that have led to overflowing and flooding in the area.
- The concerns raised in the initial Area Planners report have not been adequately addressed by Cork County Council.
- The special development contribution is not sufficient.

6.2. Applicant Response

- 6.2.1. The response is summarised below.
- 6.2.2. Riverstick is not a small rural village. The village currently contains 250 no. dwellings. It is identified as a 'Key Village' in the Bandon Kinsale Municipal District LAP and is envisioned to grow by an additional 150 residential units over the lifetime of the plan. The proposed development will not negatively impact on the character of the village as it is set back from the centre of the village and will not be visually dominant. It is located on the L-3207 which is characterised by ribbon development and is adjacent to the GAA club, which is similar to other locations in the county. A development of the proposed density and size is necessary to achieve the overall population targets set out in the LAP. In addition, Riverstick is not lacking necessary amenities and infrastructure and can accommodate the proposed development.
- 6.2.3. Concerns have been raised due to the potential for overlooking. The applicant has stated that Houses 38, 39 and 40, which are closest to the one-off rural dwellings fronting onto the L-3702 are single storey. There is a separation distance of approx. 44m between these properties. The elevational difference is approx. 2m. It is argued that due to the minimal elevational difference, the separation distances, the height of the proposed dwellings and the proposed boundary treatments the proposed development will not result in undue overlooking of adjoining properties.
- 6.2.4. With regard to the loss of a section of front gardens along the L-3702 to accommodate the public footpath it is confirmed that the decision to grant permission does not in any way incorporate consent for works on private property and some parts of the footpath will require the agreement of landowners.
- 6.2.5. The applicant noted that a full traffic impact assessment has been carried out as part of the application which concluded that the proposed new junction will operate below capacity with no significant queuing during the peak period. The vehicular access is

located in a 50kph zone and sightlines of 55m and 70m are provided from a 3m set back. In addition, public lighting will be provided along the public road to enhance visibility. It is also envisioned that pedestrian safety will be improved with the provision of a footpath from the development to the village, subject to the agreement of landowners.

6.2.6. Concerns were also raised regarding the capacity of the sewerage network. The applicant has referred to the Storm and Foul Sewers Layout Plan which details the sewers to be laid on site. The sewers will connect to the public sewer under the L-3702 which is in the control of Irish Water. A letter of confirmation of feasibility for the site from Irish Water has been included.

6.2.7. The upgrade of the Riverstick Reservoir has also been completed.

6.2.8. With regard to concerns that the special contribution was insufficient to complete the footpath works the applicant has noted that the sum relates to the proportionate benefit of the footpath to the development. The appropriate level of contribution was decided by Cork County Council for footpath works.

6.2.9. The application was fully assessed by Cork County Council.

6.3. Planning Authority Response

The Area Engineer responded to the appeal. The response acknowledged that sections of the proposed public footpath are located on private property which is outside of the applicant's control and considered that sufficient funding was provided through the special contribution to complete the project, should circumstances change.

6.4. Further Responses

In response to Cork County Councils submission the applicant has reiterated that the proposed footpath alignment is indicative and will not impact on any private property without the consent of the landowners.

In response to the applicant's submission Con McCarthy stated that the applicant never contacted him regarding the provision of a footpath within his property boundary. He also raises concerns that adequate sightlines are not available and public lighting cannot be provided along the road due to its narrow width. Therefore, the proposed development would result in a traffic hazard.

In response to the applicant's submission Liz Hughes reiterates concerns raised in the appeal and noted that Riverstick is a village and not a town. An email from Irish Water has also been included which clarifies that a section of the sewer in the area is in fact 150mm diameter and not 225mm, as shown on the GIS system. It is also considered that inadequate public lighting proposals have been submitted.

7.0 **Assessment**

7.1. The main issues in this appeal relate to residential and visual amenity, traffic and water services. Issues relating to access and connectivity, density, layout and open space also need to be addressed. Appropriate Assessment requirements are also considered. I am satisfied that no other substantial planning issues arise.

The main issues can be dealt with under the following headings:

- Access and Connectivity.
- Density.
- Layout.
- Open Space.
- Residential and Visual Amenity.
- Traffic
- Water Services.

- Appropriate Assessment.

The proposed assessment focuses on the revised scheme as submitted by way of further information with reference to the alternative development, where appropriate.

