



An
Bord
Pleanála

S. 4(1) of Planning and Development (Housing) and Residential Tenancies Act 2016

Inspector's Report ABP-308111-20

Strategic Housing Development	113 no. residential units (59 no. houses, 54 no. apartments), childcare facility and associated site works.
Location	Maglin Road, Ballincollig, Cork. (www.maglinshd.ie)
Planning Authority	Cork City Council
Applicant	Stonecrest Construction Limited
Prescribed Bodies	<ol style="list-style-type: none">1. Irish Water2. NTA3. Transport Infrastructure Ireland
Observer(s)	17 Observers

1. Caitirona Ni Laoire and Anthony Barrett
2. Catherine Cuthbert
3. Clare Crowley
4. Deirdre and Cian McGrath
5. Dermot Murphy
6. Eileen Murphy
7. Garret Kelleher
8. Gretta Costello
9. Kevin and Karen Reilly
10. Maglin Estate Residents Association
11. Maglin Road Residents
12. Mary Murphy
13. Nora Corkery
14. Noree and Michael Waugh
15. Rose O'Connell
16. Susan Ryan
17. Ursula Collins

Date of Site Inspection

29th October 2020

Inspector

Irené McCormack

1.0 Introduction

This is an assessment of a proposed strategic housing development submitted to the Board under section 4(1) of the Planning and Development (Housing) and Residential Tenancies Act 2016.

2.0 Site Location and Description

- 2.1. The site is located at the southern end of the built up area of Ballincollig, Co. Cork, north of the N22 Ballincollig bypass and c. 0.7 km from the centre of the town. It has a stated area of 6.59 ha and is undeveloped agricultural lands at present. The proposed development site is located within the Maglin Urban Expansion Area, as outlined in the Ballincollig Carrigaline Municipal District Local Area Plan (LAP). The developable area of the site (3.18 ha) excludes a stretch of Maglin Road where road improvement works are proposed, as well as lands to the south proposed as an enhanced biodiversity corridor.
- 2.2. The site is accessed via the Maglin Road, which links the Kilmoney Road south of Ballincollig with the L2222, eventually connecting with the N22. There are existing suburban residential developments to the immediate north and on the opposite side of the Maglin Road. There are further agricultural lands to the west and south. Lands to the west are also in the ownership of the prospective applicant (blue line site boundary). The Lisheen River flows along the southern site boundary where it meets the Grange Hill River, which runs along the eastern site boundary and onwards to the east.
- 2.3. The site is within the 50kph zone, but the Maglin Road is rural in character south of the site frontage, serving a farmyard and a string of one-off dwellings. The site is c. 300m north east of Ballincollig Castle (RMP CO073-062), bawn (RMPCO073-062002) and cave (RMPCO073-062002). Ballincollig Castle is also a protected structure (RPS 467). There is a standing stone (RMP CO073-074) c. 180m to the north and several other recorded archaeological sites within 1km of the development site. In addition, a 'fulacht fiadh' was discovered within the site during archaeological test excavations.

3.0 Proposed Strategic Housing Development

- 3.1. The proposed strategic housing development includes 113 no. residential units, childcare facility, and associated site works.
 - 3.1.1. The proposed development consists of the construction of:

- 59 no. two storey dwellings consisting of 21 no. 4-bedroom semi-detached dwellings, 15 no. 3-bedroom semi-detached dwellings, 4 no. 3-bedroom terraced dwellings, 19 no. 2-bedroom terraced dwellings; and ,
- an apartment building ranging in height between 4 and 5 storeys over basement containing 54 apartments and comprising 5 no. 3 bedroom apartments, 38 no. 2 bedroom apartments, and 11 no. 1-bedroom apartments.

Road improvement works provide for the upgrade of the Maglin Road from its junction with Castle Road to the proposed site entrance and will include the upgrade of the Maglin Road/Castle Road junction including the provision of a pedestrian crossing and the provision of crossing points and dedicated pedestrian / cycle paths along both sides of Maglin Road.

Ancillary site development works include the provision of a pedestrian and cycle path along the northern boundary of the site, landscaping to provide courtyard garden, informal play area and kick about area, habitat area on lands to the south of the site, shared bin stores, ESB meter room.

Access to the proposed development to be provided via a proposed shared vehicular, pedestrian and cyclist entrance, a pedestrian / cyclist entrance to Maglin Road and makes provision for 3 no. pedestrian / cyclist entrances from the adjacent Maglin View estate to the north.

3.2. A summary of the **parameters** of the proposed development is listed below:

Parameter	Site Proposal
Application Site Area	6.59ha.
Developable Site Area	3.18ha.
No. of units	113 (59 houses & 54 apartments)
Density (Developable site area only)	35.5 units/ha
Plot Ratio	0.56
Building Heights	2-5 storeys
Car Parking	192
Bicycle Parking	152
Vehicular Access	Maglin Road

3.3. The application was accompanied by the following documentation

<ul style="list-style-type: none"> • Cover Letters
<ul style="list-style-type: none"> • Consent Letter from Cork City Council
<ul style="list-style-type: none"> • Planning Statement
<ul style="list-style-type: none"> • Response to ABP Opinion
<ul style="list-style-type: none"> • Statement of Consistency
<ul style="list-style-type: none"> • Statement on Childcare Rationale
<ul style="list-style-type: none"> • Part V Proposal
<ul style="list-style-type: none"> • EIAR Screening
<ul style="list-style-type: none"> • Minutes of Section 247 meeting
<ul style="list-style-type: none"> • Architectural Design Statement
<ul style="list-style-type: none"> • Site Location Map
<ul style="list-style-type: none"> • Site Layout Plans
<ul style="list-style-type: none"> • Plans Elevations, sections etc.
<ul style="list-style-type: none"> • Part V Site Plan
<ul style="list-style-type: none"> • Housing Quality Assessment
<ul style="list-style-type: none"> • Taking in Charge Site Plan
<ul style="list-style-type: none"> • Masterplan
<ul style="list-style-type: none"> • Masterplan in Zoning Context
<ul style="list-style-type: none"> • Traffic & Transport Assessment
<ul style="list-style-type: none"> • DMURS Statement of Compliance
<ul style="list-style-type: none"> • Proposed Road Improvement Works After RSA
<ul style="list-style-type: none"> • Stage 1 Road Safety Audit
<ul style="list-style-type: none"> • Site Specific Flood Risk Assessment
<ul style="list-style-type: none"> • Services Infrastructure Report
<ul style="list-style-type: none"> • Infrastructure Drawings

<ul style="list-style-type: none"> • Irish Water Confirmation of Feasibility
<ul style="list-style-type: none"> • Irish Water Statement of Design Acceptance
<ul style="list-style-type: none"> • Public Lighting Report and Layout
<ul style="list-style-type: none"> • Appropriate Assessment Screening
<ul style="list-style-type: none"> • Ecological Impact Assessment
<ul style="list-style-type: none"> • Landscape Masterplan
<ul style="list-style-type: none"> • LVIA
<ul style="list-style-type: none"> • Photomontages booklet
<ul style="list-style-type: none"> • Hedgerow & Tree Survey
<ul style="list-style-type: none"> • Archaeological Heritage Assessment

4.0 Planning History

Site

None on file in relation to the subject site.

Surrounding

Reg. Ref. 17/4567 ABP-300861-18 Adjoining Site to North – In 2019 ABP granted permission for 14 houses on a site to the immediate north of the development site, accessed via Maglin estate.

5.0 Section 5 Pre Application Consultation

- 5.1.1. A pre-application consultation section 5 pre-application consultation took place at the offices of An Bord Pleanála on the 14th December 2018 and a Notice of Pre-Application Consultation Opinion issued within the required period, reference number ABP-302962-18. An Bord Pleanála issued notification that, it was of the opinion, the documents submitted with the request to enter into consultations, required further consideration and amendment to constitute a reasonable basis for an application for strategic housing development. The following is a brief synopsis of the issues noted in the Opinion that needed to be addressed:

Infrastructure and Connectivity

Further consideration of the documents as they relate to the phased development programme for Ballincollig South Urban Expansion Area, as set out in Tables 3.1 and 3.2 of the Ballincollig Carrigaline Municipal District LAP.

Design and Layout of Development

Further consideration of the documents as they relate to the design and layout of the proposed development with regard to national and local planning policy. The prospective applicant should satisfy themselves that the proposed building heights provide the optimal urban design and architectural solution for this site and that it is of sufficient quality to ensure that the proposed development makes a positive contribution to the character of the area over the long term. In this regard, the submitted documents should allow for further consideration of the following matters:

- 1) Provision of a satisfactory interaction between the creche, the public realm and residential units at the vehicular access from Maglin Road;
- 2) The quantum of open space proposed, the surveillance of the open space, the usability of the active open space and proposals for passive open space in the context of landscaping proposals, to include consideration of the provision of open space and recreation land uses at the southern end of the site as per LAP objective BG-O-06;
- 3) Potential impacts on the setting of Ballincollig Castle and views towards same from within and outside the development;
- 4) The provision of a 20m buffer zone around the archaeological feature identified in the southern part of the site;
- 5) The presence of LAP objective IN-01 identified flood risk areas at the southern end of the site;
- 6) Potential impacts on the residential and visual amenities of the Maglin Estate to the north of the development site and the provision of connectivity to same;
- 7) The relationship with the Neighbourhood Centre LAP objective BG-T-01 zoned lands and objective BG-E-01 'development of a high quality business park' lands adjacent to the site.

The proposed development shall have regard to the site's context and locational attributes including the adjacent protected structure. In this regard an appropriate statement in relation to section 8(1)(iv) of the Planning and Development (Housing) and Residential Tenancies Act 2016, that outlines consistency with the relevant development

plan and that specifically addresses any matter that may be considered to materially contravene the said plan, if applicable, is required. The further consideration of these issues may require an amendment to the documents and/or design rationale submitted

5.2. The prospective applicant was advised that the following specific information was required with any application for permission:

1. Statement of Housing Mix in accordance with objective HOU 3-3: Housing Mix of the Cork County Development Plan 2014,
2. Archaeological Impact Assessment
3. Heritage Assessment to consider impacts on Ballincollig Castle protected structure.
4. Landscape and Visual Impact Assessment with photomontages and 3D modelling, to include consideration of impacts on the protected structure Ballincollig Castle.
5. Landscaping proposals to include (i) Arboricultural Impact Assessment and details of measures to protect trees and hedgerows to be retained at the site; (ii) rationale for proposed public open space provision
6. A site specific flood risk assessment
7. Rationale for proposed childcare provision
8. Traffic and Transport Impact Analysis.
9. Rationale for the proposed car parking provision
10. Stage I Road Safety Audit
11. Ecological Impact Statement to consider the retention and management of hedgerow boundaries at the site.
12. AA screening report.

5.3. Finally, a list of authorities that should be notified in the event of the making of an application were advised to the applicant and included:

1. The Minister for Culture, Heritage and the Gaeltacht
2. The Heritage Council
3. An Taisce
4. An Chomhairle Ealaíon
5. Fáilte Ireland

6. Irish Water
7. Transport Infrastructure Ireland
8. National Transport Authority
9. Cork County Childcare Committee

5.3.1. The covering letter submitted with the application responded to the board's opinion as follows:

The submission sets out that the Cork City Council Boundary Extension which occurred in May 2019 delayed the submission of the formal application as Cork County Council felt it would be inappropriate of them to engage with the applicants regarding the phasing and delivery of the Maglin UAE as Ballincollig was soon to form part of the functional area of Cork City Council. It is stated that subsequent meetings have taken place with Cork City Council and the City Council have agreed that the first phase as now proposed can proceed and would be consistent with the policies and objectives of the Ballincollig LAP.

Infrastructure & Connectivity

In response to the Board Opinion and following detailed consultations with Cork City Council the applicant is now proposing a development of reduced scale that includes for sustainable transportation upgrades. It is stated that the applicant's lands can be developed at an appropriate scale with dedicated pedestrian and cyclist upgrades to Maglin Road and Castle Road that will encourage sustainable mobility. The location of the proposed development is ideally situated to take advantage of the existing and proposed public transport options i.e. Bus Connects and Light Rail as detailed in CMATS. It is important to note that the proposals include an on-site creche and there are several schools within walking/cycling distance. In summary, the proposed development is of a scale that can be delivered without posing any significant impacts to local infrastructure. Further to this, notwithstanding the accepted constraints surrounding the phased infrastructure delivery approach outlined in the LAP, it is the applicant's contention that this strategy should be revised in upcoming plans and the proposed development can be delivered without contravening the existing policy and can provide the much needed stimulus for further development of the UAE.

