



An  
Bord  
Pleanála

## **S. 6(7) of Planning and Development (Housing) and Residential Tenancies Act 2016**

### **Inspector's Report on Recommended Opinion ABP-304468-19**

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<b>Strategic Housing Development</b>	301 homes, a creche and a communal facility
<b>Location</b>	Lackenroe and Johnstown, Glounthaune, Co. Cork
<b>Planning Authority</b>	Cork County Council
<b>Prospective Applicant</b>	Bluescape Lid
<b>Date of Consultation Meeting</b>	21 <sup>st</sup> June 2019
<b>Date of Site Inspection</b>	14 <sup>th</sup> June 2019
<b>Inspector</b>	Stephen J. O'Sullivan

## 1.0 Introduction

Having regard to the consultation that has taken place in relation to the proposed development and also having regard to the submissions from the planning authority, the purpose of this report is to form a recommended opinion as to whether the documentation submitted with the consultation request under section 5(5) of the Planning and Development (Housing) and Residential Tenancies Act 2016 - (i) constitutes a reasonable basis for an application under section 4, or (ii) requires further consideration and amendment in order to constitute a reasonable basis for an application under section 4.

## 2.0 Site Location and Description

2.1. The site is in the settlement of Glounthaune Co. Cork c12km east of the Cork city centre. It has a stated area of 12.27ha. The site is mainly open fields, but it includes the curtilage of a detached house on its southern part. There is a steep slope over the site and its southern boundary along the public road is c80m below its other boundary along a public road 600m to the north. The northern, southern and western boundary of the site mainly adjoin the curtilages of detached houses. The eastern boundary mainly adjoins other fields. There is a railway station c800m by road from the site.

## 3.0 Proposed Strategic Housing Development

3.1. It is proposed to build 301 residential units. The housing mix is as follows –

	1 bed	2 bed	3 bed	4 bed	5 bed	Total
Houses	-	39	72	40	-	151
Apts/Duplex	51	99		-	-	150
Total	51	138	72	40	-	301

It is also proposed to build a creche of 723m<sup>2</sup>. A communal facility of 372m<sup>2</sup> would be provided for the apartments. The total gross floor area is stated to be 28,370m<sup>2</sup>.

- 3.2. The houses and apartments would be laid out parallel to the contours on the site in 8 rows. The northernmost and highest row would be mainly detached houses and the lowest southern three rows would have apartment blocks of 2 to 5 storeys, with semidetached and terraced housing in between. The creche would be in a detached building in the north-western corner of the site. There would be a vehicular access from the county road at the north-eastern corner of the site of the site that would serve the northern houses, while the rest of the development would use an access from the authorised housing scheme to the west. The house on the southern part of the site would be demolished and open space provided there with a pedestrian link over it to the existing road to the south. It is proposed to carry out works to that road so that it would be a one-way street with footpaths and a contraflow bike lane for a distance of c500m along the site frontage and on to a junction to the east.

## 4.0 Planning History

ABP-300128-18, Reg. Ref. 17/5699 – On 21<sup>st</sup> May 2018 the board granted permission for 31 houses on an adjoining site to the west on the same landholding as the current site.

ABP-301197-18 – the board granted permission for 174 homes on a site at the eastern end of the village in May 2018.

ABP-303912-19, Reg. Ref. 18/06310 – There is a current appeal for 70 homes on another site in the village.

## 5.0 Policy

### 5.1. National Policy

The government published the National Planning Framework in February 2018. Objective 3a is that 40% of new homes would be within the footprint of existing settlements. Objective 8 refers to a target population of 314,000 for Cork and its suburbs in 2040. Objective 33 is the prioritise the provision of new homes where they can support sustainable development at an appropriate scale.

The applicable section 28 guidelines include -

- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas' (including the associated 'Urban Design Manual')
- Design Manual for Urban Roads and Streets'
- Guidelines for Planning Authorities on Urban Development and Building Heights, 2018
- Sustainable Urban Housing: Design Standards for New Apartments (2018),
- Childcare Facilities – Guidelines for Planning Authorities
- The Planning System and Flood Risk Management (including associated Technical Appendices).

