



An
Bord
Pleanála

Inspector's Report ABP-303454-18

Development

To demolish convalescence home to rear of Clifton House, to modify boundaries to dwelling, to demolish single storey shed, to construct 9 no. two-storey detached dwellings and a single storey extension to gate lodge, together with all associated site development and infrastructure works.

Location

Curtilage of Clifton House, Leicester's Lane/Middle Glanmire Road, Montenotte, Cork.

Planning Authority

Cork City Council

Planning Authority Reg. Ref.

18/37931

Applicant(s)

Grangefield Developments Ltd

Type of Application

Permission

Planning Authority Decision

Grant, subject to 26 conditions

Type of Appeal

Third Party -v- Decision

Appellant(s)

Grace Wallace

Observer(s)

None

Date of Site Inspection

21st March 2019

Inspector

Hugh D. Morrison

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1.0 Site Location and Description

- 1.1. The site is located 1.6 km to the east north east of St. Patrick's Bridge in the city centre in the Montenotte district of the city. This site lies on a south facing slope above the River Lee. The surrounding district comprises mainly housing with schools and institutional uses to the east and a hotel to the west.
- 1.2. The site is bound to the south by Middle Glanmire Road (an east/west route) and to the west by Leycester's Lane (a north/south route). It is accessed via entrances sited in the south western and north western corners of the site. The former entrance, which is accompanied by a gate lodge, is off the north eastern corner of the "T" junction formed by Middle Glanmire Road and Leycester's Lane and the latter entrance is off the eastern side of Leycester's Lane.
- 1.3. The site itself is of roughly rectangular shape, except for its western side where an indentation has been made to facilitate the development of the appellant's two storey detached dwelling house. This site is the subject of pronounced and appreciable gradients, which rise from south to north and from west to east respectively. It extends over an area of 1.56 hectares. Apart from the gate lodge, the site is vacant at present. It was last used as a convalescent home, which was accommodated in a multi-storey building that still stands upon the site. This building is sited centrally in the northern half of the site. It is accompanied to the south by an original two storey house, known as Clifton House, to the east by outbuildings and a walled garden, and to the west by a car park. Forward of the building, across the southern half of the site, is an extensive landscaped lawn, within which trees that are now mature and semi-mature trees have been planted.
- 1.4. The site is served by an avenue from the south western entrance, which is gated and accompanied by stonework and railings. This avenue is lined on its southern side by a metal post and rail fence and it connects with other on-site roads and footpaths. The site is enclosed by means of a variety of boundary treatments, i.e. to the south by a stone retaining wall with a hedgerow above it, to the east by a stone wall, to the north by a retaining wall with either fencing or hedging above it, and to the west by concrete walls and railings adjacent to the gated north western entrance.

2.0 Proposed Development

2.1. The proposal would entail the following elements:

- The demolition of the majority of the building formerly used as a convalescence home, i.e. the main three storey block and the initial portion of the connecting two storey block, which forms a front projection. A freestanding utility building in the north eastern corner of the site would also be demolished. In total, of the existing floorspace of 3191.4 sqm, 2189.2 sqm would be demolished.
- The two storey Clifton House and its single storey elements on either side and to the rear would be retained, as would the gate lodge. In total 1002.2 sqm of floorspace.
- The gate lodge would have its existing rear extension removed and replaced by a larger one.
- The south western entrance would be rearranged to provide a footpath alongside a radius kerb to the carriageway. The access to the said entrance would be by means of dropped kerbs off Middle Glanmire Road, in a position immediately to the east of the existing junction between this Road and Leycester's Lane.
- The site vacated by the aforementioned demolition would be redeveloped to provide 9 no. detached dwelling houses, i.e. a row of 5 no. two storey ones to the east of the retained dwelling house and a row of 3 no. two storey ones to the west. A further 1 no. dwelling house would be sited to the east of the gate lodge in the south western portion of the site. This dwelling house would be of split level form, i.e. two storeys over its southern and central portions and single storey over its northern portion. Each of the dwelling houses would provide four-bedroom accommodation and the total proposed floorspace would be 1753.4 sqm.