Design and Layout of Development

The height of the proposal, derived from the masterplan for the wider area, has been designed to have regard to existing surrounding development as well as the expected future development of the Maglin UEA. The creation of an urban node at the entrance with a feature apartment building will provide a strong urban edge to the scheme along the upgraded Maglin Road with building heights within the interior of the scheme matching the prevailing heights in the area.

Response to specific points raised:

An Architectural Design Statement accompanied the planning application and established satisfactory **interaction between the creche, the public realm and residential units at the vehicular access from Maglin Road**. The creche is now being proposed in a separate building along the proposed access road within the development and adjacent to the apartment building.

Architectural Design Statement outlines the rationale with regard to the **open space strategy**.

Landscape and Visual Impact Assessment prepared by DMNA Architects and Landscape Architects. The Assessment is based on photomontages of the proposed development including Viewpoint 07, which is a view taken the rock outcropping upon which Ballincollig Castle stands. The assessment notes that the proposed development is located on the eastern portion of the BG-R-11 zoning objective and is at its nearest point 250 metres from the Castle itself.

The application is accompanied by an **archaeological Impact Assessment**. The assessment outlines mitigation measures with regard to the one recorded archaeological site within the proposed development site, a levelled burnt spread (CO073-161) located adjacent to the stream along the eastern site boundary.

A **Site-Specific Flood Risk** Assessment prepared by JB Barry and Partners Consulting Engineers. The assessment indicates that notwithstanding the LAP objective IN-01, there is no record of historic flooding at the site.

- 5.3.2. The proposal includes for the upgrade of Maglin Road to provide enhanced pedestrian and cycling infrastructure. This infrastructure will benefit all existing residential neighbourhoods in the vicinity. The proposed road enhancements also include a number of crossing points at Castle Road. The development will have a positive impact on the **residential amenity of the Existing Maglin Estate** to the north.

Relationship with Neighbourhood centre and business objectives. The proposed scheme has been designed in anticipation of the proposed neighbourhood centre (BG-T-01) and Business zoning (BG-E-01) objectives as outlined in the LAP. The apartment block element of the proposed development has been sited fronting Maglin Road in order to reflect the future scale and density of development in this area once the neighbourhood centre objective has been delivered upon and to deliver a strong urban node in this location. The proposed road enhancements including pedestrian crossing points are intended to put in place the required connectivity to ensure that existing estates as well as the proposed development will benefit from strong links to the future neighbourhood centre. In terms of the relationship with the BG-E-01 lands, the Maglin Road improvements will provide strong pedestrian and cyclist connectivity to Castle Road, where existing public realm is targeted for investment in the coming years, as outlined in CMATS. Future residents of the scheme will be well placed to access these strategic employment lands via sustainable modes of transport.

6.0 Applicant's Statement of Consistency

- 6.1. The applicant has submitted a Statement of Consistency as per Section 8(1)(iv) of the Act of 2016, which indicates how the proposal is consistent with the policies and objectives of Section 28 guidelines and the County Development Plan.

National Policy

- 6.2. The proposed development will assist in meeting the demand for residential development and is consistent with the aims of Pillar 3 of the National Planning Framework. The action plan notes the shortage of apartments in Cork City and the proposed development site is in a key sustainable location in close proximity to Ballincollig Town Centre and a number of FDI-type employers (VMware and Dell EMC) and connected to Cork City Centre via public transport. Apartment units form a significant element of the proposed development. The proposed residential accommodation in Cork would also further objectives 2A, 3B, 8, 11, 32 and 33 of the National Planning Framework

Section 28 Guideline compliance

The proposed development would be in keeping with Section 2.4 of the Guidelines define 'Central and / or Accessible Locations. The proposed development site can be defined as a Central and Accessible Urban Location, that is suitable for large scale, higher density development comprising wholly apartments and as demonstrated by the

enclosed Connectivity Map as it is within walking distance (i.e. up to 15 minutes or 1,000-1,500m) of a significant employment location, being Ballincollig Town Centre, many employment and future employment centres (BG-E-01 & BG-E-02) and within easy walking distance of high frequency urban bus services, being the 220/220A serving Cork City and the 233 serving Macroom and Cork city.

The design and layout of the apartments is in accordance with SPPR3, SPPR4 and SPPR 5 of the Sustainable Urban Housing: Design Standards for New Apartments: Guidelines for Planning Authorities (2018). A Housing Quality Assessment has been submitted.

The building height is in accordance SPPR1 of the 2018 guidelines on building height. The location of the site at the interface between town and countryside in Ballincollig, yet adjacent to a proposed neighbourhood centre (BG-T-01) renders it suitable for the proposed mix of building heights and typologies: with the taller, higher density units in close proximity to the proposed neighbourhood centre and close to the proposed enhanced public transport route, while lower density, two-storey houses are proposed to the northwest of the site, in keeping with the grain of the existing lower-density suburban housing. Mono-type building designs are avoided by the wide mix of unit types, incorporating 8 no. different house designs and a number of different apartment block designs. The submitted Design Statement address the Sustainable Residential Development in Urban Areas, 2009 and shows that the proposed development creates a sustainable place and neighbourhood where people want to live and work. The proposed development is in close proximity to the Light Rail Transit (LRT) east to west rapid transport corridor which will serve Ballincollig, Cork City Centre and Mahon, as proposed in the Cork Metropolitan Areas Transport Strategy 2040 and is in accordance with Section 5.7: Appropriate locations for increased densities outlines.

The Proposed Residential Development at Maglin has been designed in accordance with best practice as outlined in the 2009 Urban Design Manual. The Manual outlines 12 criteria that should guide urban residential development in the context of the individual homes, the site on which they are located and the wider neighbourhood. The development includes the provision of a creche with a capacity for 40- 50 places in accordance with the National Childcare Guidelines for Planning Authorities (2001) and Circular PL 3/2016:in March 2016 and the 2019 Minister for Children and Youth Affairs Universal Design Guidelines for Early Learning and Care Settings.

Southern Regional Assembly: Regional Spatial and Economic Strategy, 2019

- 6.2.1. Ballincollig is classified as a 'Metropolitan Town' within the Cork MASP. The proposed development at this greenfield site will assist in achieving the targets set out by the RSES for the Ballincollig/Maglin UEA region. The proposed development would be in keeping with RPO 4, RPO 5, RPO 9 and RPO 10 of the guidelines in terms of increased compact urban growth having regard to environmental criteria and delivering infrastructure in the form of enhanced public realm works.

Cork Metropolitan Area Strategic Plan (MASP)

- 6.3. The proposal is consistent with the identified objective of achieving higher densities in existing centres

Cork Area Strategic Plan (CASP) & CASP Update 2008

- 6.4. The subject lands are located in a strategically prominent location in the Cork Metropolitan Area. The provision of the development will assist in achieving housing targets identified in the 2008 CASP update.

Cork Metropolitan Area Transport Strategy (CMATS) 2020

- 6.5. Given the site location it is anticipated that walking will be the primary means of travel. The public realm works fronting the site are consistent with DMURS resulting in a streetscape more conducive to walking and cycling. Based on the CMATS the site will be located within a 5-minute walking distance from the LTR which underpins the development potential of the site in order to benefit from the infrastructural investment in the LTR. Ballincollig is also set to benefit from additional high frequency bus connections to the City Centre.

Cork County Development Plan

With regard to the 2014-2020 County Development Plan, the proposal would comply with relevant objectives of the Core Strategy Plan relating to critical population growth Objective CS 3-1, Objective CS 4 -1 relating to CASP. The design rationale was influenced by the Guidelines on Sustainable Residential Development in Urban Areas and accompanying Urban Design Manual in accordance with Objective HOU 3:1 Sustainable Residential Communities, Objective HOU 3:2: Urban Design, Objective HOU 3:3: Housing Mix, Objective HOU 4:1 Housing Density (Medium A Density 20-50 units per hectare). The proposal would comply with Objective SC 1-1: Social and Community Infrastructure Provision in so far as the scheme provides for a kick about area, informal

play area, courtyard garden and the existing stream and associated flood plain are utilised to create a biodiversity corridor to the south and west of the site. The development provides for a range of other community facilities, childcare facilities in accordance with Development Plan provisions Objective SC 2-1, 3-1, 4-1 and 5-2. The development is in compliance with the Councils Recreation and Amenity policy in terms of private open space provision, promoting walkability and pedestrian movements, cycling and the site is well positioned to capitalise on various bus and public transport connections in the area in accordance with Objective TM 2-3:Bus Transport and Objective TM 2-4:Bus Transport (Metropolitan Area). The car parking and bicycle parking is in accordance with County Development Plan standards. Connection to public water and wastewater is proposed and storm water drainage has been designed in accordance with SuDS standards. The Site-Specific Flood Risk Assessment concludes that there are no historic records of flooding and the entirety of the development is located in Flood Zone C. The development would not affect ecology, as shown in the submitted assessment and will protect and enhance biodiversity and natural environments. An Archaeological Assessment including geophysical assessment recommends archaeological monitoring on site and provision of a buffer zone around COO73-161. The submitted landscape and visual impact assessment (LVIA) shows that the proposed development would successfully integrate into its surroundings. The development will provide a high quality architectural, urban design and public realm outcome and the block layout and modulation in height creates breaks in the massing of the proposed buildings. A built heritage assessment demonstrates that the development would be compatible with the adjacent Ballincollig Castle.

Ballincollig Carrigaline Municipal District Local Area Plan 2017-2023

- 6.6. The LAP anticipated that the Maglin Urban Expansion Area (UEA) would accommodate 3,500m residential units. The development will contribute 113 units towards this as per Objective BG-GO-01 and BG-GO-02 *Population & Housing*. The development is consistent within zoning objective BG-R-11 Residential - Medium Density Residential at 35.5 dwellings per hectare. A small area to the south has been zoned BG-O-06 Open Space and a biodiversity corridor is proposed in this section is in accordance with objective BG-O-06 Open Space.
- 6.6.1. The statement sets out the following in relation to the sequential phasing of lands forming the Maglin Urban Expansion Area (UEA):-

The LAP anticipates that zones BG-R-04, 08 - 10 of the Maglin UEA would be developed as Phase 1, upon delivery of Bundle A of the Infrastructure Programme. Development of zones BG-R-11 - 15 would be in Phase 2, facilitated by the delivery of Bundle B of the Infrastructure Programme. However, to date application on Phase 1 lands have been limited to lands in the ownership of property developers, MOSH, (planning ref. 15/6813 and 17/4270). The other lands are currently in agricultural use. Until the delivery of the Bundle A of the Infrastructure Programme, tracts of these Phase 1 lands are landlocked until BG-UO5, the construction of the East Link Road is completed.

The funding source referred to in the LAP was the Local Infrastructure Housing Activation Fund (LIHAF) and the Ballincollig Link Road upgrade was listed on the initial LIHAF List of Approved Projects (March 28th, 2017). However, it was subsequently removed from the LIHAF List of Approved Projects list and from this it would appear that the funding required to allow for the construction of the Link Road is no longer available. Consequently, it is unlikely that the delivery of the road will be funded by the NTA.

In the absence of any immediate plans to deliver this infrastructure, the development of these Phase 1 lands and progress on the Expansion Area would appear to be postponed indefinitely. It is stated that this postponement of development, in the context of the current housing deficit, and strategic role Ballincollig has to play in delivering the Metropolitan housing target is not sustainable.

Table 3.1 states that 'Development of zones linked to Infrastructure Bundles 'B' may commence in parallel with the delivery of infrastructure bundle 'A' if the following can be secured':

Section 3.3.91 of the LAP states that the phasing arrangements are flexible, depending on the delivery of relevant supporting infrastructure. The Services Infrastructure Report submitted concludes that the relevant supporting infrastructure is in place for the development of the proposed scheme and the proposed scheme makes a significant contribution towards the delivery of the infrastructure for the wider Maglin Urban Expansion Area by providing a junction that will facilitate the future linking of the existing Maglin Road to the proposed Maglin by-pass.

7.0 Relevant Planning Policy

National Policy

7.1. National Planning Framework 2018-2040

National Strategic Outcome 1 is identified as Compact Growth, recognising the need to deliver a greater proportion of residential development within existing built-up areas of cities, towns and villages. Activating these strategic areas and achieving effective density and consolidation, rather than sprawl of urban development, is a top priority.

National Policy Objective 2a sets a target of 50% of future population and employment growth focused in the five existing Cities and their suburbs (Dublin, Cork, Limerick, Galway and Waterford).

Objective 3A directs delivery of at least 40% of all new housing to existing built-up areas of cities, towns and villages on infill and/or brownfield sites. Objective 3B seeks the delivery of at least 50% of all new homes that are targeted in the five Cities and suburbs within their existing built-up footprints.

Objective 8 sets a population growth target for Cork city and suburbs of c.50% to 2040.