## 5.2. Local Policy

- 5.2.1. The Cork County Development Plan 2014-2020 applies. Glounthaune is designated as a key village. Objective HOU4-1 of the plan states that the appropriate density for development in villages along public transport corridors would be Medium A which is 20-50dph.. The Cobh Municipal District Local Area Plan 2017-2023 applies. The site is within the settlement boundary for Glounthaune. Section 4.5.8 of the plan recommends that no more than 400 more homes should be provided there until 2027 and recommends that no individual scheme should be larger than 40 units. Section 4.5.13 of the plan states that development in the village should generally be at the medium B density is a range of 12-25 dph

## 6.0 Forming of the Opinion

### 6.1. Documentation Submitted

The prospective applicant submitted extensive documentation including drawings of the proposed development and –

- A Planning Report and
- A Statement of Consistency
- A Statement of Consistency in relation to Traffic and Transport
- A Statement of Compliance with DMURS

- A Mobility Management Plan
- An Environmental Report
- An Architectural Design Statement
- A Housing Quality Assessment
- An Infrastructure Design Report
- A Site Specific Flood Risk Assessment
- A Childcare Needs Assessment
- A DMURS Design Statement
- Archaeological Impact Assessment
- Arboricultural Impact Assessment

## 6.2. **Statement of consistency**

The statement refers to the location of the site within the footprint of Glounthaune and its proximity to the railway station, and states that its development for housing at an appropriate net density of 32dph (based on a developable site area of 9.37ha) with a mix of types including apartments would be consistent with objectives 2a, 3b, 8 and 33 of the National Planning Framework. The site would be at an intermediate urban location under the 2018 apartment design guidelines which would be suitable for medium to high density development that includes a proportion of apartments up to 45dph. The scheme would comply with SPPR 1 of those guidelines in that only 34% of units would be one-bedroom. All apartments would meet the minimum floor areas required under SPPR3, 71% of them would be dual aspect in line with SPPR4, they would have ceiling heights of 2.7m in line with SPPR5 and there would be no more than 12 apartments per core in line with SPPR6. All the apartments would have the private open space required by the guidelines and bike parking would be to the standards specified therein. Communal facilities would be provided for the apartments including a gym, viewing room and reception. In terms of the 2009 Sustainable Urban Residential Guidelines the site would be at the edge of a small town, and the net density of 32dph would be within the recommended range of 20-35 dph in those guidelines. This would also ensure compliance with SPPR3 of the 2018 guidelines on building height. The scheme would also respect the criteria set out in

the design manual accompanying those guidelines. The proposed development would be in keeping with the designation of the site as part of a key village in the Cork County Development Plan 2014-2020 and the objective HOU4-1 which recommends densities at Medium A level of 20-50dph for such settlements on public transport corridors. The scheme would also comply with objective SC5-2 of the plan by provision 22% of the site as open space of which 12% would be usable amenity space. The proposed development would contribute to the target of 400 more homes in Glounthaune set out in the Local Area Plan for the Cobh Municipal District 2017-2023. The size of the scheme would be more than the normal limit of 40 units, but the board has established a precedent for this under ABP-301197-18 where 174 units were permitted on another site in the village.

### **6.3. Planning Authority Submission**

The applicable density for the site under the development and local area plans is Medium B, 12-25dph. The developable area of the site is 7.75ha, having regard to its slope. The council expressed concern to the prospective applicant about the high proposed density due to the topography of the site. The local area plan envisages 400 more houses in the village. Permission has been granted for 234 since the plan was adopted and there is a current application for another 70 under Reg. Ref. 18/6310. The proposed development in this case would therefore exceed the 400 target in the LAP. The target is not an absolute limit but an indication as to how many homes that the village could reasonably accommodate. At the consultation meeting the council noted the linear nature of the scheme. The council advised that the site should be developed with spaces and character areas that encouraged socialization. The road that would provide the route to the train station is narrow and lacks footpaths, so improvements are required.

In relation to the documents currently submitted, the planning authority state that there is scope for a development of more than 40 units if it meets the criteria set out in the footnote to table 4.2.1 of the LAP. Section 6.3 of the 2009 sustainable urban housing guidelines states that development in smaller towns and village should be plan led. The adopted LAP did not envisage development at the proposed pace or scale. While the site is within 1km of the railway station, it is not suitable for high density development due to the elevated nature of the site and the council questions

whether the proposed density of 32dph is appropriate. The housing mix has a bigger share of smaller units than would be envisaged in the joint housing strategy for Cork. The prominence of the site would require more visual information to be submitted to show the wider impact of the proposed development. The layout follows the topography of the site. It is linear and car dominated. The entrance is dominated by gable elevations and should be improved. The open space is poorly distributed and poorly supervised. The spaces around the apartment blocks are dominated by car parking. The adequacy of pedestrian and cycle links and the diversity of design need further consideration. The issues raised by Irish Water regarding foul drainage would need to be addressed.