2.2. The south western entrance would continue to connect with the existing avenue and it would be used as a means of access to the gate lodge, the split-level dwelling house, and the retained dwelling house. The north western entrance would connect to a new road through the existing car park and then along roughly the line of the

existing service road to the rear of the site. It would be used as a means of access to 8 no. of the proposed 9 no. dwelling houses.

3.0 Planning Authority Decision

3.1. Decision

Following receipt of further information, permission granted subject to 26 conditions.

3.2. Planning Authority Reports

3.2.1. Planning Reports

Further information was sought with respect to the following:

- Details of the reinstatement of Clifton House,
- Survey of existing buildings,
- Proposed entrance to reflect advice of DMURS,
- Visibility and pedestrian safety at the secondary entrance,
- On-site access road and parking to accord with DMURS and the CDP,
- Stage 1/2 RSA,
- Letter of consent with respect to works to the public road,
- Logistical details with respect to construction traffic, and
- Integration of public lighting proposals with the existing system.

3.2.2. Other Technical Reports

- Environment: No objection, subject to conditions.
- Roads Design: Following receipt of further information, no objection, subject to conditions.
- Transportation and Mobility: Following receipt of further information, no comments.
- Drainage: No objection, subject to conditions.

- Conservation: Following receipt of further information, no objection, subject to conditions.

4.0 Planning History

- 00/23948: Alter entrance and construct car park: Permitted.
- 00/24524: Construct three-storey dwelling house and detached garage: Permitted.
- Pre-application consultation occurred on 17th January 2017.
- 18//1496: Part V Certificate of Exemption granted to shadow current proposal.

5.0 Policy and Context

5.1. Development Plan

Under the Cork City Development Plan 2015 – 2021 (CDP), the site is the subject of two zonings and a further designation. Thus, the northern portion, which accommodates the existing convalescence home and the Clifton House, a walled garden, and a car park is zoned for residential, local services and institutional uses. The southern portion of the site is zoned as a landscape preservation zone. This zone is denoted as NE 8. The CDP's Map 15 – Views and Prospects: NE shows the site as lying on the Montenotte/ Tivoli Ridge. Objective 10.5 states the following:

To preserve and enhance the character and visual amenity of Landscape Preservation Zones through the control of development. Development will be considered only where it safeguards the value and sensitivity of the particular landscape and achieves the respective site specific objectives...

The site specific objectives for NE 8 are as follows:

C: Tree canopy – Areas with existing woodlands or significant tree groups, or areas with potential for new woodlands, and

G: Landmarks/natural features/cultural landscape – Land forming the setting to existing landmark buildings and/or protected structures/buildings of significance.

The walled garden is designated an area of high landscape value. Objective 10.4 states the following:

To conserve and enhance the character and visual amenity of the Areas of High Landscape Value (AHLV) through the appropriate management of development, in order to retain the existing characteristics of the landscape, and its primary landscape assets. Development will be considered only where it safeguards the value and sensitivity of the particular landscape. There will be a presumption against development where it causes significant harm or injury to the intrinsic character of the Area of High Landscape Value and its primary landscape assets, the visual amenity of the landscape, protected views, breaks the existing silhouette, the character and setting of buildings, structures and landmarks, and the ecological and habitat value of the landscape.

5.2. Natural Heritage Designations

- Great Island Channel SAC (site code 001058)
- Cork Harbour SPA (site code 004030)

5.3. EIA Screening

Under Items 10(b)(i) & (iv) of Part 2 of Schedule 5 to Article 93 of the Planning and Development Regulations, 2001 – 2018, where more than 500 dwelling units would be constructed and where 10 hectare-urban sites would be developed, the need for a mandatory EIA arises. The proposal is for the redevelopment of a 1.56-hectare urban site to provide 9 no. dwelling houses. Accordingly, it does not attract the need for a mandatory EIA. Furthermore, as this proposal would fall so far below the relevant thresholds, I conclude that, based on its nature, size, and location, there is no real likelihood of significant effects upon the environment and so the preparation of an EIAR is not required.

6.0 The Appeal

6.1. Grounds of Appeal

The appellant resides at “Elbereth”, the dwelling house to the west of the site on Leycester’s Lane. She states that, while she welcomes the majority of the proposal, she wishes to contest dwelling house no. 9.