Objective 13 is that, in urban areas, planning and related standards including in particular building height and car parking will be based on performance criteria that seek to achieve well-designed high-quality outcomes in order to achieve targeted growth.

Objective 35 is to increase residential density in settlements, through a range of measures including reductions in vacancy, reuse of existing buildings, infill development schemes, area or site-based regeneration and increased building height.

7.1.1. Section 28 Ministerial Guidelines

Having considered the nature of the proposal, the receiving environment, the documentation on file, including the submissions from the Planning Authority, the following section 28 Ministerial Guidelines are considered to be relevant to the proposed development.

- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas 2009, and associated Urban Design Manual.
- Sustainable Urban Housing: Design Standards for New Apartments (2018).
- Urban Development and Building Heights – Guidelines for Planning Authorities, 2018.
- Design Manual for Urban Roads and Streets (DMURS) 2013 - 2020.
- Childcare Facilities – Guidelines for Planning Authorities.

- The Planning System and Flood Risk Management Guidelines for Planning Authorities (2009)
- Architectural Heritage Protection Guidelines (2011)

7.2. Regional Policy

Southern Region - Regional Spatial and Economic Strategy 2020

The strategy is to build a strong, resilient, sustainable region by measures including strengthening and growing cities and metropolitan areas; harnessing the combined strength of the three cities, as a counterbalance to the Greater Dublin Area, through quality development, regeneration and compact growth; building on the strong network of towns and supporting villages and rural areas.

Key principles in developing the strategy include:

- A dual-track that builds on the cities, metropolitan areas as significantly scaled engines of sustainable growth, and by repositioning the strong network of towns, villages and rural areas in an imaginative, sustainable and smart manner.
- The need to provide an adequate supply of quality housing to meet existing and future demand.
- Regenerate and develop existing built-up areas as attractive and viable alternatives to greenfield development.
- Use quality urban design to enhance the character of a place and ensure development is respectful of the existing physical, social, environmental and cultural context;

RPO 10: Compact Growth in Metropolitan Areas

To achieve compact growth, the RSES seeks to:

- a. Prioritise housing and employment development in locations within and contiguous to existing city footprints where it can be served by public transport, walking and cycling.
- b. Identify strategic initiatives in Local Authority Core Strategies for the MASP areas, which will achieve the compact growth targets on brownfield and infill sites at a minimum and achieve the growth targets identified in each MASP.

Ballincollig is identified as a metropolitan town, within the Cork Metropolitan Area Strategic Plan. The sustainable growth of Metropolitan Cork requires consolidation, regeneration, infrastructure led growth and investment in such locations.

Cork MASP Policy Objective 8; Key Transport Objectives (to be informed by and subject to the recommendations of Cork Metropolitan Area Transport Strategy)

East-West Light Rail Public Transport Corridor: A strategic east-west public transport corridor from Mahon to Ballincollig via the City Centre, serving CIT, CUH, UCC, Kent Station, Docklands, Mahon Point. The corridor requires development consolidation along it at appropriate nodal points for a high capacity service.

Cork Metropolitan Area Transport Strategy

CMATS supports the delivery of the 2040 population growth target for the Cork Metropolitan Area. It will provide the opportunity to integrate new development at appropriate densities with high capacity public transport infrastructure in conjunction with more attractive walking and cycling networks and associated public realm improvements.

The identified cycle network includes a primary / inter-urban cycle route from Ballincollig to the city and a proposed greenway running east along the river Lee.

The strategy proposes the provision of a Light Rail Tram system for the corridor between Ballincollig and Mahon, serving CIT, CUH, UCC, Kent Station, Docklands and Mahon Point. This meets the long-term objective for the CMA for the development of an east-west mass transit, rapid transport corridor. In advance of the development of this light rail corridor, the route will be served with a high frequency bus service with bus priority measures to enable a high level of performance in advance of its transition to light rail.

(Contracts for initial route selection and design were awarded in August 2020)

7.3. **County / Local Policy**

Following the extension of the administrative boundaries in 2019, Ballincollig now falls within the area of Cork City Council. The City Council have confirmed that pending adoption of a new city development plan for the period 2022 – 2028, the Cork County Development Plan remains the operative development plan for the area.

7.3.1. Cork County Development Plan 2014

Ballincollig lies within the Metropolitan Cork Strategic Planning Area and is identified as a third tier, Metropolitan town, within the settlement strategy for which the strategic aim is critical population growth, service and employment centres within the Cork “Gateway”, which provide high levels of community facilities and amenities with infrastructure

capacity high quality and integrated public transport connections should be the location of choice for most people especially those with an urban employment focus.

Appendix B Tables B8 identifies a requirement for 4,033 new housing units in Ballincollig to 2022.

Objective CS 4-1: County Metropolitan Cork Strategic Planning Area, includes

a) Recognise the importance of the role to be played by Metropolitan Cork in the development of the Cork 'Gateway' as a key part of the Atlantic Gateways Initiative and, in tandem with the development of Cork City, to promote its development as an integrated planning unit to function as a single market area for homes and jobs

j) Maximise new development, for both jobs and housing, in the Metropolitan Towns and enhance the capacity of these towns to provide services and facilities to meet the needs of their population;

k) Provide an enhanced public transport network linking the City, it's environs, the Metropolitan towns and the major centres of employment;

n) In the Cork Gateway, development to provide the homes and jobs that are necessary to serve the planned population will be prioritised in the following locations, Ballincollig (Maglin).....

Objective HOU 3-1: Sustainable Residential Communities

a) Ensure that all new development within the County supports the achievement of sustainable residential communities.

b) Promote development which prioritises and facilitates walking, cycling and public transport use, both within individual developments and in the wider context of linking developments together and providing connections to the wider area, existing facilities and public transport nodes such as bus and rail stops.

Objective HOU 3-2: Urban Design, promotes high quality urban development including having regard to the Guidelines on Sustainable Residential Development in Urban Areas and DMURS:

Objective HOU 3-3: Housing Mix, seeks a mix of house types and sizes in accordance with the guidance set out in the Joint Housing Strategy and the Guidelines on Sustainable Residential Development in Urban Areas.

Objective HOU 4-1: Housing Density on Zoned Land

In respect of Ballincollig, the plan notes that high densities are appropriate in locations close to future quality public transport proposals.

Objectives TM 2-1: Walking and TM 2-2: Cycling promote sustainable modes of transport and compliance with DMURS.

Objective TM 4-1: Car and Cycle Parking encourages more efficient and sustainable transport modes securing the application of parking and cycle parking standards.

7.3.2. Ballincollig Carrigaline Municipal District - Local Area Plan August 2017

Most of the site has the following development plan zoning objectives:

'BG-R-11 Medium A density residential development. Development on this site requires provision to be made for the delivery of infrastructure described on Tables 3.1 and 3.2'.

Section 3.3.11 – The land to the south of the town (Maglin) represents a major strategic housing and employment development opportunity for Metropolitan Cork. This plan will facilitate the delivery of these lands for development and enhance Ballincollig's important residential and employment function in Cork. The majority of Ballincollig's growth will therefore be catered for on a significant portion of this land to the south of the town.

Section 3.3.15 refers to mixed use masterplan.

Section 3.3.50 refers to suitable pedestrian, cycle, vehicular access from the town centre and local schools to the Maglin Urban Expansion Area.

Section 3.3.55 – Flooding

Section 3.3.60 refers to green belt

Maglin- Urban Expansion Area

Section 3.3.68 refers to new residential neighbourhood

Section 3.3.69 – Overall Design Principles including:

- Effective connectivity (walking and cycling)
- Achievement of high Levels of modal shift by, support the use of sustainable modes and travel by Public transport
- Appropriate housing mix

- Appropriate housing density that encourages more efficient land use and infrastructure investment patterns and particularly creates conditions more favourable to the increased use of public transport
- Distinctive character areas, high quality public realm
- Provision for new office employment development within or near the site
- Primary schools
- Community centre and playgrounds
- Protected and facilitate the enjoyment of Ballincolig Castle by providing a 100m buffer zone
- Provision of open space

Transportation is addressed in section 3.3.73 to 3.3.78 including the proximity of the lands to the existing town of Ballincolig and the role of public transport including bus and other public transport services e.g. light rail.

The following objectives also apply in the immediate vicinity of the site:

LAP Table 3.1 sets out an infrastructure programme for the development of the Maglin UEA as follows. Infrastructure bundle 'B' applies to the site, i.e. Phase 2 of the UEA lands

'Medium A' density as outlined in the County Development Plan is 20 – 50 units / ha.

The southern part of the site has the following zoning:

'BG-O-06 Provision of open space and recreation park to include a mix of active and passive open space. This park provides a protection area for the Ballincolig Castle and a visual envelope over the adjacent residential areas.'

- BG-O-06 also applies to other lands to the west and south of the site.
- BG-E-01 on lands to the north west. Development of a high quality business park for enterprise / industry and non-retail commercial development as part of the Ballincolig UEA.
- BG-T-01 'neighbourhood centre uses' on lands to the south east on the opposite side of the Maglin Road.
- BG-U-07 'Maglin bypass' to the east from the Maglin Road to the Eastern Link Road objective BG-U-05 to the south of the site.

- BG-C-03 'provision for a secondary school' nearby to the south
- IN-01 Identified flood risk areas to the south of the development site. SSFRA required.

Section 3.3.1 Ballincollig, Vision and Context

The vision is that Ballincollig will continue to grow as a major centre for population and employment within the Metropolitan Area. The Local Area Plan will identify suitable locations for both residential and employment growth in the town and co-ordinate this growth with the upgrading of infrastructure services and the delivery of the green route and the high-quality rapid transit link to Ballincollig.

General Objective BG-GO-01: Population and Housing - Secure the development of 4,033 new dwellings between 2017 and 2022 to facilitate the sustainable growth of the town's population from 17,368 in 2011 to 23,805 in 2022

LAP Table 3.1 sets out an infrastructure programme for the development of the Maglin UEA as follows. Infrastructure bundle 'B' applies to the site, i.e. Phase 2 of the UEA lands.

Table 3.1 Ballincollig (Maglin) Urban Expansion Area Proposed On-Site Infrastructure Programme Delivery Agency: Developer/Cork County Council			
On-Site Infrastructure Bundle	Key projects	Notes	Delivery Programme
A	Eastern Spine Link Road A* (Killumney Road (E) to Maglin Road)	To include water and waste water networks and surface water disposal network	Proposed initial infrastructure bundle Delivery of Bundle 'A' will facilitate development on the following zones: BG-R-04 BG-R-09 BG-R-10 BG-R-08 BG-C-04 BG-O-06, BG-O-07.
	Waste Water pumping station and rising main to existing Irish Water Infrastructure		
	Drinking water connection to IW infrastructure		
	Delivery of phase 1 of surface water management system		
B	Western Spine Link Road B* (Maglin Road to Killumney Road (W))	To include water and waste water networks and surface water disposal network	Delivery of this infrastructure bundle is not proposed to commence until after the delivery of Bundle 'A' Delivery of Bundle 'B' will facilitate development on the following zones**: BG-R-11 BG-R-12 BG-R-13 BG-R-14 BG-R-15 BG-C-02 BG-C-03
	Maglin Road re-alignment		
	Delivery of phase 2 of surface water management system		
	Development of Open Space Areas (East & West)		
<p>*Access to serve individual dwellings will not be permitted. New access will be to estate roads only **Development of zones linked to Infrastructure Bundles 'B' may commence in parallel with the delivery of infrastructure bundle 'A' if the following can be secured: Appropriate connections to water services infrastructure and surface management systems; and Relevant on/off site road infrastructure.</p>			

LAP Table 3.2

Table 3.2 : Ballincollig (Maglin) Major Urban Extension Proposed Off-Site Infrastructure Programme Delivery Agency: Cork County Council		
Development Phase	No of Housing Units	Off-Site Infrastructure Project
Phase 1	Up to 1,500	Killumney Road Upgrade – Phase 1 (East)
		Walking/Cycling Network (Phase 1) <ul style="list-style-type: none"> ▪ Ballincollig Link Road ▪ Station Road
Phase 2	1,500 – 3,600	Killumney Road Upgrade – Phase 2 (West)
		Maglin Road Roundabout*
		Maglin Road re-alignment
		Walking/Cycling network (Phase 2) <ul style="list-style-type: none"> ▪ Muskerry Estate ▪ Flynn’s Road

*To be completed prior to the occupation of housing on zone BG-R-11

The Ballincollig East Link Road Upgrade (BG-U-05) was listed on the LIHAF list of approved projects in March 2017. However, an updated LIGHAF list of approved projects published in March 2018 does not include the Ballincollig East Link Road upgrade. It therefore appears that funding to construct the link road upgrade has not been approved and is not being sought

8.0 Designated sites

8.1. The proposed development is not in or adjacent to any Natura 2000 site. Cork Harbour SPA (001030) is located c.10.7km east of the subject site. Great Island Channel SAC (001058) is located 17.6km east of the subject site.