The proposed works to the public road would require approval by elected members and are not acceptable. Rerouting cars under the dry bridge and along the old N25 is not acceptable. The L2968 to the west of the site does not have continuous footpaths. The council is concerned about the overlooking and slopes at the proposed pedestrian access. The gradient at the southern access would preclude its use by cyclists.

The potential impact on school demand is a key consideration. The impact on residential amenity of neighbouring houses is a key consideration and sections showing proposed development and existing homes should be submitted. Hedges and field boundaries should be retained as much as possible and integrated into open space. They should be surveyed by an ecologist. An AA screening report would be required due to potential for effects on the SAC and SPA in the harbour due to surface and waste water runoff. More 3-bedroom units are required in the Part V offer to reflect the demand for social housing.

#### **6.4. Other submissions**

The submission from Irish Water states that it has issued a confirmation of feasibility for 325 homes. It has proceeded with a Drainage Area Plan for Glounthaune to determine the available capacity in the Johnstown Pumping Station and any required upgrades which may require 3<sup>rd</sup> party consents. The plan is due to be completed in Q3 of 2019. The wastewater network may have to be extended by c400m which would require a road opening licence<sup>4</sup>.

## 6.5. The Consultation Meeting

A section 5 consultation meeting took place at the offices of the board at 1430 on Wednesday, 11<sup>th</sup> December 2018 between representatives of the board, the planning authority and the prospective applicants about the proposed development. A record of the meeting was made and is available. The main topics discussed at the meeting were –

- i. Development Strategy, including height, density, layout and housing mix
- ii. Access
- iii. Residential Amenity for Occupants and Neighbours
- iv. Drainage and Water Supply
- v. Potential for effects on ecology on the site and at the designated sites at Cork Harbour.
- vi. Part V
- vii. Any other issues

With regard to item i), the prospective referred to the masterplan for the landholding during the previous application on the adjoining site to the west which envisaged a total of 200-250 homes. The permission for the other site was only for 40 houses in line with the provisions of the local area plan, however it was noted that the board had subsequently granted permission for 174 houses on another site in the village under the SHD process, Ref. No. 301197. The density in that case (c31dph) was taken as a guide for the current proposal, which includes works to address the issue of pedestrian access to the site towards the railway station. The permitted scheme on the adjoining site would provide access towards the national school and for cars. The council stated that the long term value of the site was recognised but that the LAP that was adopted in 2017 had a clear strategy for the development of Glounthaune as a village. The current site is different from that for 301197 because of its slope and the difficulty in providing pedestrian access to the train station. The provision of such access would require works outside the control of the applicant. The prospective applicant referred to the delivery of 400 homes in Glounthaune projected in the LAP 2017-2023 and stated that 234 have already been granted



permission. If the proposed development were permitted, this would increase to 620 authorised units. This would be likely to result in the actual delivery of 400 homes in the period of the LAP, so the proposed development should be regarded as fulfilling the relevant objective of the LAP rather than contravening it. The proposed development includes works to provide the pedestrian access to the train station. The provision of a cycle route along the road to the south of the site is an objective of the Cork Metropolitan Cycle Plan, so the proposed development would also contribute to the achievement of that objective. The development shown in the submitted documentation is therefore trying to resolve issues with the framework of current policy and the provisions of the LAP. The council stated that if schemes to the proposed density were facilitated than the capacity of the settlement would be overwhelmed and that there would be costs in developing prematurely. The prospective applicant referred to the wider context for development along the suburban railways around Cork. It stated that development in Middleton was stalled due to drainage issues, while substantial development in Monard and Carrigtwohill was not progressing. It was therefore preferable to proceed to development in existing settlements on sites that were not subject to such constraints. The representatives of the board stated that the documentation submitted with any application would have to address the capacity of services and facilities in the settlement and how it could grow in a properly phased and organic way.