- The said dwelling house would be sited in a landscape preservation zone, wherein there is a presumption against new development. If acceded to, an adverse precedent would be established.
- The appellant's dwelling house predates the introduction of the landscape preservation zone and so it does not provide a precedent for the said dwelling house. Trees have already been removed from the site of no. 9 and the appellant disagrees with the case planner's view that a dwelling house on this site would "not impact unduly on the overall landscape setting of the site."
- The proposed realignment of the entrance onto Middle Glanmire Road would fail to meet DMUR standards with respect to its westerly sightline and yet no speed test of traffic on this busy Road was undertaken. In these circumstances, the increased use of this entrance that would arise from traffic generated by the proposed dwelling house would be wholly inappropriate.

6.2. Applicant Response

- The applicant draws attention to site specific objectives C and G cited above under paragraph 5.1:
 - The former objective refers to the tree canopy. As the site no. 9 is not wooded this objective would not be affected. The appellant also refers to tree removal from this site: some trees were removed on health and safety grounds following recent storms and some Leylandii were removed on the advice of the City Council's Parks Department. She does not refer to conditions 4 and 24 of the draft permission, which would variously require the submission of a comprehensive landscaping scheme for the site as a whole and establish a management company for the future maintenance of the site.
 - The latter objective refers to the landmark constituted by Clifton House. Attention is drawn to the Conservation Officer's report, which states that the proposal would retain a sense of space around this House and so no adverse impact upon its setting would arise. Furthermore, the demolition of the 20th Century extension to it would enhance its original character.

The applicant contends that the proposed dwelling house no. 9 would have less of an impact upon the setting of Clifton House than the appellant's own dwelling house "Elbereth", as it would be sited at a lower level and in a more secluded position. It also contends that the relationship between the proposed dwelling house and "Elbereth" would be appropriate as the former would be lower than the latter and a hedgerow to the appellant's property would provide screening.

- Attention is drawn to Paragraph 16.59 of the CDP, which addresses infill housing and which states that it should be assessed on a case by case basis. As demonstrated above, the proposal would respect the relevant site specific objectives for the subject landscape preservation zone and so no adverse precedent would result from a permission.
- The appellant's critique of the secondary entrance fails to take into account the following considerations:
 - This is an existing entrance and so it would be unreasonable to insist on the standards to which a new entrance would be constructed,
 - The existing entrance is identified in the NIAH and so major alterations to it would be inappropriate,
 - In the absence of permission for the demolition of the convalescence home, it could be reused as such or for any other use in Class 9 of Part 4 of Schedule 2 to Article 10 of the Planning and Development Regulations, 2001 – 2018, with attendant implications for vehicular movements at the existing entrance, and
 - Under the permission, the existing entrance would only be used by traffic generated by three dwelling houses, i.e. not the convalescence home or similar use.
- The tightening of the radius kerb at the secondary entrance would reduce vehicular speeds on Leycester's Lane. Such speeds on Middle Granmore Road are already low, due to a pinch point in advance of the junction between this Road and the said Lane.

- Attention is drawn to the limited sightlines available at the entrance to the appellant's own property and the omission in practise of a vehicular refuge forward of this entrance.
- Attention is also drawn to the following underlying DMURS principles, which are reflected in conditions 5 and 7:
 - Recommend a flexible rather than a prescriptive approach when retrofitting existing streets,
 - Prioritise pedestrian over vehicular traffic, and
 - Emphasis a reduction in traffic speed rather than an increase in sight distance.

6.3. **Planning Authority Response**

No further comments.

6.4. **Observations**

None

6.5. **Further Responses**

None

7.0 **Assessment**

7.1. I have reviewed the proposal in the light of national planning guidelines, the CDP, relevant planning history, the submissions of the parties, and my own site visit. Accordingly, I consider that this application/appeal should be assessed under the following headings:

- (i) Land use, conservation, visual amenity, and landscaping,
- (ii) Development standards and amenity,
- (iii) Traffic, access, and car parking,
- (iv) Services, and

(v) Appropriate Assessment.

