



An
Bord
Pleanála

Inspector's Report ABP-307184-20

Development

Request to make alterations to a development of 251 dwellings granted by the board under ABP-303098-18.

Location

Cooney's Lane, Graigue, Grange Cork

Planning Authority

Cork City Council

Applicant

Westbrook Housing Co. Ltd

Type of Application

Section 146B - Request to alter previously approved Strategic Housing Development

Inspector

Stephen J. O'Sullivan

1.0 Site Location and Description

- 1.1. The site occupies greenfield land, c4km south of the Cork city centre. The area to the north and east of the site is largely occupied by suburban housing. The area to the south and west is largely under pasture. The western boundary of the site is along a rural road known as Cooney's Lane. The road is c6m wide with intermittent hedgerows on both sides.

2.0 Planning History

- 2.1. The submitted request is to alter the terms of a development that is the subject of the planning permission granted by the Board, subject to 22 conditions, on 21st March 2019 under the Strategic Housing Development provisions of the planning act, ABP-303098-19 refers. The permission was granted after screening for environmental impact assessment and appropriate assessment concluded that they were not required.

3.0 Proposed alteration

- 3.1. The request seeks to amend the terms of the permitted development to allow different types of houses to be built on the plots of 40 of the 251 authorised houses in the south-western part of the overall scheme. The amendment would provide a different configuration of detached, semi-detached and terraced two-storey houses on plots where houses of those types have been permitted. The layout of the proposed housing development would not be substantially altered.
- 3.2. The amendment would increase the overall number of permitted dwellings by 1 to 252. It would provide 2 detached, 36 semi-detached and 3 terraced houses in place of the 10 detached, 20 semi-detached and 10 terraced houses that were previously authorised.
- 3.3. The board determined on 26th June 2020 that the proposed development would constitute the making of a material alteration to the terms of the development concerned because it would increase the number of dwellings. It directed that the notices of the request be published and submissions invited from prescribed bodies and the council.

4.0 Responses

- 4.1. The applicant has submitted that the requested alterations are minor in nature and would not be likely to have significant effects on the environment or on any European site.
- 4.2. The planning authority has not made a submission. The site has been moved from the functional area of the city council from that of the county council since the original permission was granted.
- 4.3. Transport Infrastructure Ireland stated that the development would contribute to traffic congestion on the national road network and erode the ability to the N40 to perform its strategic function.
- 4.4. The Department of Culture, Heritage and the Gaeltacht stated that an archaeological impact assessment should be sought before a decision is made on the current request.

5.0 Assessment

- 5.1. The original application was not subject to an environmental impact assessment or appropriate assessment. The limited scale and nature of the proposed alteration means that it would not have the potential to give rise to likely significant effects on the environment and no EIA is required. The limited scale and nature of the proposed alteration also means that it would not have the potential to have a significant effect on any Natura 2000 site, either in itself or in combination with other plans or projects. Therefore no Appropriate Assessment issues arise
- 5.2. The requested alteration would not change the nature of the permitted residential uses on the site. It would increase the number of homes on the site to a marginal extent only. It would therefore be unlikely to place significant additional demands on the infrastructure serving the area, including the adjacent parts of the national road network, compared to the permitted development. The permitted development involves groundworks across nearly all of the site. The requested alteration would not change this characteristic and would not give rise to a potential impact upon archaeology that differs from that which was assessed before the original permission was granted. The appropriateness of the requirement for archaeological monitoring

imposed by condition no. 14 of the permission would not be affected by the requested alteration.

- 5.3. The requested alteration would not change the general layout of the development. It would not impinge on the re-alignment of the public road along Cooney's Lane in accordance with condition no. 2 of the permission.
- 5.4. The requested alteration would not substantially alter the density of the authorised development. It would reduce the variety of house types to some extent, increasing the proportion of semi-detached houses. However the overall scheme would retain a suitable mix of housing types after the alteration including 75 apartments. The houses on the amended plots would not diminish the standard of urban design or residential amenity achieved in the permitted development.

6.0 Recommendation

- 6.1. I recommend that the board make the requested alteration to the development permitted under ABP-303098-18 in accordance with the draft order set out below.

REQUEST received by An Bord Pleanála on the 15th day of May 2020 from Westbrook Housing Co. Ltd. under section 146B of the Planning and Development Act, 2000, as amended, to alter the terms of a permitted Strategic Housing Development of 251 number residential units at Cooney's Lane, Graigue, Grange, Cork the subject of a permission under An Bord Pleanála reference number ABP-303098-18.

WHEREAS the Board made a decision to grant permission, subject to 17 conditions, for the above-mentioned development by order dated the 21st March 2019 under ABP-303098-18,

AND WHEREAS on 15th day of May 2020 the Board received a request to alter the terms of the development, the subject of the permission,

AND WHEREAS the proposed alterations are described as follows:

- The omission of 40 permitted houses comprised of 10 detached houses, 20 semi-detached houses and 10 terraced houses on plots 1 to 6, 15 to 29, 30 to 33, 143 to 149 and 155 to 162 as set out on the site plan for the authorized development, and
- Their replacement with 41 houses comprised of 2 detached houses, 36 semi-detached and 3 terraced houses as described on the plans and drawings submitted with the request on the 15th day of May 2020.

AND WHEREAS the Board decided, in accordance with section 146B(2)(a) of the Planning and Development Act 2000, as amended, that the proposed alterations would result in a material alteration to the terms of the development, the subject of the permission,

AND WHEREAS the Board decided to require the requestor to make available information relating to the request for inspection, and require the requestor to invite submissions or observations,

AND WHEREAS having considered all of the documents and submissions on file and the Inspector's report, the Board considered that the making of the proposed alterations would not be likely to have significant effects on the environment or on any European Site,

NOW THEREFORE in accordance with section 146B(3)(a) of the Planning and Development Act, 2000, as amended, the Board hereby alters the above-mentioned decision so that the permitted development shall be altered in accordance with the plans and particulars received by the Board on the 15th day of May 2020.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard.

REASONS AND CONSIDERATIONS

Having regard to:

- (i) the nature and scale of the Strategic Housing Development, permitted under An Bord Pleanála Reference Number ABP-30303098-18, in respect of 251 residential units, a creche, the realignment of a part of the public road on Cooney's Lane and associated works;
- (ii) the screening for environmental impact assessment and any potential for significant effects on European sites carried out in the course of that application;
- (iii) the limited nature, scale and extent of the requested alterations;
- (iv) the absence of any significant new or additional environmental concerns (including in relation to European sites) arising as a result of the proposed alterations, and
- (v) the report of the Board's Inspector,

it is considered that the requested alterations to the permitted development would not be likely to give rise to impacts on the surrounding area or demands upon public services that significantly differ from those that were considered before permission was granted, and that they would not affect the character of the permitted strategic housing development or the level of amenity that it would provide to its occupants. The requested alterations would therefore be in keeping with the proper planning and sustainable development of the area.

Stephen J. O'Sullivan,
Planning Inspector,
23rd September 2020