In relation to topography and layout, the prospective applicant stated that the slope of the site lent itself to a linear pattern that follows its contours similar to the way the rest of Glounthaune has developed. The submitted plans show a decrease in height and density on the higher land, while providing a suitable mix of housing types. It is accepted that more design work is needed and the issues raised in the council's submission can be addressed. The council acknowledged the topography of the site but stated that the proposed development should create more spaces for social interaction with a lesser dominance of roads. The representatives of the board stated that the documentation submitted with any application would need to include details of cutting and filling and its potential environmental implications.

With regard to item ii), the council stated that the access to the site is poor. Access should be provided to the road to the north of the site as it may be upgraded and so provide a route towards the train station via another road to the east of the site in the

future. A second access would also provide a better distribution of traffic, and a second school may be provided in that part of the Glounthaune. The prospective applicant accepted that connections to adjoining land and roads that may be developed in the future should be considered. The submitted traffic analysis indicated that there would be space capacity in the signalized junction in the permitted development to cater for traffic from the proposed development. The council stated that the proposed to the Terrace Road to the south of the site would require approval by the elected members because of the restriction to one-way traffic. There are concerns that this restriction would increase the traffic at a sub-standard junction at the dry bridge to the south-west of the site. The proposed footpath and cycle lane on the Terrace Road are too narrow and substandard. The footpath on the public road to the south of the access to the permitted development is not continuous, and it is not clear that the proposed development would have safe pedestrian access to the village or the school. The board's representative enquired whether the council had specific proposals for providing pedestrian connectivity, and noted that they would be required regardless of the density at which this zoned land was developed. The prospective applicant noted that the existing two-way road had a carriageway 5.4m wide without a footpath, so it is already functioning as a sub-standard shared surface. The council raised concerns about the gradient of the proposed pedestrian access across the southern part of the site. the prospective applicant stated that two routes are proposed, with a lesser gradient on the indirect one. The council advised that such routes should be overlooked.

With regard to item iii), the prospective applicant stated that any development would meet applicable local and national standards on residential amenity. The council stated that car parking would be visually dominant and that its impact needed to be softened. Better connections were needed between proposed open spaces. The impact on neighbouring houses needed to be considered. The prospective applicant stated that the proposed homes would be at a lower level than the existing ones to the north. The existing agricultural access there lacks supervision but could be used for pedestrians. The proposed apartment buildings were stepped down near the boundary with the houses to the west. Existing trees and hedges along that boundary will be retained.

It regard to item iv), the prospective applicant stated that Irish Water is working on a drainage plan for the wider area which should be complete in Q3 of 2019. It will identify any capital works required including possible upgrades to the pumping station. The council stated that a 225mm storm sewer to the east of the site is small and at capacity. There may be a 600mm outfall further east. The parties are to liaise on the matter.

With regard to item v), the council stated that the issue of the cumulative effect of foul discharge to the sewerage system may be significant for the Natura 2000 sites in Cork Harbour. The prospective applicant stated that the matter is being examined in the preparation of a screening report for AA. It would also examine the broadleaved trees on the site and bat activity.

With regard to item vi) the council stated that 3 bedroom homes were required to meet the need for social housing in the area. The prospective applicants stated that a mix of apartments and houses can be provided, including 3 bedroom apartments. The board's representatives advised the parties to discuss the issue.

In relation to item vii), the board's representatives noted that the site was above the threshold of 10ha for urban development in a built up area that would require EIA. The prospective applicant stated that it considered that threshold of 500 dwelling units would be the appropriate one, and that the proposed development would be below it.

## **7.0 Conclusion and Recommendation**

Based on the entirety of the information before me, it would appear that the proposed development falls within the definition of Strategic Housing Development, as set out in section 3 of the Planning and Development (Housing) and Residential Tenancies Act 2016.

I have examined all of the information and submissions before me including the documentation submitted by the prospective applicant, the submissions of the planning authority and the discussions which took place at the tripartite meeting. I

have had regard to both national policy, via the s.28 Ministerial Guidelines, and local policy, via the statutory plan for the area.

Having regard to all of the above, I recommend that further consideration and/or possible amendment of the documents submitted are required at application stage in respect of the elements that are set out in the Recommended Opinion below.

Having regard to the above, I recommend that the Board serve a notice on the prospective applicant, pursuant to Section 6(7)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016, stating that it is of the opinion that the documentation submitted with the consultation request under section 5(5) of the Act:

**requires further consideration and amendment** in order to constitute a reasonable basis for an application under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016.

