



An  
Bord  
Pleanála

## Inspector's Report ABP-303469-19

### Development

The demolition of an existing dwelling, associated garage and front boundary wall, the construction of 8 no. residential dwellings, and all associated works.

### Location

Beauvoir, Cork Road, Carrigaline West, Carrigaline, Co. Cork

### Planning Authority

Cork County Council

### Planning Authority Reg. Ref.

17/7429

### Applicant(s)

Imelda O'Riordan, E.Carl Cogan and James A. Cogan.

### Type of Application

Permission

### Planning Authority Decision

Refuse Permission

### Type of Appeal

First Party

### Appellant(s)

Imelda O'Riordan, E.Carl Cogan and James A. Cogan.

**Observer(s)**

- (1) Brendan and Eleanor Daly
- (2) Billy and Camillus Rossborough
- (3) Bernard Goulding
- (4) Pat and Sally Cummins

**Date of Site Inspection**

9<sup>th</sup> April 2019

**Inspector**

Elaine Power

## 1.0 Site Location and Description

- 1.1. The subject site is located in Carrigaline on the Cork Road, approx. 400m north of the town centre and 13km south of Cork City. This part of Carrigaline is generally characterised by low density residential estates comprising detached and semi-detached houses.
- 1.2. The site has a stated area of 0.47ha and is generally rectangular in shape. It currently accommodates a detached house (gross floor area of 212sqm), which is set back approx. 40m from the Cork Road with a large rear (west) and side (south) garden. It is bound on both sides (north and south) by detached dwellings. The rear (west) of the site is bound by the rear gardens of a residential estate 'Briarfield'. The front (east) of the site is bound by the Cork Road which is a heavily trafficked route into the town centre. The site boundaries consist of large mature trees, hedgerow and a low stone wall.
- 1.3. Access to the site is via a 4m wide driveway with a splayed entrance onto Cork Road.

## 2.0 Proposed Development

### 2.1. *Application lodged on 22nd December 2017*

- 2.1.1. The proposed plans originally lodged for planning permission comprised the demolition of an existing house and the construction of 8 no. detached houses comprising 2 no. rows of 4 no. houses each, located at a 90-degree angle to each other. A variety of house styles are proposed however all houses are 4-bedroom. The size of the houses varies from 163sqm to 198sqm. An area of communal open space is proposed in the centre of the development.
- 2.1.2. It is proposed to relocate the existing access approx. 25m south along Cork Road to provide a new 8m wide access with a splayed entrance. Driveways are provided

to the front of each dwelling with 2 no car parking spaces each. Turning areas and footpaths have been provided within the development. The site is served by public infrastructure. Due to level differences on site it is proposed to raise the south west corner of the site by approx. 2m.

2.1.3. The submission to the Planning Authority included a Planning and Design Statement, a Stage 1 Road Safety Audit, an Engineering Design Report and a Tree Survey.

2.1.4. There are some inconsistencies in the drawings submitted. In the interest of clarity, the scheme comprised 6 no. different house types, in this regard House 1 (A2), House 2 (B2), House 3 (B1), House 4 (A3), House 5 (B1), House 6 (C), House 7 (A1) and House 8 (B2). It is noted that floor plans, elevation and section drawings have not been submitted for House Numbers 5 and 8 however as these are the same House Types as Houses 3 and 2 respectively it is considered that individual drawings are not required and that the house numbers in the titles were omitted in error.

## 2.2. ***Unsolicited Further Information lodged on 1<sup>st</sup> February 2018***

2.2.1. Unsolicited further information rectified an error in the original Planning and Design Statement. The revised Planning and Design Statement notes that the property named 'L'Anresse Lodge' is in fact located two sites north of the subject site and is in private ownership and is not located directly adjacent to the subject site.

## 2.3. ***Further Information lodged on 26th October 2018***

2.3.1. In response to the further information request an alternative scheme was submitted comprising 7 no. residential units in 2 no. rows. The rows were parallel to each other, with a row of 3 no houses fronting onto Cork Road. The site layout for the original scheme was also re-submitted.