9.0 Third Party Submissions

9.1. A total of 20 no. submissions were received in relation to the proposal of which three no. of these are prescribed bodies, further detailed below in Section 11.0. The remaining submissions are from residents of properties in the vicinity, residents’ associations and a local councillor and the issues raised are similar in nature, therefore, I have summarised below:

Zoning

- It is set out that the development contravenes the policies set out in the Ballincollig Carrigaline LAP, in particular, with respect to the phased approach to the development of the Maglin area the provision of associated new infrastructure.
- BG-R-11 is identified in the second phase.
- The LAP sets out that the Maglin Road roundabout should be completed before housing on BG-R-11.

Density

- The proposed density is excessive having regard to the site location on the edge of Ballincollig.
- The area is zoned for low density and the apartments conflict with this zoning.

Visual and Residential Amenity

- The 4-5 storey apartment block fronting Maglin Road is out of character and in conflict with the established two-storey adjoining developments. The apartment block should be relocated and reduced in scale and height to 2/3 storeys.
- Concerns are expressed in relation to overbearing, overshadowing and overlooking due to building height, scale and prominence on nearby houses at Maglin and Glincool.
- Development will lead to devaluation of properties and there was no consultation with residents.
- The number of apartments and terrace houses should be reduced.

Open Space

- Open space provision is considered insufficient for apartments and terrace houses.

Impact on Archaeological and Built Heritage

- The LAP requires the protection of enjoyment of Ballincollig Castle and development that is sympathetic to the visual amenity of the Castle.
- It is set out that the apartment building will obscure views of the Castle.

- Reference is made to previous planning application ABP 300861 (granted on appeal) where Cork County Council Conservation Officer and Archaeologist recommended refusal due to the scale design and proximity to Ballincollig Castle.
- Concerns is expressed with regards anti-social behaviour at Ballincollig Castle

Landscape

- The removal of trees and hedgerow will have a determinantal impact on the character of the area.
- The Ecological Impact Assessment identifies the permanent and negative impact of tree removal.
- The proposed new tree planting along Maglin Road is not in keeping with the semi-rural location and do not mitigate against the loss of existing mature trees.

Traffic and Road Safety

- The Maglin Road is a heavily trafficked road linked to the N22. The road narrows to the south of the site resulting in problems with traffic speed and is unsuitable for the residents it currently serves.
- Area unsuitable for increased traffic volumes as a result of the proposed development
- The geometry of the Maglin Road has not been adequately considered in so far as the right hand turn is unfit and dangerous and there are no proposals to upgrade the bridge.
- The Road Safety Audit does not address the narrowness of the local road to the south and the bridge
- It is set out that justification for the development is to increase the viability of the light rail system on the Killumney Road. It is argued that justification for public transport should work in the opposite direction.
- Lack of public transport.
- Accessing local services requires car trips as public amenities are a 20 minute walk.
- Negative impact on Glincool Drive in terms of road works required to facilitate the

development.

- The addition of cycle paths does not mitigate increased traffic volumes. This only compounds the risk.
- The Traffic Impact Assessment was conducted in Nov. 2017 and Aug. 2020. It is set out that in Aug 2020 schools were off and people were working remotely and as a result traffic was at its lowest.
- The TIA does not address impact on the junction to the north of the site.
- It is set out that car parking provision is insufficient and could spill over to Maglin Estate
- Concern regarding the volume of traffic associated with the creche and wider child safety issues owing to increased traffic volumes and associated road works along Maglin Road.

Connectivity between Maglin and the development

- There was no consultation with the residents of Maglin Estate
- The residents are opposed to the creation of linkages between Maglin Estate and the development and the associated safety, privacy and security issues.
- The Maglin Estate is not served with adequate footpaths or cycle paths
- The removal of hedgerows between the Maglin Estate and the development will increase the visual impact of the development from the Maglin Estate.
- It is argued that pedestrian/cyclist pathways have been closed by the Council in Muskerry Estate for these reasons and adequate linkage to walkway and cycleways are provided 50m north of the site and the entrance to Maglin View Estate.
- It is set out that there is no rationale for the pedestrian and cycle permeability and that it is premature, lacks clear destination and there is no apparent benefit in terms of journey times.
- Realisation of amenity route is dependent of future development

Flood Risk

- Flooding not adequately addressed. The site is adjacent to the Maglin River, no flood risk has been carried out and the lands are known to flood. Flood Risk

Assessment required under Objective IN-01

- Maglin has been identified as a flood risk after 2016 storms
- Potential for flooding exacerbated by removal of trees
- Potential for flood risk downstream should be considered
- What safeguards are in place in terms of flood risk (and fire risk) for the 6-storey apartment building which includes a basement.
- It is set out that in early 2020 Cork County Council sought tenders to carry out a SFRA for Maglin UAE, SDA for the site. It is understood that the Maglin and lands relating to the development site are within the scope of the study. The development is premature pending the completion of the study.

Services and Amenities

- The area lacks amenities and services including schools to cater for the development and the 850 residential units permitted and built in the area over the last 12 months.

Other Issues

- Concern expressed regarding noise and air pollution
- Concern with regard to potential Japanese Knotweed on site
- Noting evidence of ground caverns in Ballincolig, a geology report should be included in order to determine foundation construction methodology.
- Subsistence risk with regards to Glincool and Maglin Estates.
- Construction works inducing construction waste, vermin, and traffic implications
- Boundary details unclear

10.0 Planning Authority Submission

10.1. A submission to the SHD application was received from the Planning Authority on the 2nd November 2020 and includes a summary of the points raised in the submissions, the opinion of the Elected Members, the planning history, policy context and the Chief Executive Views.

10.2. The submission has been summarised below:

View of Elected Members

The latter indicated their opposition to the proposed development. Concern was expressed with regard to the height and density proposed. The apartment block was considered out of character and should be positioned further back into the development. Provision of creche welcomed. Concerns expressed regarding the inadequate road infrastructure, proposed road works and the associated increase in traffic. The purpose of the biodiversity corridor, linkage points through the housing estate to the north and the removal of mature trees queried. Views of Ballincollig Castle should be protected. Queries raised regarding Japanese knotweed on the site, taking in charge and the need to take account of the light rail plans.

Planning Assessment

Introduction

The introduction sets out the development description and site context.

The report sets out that since the initial pre-consultation discussion Ballincollig is now part of the Cork City Council administrative area. The Southern Region RSES and MASP for Cork City have since been published. Ballincollig is identified as a metropolitan town in the Cork MASP. The RSES allocated 3570 residential units for Maglin UAE together with phased infrastructure works. The review of the Cork City Plan has commenced.

Policy /Zoning

General Objective BG-GO-02 of the LAP states that it is an objective to secure the delivery of the Maglin Urban Expansion Area and supporting infrastructure including water services through progressive implementation of the programme.

The site is part of the BG-R-11 residential zoned lands and the biodiversity corridor is zoned objective BG-O-06. These open space lands are identified as susceptible to flooding and objective IN-01 applies.

Development is permitted in principle under the zoning objective for the site.

The zoning objective BG-R-11 is zoned 'Medium A' density. As per HOU-4-1 the density range is 20-50 dwelling/ha. The density proposed is 35.5 dwellings/ha.

The issue of the phased delivery programme and contribution scheme for the Maglin lands/Balincollig South Urban Expansion Area is discussed and reference is made to the memorandum form *Community Culture and Placemaking* (Appendix to the CE report) which sets out that the development would, combined with existing infrastructure in the

area provide the required infrastructure to support 113 residential dwellings and the development would not materially contravene the LAP or County Development Plan. The LAP allows flexibility in relation to the delivery and phasing of the infrastructure, and the development would provide residential development in a location adjacent to the existing 'built edge' of Ballincollig.

In relation to works to the Maglin Road it is set out that a greater level of detail would be required for the proposed works. It is accepted that the works will provide and improve access to public transport and general access to the town centre. It is set out that in the event the Board is minded to grant planning permission a condition requiring details of works to the Maglin Road will be required to be agreed prior to the commencement of development.

It is set out that the biodiversity corridor is compatible with the BG-O-06 zoned lands. The proposal includes a footpath link from the development to the start of the biodiversity area but there is no footpath through the biodiversity area. The EclA and landscaping plan has a section on maintenance but no details regarding the management of the area.

Design and Layout

There is no objection to the principle of an apartment building. It is noted that the City Architect reported that the apartment building provides an urban edge to Maglin Road and the proposed future town centre to the south west of and provides an entrance gateway to this development.

Concern expressed regarding aspects of the eastern block arrangement including location of bin store, typology of terrace housing and limited vehicular access to the terraced housing. In addition to the size of private amenity (rear gardens) associated with these terrace dwelling and the fact that the rear gardens back onto the central courtyard of the apartment block and no details have been provided regarding boundary treatment.

Layout of the Grove and the Park (western and mid-block) acceptable in terms of residential amenity

Overall, it is considered that the apartment block complies with the criteria set out in the Sustainable Urban Housing: Design Standards for New Apartments (2018)

Part V proposal noted

Childcare

The proposed 40-50 capacity creche is acceptable in a residential zoned area.

Residential Amenity/Pedestrian Linkages

It is set out that there are policies in the CDP supporting walking and permeability

Relationship with BG-T-01 (neighbourhood centre) and BG-E-01 (business park) – both adjacent to the site.

Noting the applicant's submission, it is set out that road enhancements and pedestrian link will provide access via sustainable transport modes.

Roads/Traffic

Reference made to the submission from TII.

Traffic Operations report noted - recommended a robust MMP.

Built Heritage

It is noted that the Conservation officer reports that there is no particular building conservation issue raised by the development. The Archaeologist has recommended that the principle of development on this site is supported and she has attached conditions.

Submission of Stage 1 AA Screening Report and EIAR screening noted

Submission of Ecological Impact Assessment (EcIA) noted

Drainage / Water

Internal reports raise no objections. Conditions recommended

The Area Engineer and Drainage Section note no flood risk concerns

Irish Water submission noted

Public lighting details not provided

Japanese Knotweed in the site - condition required

Contributions to be attached to any grant of planning permission.

Fire Safety – Issues raised can be addressed through the Fire Cert process.

Conclusion

Subject to compliance with recommended conditions, the development is in accordance with proper planning and sustainable development.

Part II – Compliance with the development plan and Recommendation

The PA is of the opinion that the development is consistent with the provisions of the County Development Plan, Ballincollig LAP, as well as national and regional policy documents, and recommends that permission be granted.

10.2.1. **Internal planning authority technical reports are appended as follows:**

1. Archaeologist
2. Area Engineer
3. City Architect
4. Conservation Officer
5. Drainage
6. Environment
7. Fire Officer
8. Infrastructure Development
9. Heritage
10. Housing
11. Parks
12. Planning Policy
13. Traffic Operations
14. Urban Roads and Street Design (Planning)

10.2.2. The planning authority recommend 48 no. conditions to attach to any decision of the Board to grant permission, including the following:

2. Revisions to the design and layout of The Courtyard (eastern block)
4. Details of boundary treatment for houses 21 and 26
6. Taking in Charge details
7. Independent Quality Audit including a Road Safety Audit, Walking Audit and Cycle Audit in accordance with DMURS

- 8. Details to be agreed of pedestrian and cycling infrastructure for the eastern and western side of Maglin Road.
- 9. Details to be agreed of pedestrian and cycling crossing for Castle Road.
- 11. Sets out quantum and break down of car parking
- 14. Stage 3 /4 Road Safety Audit
- 20. Detail of pedestrian and cyclist infrastructure on the Maglin Road
- 21. Relates to works at the Maglin Road/Killumney junction
- 24. Archaeological Monitoring
- 25 Buffer zone around RMP C0073-161
- 29. Refers to FFL to ensure protection against the Lisheen River 0.1% AEP flood level of +19.0m OD identified in the Flood Risk Assessment
- 30 & 31. Public lighting details
- 32. Invasive Species Management Plan for the eradication of the Japanese Knotweed from the site
- 33. Implementation of mitigation measures in the Ecological Enhancement Plan
- 34. Tree felling and clearing of vegetation to take place outside of bird nesting season. Appropriate measures implemented to ensure protection of watercourses during construction. Services of bat expert to be employed during tree felling, clearance of vegetation and demolition works
- 35. Biodiversity survey to be carried out and a management plan to be prepared by an ecologist.
- 36,37 and 38. Refer to landscaping
- 46. Relates to areas to be taken in charge
- 47. Development bond
- 48. Development contributions

11.0 **Prescribed Bodies**

TII made a submission considers the development is at variance with official policy in relation to control of development on/affecting national roads, as outlined in the DoECLG

Spatial Planning and National Roads Guidelines for Planning Authorities (2012), as the proposed development by itself, or by the precedent which a grant of permission for it would set, would adversely affect the operation and safety of the national road network for the following reason(s):

- Insufficient data has been submitted to demonstrate that the proposed development will not have a detrimental impact on the capacity, safety or operational efficiency of the national road network in the vicinity of the site.
- It is noted that the TTA that accompanies the application indicates limited public transport services in the area of the proposed development (Section 3.4). Future transport accessibility is discussed in Section 4.3. Having regard to the site location and existing public transport services it is anticipated that the proposed development will be significantly reliant on the private car for access. Associated trips will result on the nearby national road network, including the N22. The TTA submitted does not assess the impacts of the proposed development on the N22/Kilumney Road junction and this is considered a significant oversight. TII notes the capacity assessments submitted in relation to Junction 6 (Sunningdale/Station Road/Carrignarra) indicate that this junction is operating over capacity. It is set out that further consultation is required.