(i) Land use, conservation, visual amenity, and landscaping

- 7.2. The site is the subject of two zonings and a designation in the CDP. Thus, the northern portion of the site, which comprises the former convalescence home and adjoining original house, which is known as Clifton House, the walled garden and outbuildings to the east and the car park to the west are zoned for residential, local services and institutional uses. Additionally, the walled garden is designated an area of high landscape value. The southern portion of the site, which comprises the gate lodge and the extensive lawns both forward of and on either side of Clifton House are zoned landscape preservation zone NE 8. Specific objectives are cited with respect to this zone, which pertain to tree canopies and landmarks/natural features/cultural landscape.
- 7.3. Under the proposal, the former convalescence home would be demolished, along with a freestanding utility building on the northern side of the walled garden. Clifton House would be retained, as would a line of outbuildings that adjoin it to the north east. Eight of the nine proposed dwelling houses would be sited on the lands cleared by the said demolition, five to the east of the Clifton House and three to the west. As these dwelling houses would be sited within the first of the above cited zones, there would be no in principle land use objection to the replacement of a dormant institutional use with a residential one.
- 7.4. From a conservation perspective, the former convalescence home is a 20th century addition to the Clifton House, which is of little conservation value. Likewise, the freestanding shed is a modern one. Thus, the demolition of these buildings raises no conservation issues, indeed the opportunity to re-establish Clifton House as a stand-alone building would allow its character to be more readily discerned and appreciated. The sense of enclosure provided by the walled garden would be maintained under the proposal as the high stone walls to the south and to the east would be retained, as would the outbuildings to the west. The setting of the five dwelling houses that would be sited within this garden would thus be defined by the retention of these items.
- 7.5. Map 15 of the CDP shows the site as lying on the Montenotte/Tivoli Ridge in the NE sector of Cork City. This Map identifies two landmark/townscape views of the

western portion of this Ridge, which includes the site. These views are denoted as follows: LT6 from Customs House Point and LT7 from Lower Glanmire Road. The existing three storey convalescence home appears on the skyline from certain public vantage points within the former view. The proposed two storey dwelling houses would be appreciably lower in height than this home and so they would appear as less prominent incursions upon the skyline. The said views would thus not be adversely affected.

- 7.6. Under the proposal, the existing rear extension to the gate lodge would be replaced by a larger one of more sympathetic design. The new extension would be sited wholly within the curtilage of this gate lodge. The ninth new dwelling house would be sited to the east of this curtilage and in the south western portion of the site. The entire southern half of the site is included within landscape preservation zone NE 8. Objective 10.5 of the CDP relates to such zones and it states that “Development will be considered only where it safeguards the value and sensitivity of the particular landscape and achieves the respective site specific objectives”, which in the case of NE 8 pertain to tree canopies and landmarks/natural features/cultural landscape.
- 7.7. The appellant critiques the proposed siting of the ninth dwelling house in the landscape preservation zone, on the grounds of adverse precedent and loss of treed landscaping to the setting of Clifton House. She also states that her own dwelling house does not form such a precedent, as it pre-dates the said zone.
- 7.8. The applicant has responded to this critique by stating that the house plot in question is not wooded and that recent tree removal was undertaken for reasons of sound tree management. Conditions attached to the draft permission would fully address retained landscaping and its future maintenance. The applicant also states that under the proposal the character of Clifton House would be re-established, and its landscape setting respected. Attention is drawn to the house plot in question, which is at a lower level than that of the appellant’s dwelling house to the north, and the view is expressed that its development would have less of an impact on the said setting than this dwelling house already does.
- 7.9. During my site visit, I observed the landscaped setting of Clifton House. This setting includes an extensive lawn that slopes away from the principal, south facing, elevation of this house. It is formally laid out with clusters of trees and shrubs and a

perimeter footpath which connects with the sweeping avenue. At present the lawn is a continuous feature that accompanies this avenue. At its south western extremity lies the gate lodge and the adjacent south western entrance to the site, the gates/railings/walls of which are identified in the NIAH as dating from c. 1830 and which are rated as being of regional importance (reg. no. 20863111). The ninth dwelling house would be sited to the east of this gate lodge and to the south of the avenue. The appellant's dwelling house lies to the north of the avenue on the opposite side from the house plot in question, behind a high hedgerow. The said house plot would effectively "square-off" the south western corner of the site in conjunction with this dwelling house.