2.3.2. Documentation submitted with the response included an addendum Engineering Design Report, Traffic and Transport Assessment, a Landscape Planning Report

2.3.3. Revised public notices were advertised on the 14<sup>th</sup> November 2018.

## 3.0 Planning Authority Decision

### 3.1. Decision

Permission was refused for the following reasons:

1. The proposed development would endanger public safety by reason of traffic hazard because the proposed layout does not make provision for visitor parking space or adequate turning space for larger vehicles such as fire truck, refuse lorries, etc. and would therefore generate traffic movements which would interfere with the safety and free flow of traffic within the estate. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.
2. The proposed siting of the stormwater attenuation tank under the internal roadway is considered to be unacceptable as it does not facilitate adequate access for maintenance purposes. It is therefore considered that the developer has not adequately demonstrated that the proposed surface water management system is adequate or represents a sustainable approach to servicing the proposed development. The proposed development would therefore be prejudicial to public health and would be contrary to the proper planning and sustainable development of the area.
3. The extent of proposed ground level alteration, proposed removal of existing mature trees and construction of substantial scale retaining walls along the

southern and rear boundaries is unacceptable on the grounds that it would be detrimental to the visual amenities of the area, it constitutes an insensitive approach to development of the site and would set a most undesirable precedent for similar development proposals in the area. the proposed development would therefore be contrary to the proper planning and sustainable development of the area.

### **3.2. Planning Authority Reports**

#### **3.2.1. *Planning Reports***

The initial Executive Planners report (22<sup>nd</sup> February 2018) and Senior Executive Planners report (23<sup>rd</sup> February 2018) raised concerns regarding the proposed development and recommended that 14 no. items of further information be sought which related to the following: -

- Surface water attenuation and disposal
- A detailed drawing of underground services
- Redesign of the scheme to reduce the density
- Boundary details
- Landscaping plan
- Details of retaining structures on site
- Details of areas to be taken in charge
- Road construction details
- Details of public lighting scheme.

The final Executive Planners report (6<sup>th</sup> December 2018) considered that concerns regarding traffic, surface water and layout / boundary treatments were still outstanding and recommended that permission be refused. Further reports by the

Senior Executive Planner (7<sup>th</sup> December 2018) and the Senior Planner (10<sup>th</sup> December 2018) also recommend that permission be refused.

### 3.2.2. **Other Technical Reports**

**Area Engineers Report** ( 21<sup>st</sup> February 2018) raised concerns regarding the potential number of vehicular movements generated by the proposed development and the potential negative impact on the surrounding road network. Recommended that further information be requested regarding surface water attenuation and disposal. The final report (11<sup>th</sup> December 2018) recommended that permission be refused regarding a traffic hazard and unacceptable location of the attenuation tank.

**Estates Report** (31<sup>st</sup> January 2018) raised a number of concerns regarding the proposed development and recommended that 9 items of further information be requested which were reflected in the formal request for further information. The final report (20<sup>th</sup> November 2018) recommended that clarification be sought regarding the proposed road widths.

**Public Lighting Report** (23<sup>rd</sup> January 2018) raised concerns regarding the proposed public lighting scheme and recommended that further information be requested. This requested was reflected in the formal request for further information. Final report (22<sup>nd</sup> November 2018) considered that all issues had been addressed and recommended that permission be granted.

### 3.3. **Prescribed Bodies**

**Irish Water** (30<sup>th</sup> January 2018): No objection

### 3.4. Third Party Observations

Submissions from (1) Bernard Goulding, (2) Bendan and Eleanor Daly, (3) Declan Daly on behalf of Pat and Sally Cummins, (4) Charles C. Cullinan, (5) John A. Murphy and (6) John McCarthy on behalf of Billy and Camillus Rossborough are on file and raised the following concerns: -

- The proximity of the vehicular access to a junction will result in a traffic hazard.
- There is no capacity on the surrounding road network to accommodate the increased vehicular movements generated by the proposed development.
- The site has not been designed to accommodate refuse trucks or emergency vehicles as it requires vehicles to cross the central line on the Cork Road to access the site.
- It is unclear if mature trees will be retained and protected.
- The proposed increase in ground levels will impact on the structural stability of boundary walls.
- There is a slope on site and it is unclear how surface water run off will be discharged. The proposed attenuation tank is located under an existing tree.
- The design, in particular the height of the houses will result in overlooking and will result in an overbearing impact on adjoining properties.
- The high-density development is not in keeping with the original low density character of the area.
- The development will have a negative impact on the value of adjoining property.
- The proposed scheme is overdevelopment of the site.
- There will be a negative impact on the adjoining properties during the construction phase.
- A housing mix has not been provided on site.
- Additional screening is required between the proposed and existing dwellings.