NTA made a submission setting out that the Cork Metropolitan Area Transport Strategy 2040 (CMATS) was undertaken by the National Transport Authority, in conjunction with Cork City Council, Cork County Council and Transport Infrastructure Ireland and was completed in early 2020. CMATS sets out an integrated transport planning policy framework for the Cork Metropolitan Area with supporting transport investment priorities. Its preparation has been informed at national level by the National Planning Framework 2040 and the National Development Plan 2018-2027. The delivery of CMATS is identified as a critical objective in the RSES for the Southern Region and the associated Metropolitan Area Strategy Plan (MASP) for Cork, which also came into effect in 2020. In relation to the general location of the subject site within Ballincollig, the transport infrastructure proposals and associated objectives identified in CMATS includes Bus Connects, Light Rail, Cycling and Roads investment. the NTA does not consider the proposed development to be inconsistent with CMATS and its associated transport objectives. In the event of permission being granted, the NTA would recommend that the applicant be conditioned to consult with Cork City Council in conjunction with the NTA,

prior to the completion of detailed designs on the road network improvements and access arrangements, as proposed.

Irish Water made a submission confirming they advised at Pre-Consultation that a connection to the public water and waste water infrastructure is feasible for this development. The applicant is required to sign a connection agreement with Irish Water prior to any

12.0 **Assessment**

12.1. The following are the principal issues to be considered in this case:

- Principle of Development
 - Zoning
 - Provision of the Maglin Urban Expansion Area
- Density, Housing Mix and Height
- Development Strategy
 - Architectural Approach and Urban Design
 - Private/Public Open Space and Landscaping
 - Biodiversity, trees and Hedgerow
 - Boundary treatment, Passive Surveillance and Permeability
 - Design and Disposition of Apartments
 - Compliance with DMURS
 - Impact on Ballincolig Castle and Local Archaeology
- Road Infrastructure works, Traffic, Access and Parking
- Social Infrastructure
- Flood Risk
- Other Matters
 - Flood Risk
 - Drainage and Site Services
 - Construction Site Impacts
 - Residential Amenity

- Planning Authority Recommendation
- EIA Screening
- Appropriate Assessment

12.2. Principle of Development

The proposed development consists of the construction 59 no. two storey dwellings, an apartment building ranging in height between 4 and 5 storeys over basement containing 54 apartments, road improvement works to provide for the upgrade of the Maglin Road and will include the upgrade of the Maglin Road/Castle Road junction including the provision of a pedestrian crossing and the provision of crossing points and dedicated pedestrian / cycle paths along both sides of Maglin Road. Ancillary site development works include the provision of a pedestrian and cycle path along the northern boundary of the site, landscaping to provide courtyard garden, informal play area and kick about area, habitat area on lands to the south of the site and all associated works.

Zoning

- 12.2.1. The subject site is split between lands zoned BG-R-11 Medium A density residential development and BG-0-06 Provision of open space and recreation park to include a mix of active and passive open space in the Ballincollig/Carrigaline Local Area Plan 2017. The vision for Ballincollig as set out in Section 3.3.1 of the LAP is that Ballincollig will continue to grow as a major centre for population and employment within the Metropolitan Area. The LAP sets out that the land to the south of the town (Maglin) represents a major strategic housing and employment development opportunity for Metropolitan Cork. It is stated that the plan will facilitate the delivery of these lands for development and enhance Ballincollig's important residential and employment function in Cork and the majority of Ballincollig's growth. Section 3.3.15 sets out that the majority of the future housing stock will be located on the Maglin Urban Expansion Site at the southern side of the town between the N22 and the Killumney Road. The subject site is identified as forming part of the Maglin UAE .
- 12.2.2. Having regard to the zoning objective pertaining to the lands and the provisions of the LAP, the principle of residential development on the subject lands is acceptable. However, the LAP also sets out specific guidance regarding the phasing of development and has a clear vision to ensure that any future development links and integrates with existing services and infrastructure to ensure that future occupants are part of a

sustainable neighbourhood. It is in this context, that the subject development must also be considered.

Maglin lands/Balincollig South Urban Expansion Area

- 12.2.3. The Maglin-Urban Expansion Area provides for a new residential neighbourhood including the provision of business/employment lands, education and community facilities with the aim of creating a sustainable new neighbourhood, allowing for the co-ordinated planning of the area's physical and social infrastructure. Section 3.3.70 of the LAP set out the key principles in considering the sustainable development of the site. I will address these principles in further detail in the proceeding sections.
- 12.2.4. The LAP anticipates that zones BG-R-04, 08 - 10 of the Maglin UEA would be developed as Phase 1, upon delivery of Bundle A of the Infrastructure Programme. Development of zones BG-R-11 - 15 would be in Phase 2, facilitated by the delivery of Bundle B of the Infrastructure Programme. Development on this site requires provision to be made for the delivery of infrastructure described in Tables 3.1 and 3.2 of the LAP. Table 3.1 sets out an infrastructure programme for the development of the Maglin UEA. In this regard, I note Infrastructure bundle 'B' applies to the site, i.e. Phase 2. I further note that table 3.2 sets out that the Maglin Road re-alignment applies to development phase 2 and establishes that the Maglin Road roundabout is to be completed prior to the occupation of housing in zone BG-R-11 (the subject site) of the UEA lands.
- 12.2.5. The applicant argues that to date application on Phase 1 lands have been limited to lands in the ownership of property developers. The other lands are currently in agricultural use. Until the delivery of Bundle A of the Infrastructure Programme, tracts of these Phase 1 lands are landlocked until BG-UO5, the construction of the East Link Road is completed. The funding source for this road referred to in the LAP was the Local Infrastructure Housing Activation Fund (LIHAF) and the Ballincollig Link Road upgrade was listed on the initial LIHAF List of Approved Projects (March 28th, 2017). However, it was subsequently removed from the LIHAF List of Approved Projects list and from this it would appear that the funding required to allow for the construction of the Link Road is no longer available.
- 12.2.6. In the absence of any immediate plans to deliver this infrastructure, the development of these Phase 1 lands and progress on the Expansion Area would appear to be postponed indefinitely. The applicant argues that this postponement of development, in

the context of the current housing deficit, and strategic role Ballincollig has to play in delivering the Metropolitan housing target is not sustainable.

- 12.2.7. The planning authority in their submission argue that the development would, combined with existing infrastructure in the area provide the required infrastructure to support 113 residential dwellings and the development would not materially contravene the LAP or County Development Plan. It is set out that the LAP allows flexibility in relation to the delivery and phasing of the infrastructure, and the development would provide residential development in a location adjacent to the existing 'built edge' of Ballincollig.
- 12.2.8. The observers contend that the development contravenes the policies set out in the Ballincollig Carrigaline LAP, in particular, with respect to the phased approach to the development of the Maglin area the provision of associated new infrastructure. It is argued that BG-R-11 is identified in the second phase and the LAP sets out that the Maglin Road roundabout should be completed before housing on BG-R-11.
- 12.2.9. Whilst I note the concerns raised by the observers, I agree with the planning authority in so far as section 3.3.91 of the LAP clearly states that in order to promote the accelerated delivery of housing through the development of the Maglin site, the phasing arrangements proposed are flexible, depending only on the delivery of the relevant supporting infrastructure. I further note that Table 3.1 states that 'Development of zones linked to Infrastructure Bundles 'B' may commence in parallel with the delivery of infrastructure bundle 'A' if the following can be secured - Appropriate connections to water services infrastructure and surface management systems and relevant on/off site road infrastructure. Therefore, I am satisfied that there is policy support to develop lands zoned BG-R-11 in the absence of the completion of Bundle A subject to the detailed considerations below.

12.3. **Density, Housing Mix and Height**

Density

- 12.3.1. The zoning objective BG-R-11 is zoned '*Medium A*' density. Objective HOU 4-1: Housing Density on Zoned Land of the County Development Plan sets the density range is 20-50 dwelling/ha. The density proposed is 35.5 dwellings/ha.
- 12.3.2. The Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas states that with regard to outer suburban greenfield sites:
- "Studies have indicated that whilst the land take of the ancillary facilities remains relatively constant, the greatest efficiency in land usage on such lands will be achieved

by providing net residential densities in the general range of 35-50 dwellings per hectare and such densities (involving a variety of housing types where possible) should be encouraged generally. Development at net densities less than 30 dwellings per hectare should generally be discouraged in the interests of land efficiency, particularly on sites in excess of 0.5 hectares.” This is reinforced under SPPR 4 of the Building Height Guidelines (2018)

- 12.3.3. The planning authority have raised no concerns regarding the density proposed. However, the observers consider the proposed density is excessive having regard to the site location on the edge of Ballincollig and argue that the area is zoned for low density development and the apartments conflict with this zoning. In this regard, I note the site is zoned for medium density residential and not low density as asserted by the observers.
- 12.3.4. As outlined above the Maglin UEA represents a major strategic housing and employment development opportunity for Metropolitan Cork and these lands cater for the majority of Ballincollig’s growth. Section 3.3.70 of the Balincollig/Carrigaline LAP 2017 sets out key principles in considering the sustainable development of these lands to include connectivity, improved public transport, appropriate housing mix and density, community uses, and employment generation uses.
- 12.3.5. Furthermore, CMATS sets out an integrated transport planning policy framework for the Cork Metropolitan Area with supporting transport investment priorities. The delivery of CMATS is identified as a critical objective in the RSES for the Southern Region and the associated Metropolitan Area Strategy Plan (MASP) for Cork, which also came into effect in 2020. In relation to the general location of the subject site within Ballincollig, the transport infrastructure proposals and associated objectives identified in CMATS including Bus Connects, Light Rail, Cycling and Roads investment.
- 12.3.6. Section 5.8 of the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas states:
- (c) Public transport corridors – “The State has committed very substantial investment in public transport under the Transport 21 capital programme. To maximise the return on this investment, it is important that land use planning underpins the efficiency of public transport services by sustainable settlement patterns – including higher densities – on lands within existing or planned transport corridors. ..”
- 12.3.7. Of relevance also is the applicants submission which argues that the proposed development would be in keeping with Section 2.4 of the Guidelines and define the site

as 'Central and / or Accessible Location', that is suitable for large scale, higher density development comprising wholly apartments and as demonstrated by the Connectivity Map submitted as part of the application as it is within walking distance (i.e. up to 15 minutes or 1,000-1,500m) of a significant employment location, being Ballincollig Town Centre and future employment centres (BG-E-01 & BG-E-02) and within easy walking distance of high frequency urban bus services, being the 220/220A serving Cork City and the 233 serving Macroom and Cork city.

12.3.8. Having regard to the foregoing, I consider the density proposed acceptable in the context of the site location within a proposed major town in the Cork MASP, albeit on the periphery of this major town of Ballincollig. While I note that the density of 35.5 dwellings/ha reflects the minimum range set out in Sustainable Residential Development in Urban Areas Guidelines, I consider in this instance that regard must be given to the site context and the relationship to the immediately adjoining pattern of established suburban housing and the services and amenities accessible to the site, including public transport. I consider the site constitutes a transition area between the established residential pattern and the Urban Expansion Area. The proposed development represents an appropriate density with appropriate regard to the existing housing stock whilst also reflecting an incremental increase in residential density representing, in my opinion, a staggered transition to increasing density in the wider Urban Expansion Area. I am satisfied that the density is acceptable for these reasons.

12.3.9. In response to the observers concerns that the density in principle is excessive for the area, I would having regard to the above not accept this, and that having regard to national, regional and local policy relating to this area, consider a lower density to result in an unsustainable and inefficient of these lands within the UAE. As further noted and considered below, any potential impacts arising by reason of the nature and scale of the development are dealt with under the separate headings.