- 7.10. I note that the proposed siting of the ninth dwelling house would entail the loss of two trees, along with the south western extremity of the lawn and part of the perimeter footpath that passes through it. I note, too, that the dwelling house itself would be inserted between the gate lodge and Clifton House, and so the corresponding relationship between these two buildings would be obscured. While the presence of the appellant's dwelling house has encroached upon the setting of Clifton House from the east, this dwelling house lies to the north of the avenue and so the said corresponding relationship, which runs on a west south west/east north east axis, has to date been maintained across the avenue and lawn.
- 7.11. Objective 10.5, cited above, refers to tree canopies and landmarks/natural features/cultural landscape. In the light of the foregoing paragraph, the proposed ninth dwelling house would entail the removal of two trees and the reduction in scope for additional tree planting. It would also encroach upon a valued landscape area and it would obscure the line of sight between two buildings of significance, i.e. Clifton House and its gate lodge, which at present clearly correspond with one another across the said area. Their historic relationship thus remains legible and contributes to the conservation interest of the site. In these circumstances, I consider that the ninth dwelling house would contravene Objective 10.5 and so this dwelling house should be omitted by condition from any permission.
- 7.12. I conclude that, subject to the omission of the proposed ninth dwelling house, the proposal would comply with the CDP's zoning, landscaping, and conservation objectives for the site.

(ii) Development standards and amenity

- 7.13. The proposal would exhibit a consistency of house size and a lower density of development than would normally be considered appropriate for an urban site. However, justification for a departure from the relevant norms can be made by reference to the zoning and high landscape value designation discussed under the first heading of my assessment. Essentially, the need to respect the setting of Clifton House and to work within the space afforded by the walled garden to its east means that the formal arrangement of rows of similarly designed dwelling houses in recessed positions on either side of this House is an appropriate design approach to the redevelopment of the site.
- 7.14. The topography of the site and the importance of the setting of Clifton House, including the adjacent walled garden, is such that the proposed dwelling houses on either side of this House would be visible, especially on their southern sides, which would comprise attractively designed rear elevations. Accordingly, in order to afford control over future changes to the resulting aesthetic, I consider that the normal domestic exempted development rights attendant upon each dwelling house should be removed by condition.
- 7.15. The dwelling houses themselves would provide four-bedroom (7 or 8 bedspace) accommodation, which would accord with the relevant development standards set out under Table 5.1 of the Quality Housing for Sustainable Communities: Best Practice Guidelines. Externally, each dwelling house would be provided with adequate private open space, too.
- 7.16. The application includes a series of cross sections of the site with both existing buildings and the proposal super-imposed in conjunction with existing adjacent dwelling houses. These cross sections illustrate that the proposal would be instrumental in improving lighting and privacy to bungalows to the north on the cul-de-sac known as Baile An Aoire. Likewise, the appellant's dwelling house would enjoy a higher level of privacy, provided the boundary treatments to the north eastern corner of its curtilage, which include a high wall and mature landscaping, are retained.
- 7.17. The application also includes a plan (drawing no. 1013.PL.005 revision 4) which shows the proposed site layout boundary treatments. These treatments represent a

site-specific response to the pattern of existing boundary treatments on the site and so they would be of particular importance to reproduce “on the ground” if a sympathetic form of development is to be realised in practise. The implementation of the said treatments should thus be conditioned, too.

7.18. I conclude that the proposal would accord with relevant development standards and it would enhance the amenities of dwelling houses to the north of the site.

(iii) Traffic, access, and car parking

7.19. The proposal is for an additional nine dwelling houses on the site, which would replace the former convalescence home. (Two existing dwelling houses comprised in Clifton House and the gate lodge would be retained). Traffic generated by this proposal would be likely to be either similar to or less than that which would be generated by any resumption in the use of this home, either as a convalescence home or some other institutional use under Class 9 of Part 4 of Schedule 2 to Article 10 of the Planning and Development Regulations, 2001 – 2018.