## 4.0 Planning History

None

## 5.0 Policy and Context

### 5.1. Ballincollig Carrigaline Municipal District Local Area Plan, 2017

5.1.1. Carrigaline is identified as a main town in the local area plan. The subject site is located north of the town centre and is zoned 'Existing Built up Area'. The plan sets out a number of aims and objectives to support the vitality and viability of the towns and to ensure that an appropriate range of retail and non-retail functions to serve the needs of the community and respective catchment areas.

**Objective CL-GO-01** – Aims to facilitate 2,380 additional dwellings in Carrigaline.

### 5.2. Cork County Development Plan 2015-2021

5.2.1. The subject site is located within the 'Existing Built up Area' of Carrigaline as identified in the Cork County Development Plan 2014. The strategic aim for Carrigaline is to consolidate the growth within the town's existing development boundary.

5.2.2. 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 Land.
- 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

### 5.3. ***National Planning Framework (2018)***

5.3.1 The relevant policies of the National Planning Framework which relate to creating high quality urban places and increasing residential densities in appropriate locations are set out below.

- Policy Objective 4
- Policy Objective 6
- Policy Objective 11
- Policy Objective 33
- Policy Objective 35

### 5.4. ***National Guidance***

- 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)

### 5.5. **Natural Heritage Designations**

The subject site is located approx. 500m north of Cork Harbour SPA.

### 5.6. **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. An

EIA - Preliminary Examination form has been completed and a screening determination is not required.

## **6.0 The Appeal**

### **6.1. Grounds of Appeal**

6.1.1. A detailed first party appeal against the Planning Authority decision to refuse permission was submitted. Additional landscape and service drawings and photomontages for the original scheme of 8 no. houses have been submitted. The appeal clarifies that the appeal relates to the original site layout which comprises 8 no. houses. The appeal also addresses the 3 no. reasons for refusal which relate to traffic, water services and residential amenity. The main grounds of the appeal can be summarised as follows: -

- The site is located approx. 300m from the centre of Carrigaline in close proximity to a wide range of services and amenities. The applicant considers that the proposed development is optimising an under-utilised infill scheme in accordance with the housing targets of the National Planning Framework and references the current housing supply shortage. The subject site is located within the 'Existing Built up Area' of Carrigaline as identified in the Ballincollig Carrigaline Municipal District LAP, 2017. The scheme has been developed by a multi-disciplinary team to a high standard which respects the character of the site while optimising its development potential. The design of the scheme reflects the existing pattern, scale and character of the area. The layout ensures there is no overlooking of adjoining properties. Separation distances of between 25m and 30m to the rear building lines of adjoining properties have been provided. The houses are all 4-bed and provide generous living accommodation. Having regard to the low-density nature of the site and the generous rear gardens and patio areas the provision of 12% of the site as usable open space is considered appropriate.

- The scheme has been designed in accordance with the Design Manual for Urban Roads and Streets (DMURS). A Traffic and Transport Assessment (TTA) was submitted as part of the response to further information which concluded that the proposed development would not impact on the surrounding road network. The level of car parking provided on site is in accordance with Development Plan standards which does not require visitor parking. Bicycle parking has been provided on site.
- It is considered that the location of the attenuating tank under the carriageway is more appropriate than under the public open space due to the presence of trees, the levels on site and associated costs. The attenuation tank is a high-capacity, low maintenance stormwater storage system that is suitable for use in locations with medium traffic loads. When required, maintenance of the tank is possible within the site by temporarily reducing the lane width of the internal road. It would not impact on traffic flows on Cork Road.
- To adhere to Irish Water's Code of Practice for Wastewater Infrastructure the existing levels on site cannot be retained. Therefore, it is necessary to raise the ground level with fill material, which requires a retaining wall. It is noted that the poor infiltration rate for the site is an on-going issue and the applicant requests that the Board consider alternative design solutions such as pumping the storm water, which was not considered an option by the Planning Authority.
- To reduce the visual impact of the retaining wall, which varies in height from 0.5m to 2m it is proposed to retain the existing 1m high stone walls and set the retaining wall back from the site boundaries by 1m. In addition, a 1.2m high perimeter fence will be placed above the retaining wall and a Yew hedge will be planted between the retaining wall and the existing stone boundary walls.