I would also recommend that the prospective applicant be notified, pursuant to article 285(5)(b) of the 2017 Regulations, that specified information (as outlined hereunder) be submitted with any application for permission that may follow. I believe the specified information will assist the Board at application stage in its decision making process. I am also recommending that a number of prescribed bodies (as listed hereunder) be notified by the prospective applicant of the making of the application.

## 8.0 Recommended Opinion

The Board refers to your request pursuant to section 5 of the Planning and Development (Housing) and Residential Tenancies Act 2016. Section 6(7)(a) of the Act provides that the Board shall form an opinion as to whether the documents submitted with the consultation request (i) constitute a reasonable basis for an application under section 4 of the Act, or (ii) require further consideration and amendment in order to constitute a reasonable basis for an application under section 4.

Following consideration of the issues raised during the consultation process, and having regard to the opinion of the planning authority, An Bord Pleanála is of the

opinion that the documentation submitted **requires further consideration and amendment to constitute a reasonable basis for an application for strategic housing development to An Bord Pleanála.**

In the opinion of An Bord Pleanála, the following issues need to be addressed in the documents submitted to which section 5(5) of the Act of 2016 relates that could result in them constituting a reasonable basis for an application for strategic housing development:

1. Further consideration of the documentation as it relates to the provision of access for the proposed development having regard to the need to provide safe and convenient pedestrian and cycle connections to the railway station and other services in Glounthaune and the nature and extent of works to public roads that can be authorised by a grant of permission under Part III of the Planning and Development Act 2000, as amended.
2. Further consideration of the documentation as it relates to the design and layout of the proposed development, having regard to the need to provide a high quality residential environment that facilitates social interaction and movement on foot, while respecting the topography of the site and the residential amenities of neighbouring properties.

Pursuant to article 285(5)(a) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant is informed that the following authorities should be notified in the event of the making of an application arising from this notification in accordance with section 8(1)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016:

1. The Minister for Culture, Heritage and the Gaeltacht, (in relation to nature conservation)
2. The Heritage Council (in relation to nature conservation)
3. An Taisce — the National Trust for Ireland (in relation to nature conservation)

#### 4. Irish Water

Pursuant to article 285(5)(b)(i) and (ii) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant is hereby notified that the following specific information should be submitted with any application for permission:

1. An EIAR or EIA screening report, as necessary, which should have regard to the thresholds at 10(b)(i) and (iv) of Part 2 of Schedule 5 to the Planning and Development Regulations 2001, as amended, as well as to Schedules 7 and 7A to those regulations. The submitted documentation should, *inter alia*, fully describe the ground works required to carry out the proposed development and their potential for significant effects on the environment.
2. An AA screening report or Natura Impact Statement, as necessary.
3. Information regarding the capacity of the social and physical services in Glounthaune to accommodate the demands that would arise from the proposed development.
4. A phasing scheme for the development which would indicate how open space and access for the proposed housing would be provided in a timely and orderly manner.
5. A report demonstrating compliance with the applicable standards set out in DMURS and the National Cycle Manual in relation to the proposed housing and the works to public roads.
6. A housing quality assessment which provides the specific information regarding the proposed apartments required by the 2018 Guidelines on Design Standards for New Apartments. The assessment should also demonstrate how the proposed apartments comply with the various requirements of those guidelines, including its specific planning policy requirements. A building lifecycle report for the proposed apartments in accordance with section 6.13 of the 2018 guidelines should also be submitted.
7. A Site Specific Flood Risk Assessment Report. The prospective applicant is advised to consult with the relevant technical section of the planning authority

prior to the completion of this report which should describe this consultation and clarify if there are any outstanding matters on which agreement has not been reached with regard to surface water drainage.

8. Details of proposed boundary and surface treatments throughout the development, and of landscaping and planting.
9. A tree survey, including details of trees to be retained or removed.
10. A draft construction management plan and
11. A draft waste management plan.

**PLEASE NOTE:**

Under section 6(9) of the Planning and Development (Housing) and Residential Tenancies Act 2016, neither the holding of a consultation under section 6, nor the forming of an opinion under that section, shall prejudice the performance by the Board, or the planning authority or authorities in whose area the proposed strategic housing development would be situated, of any other of their respective functions under the Planning and Development Acts 2000 to 2016 or any other enactment and cannot be relied upon in the formal planning process or in legal proceedings.

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Stephen J. O'Sullivan

Planning Inspector,

10<sup>th</sup> July 2019