7.20. The site is served by two entrances, i.e. in the south western and north western corners. Under the previous use of the site, the former entrance would appear to have been used by Clifton House and the gate lodge and the latter by the convalescence home. Under the proposal, the former would be used to access eight of the dwelling houses, while the latter would continue to be used to access Clifton House, the gate lodge, and, now, the ninth dwelling house.

7.21. The south western entrance is accessed off the north eastern corner of the T junction formed by Middle Glanmire Road and Leycester’s Lane. At present the space forward of this entrance forms effectively a waiting area for vehicles turning left from Leycester’s Lane onto Middle Glanmire Road. The footpaths on the nearside of both this Lane and Road end before this space and so pedestrians similarly turning left must walk on the carriageway.

7.22. Under the proposal, the aforementioned deficiency would be remedied by the construction of a footpath around the north eastern corner of the junction. The access point to the site entrance would be “turned” to meet Middle Glanmire Road at right angles and dropped kerbs would be introduced accordingly.

7.23. The applicant has critiqued the proposed changes to the access from Middle Glanmire Road on the basis that the western sightline would be inadequate, and no

speed test was undertaken to justify a departure from the norm in this respect. The applicant has responded by drawing attention to the width of Middle Glanmire Road, which is such that vehicles travelling in opposite directions must slow down and use those portions of this Road that are wider to pass one another. Traffic calming is thus inherent to it. Likewise, the proposed changes to the junction in question would slow vehicles approaching down Leycester's Lane.

- 7.24. I note from the submitted plans that from an x distance of 2m, the revised south western access point to the site would afford y distances of 45m to the east and 28.7m to the west. During my site visit, I witnessed the pattern of vehicle movements described above by the applicant. I can therefore confirm that vehicle speeds along this Road tend to be slow. I also note that the changes to the junction in question would represent improvements in the form of separating this junction from the access point to the site entrance and providing for the needs of pedestrians. I am mindful that the junction is an existing one and so in the light of these improvements I raise no objection to the sub-standard western sightline.
- 7.25. Notwithstanding the aforementioned paragraph, if the ninth dwelling house is omitted in accordance with the conclusion under the first heading to my assessment, then there would be no increase in the usage of the south western entrance. Nevertheless, the proposal would be likely to generate greater pedestrian movement than heretofore on Leycester's Lane and, as the improvements to the said entrance would be of particular benefit to pedestrians, they should still be made.
- 7.26. Turning to the north western entrance, under the proposal this entrance would be improved by the construction of a raised table, the insertion of a pedestrian gate on the southern side of the vehicle gates, and the removal of on-street car parking spaces to the north and south on the nearside of Leycester's Lane in a bid to improve sightlines.
- 7.27. Under condition 5 of the Planning Authority's draft permission, further modifications to the aforementioned condition are cited, i.e. the removal of the vehicular gates and the widening of the gateway to 5m and the retention of on-street parking to the south of the entrance. I consider that these modifications would be justified in the interests of ease of access/egress and in seeking to strike a balance between sightline requirements and the local need for on-street parking.

- 7.28. The aforementioned condition also requires that the on-site access road be reduced in width to 4.8m to discourage speeding and its finishing materials should indicate its status as a shared surface. These requirements, too, appear to be reasonable.
- 7.29. Each of the dwelling houses served by the proposed access road would be accompanied by two off-street car parking spaces and an additional three on-street car parking spaces would be provided towards the eastern extremity of this road, for visitors. CDP standards would thereby be met.
- 7.30. The applicant does not propose that the access road be taken in charge and so its future maintenance along with incidental open space alongside it would be the subject of a private management agreement.
- 7.31. I conclude that the traffic generated by the proposal would be capable of being satisfactorily accommodated both on and off site. I conclude, too, that the proposed improvements to the existing site entrances would be satisfactory, as would car parking arrangements.