- A detailed Landscape Planning Report has been submitted. It is proposed to retain as many existing deciduous trees as possible. It is proposed to remove the mature evergreen Western Red Cedars, along the southern boundary as they overshadow the site and adjoining properties. 3 no beech trees will be removed to facilitate the development. However, it is proposed to plant an additional 4 no, beech trees as a replacement.

## 6.2. Planning Authority Response

None

## 6.3. Observations

6.3.1. In response to the appeal 4 no. observations have been received from (1) Brendan and Eleanor Daly, (2) John McCarthy on behalf of Billy and Camillus Rossborough, (3) Declan Daly on behalf of Pat and Sally Cummins whose properties are located to the rear of the subject site in 'Briarfield', and (4) Bernard Goulding whose property is located to the south of the subject site. The observations reiterate the concerns raised in the submissions to the Planning Authority and note the following: -

- The provision of 7 or 8 houses would be overdevelopment of the site.
- The proximity of the vehicular access to a junction will result in a traffic hazard.
- No visitor car parking has been provided.
- There is no capacity on the surrounding road network to accommodate the increased vehicular movements generated by the proposed development.
- The internal layout of the site has not been designed to accommodate refuse trucks or emergency vehicles and these vehicles are required to cross the central line on the Cork Road to access the site.

- The mature trees on site should be retained and protected.
- The proposed increase in ground levels will impact on the structural stability of boundary walls.
- There is a slope on site and it is unclear how surface water runoff will be discharged. The proposed attenuation tank is located under an existing tree.
- The design, in particular the height of the houses, would result in overlooking and would result in an overbearing impact on adjoining properties.
- The high-density development would not be in keeping with the original low-density character of the area.
- The development would have a negative impact on the value of adjoining property.
- The development would result in additional noise and nuisance for adjoining residents.
- There would be a negative impact on the adjoining properties during the construction phase.
- A housing mix has not been provided on site.
- Additional screening is required between the proposed and existing dwellings.

Concerns are also raised that the appeal does not include some documents referenced and that conflicting documents have been submitted. Therefore, the appeal should be invalidated.

## **7.0 Assessment**

### **7.1. Introduction**

7.1.1. As indicated the appeal refers to the proposed development of 8 no. houses, as originally lodged with the Planning Authority on the 22<sup>nd</sup> December 2017. The

following assessment also focuses on that proposal with reference to the alternative development of 7 no. houses, submitted as further information, where appropriate.

7.1.2. The main issues in this appeal relate to traffic, water services, design and layout and residential and visual amenities. 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:

- Traffic.
- Water Services.
- Design and Layout.
- Residential Amenity.
- Visual Amenity.
- Appropriate Assessment.

#### 7.1.3. **Traffic**

7.1.4. The Planning Authority refused permission for the proposed development as it considered it would result in a traffic hazard due to the lack of visitor parking and inadequate turning areas within the site for larger vehicles.

7.1.5. Appendix D of the Development Plan sets out car parking standards for a variety of uses. There is a requirement for 2 no. car parking spaces per residential unit. There is no requirement for visitor car parking. In accordance with Development Plan standards each house has been designed with a driveway with 2 no. car parking spaces. No additional visitor car parking spaces were provided. Having regard to the width of the internal access road and the layout of the scheme, it is considered that overspill car parking can be accommodated within the site without impact on access to the dwellings or on the surrounding road network.

7.1.6. To address the Planning Authorities concerns regarding inadequate turning areas auto-track drawings were submitted with the response to further information and

with the appeal documentation. The drawings show swept paths for a standard car, a refuse truck and a fire truck. The drawings demonstrate that that these types of vehicles can manoeuvre safely and efficiently within the site. Having regard to the limited requirement for larger vehicles to access and manoeuvre within the site, the provision of a turning area, as shown in the auto-track drawings, and the limited number of houses proposed, it is my opinion that the proposed layout would not generate traffic movements that would interfere with the safety and free flow of traffic within the estate.