Housing Mix

12.3.10. With regard to housing mix, the applicant details that the overall housing mix within the development as follows: 59 no. two storey dwellings consisting of 21 no. 4-bedroom semi-detached dwellings, 15 no. 3-bedroom semi-detached dwellings, 4 no. 3-bedroom terraced dwellings, 19 no. 2-bedroom terraced dwellings; and ,an apartment building ranging in height between 4 and 5 storeys over basement containing 54 apartments and comprising 5 no. 3 bedroom apartments, 38 no. 2 bedroom apartments, and 11 no. 1-bedroom apartments.

12.3.11. There is in my view sufficient variation in house type and housing mix in accordance with criterion number 4 of the Urban Design Manual and The National Planning Framework issued by the Department of Housing, Planning and Local Government which recognises the increasing demand to cater for one and two person households and that a wide range of different housing needs will be required in the future. The third party observers argue that the number of apartments and terrace houses should be reduced, however, this would have the effect of furthering reducing the density on site, and would mitigate against the creation of a high quality urban street frontage along Maglin Road as well as within the scheme, and would not be appropriate, in my opinion, the context of the site. I am further satisfied that the scheme has been designed and apartments located in such a manner so as to minimise any potential impact on existing residents (as outlined in the applicant's documentation and response to the ABP pre-app opinion), The issue of height is further considered below.

Building Height

12.3.12. The applicant sets out that the height of the proposal is derived from the masterplan for the wider area, has been designed to have regard to existing surrounding development as well as the expected future development of the Maglin UEA. The proposed development is predominantly two storeys, with the proposed apartment blocks located to the east of the site extending to five storeys. I note that a number of concerns have been raised by the observers regarding the proposed apartments and that the proposed height is incongruous with the existing pattern and scale of development in the vicinity.

12.3.13. SPPR 4 of the Guidelines for Planning Authorities on Building Heights and Urban Development 2018 sets out that it is a specific planning policy requirement that the future development of greenfield or edge of city/town location must include minimum densities as required under the Sustainable Residential Development in Urban Areas Guidelines, a greater mix of building heights and typologies and that mono type building typologies (e.g. two storey or own door houses only) should be avoided.

12.3.14. The proposed apartments are located to front of the site addressing Maglin Road at the interface between town and countryside in Ballincollig, yet adjacent to a proposed neighbourhood centre (BG-T-01) and closest proximity to the existing public transport. In this context, I consider the proposed apartments are appropriately located within the site and the building height of predominantly four storeys extending to five storeys to the south of the site reflects an appropriate gateway building on the southern approach to

the town from the Maglin Road. I have no objection in principle to the heights proposed having regard to the site's location and context and the specific provisions of SPPR 4.

Conclusion

12.3.15. In conclusion, I am satisfied that the issue of residential density, housing mix and building height has been satisfactorily addressed. To date within such areas, it has been accepted nationally (as outlined in the NPF, Urban Development and Heights Guidelines, etc) that there is an over concentration of suburban houses generally and within the wider Ballincollig area this would be the case and the proposed development including the introduction of a mix of apartments and houses provides an appropriate transition to increased residential densities in the wider Maglin Urban Expansion Area.

12.4. Development Strategy

Architectural Approach and Urban Design

12.4.1. The layout provides for creation of an urban node at the entrance with a feature apartment building which the applicant contends will provide a strong urban edge to the scheme along the upgraded Maglin Road with building heights within the interior of the scheme matching the prevailing heights in the area. The two storey creche is located to the rear (south) of the apartment building with an L-shaped terrace of houses to the rear northwest of the apartments separated from the apartments by small rear semi-private garden areas accessed from the central garden courtyard/communal open space for the apartments. The site is accessed via a new entrance and proposed road to the south of the proposed residential development. This road is provided as a service road and will facilitate the future development of the adjoining zoned lands to the west as indicated in the Masterplan accompanying the planning application. The western portion of the site is laid out in two block forms aligned perpendicular to each other with rear gardens backing onto each other. The general house designs reflects a suburban design approach consistent with the general character of the area. The two terraced blocks reflect a more contemporary design approach and combined with the apartment building offer some variation in terms of design approach and finishes.

12.4.2. The 12 criteria set out in the Urban Design Manual, requires new developments to respond sufficiently to the characteristics of the site and surrounding area where the proposal should provide a focal point and create a sense of place. I am satisfied that the development provides an identifiable and distinguishable character.

Public/Private Open Space and Landscaping

- 12.4.3. Private open space for the proposed houses is provided in the most part in the form of enclosed rear garden, the area of which is in accordance with relevant standards. The exception to this is the rear gardens associated with the two terraced blocks H. Private open space for these units is in the form of semi-private rear garden areas with access to the communal courtyard to the rear of the apartments. I note section 7.8 of the Sustainable Residential Development in Urban Areas Guidelines allows for such provision subject to safeguards including secure access. In this case access to the central courtyard is gated and secure. The individual apartments each have a balcony/terrace area in addition to access to the shared courtyard. The observers argue that open space provision is insufficient for the apartments and terrace houses. I am satisfied that the private open spaces and communal open space provided are in accordance with relevant standards.
- 12.4.4. The layout provides for two large public open space areas within the proposed development site, a triangular open space between the terraced units H 55-63 and units 1-12 Maglin Grove and a large open area 'Kick about area' to the southwest of the residential development. There is also the communal courtyard garden as outlined above. The applicant contends that the layout provides three distinctly different spaces each with significant active uses. In total the two public open spaces give an area of 0.524 hectares, which is 16.5% of the overall net development area. This is acceptable.
- 12.4.5. The Chief Executive's report and internal report of the Parks Dept supports the nature, quantity and quality of the proposed open space (private, communal and public).

Biodiversity, trees and hedgerow

- 12.4.6. In addition to the public open space areas proposed, a biodiversity corridor of 2.58 hectares is proposed adjacent to the stream along the southern portion of the lands. This area which follows the line of the open space zoning and will be planted as shown on the landscape masterplan so as to provide a new biodiversity corridor for the area and to mitigate the removal of existing vegetation and habitat within the developable area. This is a welcome addition to the scheme; some concerns have been raised about that lack of a formal footpath/walkway through the lands. I would agree and consider the provision of access and pathways should form part of a coordinated approach to the overall development of the open space lands to the south. Should the Board be minded

to grant planning permission, I consider that mater can be addressed by way of condition.

- 12.4.7. The application was accompanied by an Ecological Impact Assessment. The assessment has regard to Desk Study and Field Surveys. These include regard to habitats, including water courses, flora and fauna on site. A Habitats Map is included in Fig. 5. Regard is had to the impact of construction on the steam on site as the stream is important in maintaining links and ecological corridors between features of higher ecological value. The majority of the site consists of a agricultural grassland with site boundaries dominated by a mixture of hedgerows, treelines, and bands of woodland.
- 12.4.8. Otter were recorded within the Grange Hill Stream. No bats were recorded. No rear or uncommon species of Birds or species of high conservation value were recorded. It is concluded in the Report, that given the mitigation proposed for the predicted impacts as described in the documentation submitted that the proposal will not result in adverse impact on the ecology in the local or wider environment.
- 12.4.9. An Ecological Enhancement Plan accompanied the assessment which in combination with the landscaping proposals seek to enhance the ecological value at a local level through the provision of bat boxes, bird boxes and log piles on the BG-0-06 *Provision of open space and recreation park* zoned lands to the south of the site.
- 12.4.10. In addition, a tree and hedgerow survey also accompanied the planning application. Site inspection indicated the southern portion of the residential development site was bounded by dense hedge and mature trees, in addition to a cluster of trees located to the north east of the site. It is proposed to remove all existing vegetation on the developable site. Identified tress to be retained refer to trees within the biodiversity corridor only.
- 12.4.11. The observers have raised a number of concerns regarding the loss of vegetation on site and the associated visual impact of the development as a result. I would share these concerns. The application includes a tree inventory only, no arboricultural impact assessment accompanied the planning application. However, the Ecological Impact Assessment determined that loss of trees and hedgerow within the developable site to be negative, the significance of loss ranging from slight to moderate with a permanent impact on the landscape. The Parks Department set out that the retention of such trees and hedgerow are more appropriate to parkland settings, I would not agree.

12.4.12. The context of a site is derived from how the features in the area combine to give a place a distinct look and feel. Good development will take into account the unique nature of a site and its surroundings to reinforce and evolve positive local characteristics. This should precede rather than follow formulation of a layout. I am not satisfied that the proposed layout adequately responds to the site context, no attempt has been made to retain and absorb existing trees or hedgerow into the scheme. Such a design response would help absorb the scheme into the local landscape and soften the visual impact. In this regard, should the Board be minded to grant planning permission I consider a condition requiring a revised landscaping plan to incorporate trees and hedgerow on the southern site boundary as part of the central amenity area and trees to the northeast of the site where I consider the proposed bin store should be relocated from (refer to 12.4.20 below) would significantly enhance the character of the site and create an appropriate urban edge to the scheme.

12.4.13. Concerns have also been raised by the observers in relation to Japanese knotweed on site. I am satisfied that this matter can be addressed by way of the imposition of a condition requiring an appropriate invasive species management plan. This is not an unusual or untested means of controlling invasive species, and is considered to be effective.

Boundary treatment, Passive Surveillance and Permeability

12.4.14. In terms of the surveillance of public open space within the scheme it is noted that the two largest areas of open spaces are overlooked by the adjacent houses, which will ensure that there is adequate passive surveillance of these spaces. In other areas of open space, such as along the proposed pedestrian and cycleway on the northern boundary the majority of houses are designed to front onto this space. Where sides of houses face this space, they are designed with their front door and main entrance facing the open space. In other areas houses are designed so that their front garden with low walls extends around the side of the house and the house is designed as dual fronted so that it turns the corner.

12.4.15. Concern expressed by the PA regarding the fact that the rear gardens of the terrace units H back onto the central courtyard of the apartment block and no details have been provided regarding boundary treatment. The layout would indicate soft landscaping. I am satisfied that this can be addressed by way of an appropriately worded condition should the Board be minded to grant planning permission.

12.4.16. I note that significant objections have been raised by residents of Maglin Estates regarding future cyclist and pedestrian connections and the potential anti-social behaviour. I note the concerns raised, however, such through routes are an integral element of the Maglin UEA and are explicitly provided for under the objectives and consistent with proper planning and sustainable development. The proposed connectivity also serves to connect existing residents of Maglin Estates to the amenity grounds/open space/linear park proposed as part of this development. The spaces have been designed to ensure appropriate levels of overlooking and passive surveillance and as such designed to minimise/mitigate potential anti-social behaviour.

Design and Disposition of Apartments

12.4.17. The apartment building at ca. 78m in length reflects a contemporary modern design approach, the scale and massing has been reduced a street level by virtue of staggered building lines and recessed fourth floor. At pre-application consultation stage the Board advised that the prospective applicant should satisfy themselves that the proposed building heights provide the optimal urban design and architectural solution for this site and that it is of sufficient quality to ensure that the proposed development makes a positive contribution to the character of the area over the long term.

12.4.18. The 12 criteria set out in the Urban Design Manual, requires new developments to respond sufficiently to the characteristics of the site and surrounding area where the proposal should provide a focal point and create a sense of place. The location along the Maglin Road provides a strong urban edge along the front of the site and by integrating the public path along the road and the green infrastructure route along the norther site boundary, I consider the design response is appropriate for a residential zoned site in an urban settlement. The layout provided focuses on active public streets by creating frontages directly onto the public area, in line with national guidance. Whilst, I note the concerns of the observers in relation to the apartments being contrary to the established pattern of development, I agree with the PA that the design approach provides an appropriate gateway to the development.

12.4.19. In relation to compliance with the relevant policy requirements of the Sustainable Urban Housing: Design Standards for New Apartments I note that the proposal complies in full with these Specific Planning Policy Requirements. I further note the PA raised no concerns in this regard.

12.4.20. I have some concerns in relation to the prominent location of the bin store to the front of the site and I consider the proposal to screen the visual impact by way of soft landscaping inappropriate and this will take time and has the potential to fail. I consider the relocation of the bin store necessary. I note the PA share these concerns. I am satisfied this matter can be addressed by condition.

Compliance with DMURS

12.4.21. Statement of Compliance with DMURS is submitted with the application. This details that the development has been designed with a hierarchy of roads including link streets and homezones. All streets are looped with no cul de sacs and each street is fully connected to the shared pedestrian and cycling pathway along the northern site boundary and the Maglin Estate residential development to the north.

12.4.22. Section 4.2.3 of DMURS states *“The inclusion of in curtilage parking within front gardens (i.e. to the front of the building line) may result in large building set backs that substantially reduce the sense of enclosure. In addition to the above, designers should avoid a scenario where parking dominates the interface between the building and the footway”*. This, however, is the design approach that has been adopted, with the majority of the housing units served by off street parking, in addition to the extensive linear perpendicular parking fronting 55-63 the Courtyards. In the context of the site, on the periphery of Ballincollig I consider this approach acceptable as the design approach seeks to create a transition between the established suburban character and the increased density associated with the apartments and terraced houses.