(iv) Services

- 7.32. The site is an existing urban one, which is connected to the public water mains and to the public foul and storm water sewerage system. Under the proposal, these connections would be maintained.
- 7.33. The applicant has investigated the scope for SuDS methodologies on the site. However, a combination of its topography, underlying bedrock, and the permeability of the soil would mean that such methodologies would run the risk of springs occurring in the lower reaches of the site's slopes and beyond. In these circumstances, the applicant simply proposes to install an attenuation tank to handle storm water run-off from what would be a reduced footprint of hard surfacing on the site, i.e. down from 0.32 hectares to 0.21 hectares.
- 7.34. The proposal would be capable of being satisfactorily serviced.

(v) Appropriate Assessment

- 7.35. The site is not in a Natura 2000 site and it is a serviced urban one. The nearest such sites lie at some considerable remove to the east and to the south east, i.e. Great Island Channel SAC and Cork harbour SPA. I am not aware of any source/pathway/

receptor route between this site and these sites. Accordingly, the proposal would not raise any Appropriate Assessment issues.

- 7.36. Having regard to the nature and scale of the proposal, the nature of the receiving environment, and the proximity of the nearest European sites, no Appropriate Assessment issues arise, and it is not considered that the proposal 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. That permission be granted.

9.0 Reasons and Considerations

Having regard to the Cork City Development Plan 2015 – 2021, it is considered that, subject to conditions including one that omits the proposed ninth dwelling house, the proposal would comply with the zoning and high value landscape objectives for the site. The proposed demolition of the former convalescence home and a freestanding utility building would raise no conservation issues and the opportunity to re-establish Clifton House as a stand-alone building would enhance its character. The design approach adopted for the construction of the proposed dwelling houses denoted as numbers 1 – 8 would be appropriate to the setting of this House and its adjoining walled garden and the resulting reduced profile of development on the skyline would ensure the maintenance of landscape/townscape views identified in the Development Plan. The proposed dwelling houses would accord with relevant development standards and they would be wholly compatible with the amenities of existing residential properties in the vicinity. Traffic generated by the proposal would be comparable with that which could be generated by the site were the convalescence home to be reused. The two entrances to the site would be improved in the interest of road safety and the redeveloped site would be capable of being satisfactorily serviced. No Appropriate Assessment issues would arise. The proposal would thus accord with the proper planning and sustainable development of the area.

10.0 Conditions

1.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 22nd day of November 2018, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>The proposed development shall be amended as follows:</p> <p>(a) The dwelling house denoted as no. 9 shall be omitted in its entirety.</p> <p>(b) The house plot thus omitted shall remain as a landscaped area.</p> <p>Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: In order to ensure compliance with Objective 10.5 of the Cork City Development Plan 2015 – 2021, in the interests of visual amenity.</p>
3.	<p>A full architectural survey of buildings proposed for demolition shall be carried out and shall be submitted to the planning authority prior to commencement of development. Archive standard drawings and a photographic survey shall be prepared in accordance with the requirements of the planning authority.</p> <p>Reason: In order to facilitate the conservation, preservation and/or recording of the architectural heritage of the site.</p>
4.	<p>All works to Clifton House arising directly from the demolition of the adjoining former convalescence home, shall be carried out under the supervision of a qualified professional with specialised conservation</p>

	<p>expertise.</p> <p>Reason: To secure the authentic preservation of this structure and to ensure that the proposed works are carried out in accordance with best conservation practice.</p>
5.	<p>The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the following:</p> <p>(a) A plan to scale of not less than [1:500] showing –</p> <p>(i) Existing trees, hedgerows, shrubs, stone walls, and fences, specifying which are proposed for retention as features of the site landscaping.</p> <p>(ii) The measures to be put in place for the protection of these landscape features during the construction period.</p> <p>(iii) The species, variety, number, size and locations of all proposed trees and shrubs, which shall comprise predominantly native species such as mountain ash, birch, willow, sycamore, pine, oak, hawthorn, holly, hazel, beech or alder and which shall not include prunus species.</p> <p>(iv) Hard landscaping works, specifying surfacing materials, and finished levels.</p> <p>(b) Subject to condition 2 above, the boundary treatments specified in drawing no. 1013.PL.005 revision 4 shall be fully incorporated within the comprehensive landscaping scheme.</p> <p>(c) A timescale for implementation.</p> <p>All planting shall be adequately protected from damage until established.</p> <p>Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.</p>