- 7.1.7. Concerns have also been raised in the appeals that the proposed access arrangements and additional vehicular movements generated by the development will result in a traffic hazard. A Traffic and Transport Assessment (TTA) was submitted in response to the request for further information. The TTA assessed a revised scheme of 7 no. dwellings. Two junctions were assessed. (1) Cork Road / Ballea Road / Church Road (Roundabout) and (2) the proposed access road / Cork Road. Traffic counts were undertaken in the AM peak (08.00 – 09.00) and PM peak (17.00 -18.00).
- 7.1.8. PICADY was used to assess the capacity of Cork Road / Ballea Road / Church Road junction (Roundabout) and the proposed new access / Cork Road junction. It showed that all arms of the junctions work within capacity during the AM peak and PM peak and no queuing is expected both with and without the development.
- 7.1.9. The TRICS database (appendix B of the TTA) has also been used to estimate the number of trips generated by the development and indicates a very low level of trips generated by the development, which would have an insignificant impact on the capacity of the surrounding road network.
- 7.1.10. Due to the limited number of trips generated, the proposed development is unlikely to have a significant impact on the capacity of the surrounding road network and any queuing which does occur due to traffic flows on Cork Road will



be within the site and will not impact on the road network. In conclusion, I do not consider the proposal would result in a traffic hazard or generate any road safety issues. Therefore, permission should not be refused on traffic related issues.

## **7.2. Water Services**

7.2.1. The Planning Authority refused permission due to the siting of the stormwater attenuation tank under the internal roadway and considered it would be prejudicial to public health as it does not facilitate adequate access for maintenance purposes. The Planning Authority did not raise any concerns regarding the proposed method for disposing and attenuating surface water.

7.2.2. Drawing no. CC-TIC-P02 submitted as further information shows the areas to be taken in charge by Cork County Council. The Planning Authority did not indicate that the location of the attenuation tank under the carriageway would impact on the taking in charge of the development.

7.2.3. The majority of the site is level with Cork Road while the south-western section is lower (approx. 2m) than Cork Road. To achieve a gravity flow for both the storm sewer and wastewater sewer it is proposed to raise the south-western section of the site.

7.2.4. An Addendum Engineering Design Report was submitted by way of further information. It determined that the infiltration rate for the site was insufficient to cater for surface water runoff from the proposed development. It was proposed to attenuate runoff to a single tank and to then outflow this water in a controlled manner to the public system under Cork Road.

7.2.5. The applicant has stated in the appeal that the proposed attenuation tank is a high capacity, low maintenance stormwater storage system that is suitable for use in locations with medium traffic loads. It is made from flexible modular materials. The applicant has also detailed how access to the attenuation tank can be provided without impacting on traffic flows within the development or on Cork Road.

Drawing no. CC-PS-P01 submitted with the appeal shows the location of Tank Entry points to facilitate inspection of the tank.

7.2.6. It is noted that relocating the tank to the green area, as requested by way of further information, would result in the loss of mature trees and would require the raising of ground levels to an unsustainable height due to the quantity of soil and retaining structures that would be required. The applicant has also proposed an alternative solution, to pump stormwater to a high point on the site and connect to a storm manhole along Cork Road.

7.2.7. Having regard to the information submitted, it is my opinion that the proposed attenuation tank is suitable to be provided under a carriageway and that maintenance is possible without impact on traffic flows within the development. Therefore, it is recommended that the siting of the attenuation tank should not form the basis of a reason for refusal. A condition should be attached to any grant of permission that drainage proposals including the disposal and attenuation of surface water, be agreed with the Planning Authority.

### 7.3. ***Visual Amenity***

7.3.1. The Planning Authority refused permission on the basis that the removal of mature trees and the provision of a retaining wall along the south and west boundaries would have a detrimental impact on the visual amenities of the area.

7.3.2. Due to the level differences on site it is intended to raise the level of the south west corner of the site by approx. 2m. This requires the construction of a retaining wall for approx. 25m along the western boundary and approx. 65m along the southern boundary. The wall would vary in height from 0.5m to 2m. To reduce the visual impact of the retaining wall on the adjoining properties it is proposed to retain the existing 1m high stone boundary wall and set the retaining wall back approx. 1m from the boundary. In the south west corner of the site, where the site is raised by approx. 2m, an additional 1.2m high fence is proposed above the

retaining wall. A Yew hedge is proposed between the existing boundary wall and the retaining wall. Landscape Drawings entitled 'Landscape Design', submitted with the original application, illustrate the proposed boundary treatments. Concerns were raised in the observations regarding a 'dead space' of approx. 1m in width between the existing boundary wall and the proposed retaining wall. However, having regard to the proposal to provide a Yew hedge in the space it is considered that it will reduce the visual impact of the retaining structure and will fill the space between the two structures. It is recommended that a condition be attached to any grant of permission that the details of the retaining wall and of any hedge or planting be agreed with the Planning Authority.