7.2. Access and Connectivity

- 7.2.1. The site is located approx. 550m east of the village centre. Access to the site is via Brookdale Road (L-3207), which is rural in character with a significant number of one-off houses located on both sides of the road. Along the northern side of the road there is a footpath from the village to the GAA grounds which are located approx. 245m west of the site. There is no footpath on the southern side of the road. Condition no. 6 attached to the grant of permission required the provision of a footpath linking the subject site to the village. There are 6 no. dwellings located between the GAA grounds, where the existing public footpath ends, and the subject site. It is noted from the appeals submitted that at least two of the owners of these properties are not willing to cede land to the applicant to provide a footpath. The carriageway is approx. 6m in width with properties located on either side. Therefore, it is not possible to provide a footpath by realigning the road.

The Planning Authority decision (Conditions 3 and 6) required a detailed drawing of the proposed footpath to be submitted and a special contribution in relation to same. In the response to the appeal the Planning Authority's Area Engineer confirmed that the alignment of the proposed footpath, as required by Condition no. 6 of the grant of permission, was indicative only and the provision of a footpath would require the consent of the landowners.

- 7.2.2. As the site is bound to the north and east by agricultural lands and to the west by the GAA grounds there are no immediate potential for additional linkages through the site to existing developments or towards the village.
- 7.2.3. I would have serious concerns regard the lack of connectivity to the village. While it is acknowledged that the site is located within the Riverstick development boundary

it is outside of the applicants control to provide a safe pedestrian link to the village. In the absence of a pedestrian link to the village it is my opinion that the proposed development would endanger public safety by reason of traffic hazard, with particular reference to vulnerable road users, and that the proposed development would be premature pending the provision of this vital infrastructure. In my opinion this issue can not be dealt with by way of condition and permission should be refused on this basis.

7.3. **Density**

- 7.3.1. The Planning Authority decided to grant permission for 56 no. houses, 27 no. 4-beds, 25 no. 3-beds and 4 no. 2-beds. The house types include 6 no. detached, 46 no. semi-detached and 4 no. terraced dwellings. The majority of the houses (48 no.) are two-storey with 8 no. single storey houses provided.
- 7.3.2. The proposed scheme has a density of 21 units per hectare. Concerns have been raised in the appeal that the proposed scheme is overdevelopment of agricultural lands. As noted above, I have serious concerns regarding the lack of connectivity to the village centre. However, as the site is serviced and located within the development boundary for the village I have no objection in principle to a residential scheme on the subject site.
- 7.3.3. Policy HOU 4-1 of the Development Plan allows for a density of 12 - 35 dwellings per hectare in smaller towns outside the Metropolitan area. Section 6.12 of Sustainable Residential Development in Urban Areas, 2009 states that a density of less than 15 – 20 dwellings per hectare along or inside the edge of a small town or village will be considered as an alternative to the provision of single houses in the surrounding unserviced rural lands, so long as such lower density developments do not represent more than about 20% of the total new planned housing stock of the small town or village.
- 7.3.4. The initial Planning Authority's Report raised concerns regarding the total number of units proposed and considered that a scheme of approx. 30 no. units on the subject

site, at the proposed density, would be more appropriate for the location and would be in accordance with guidance set out in Sustainable Residential Development in Urban Areas Guidelines, 2009.

- 7.3.5. The proposed development accounts for 39% of the total new planned housing stock in Riverstick. However, as the density is marginally above the standards set out in Sustainable Residential Development in Urban Area Guidelines, and having regard to the location of the site on the edge of a small village, I have no objection to the proposed density in this instance.

7.4. **Layout**

- 7.4.1. The site is approx. 420m in length. It varies in width from approx. 65m at the front (south) of the site, to its widest section approx. 110m in the centre of the site and then narrows to 45m at the rear (northern section) of the site. The layout, which is reflective of the relatively narrow width of the site, comprises a long row of houses along the eastern boundary with additional houses provided around an area of open space in the centre of the site. It is noted that a section of land to the east of the site is also within the applicant's ownership and within the settlement boundary for Riverstick. In my opinion a development which incorporated this section of land would allow for a more creative design approach, away from the linear layout currently proposed.
- 7.4.2. The Planning Authority decided to grant permission for 56 no houses. Table 4.1 of the Bandon Kinsale Municipal District LAP recommends a scale of 25 units per individual residential scheme in Riverstick. The proposed scheme is therefore more than double the recommended scale for a residential development in the village. The LAP notes that for development schemes above 25 units the layout should reinforce the existing character of the village and should be laid out, phased and delivered to reflect the area and not a residential housing estate. Due to the layout of the scheme and the total number of units proposed it is my view that the layout is reflective of a suburban housing estate and does not reflect or enhance the existing character of the village or the surrounding rural area.