	Reason: In the interest of residential and visual amenity.
6.	<p>Details of the materials, colours and textures of all the external finishes to the proposed dwellings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: In the interest of visual amenity.</p>
7.	<p>Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.</p> <p>Reason: In the interest of public health.</p>
8.	<p>The internal road network serving the proposed development shall comply with the detailed standards of the planning authority for such road works.</p> <p>Specifically, the following modifications shall be made to the proposal, as revised on 22nd November 2018:</p> <p>(a) The vehicular entrance in the north western corner of the site shall be increased in width to 5 metres.</p> <p>(b) The widened vehicular entrance in the north western corner of the site shall be ungated at all times.</p> <p>(c) The proposed on-site access road shall be reduced in width to 4.8 metres.</p> <p>(d) The proposed on-site access road shall be finished in materials that denote it clearly as a shared surface.</p> <p>A scheme showing these modifications shall be submitted to and agreed in writing with the Planning Authority prior to the commencement of development.</p> <p>Prior to the commencement of occupation of any of the new dwelling houses, the agreed scheme and the improvements to the entrance in the south western corner of the site shown on the submitted plans shall be fully implemented.</p>

	<p>Reason: In the interest of amenity and of traffic and pedestrian safety.</p>
9.	<p>Street lighting shall be provided in accordance with a scheme, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Such lighting shall be provided prior to the making available for occupation of any house.</p> <p>Reason: In the interests of amenity and public safety.</p>
10.	<p>Proposals for a street name, house numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all estate and street signs, and house numbers, shall be provided in accordance with the agreed scheme. The proposed name shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. No advertisements/marketing signage relating to the name(s) of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name(s).</p> <p>Reason: In the interest of urban legibility and to ensure the use of locally appropriate place names for new residential areas.</p>
11.	<p>Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays.</p> <p>Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.</p> <p>Reason: In order to safeguard the [residential] amenities of property in the vicinity.</p>
12.	<p>Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the "Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects", published by</p>

	<p>the Department of the Environment, Heritage and Local Government in July 2006. The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Region in which the site is situated.</p> <p>Reason: In the interest of sustainable waste management.</p>
13.	<p>The management and maintenance of the proposed development following its completion shall be the responsibility of a legally constituted management company. A management scheme providing adequate measures for the future maintenance of public open spaces, roads and communal areas shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: To provide for the satisfactory future maintenance of this development in the interest of residential amenity.</p>
14.	<p>The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including:</p> <ul style="list-style-type: none"> (a) Location of the site and materials compound(s) including area(s) identified for the storage of construction refuse; (b) Location of areas for construction site offices and staff facilities; (c) Details of site security fencing and hoardings; (d) Details of on-site car parking facilities for site workers during the course of construction; (e) Details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site; (f) Measures to obviate queuing of construction traffic on the adjoining road

	<p>network;</p> <p>(g) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;</p> <p>(h) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;</p> <p>(i) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater;</p> <p>(j) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;</p> <p>(k) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.</p> <p>A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be kept for inspection by the planning authority.</p> <p>Reason: In the interest of amenities, public health and safety.</p>
15.	<p>Development described in Classes 1 or 3 of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001, or any statutory provision modifying or replacing them, shall not be carried out within the curtilage of any of the proposed dwelling houses without a prior grant of planning permission.</p> <p>Reason: In order to afford the Planning Authority the opportunity to control such development in the interest of visual amenity.</p>
16.	<p>Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion of roads, footpaths, watermains, drains, open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion of any part of the development. The form and amount of the</p>

	<p>security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.</p> <p>Reason: To ensure the satisfactory completion of the development.</p>
17.	<p>The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.</p> <p>Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.</p>
18.	<p>The developer shall pay to the planning authority a financial contribution in respect of the Cork Suburban Rail Project in accordance with the terms of the Supplementary Development Contribution Scheme made by the planning authority under section 49 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the</p>

	<p>Scheme.</p> <p>Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Supplementary Development Contribution Scheme made under section 49 of the Act be applied to the permission.</p>
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Hugh D. Morrison
Planning Inspector

3rd April 2019