7.3.3. It is also proposed to remove the row of existing mature evergreen trees along the southern boundary of the site. To the north of the site the existing boundary treatments will be retained and supplemented where necessary. The front (east) boundary will be replaced with a low-level wall with railings above.

7.3.4. It is noted that the proposed development will result in the loss of 3 no. mature beech trees in the north west corner of the site and all the mature evergreen western red cedars on the southern boundary. Details of the existing trees is provided in the tree survey submitted with the original application. The Landscape Planning report notes that existing trees would be retained, where possible, and new trees would be planted, including 4 no. beech trees. High quality hard and soft landscaping is also proposed within the development.

7.3.5. In my opinion, the proposed boundary treatments are appropriate for the site. The proposed retaining walls would not be a significant feature in the completed development, as they would not be visible from the public road and would be adequately screened from the adjoining properties. Having regard to the high-quality landscaping proposal for the site and the retention of existing mature trees on site, it is my opinion that the loss of a limited number of trees will not have a significant negative impact on the visual amenities of the area and should not form the basis of a reason for refusal

#### 7.4. *Design and Layout*

- 7.4.1. The original design submitted to the Planning Authority was for 8 no. detached dwellings comprising 2 no. rows of 4 no. houses located at a 90-degree angle to each other, with a communal open space / neighbourhood play area located at the centre of the development.
- 7.4.2. A revised scheme was submitted by way of further information which reduced the number of houses to 7. The first party appeal clarified that the original scheme is the preferred scheme and requested that this be considered by the Board. Notwithstanding the northern orientation of the rear gardens of Houses 1-4 the original scheme is, in my opinion, a more appropriate design approach for the site.
- 7.4.3. There are some inconsistencies in the drawings submitted and the house types shown. In the interest of clarity, the scheme considered appropriate for the site is the scheme for 8 no. houses submitted to the Planning Authority on the 22<sup>nd</sup> December 2017 and shown on drawing no. 16197/P/003. The scheme comprises 6 no. different house types and, as noted above, it is considered that sufficient details of the house types and layout have been submitted.
- 7.4.4. Policy HOU 3-3 of the Development Plan requires a mix of house types and sizes. The proposed scheme comprises 8 no. 4-bed detached houses. There is no housing mix proposed on site. The house designs are a contemporary approach to the traditional. The varied front building lines and elevations and the proposed materials, which include sections of glass and metal, provide for a distinctive residential development which, in my view, will enhance the suburban character of the area.
- 7.4.5. The proposed scheme has a density of 17 units per hectare. It is an objective of the National Planning Framework to increase residential densities in appropriate

locations to avoid the trend towards predominantly low-density commuter-driven developments. Policy HOU 4-1 of the Development Plan sets out permissible housing densities for sites located in the suburbs of large towns of between 20 – 50 units per hectare. Having regard to the proximity of the site to the centre of Carrigaline I would have concerns regarding the proposed density and consider that a higher density could be achieved on the site. However, having regard to the current use on site, a single house, the existing pattern of development along this section of Cork Road and the varied style of the house types proposed, it is my view that the proposed density and layout is acceptable in this instance.

## **7.5. Residential Amenity.**

7.5.1. It is noted that concerns have been raised by the observers regarding the proximity of the proposed houses to the boundaries, in particular along the north and west boundaries, and the potential negative impacts on existing residential amenities in terms of overbearing impact and overlooking.

7.5.2. By reference to the layout of the 8 no houses, the rear building line of the ground floor level of Houses 1-4 would be located approx. 7m from the northern boundary with an adjoining property. The rear building line of the first-floor level is located approx. 11m from the boundary and a minimum of 28m from the side of the existing house. The gable end of House no. 8 is located approx. 1.5m from the northern boundary and approx. 25m from the rear of an adjoining house. An elevation or cross section drawing, including details of the houses to the north of the site, have not been included. However, having regard to separation distances between the existing houses to the north of the site and the proposed development it is considered that the proposed development would not have an overbearing impact. It is also considered that subject to the first-floor windows of House 8, which serve bathrooms, being permanently obscured with opaque glazing, the development would not result in undue overlooking of properties to the north of the site.