- 7.4.3. It is also considered that the layout of the proposed scheme would be contrary to Policy HOU- 3-2 of the Cork County Development Plan which requires new urban development to be of a high design quality which supports the achievement of successful urban spaces and sustainable communities.
- 7.4.4. In conclusion, having regard to the scale of the development, which is significantly above the recommended number of units for an individual scheme as set out in the Bandon Kinsale Municipal District Local Area Plan, 2017, and the layout of the scheme, which is reflective of a suburban type residential estate, It is my opinion that the proposed scheme does not enhance or reflect the character of the village or the surrounding area and would set an undesirable precedent for similar future developments.

7.5. Open Space

- 7.5.1. Cork County Councils Recreation and Amenity Policy Document requires the provision of 12-18% of the site area to be usable open space. The Landscape Drawing (Drawing no. 500) states that 20.3% of the scheme is open space. It is noted that the Area Planner in the initial report raised concerns regarding the quantity and quality of usable open space.
- 7.5.2. The Policy Document provides a points system for different types of open space, with 1 no. point required per 6 no. houses. The proposed scheme has a requirement for 9.8 no. points. As part of the response to further information a revised site layout plan (drawing No. 10002) was submitted which showed the provision of 3 no. areas of public open space. Approx. 600sqm of public open space is provided to the front of the site adjacent to House Number 1 and Brookdale Road and includes a 100sqm neighbourhood play area (1 point). Approx. 740sqm area of public open space is provided to the rear of the site, adjacent to House Number 48 and also includes a 100sqm neighbourhood play area (1 point). Approx. 2,000sqm of public open space,

is located in the centre of the scheme, which also includes a 100sqm neighbourhood play area (1 point) and a 685sqm multi use games area (6 points).

7.5.3. The quantity of public open space has been provided in accordance with the standards set out in the policy document. However, areas of public open space within residential developments should also be of a high quality in terms of design and layout and should be positioned to ensure informal supervision from houses. There is limited passive surveillance of the areas of open space to the front and rear of the site. In particular I would have concerns regarding the quality of open space to the front of the site, having regard to House 1 being omitted by way of condition and the proximity to Brookdale Road which is a main route into the village.

7.5.4. In conclusion, while the quantity of public open space is in accordance with the standards set out in the policy document I would have concerns regarding the quality of the space. However, it is considered that this issue could be dealt with by way of condition.

7.6. Residential and Visual Amenity

7.6.1. Concerns have been raised in the appeals regarding the proximity of the proposed development to existing dwellings and the potential negative impact on existing amenities, including overlooking and an overbearing impact. The subject site is elevated approx. 2m above the existing houses along Brookdale Road. House 6 and 7 are located approx. 5m from the eastern boundary of the site with an existing one-off dwelling and a minimum of 35m from the house. As these house types (C3) are single storey it is considered that they will not result in undue overlooking or have an overbearing impact.

7.6.2. Houses 38-40 are located along the southern boundary of the site and adjoin the rear boundaries of 3 no. one-off dwellings. The side (south) building line of House 38 is located approx. 1m from the boundary and 27m from an existing house. The rear

(south) building lines of Houses 39 and 40 are located approx. 7m from the boundary and 45m from an existing house. As these House types (A3) are single storey and the separation distances are generous, it is considered that the proposed development will not result in undue overlooking or have an overbearing impact on existing properties.

7.6.3. Concerns have also been raised regarding the potential negative impacts for future occupants due to the proximity of houses to the GAA sports facility. The rear gardens of Houses 24 to 37 are bound (to the west) by the GAA sports facility. A minimum separation distance of 9m is provided between the rear building line of the proposed houses and the boundary wall. Having regard to the existing floodlighting on site and the activity generated by the GAA facility concerns were raised regarding the negative impact on future occupants. However, having regard to the long-established location of the GAA facility and to the separation distances provided it is considered that lighting and noise from the GAA facility will not unduly impact on the residential amenity of future occupants.

7.6.4. Concerns were also raised regarding the negative impact the proposed development would have on the existing visual amenities of the area. The site is not subject to any landscape designations for natural heritage or scenic amenity. It is slightly elevated, and the proposed development would alter the character of the rural area. However, as the site is located within the settlement boundary for the village it is considered that the proposed scheme would not negatively impact on the visual amenities of the area.