12.4.23. The development also provides for improvement works on the Maglin Road including dedicated cycling and walking facilities from the site access to the junction of Maglin Road/Killumney Road. The design provides for the segregation of pedestrian and cycling facilities. Raised areas at the junction will indicate priority crossing and a controlled on-demand crossing will be provided at the junction. I will address this in more detail in section 12.5.

12.4.24. I note the PA raised no concerns regarding compliance with DMURS.

Impact on Ballincollig Castle and Local Archaeology

12.4.25. The site is c. 300m north east of Ballincollig Castle (RMP CO073-062), bawn (RMPCO073-062002) and cave (RMPCO073-062002). Ballincollig Castle is also a protected structure (RPS 467). There is a standing stone (RMP CO073-074) c. 180m to the north and several other recorded archaeological sites within 1km of the development

site. In addition, a 'fulacht fiadh' was discovered within the site during archaeological test excavations.

12.4.26. Having regard to the separation between the site and Ballincollig Castle, I am satisfied that the development will not represent a detrimental impact on the character and setting of the castle and is in accordance with the 100m buffer zoned set out in section 3.3.69 – Overall Design Principles of the Maglin UEA of the LAP. In relation to concerns raised by the observers regarding the loss of views of the Castle. I am satisfied the views of the castle in the background of the site and adjoining residential estates will not be diminished by the development as demonstrated in the landscape and visual impact assessment submitted with the application.

12.4.27. The application is accompanied by an Archaeological Impact Assessment. The assessment outlines mitigation measures with regard to the one recorded archaeological site within the proposed development site, a levelled burnt spread (CO073-161) located adjacent to the stream along the eastern site boundary.

12.4.28. It is noted that the Conservation officer reports that there is no particular building conservation issue raised by the development. The City Archaeologist has recommended that the principle of development on this site is supported and she has attached conditions.

Conclusion

12.4.29. Having regard to the established pattern of development within the vicinity of the site it is my view that the proposed development is acceptable in principle and would support the emerging / future character of the area. It is my opinion that the concerns raised by the observers have on balance been addressed and mitigated by design, but it should be noted that the lands have been zoned by the Planning Authority, and are now proposed to be developed in compliance with local and national policy, and having regard to The Rebuilding Ireland Action Plan for Housing and Homelessness 2016 and need for housing. Issues of detail raised above (by PA) regarding the design and layout of the scheme could be addressed by way of condition. In conclusion, I consider that the development complies with the criteria set out in the Urban Design Manual – A Best Practice Guide 2009, and all relevant policies and standards as noted above.

12.5. Traffic, Access and Parking

Traffic and Access

- 12.5.1. As stated, the development provides for improvement works on the Maglin Road including dedicated cycling and walking facilities from the site access to the junction of Maglin Road/Killumney Road. These works have been outlined in red and form part of the application site. Access to the site is proposed via a new access onto the Maglin Road.
- 12.5.2. The third party observers have raised a number of concerns in relation to the impact of additional traffic arguing that the Maglin Road is a heavily trafficked road linked to the N22 and the geometry of the road has not been appropriately considered. It is set out that the road narrows to the south of the site resulting in problems with traffic speed and is unsuitable for increased traffic volumes including the proposed creche and the absence of appropriate public transport. The timing of the traffic counts is raised, and it is set out that TIA does not address impact on the junction to the north of the site.
- 12.5.3. Concerns have also been raised by TII and NTA in their submissions. TII considers the development is at variance with official policy in relation to control of development on/affecting national roads, as the proposed development by itself, or by the precedent which a grant of permission for it would set, would adversely affect the operation and safety of the national road network in so far as insufficient data has been submitted to demonstrate that the proposed development will not have a detrimental impact on the capacity, safety or operational efficiency of the national road network in the vicinity of the site and that the TTA that accompanies the application indicates limited public transport services in the area resulting in the proposed development being reliant on the private car for access. The TTA submitted does not assess the impacts of the proposed development on the N22/Killumney Road junction and this is considered a significant oversight. TII notes the capacity assessments submitted in relation to Junction 6 (Sunningdale/Station Road/Carriganarra) indicates that this junction is operating over capacity. It is set out that further consultation is required.
- 12.5.4. I have considered the report of TII, and while noting their concerns, I am satisfied that as per the assessment of the PA, that adequate information and studies have been submitted to allow the Board to assess the traffic impact of the development. I am satisfied that having regard to the relatively small scale of the development (at 113 units), as well as the proposed improvements to road and public transport infrastructure and facilities, that the proposed development can be accommodated within out undue impact and with no traffic safety issues.

- 12.5.5. The NTA submission sets out that in relation to the general location of the subject site within Ballincollig, the transport infrastructure proposals and associated objectives identified in CMATS includes Bus Connects, Light Rail, Cycling and Roads investment, the NTA does not consider the proposed development to be inconsistent with CMATS and its associated transport objectives. In the event of permission being granted, the NTA would recommend that the applicant be conditioned to consult with Cork City Council in conjunction with the NTA, prior to the completion of detailed designs on the road network improvements and access arrangements.
- 12.5.6. The applicant has submitted a Traffic Impact Assessment and a Stage 1 /2 Road Safety Audit in support of the development. Traffic counts were undertaken in in Nov. 2017 and Aug. 2020 and focused on 8 junctions:
- Junction 1 – Maglin Road/Castle Road/Sunningdale
 - Junction 2 – Maglin Road/Maglin View/Glincool Estate
 - Junction 3 – Maglin Road/L2222
 - Junction 4 – L2222/N40/N22 Link Road
 - Junction 5 – Proposed Access
 - Junction 6 – Sunningdale/Station Road/Carriganarra Road
 - Junction 7 – Carriganarra Road/Limeworth/Leo Murphy Road; and
 - Junction 8 – Castle Road/Flynn’s Road

The Nov. 2017 counts for junction 4 – L222/N40/N22 link road were factored up to 2020 figures using the TII growth rates for Cork City/County. The TTA notes that the 2020 traffic volumes showed significantly lower volumes noting Covid 19 impacts. Consequently, the average percentage increase applied at junction 4 was used to factor up the 2020 count figures at the remaining junctions. Section 1.3 *Analysis Outcomes* of the TTA indicted that junctions 1-5 operate with capacity, junction 6 and junction 7 exceed capacity but impacts are considered slight. The impact at junction 8 is classed as significant. Analysis revealed that traffic on the Maglin Road is projected to increase by 36% in 2038 to 323 north bound vehicles (AM peak). This is below the maximum road capacity based on table 17 of the TTA. The Traffic Operations report appended to the CE’s report sets out that trip generation data used in the report is higher than TRICS database and ensures a more conservative assessment of the traffic impact. It is set out that the TTA represents a worst-case scenario. It is further stated that it is imperative

that a Mobility Management Plan is fully developed to encourage a modal shift to sustainable transport. I would agree.

- 12.5.7. The TTA sets out that the mitigation measures, future road infrastructure outlined in the Local Area Plan (LAP), public transport improvement works and the likely modal shift will further reduce the impact that this development will have on the surrounding road network.
- 12.5.8. The location of the proposed development is ideally situated to take advantage of the existing and proposed public transport options for the area i.e. Bus Connects and Light Rail as detailed in CMATS and that it is necessary to acknowledge the proposed future infrastructural upgrades proposed in the LAP. Referencing the future link roads and Maglin bypass outlined in the LAP it is argued that data indicates that the introduction of the link road will result in a decrease in traffic at the existing junctions (1,2,3,4,6,7 & 8).
- 12.5.9. I note the PA raised no serious concerns with respect to traffic and access associated with the development to warrant a recommendation to refuse planning permission although the Chief Executive's Report included a number of specific conditions in this regard.
- 12.5.10. It is also important to note that the proposed development includes an on-site creche and there are several schools within walking/cycling distance. This will assist in reducing school-run trips during the AM peak and promote children and parents using the existing and proposed walking/cycling facilities. The observers argue that the addition of cycle paths does not mitigate increase traffic volumes. This only compounds the risk. I do not agree in so far as enhanced pedestrian and cycling offer a safe and real alternative to car usage.
- 12.5.11. In relation to works to the Maglin Road upgrade works, the PA set out that a greater level of detail would be required for the proposed works. It is accepted that the works will provide and improve access to public transport and general access to the town centre. It is set out that in the event the Board is minded to grant planning permission a condition requiring details of works to the Maglin Road will be required to be agreed prior to the commencement of development.
- 12.5.12. I have reviewed the Traffic and Transport Assessment submitted and the Stage 1/ 2 Road Safety Audit and I accept as the observers have pointed out that the development will generate additional traffic at this location. However, I am satisfied having regard to the infrastructural works proposed and noting the Traffic Operations report which sets

out that the TTA represents a worst-case scenario that the development is acceptable in terms of traffic safety.

12.5.13. In relation to the concerns raised by the observers with regard to the justification for the development to increase the viability of the light rail system on the Killumney Road. I would argue that the site is zoned for residential development and the provision of residential development needs to be balanced against the wider development objectives for that area including those identified in CMATS- Bus Connects, Light Rail, Cycling and Roads investment which requires a critical mass of people to justify and sustain.

12.5.14. I am satisfied that the principle of 113 residential units is acceptable from a Traffic and Access perspective.

Car parking

12.5.15. For the proposed 2/3/4 bedroom dwellings, 2 no spaces per unit are proposed with an additional 15 no. spaces through the development to cater for visitors. In relation to the apartments 1 space per unit is proposed at basement level representing a total of 192 car parking spaces. The observers contend that the car parking provision is insufficient and could spill over to Maglin Estate. I do not agree as the layout provides for ample car parking including visitor parking. 5 car parking spaces are proposed to serve the crèche. 152 bicycle spaces are proposed to serve the apartment units. This is considered acceptable.

12.6. Social Infrastructure

12.6.1. The observers argue that the area lacks amenities and services including schools to cater for the proposed development and the 850 residential units permitted and built in the area over the last 12 months. The site is located at the southern end of the built-up area of Ballincollig and c. 0.7 km from the centre of the town and the associated amenities and services including schools. The development relates to the provision of 113 residential units only, with the majority being 1 and 2 bedroom units. I do not consider the addition of 113 units (of which 40 are 3 and 4 bedroom family size units) to be significant in the context of the residentially zoned lands and I further note that the development includes the provision of a creche with capacity for 40-50 children, which would be greater than the numbers necessarily required by the proposed development in isolation.

12.7. Drainage

Flood Risk

- 12.7.1. A site-specific Flood Risk Assessment was carried out. The Lisheen River and the Grange Hill River from the southern and a portion of the south-eastern site boundary, respectively. The FRA determined a portion of the site adjacent the Lisheen River and the Grange Hill River which is occupied by the proposed biodiversity corridor is within Flood Zone A with the lands proposed for housing located within Flood Zone C.
- 12.7.2. I note residential development is defined as a highly vulnerable development with the Flood Risk Management Guidelines. Having regard to the location in flood zone C the guidelines stipulate that a justification test is not required. Notwithstanding, the applicant has carried out a detailed FRA. The FRA identified that all residential development will be constructed outside of the 1% and 0.1% AEP fluvial flood extent. It was determined that the maximum 0.1% AEP flood level of the Lisheen River to the south-east of the development site is +19.0mOD. The average level across the extreme flood extent line is approx. +18.1mOD with the maximum flood extent line in the vicinity of the proposed development at levels of 18.31mOD. As no development will take place in the 1% and 0.1% AEP flood extent areas this will not result in a loss of floodplain storage. Appropriate SUDs measures will ensure no increase in surface water runoff from the residential development.
- 12.7.3. I note the observers have raised concerns in relation to flooding including impacts downstream and state that Maglin has been identified as a flood risk after 2016 storms. It is further stated that in early 2020 Cork County Council sought tenders to carry out a SFRA for Maglin UAE and the development is premature pending the completion of the study. It is understood that Maglin and lands relating to the development site are within the scope of the study. In this regard, I note the PA concluded that the proposed development would adequately satisfy the flood risk concern and made no reference to a SFRA for Maglin UAE. Having regard to the FRA submitted and the mitigation identified therein I am satisfied that the proposed development is acceptable in so far as the residential development is located in Flood Zone C and no development will take place in the 1% and 0.1% AEP flood extent areas.

Foul Drainage

- 12.7.4. There is an existing 225mm diameter foul sewer running from north to south along the eastern boundary of the site. For most of the proposed development the wastewater collection will be via a network of gravity sewers with the ultimate discharge to Irish Water's wastewater network at the existing manhole before the sewer crosses the Maglin Road. The second connection point is at the north-east corner of the site where a

new manhole is to be constructed on the line of the existing foul sewer. This will serve the northern part of the proposed Apartment Block A.