7.5.3. The rear building line of the ground floor level of Houses 5-8 are located a minimum of 7m from the western boundary with adjoining properties. The rear building line of the first-floor level is located approx. 11m from the boundary and a minimum of 25m from the house. A cross section (Drawing no. 16197/P/005) shows the proposed development ' House no. 6' in context of the properties to the west of the site. It is intended to raise the ground floor level of the subject site in the south west corner by approx. 1m. This will result in a finished floor level approx. 1m above that of the existing ground floor level of the adjacent houses to the west (Brairfield). The proposed houses have a maximum ridge height of 10m while the existing houses have a maximum ridge height of approx. 8.5m. Having regard to the separation distances and the limited elevational differences it is considered that the proposed development would not result in an overbearing impact or undue overlooking of properties to the west of the site.

7.5.4. It is noted that concerns were raised in the observations regarding the provision of balconies and the potential for overlooking. However, as the balconies are located to the front of the properties (Houses 1, 4 and 6), it is considered that they will not result in any overlooking. Therefore, I have no objection to their inclusion in the scheme.

## 7.6. ***Appropriate Assessment***

7.6.1. Having regard to the nature and small scale of the proposed development within a serviced urban area 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**

It is recommended that permission be granted subject to conditions

## 9.0 Reasons and Considerations

- 9.1. Having regard to the location of the site within the 'Existing Built up Area' of Carrigaline, the provisions of the Cork County Development Plan 2014 and the National Planning Framework, the existing pattern of development in the area, and the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable and would not seriously injure the amenities of the area. The proposed development would, therefore be in accordance with the proper planning and sustainable development of the area.

## 10.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by further plans and particulars submitted on the 22<sup>nd</sup> day of December 2017 shown on drawing no. 16197/P/003, 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.

**Reason:** In the interest of clarity.

2. The windows on the first-floor side (north) elevation of house no 8 shall be permanently obscured with opaque glazing.

**Reason:** in the interest of privacy.

3. The landscaping scheme shown on drawings entitled 'Landscape Plan' prepared by Ilsa Rutgers Architect and submitted to An Bord Pleanála on the

15<sup>th</sup> day of January, 2019 shall be carried out within the first planting season following substantial completion of external construction works.

In addition, details of the retaining wall and the proposed hedge along the southern and western boundaries shall be agreed in writing with the Planning Authority.

All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, until the development is taken in charge by the local authority, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

**Reason:** In the interest of residential and visual amenity.

4. Prior to commencement of development final details of the location and facilities to be provided in the neighbourhood play area shall be submitted to and agreed in writing with the Planning Authority.

**Reason:** In the interest of residential amenity.

5. Proposals for a 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.

**Reason:** In the interest of urban legibility.



6. 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 traffic management, hours of working, noise management measures and off-site disposal of construction/demolition waste.

**Reason:** In the interests of public safety and residential amenity.

7. The internal road network serving the proposed development, including turning bays, junctions, parking areas, footpaths and kerbs shall comply with the detailed standards of the planning authority for such road works.

**Reason:** In the interest of amenity and of traffic and pedestrian safety.

8. Public 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.

**Reason:** In the interests of amenity and public safety

9. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

**Reason:** In the interests of visual and residential amenity.

10. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

**Reason:** In order to safeguard the residential amenities of property in the vicinity

11. Water supply arrangements shall comply with the requirements of Irish Water and the planning authority for such works and services as appropriate.

**Reason:** In the interest of public health and to ensure a proper standard of development.

12. Drainage arrangements, including the disposal and attenuation of surface water, shall comply with the requirements of the planning authority for such works and services.

**Reason:** In the interest of public health.

13. 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.

**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.

14. 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 and maintenance until taken in charge by the local authority of roads, footpaths, watermains, drains, public 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 or maintenance of any part of the development. The form and amount of the 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.

**Reason:** To ensure the satisfactory completion and maintenance of the development until taken in charge.

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Elaine Power  
Planning Inspector

24<sup>th</sup> April 2019