7.6.5. In conclusion, it is considered that the proposed residential scheme would not unduly impact on the residential or visual amenities of the area.

7.7. **Traffic**

The subject site is a greenfield site located in a rural area to the east of Riverstick village. Vehicular access to the proposed development is via a new 5m wide carriageway with minimum 2m wide footpaths on either side. The proposed new

junction with the L-3702 is splayed and provides for minimum sightlines of 50m in both directions.

- 7.7.1. To assess the potential impact of the proposed development on the surrounding road network a Traffic Impact Assessment was submitted by way of further information. Having regard to the information submitted it is my opinion that the proposed development is unlikely to have a significant impact on the capacity of the surrounding road network.
- 7.7.2. Concerns have been raised in the appeal regarding the location of the vehicular access and the potential for a traffic hazard due to the limited sightlines available and the proposed number of units served by the access. It is noted that permission was previously refused for a new agricultural access at a similar location (Reg. Ref. 10/5794). The reasons for refusal related to limited sightlines and the potential for a traffic hazard.
- 7.7.3. The existing access to the site is located in close proximity to a bend in the road and therefore has limited sightlines. The proposed vehicular access is located 50m west from the existing access. The proposed front boundary of the site has been set back to provide a footpath and to provide sightlines of 70m in both directions, which is in accordance with the Design Manual for Roads and Bridges for developments in areas with a 50kph speed limit. Drawing no.Y17 320/PL/01 shows 70m sightlines in both directions to the centre of the road from a 3m set back. Having regard to the location of the site within the development boundary of the village, which is a 50kph zone, and the limited number of vehicular movements generated by the development I have no objection to the proposed design of the junction and consider that it would not result in a traffic hazard. It is also noted that the Planning Authority had no objection to the proposed sightlines.
- 7.7.4. A Road Safety Audit was also requested by way of further information. It is noted that the internal layout has been altered to ensure there are no 'blind' corners within

the development. To reduce the potential for increased traffic speeds, due to the revised linear layout of the scheme, speed ramps have been provided within the development.

- 7.7.5. Having regard to the limited width and rural nature of the Brookdale Road overspill car parking cannot be accommodated. It is noted that in accordance with Development Plan standards 2 no. car parking spaces have been provided per dwelling with 21 no. additional visitor spaces proposed along the internal access road.
- 7.7.6. In conclusion, it is considered that the layout, as granted by the Planning Authority, would not result in a traffic hazard or generate any road safety issues and permission should not be refused on traffic related issues.

7.8. **Water Services**

- 7.8.1. Concerns have been raised that the sewerage infrastructure serving the site is not suitable to accommodate the proposed development and that blockages occur at the pumping station in the village.
- 7.8.2. A services infrastructure report was submitted with the application. Foul sewage will be collected within the development by a network of 150mm diameter foul sewers and connected to an existing public foul sewer under the public road, approx. 8m west of the site entrance. It is also proposed to connect the site to the existing public water main via a 100mm diameter connection. A letter of confirmation of feasibility for the site from Irish Water has been included.
- 7.8.3. The site is not subject to flooding and details of surface water collection and disposal have been provided in the Service / Infrastructure report.

7.8.4. I am satisfied that the proposed arrangements are sufficient to cater for water services relating to the site. It is noted that the Planning Authority's Area Engineer raised no objection to the proposed development. It is, therefore, considered that the proposed infrastructure is adequate to serve the site.

7.9. ***Appropriate Assessment***

Having regard to the nature and scale of the proposed development and the distance from the nearest European site, no Appropriate Assessment issues arise, and it is not considered that the proposed development would be likely to have a significant effect, individually, or in combination with other plans or projects, on a European site.

8.0 **Recommendation**

8.1. I recommend that permission be refused for the reasons stated in the attached schedule.

9.0 **Reasons and Considerations**

1. The proposed development would be premature pending the provision of a public footpath connecting the site to the village of Riverstick. The proposed development would, therefore, endanger public safety by reason of traffic hazard, particularly in relation to vulnerable road users and would be contrary to the proper planning and sustainable development of the area.
2. The proposed development, by reason of its scale and layout would be out of character with the village of Riverstick and the surrounding area. In this regard it would be contrary to Policy HOU 3-2 of the Cork County Development Plan and the provisions of the Bandon Kinsale Municipal District Local Area Plan, 2017. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Elaine Power
Planning Inspector

26th April 2019