12.7.5. No objection by Irish Water has been raised in relation to the proposals.

Water Supply

12.7.6. To serve the proposed development and potential future development, a 200mm diameter watermain will be connected to the existing Irish Water watermain in Maglin road and extended into the development. From this proposed 200mm diameter watermain, the proposed development will be served by a network of 150mm and 100mm diameter watermains. Irish Water have issued a Confirmation of Feasibility that the site can be serviced by its water infrastructure network.

Surface Water

12.7.7. Surface water collection will be via a network of gravity surface water drains discharging to proposed stormwater attenuation facilities. The configuration of the development drainage infrastructure system, including Sustainable Drainage System features (SuDS) with underground attenuation, is designed such that there is one overall catchment draining to the Grange Hill River located on the eastern boundary of the site. Within this overall catchment, there are three sub-catchments draining to attenuation systems, each with a hydrobrake to restrict the flow discharging to the downstream drainage network.

12.7.8. These attenuation facilities are sized to cater for a 100-year storm event with a 10% climate change allowance added and a controlled discharge equal to Q_{bar} (the runoff from the site in its greenfield condition). Detailed calculations are provided for the sizing of these attenuation storage areas. These are acceptable to the PA, and there is no evidence to support any real or material concerns regarding SUDs and surface water drainage.

12.8. Other Matters

Construction Site Impacts

12.8.1. A number of the observers raise concerns regarding the construction phase of the project including risk of subsidence with regards to Glincool and Maglin Estates. Whilst I acknowledge there may be some short term impacts during the construction phase, I consider that such impacts will be short term, temporary in nature and can be mitigated through appropriate construction management. I further note that the development is

sufficiently removed from the adjoining Glincool and Maglin Estates so as not to cause subsidence.

- 12.8.2. Noting the concerns raised by the observers regarding ground caverns in Ballincollig and the suggestion that a geology report should be included in order to determine foundation construction methodology. I note a geophysical survey was undertaken as part of the Archaeological Assessment in addition to test trenching. The assessment indicates no evidence of ground caverns. Notwithstanding, standard construction practice will be employed, and all development works will be required to comply with relevant building standards and will be subject to detailed site-specific construction drawings with regard to ground conditions.
- 12.8.3. With respect to concerns raised regarding fire safety. A Fire Safety Certificate will be required for the development. This is independent of the planning process.

Impact on Residential Amenity

Adjacent Dwellings

- 12.8.4. Concern is expressed by the observers in relation to overbearing, overshadowing and overlooking due to building height, scale and prominence on nearby houses at Maglin and Glincool, devaluation of properties and the lack of consultation with residents. I note however, that the proposed development is well set back from adjoining residential estates and I am satisfied that the development will not result in overbearing, overshadowing and overlooking of adjoining development so as to determinately impact on their residential amenity. I do not consider that development will result in the devaluation of adjoining property.
- 12.8.5. In relation to public consultation. The public notices associated with the development were in accordance with the requirements of Planning and Development Regulations 2001 (as amended). There is no obligation on the applicant to discuss the development with the adjoining residents/observers. The planning system is designed such that the public are informed about planning applications by way of public notices and the submissions received have been concerned and addressed in this report.

12.9. Planning Authority Recommendation

- 12.9.1. The planning authority consider that the development would be consistent with the provisions of the County Development Plan, Ballincollig LAP, as well as national and

regional policy documents, and recommends that permission be granted. The CE's report recommends a grant of planning permission subject to 48 no. conditions.

- 12.10. In relation to phased development of the Maglin Urban Expansion Area as outlined in the LAP, the PA consider that the development would, combined with existing infrastructure in the area provide the required infrastructure to support 113 residential dwellings and the development would not materially contravene the LAP or County Development Plan. The LAP allows flexibility in relation to the delivery and phasing of the infrastructure, and the development would provide residential development in a location adjacent to the existing 'built edge' of Ballincollig. Therefore, having regard to the location of the site and section 3.3.91 of the LAP, I do not consider it is a sufficient reason to justify a refusal of permission for the proposed development.
- 12.11. In relation to the proposed density, the PA is satisfied that in the context of the site location and the relationship to the adjacent suburban pattern of development the proposed density is acceptable. Similarly, it is accepted that the design and layout is generally acceptable, and the proposed apartments provide an appropriate 'gateway' to the site and will not impact on the character and setting of Ballincollig Castle. As per my assessment, I have concluded that the development layout is acceptable, in principle, although I consider a revised landscaping scheme appropriate to include the retention of trees and hedgerow along the southern site boundary and the inclusion of a walkway/path through the biodiversity corridor and the relocation of the bin store serving the apartments.
- 12.12. In relation to the traffic and access, noting the TTA and RSA submitted, I note the PA raised no serious concerns with respect to traffic and access associated with the development to warrant a recommendation to refuse planning permission although the Chief Executive's Report included a number of specific conditions in this regard. I have had regard to the submissions of the TII and NTA and my assessment concludes that the TIA submitted represent the worst case scenario but also proves capacity in the majority of the surrounding road networks to accommodate an increase in traffic. I agree with the PA that additional drawings and documentation is required with respect to detailed design proposals relating to the Maglin Road upgrade works. I note a letter of consent in relation to the works has been received from Cork City Council.
- 12.12.1. I have reviewed the contents of the Chief Executive's Report and the appendices attached thereto and I have had regard to the recommendation and conditions there in

which the planning authority have included as part of the Chief Executives' report should the Board be minded to grant planning permission.

12.12.2. In this regard, should the Board be minded to grant planning permission, I would draw the Board's attention to condition no. 2 and 4 planning authority's schedule of conditions regarding revisions to the design and layout of *The Courtyard* (eastern block) and boundary treatment respectively. I would also note the requirements of the Traffic Operations Division and Roads Operations Ballincollig Area Office, in particular, with regards to additional road and traffic details, mobility management plan, public lighting and appropriate measures to address invasive species. Community, Culture and Placemaking Division including detailed design of pedestrian and cycling infrastructure and raised tables/shared spaces in compliance with DMURS. Drainage Division in terms of confirmation of finished floor levels are protected against the Lisheen River 0.1% AEP flood level of +19.0mOD and appropriate management details for the biodiversity corridor to include the provision of a footpath.

13.0 Environmental Impact Assessment (EIA)

13.1.1. Class (10)(b) of Schedule 5 Part 2 of the Planning and Development Regulations 2001 (as amended) provides that mandatory EIA is required for the following classes of development:

- Construction of more than 500 dwelling units,
- Urban development which would involve an area greater than 2 ha in the case of a business district, 10 ha in the case of other parts of a built-up area and 20 ha elsewhere. (In this paragraph, "business district" means a district within a city or town in which the predominant land use is retail or commercial use.)

13.1.2. The proposed development is for 113 dwellings on a site c.6.59ha. The proposed development is considered to be sub-threshold in terms of EIA having regard to Schedule 5, Part 2, 10(b) (i) and (iv) of the Planning and Development Regulations 2001 (as amended).

13.1.3. The applicant submitted an EIA Screening Report including the information set out in Schedule 7A of the Planning and Development Regulations, 2001 (as amended) to allow a screening for EIA in accordance with the criteria in Schedule 7 regarding the

- Characteristics of Proposed Development
- Location of Proposed Development

- Types and Characteristics of Potential Impacts

13.1.4. I have assessed the proposed development having regard to the above criteria and associated sub criteria having regard to the Schedule 7A information and other information which accompanied the application, inter alia, Appropriate Assessment Screening, Ecological Impact Assessment and landscape details and I have therefore completed a screening assessment as set out in Appendix A.

13.1.5. I recommend to the Board that the proposed development would not be likely to have significant effects on the environment and that the preparation and submission of an environmental impact assessment report would not therefore be required.

The conclusion of this assessment is as follows:

Having regard to

- a) the nature and scale of the proposed development, which is below the threshold in respect of Class 10(b)(iv) of Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended,
- b) the location of the site on lands zoned BG-R-11 is zoned 'Medium A' density in the Maglin UEA forming part of the Ballincollig/Carrigaline Local Area Plan 2017,
- c) The existing use on the site and pattern of development in surrounding area;
- d) The availability of mains water and wastewater services to serve the proposed development,
- e) the location of the development outside of any sensitive location specified in article 299(C)(1)(v) of the Planning and Development Regulations 2001 (as amended),
- f) The guidance set out in the "Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development", issued by the Department of the Environment, Heritage and Local Government (2003),
- g) The criteria set out in Schedule 7 of the Planning and Development Regulations 2001 (as amended), and
- h) The features and measures proposed by applicant envisaged to avoid or prevent what might otherwise be significant effects on the environment,

It is considered that the proposed development would not be likely to have significant effects on the environment and that the preparation and submission of an environmental impact assessment report would not therefore be required.

13.2. Appropriate Assessment

13.2.1. The application is accompanied by an Appropriate Assessment Screening Report. This report concludes that there is no potential for likely significant effects on any European sites.

13.2.2. The proposed development is for 113 residential units and a crèche on a c. 6.59ha site, located c. 1km south of Ballincollig Town Centre, on serviced and zoned land. Wastewater from the proposed development will connect to the Wastewater Treatment Plant. Irish Water confirmed in a pre-connection enquiry that the development can be facilitated. Surface water will be via gravity surface water drain discharging to proposed stormwater attenuation facilities and discharged into an existing Grange Hill stream located on the eastern boundary of the site.

13.2.3. There are no European sites located within or in close proximity to the site. The Submitted Screening Report listed 1 no. sites within a 15km radius of the site as the follows:

- Cork Harbour SPA (004030)

Site (site code)	Qualifying Interests
Cork Harbour SPA 004030	Little Grebe (<i>Tachybaptus ruficollis</i>) [A004] Great Crested Grebe (<i>Podiceps cristatus</i>) [A005] Cormorant (<i>Phalacrocorax carbo</i>) [A017] Grey Heron (<i>Ardea cinerea</i>) [A028] Shelduck (<i>Tadorna tadorna</i>) [A048] Wigeon (<i>Anas penelope</i>) [A050] Teal (<i>Anas crecca</i>) [A052] Pintail (<i>Anas acuta</i>) [A054] Shoveler (<i>Anas clypeata</i>) [A056] Red-breasted Merganser (<i>Mergus serrator</i>) [A069] Oystercatcher (<i>Haematopus ostralegus</i>) [A130] Golden Plover (<i>Pluvialis apricaria</i>) [A140] Grey Plover (<i>Pluvialis squatarola</i>) [A141] Lapwing (<i>Vanellus vanellus</i>) [A142]

	Dunlin (<i>Calidris alpina</i>) [A149] Black-tailed Godwit (<i>Limosa limosa</i>) [A156] Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157] Curlew (<i>Numenius arquata</i>) [A160] Redshank (<i>Tringa totanus</i>) [A162] Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179] Common Gull (<i>Larus canus</i>) [A182] Lesser Black-backed Gull (<i>Larus fuscus</i>) [A183] Common Tern (<i>Sterna hirundo</i>) [A193] Wetland and Waterbirds [A999]
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*Site synopsis and conservation objectives for each of these Natura 2000 sites are available on the NPWS website. In particular the attributes and targets of these sites are of assistance in screening for AA in respect of this project

13.2.4. Conservation Objectives

Cork Harbour SPA (004030)

Conservation Objectives

- To maintain the favourable conservation condition of qualifying interests detailed above.

Assessment of likely Significant Effects on Designated Sites

13.2.5. The proposed development is not in or adjacent to any Natura 2000 site. Cork Harbour SPA is a large, sheltered bay system that is an internationally important wetland site, regularly supporting in excess of 20,000 wintering waterfowl, for which it is amongst the top ten sites in the country. Owing to the sheltered conditions, the intertidal flats are often muddy in character but described principally as 'mixed sediment to sandy mud with polychaetes and oligochaetes'. These muds support a range of macro-invertebrates, notably *Macoma balthica*, *Scrobicularia plana*, *Peringia (Hydrobia) ulvae*, *Nephtys hombergi*, *Nereis diversicolor* and *Corophium volutator*, all of which provide a food source for many wintering waterbird species. Salt marshes are scattered through the site and these provide high tide roosts for waterbirds (NPWS 2014).

Potential loss of Habitat

The proposed development site is located 10.6m west of the Cork Harbour SPA at its closest point. An ecological appraisal of the proposed development site indicates that it supports common habitats which are not of high value in the context of the Natura 2000 designation. The habitats recorded within the proposed development boundary do not correspond to habitats listed on Annex I of the Habitats Directive. proposed development will not result in any significant deterioration in habitat quality or loss of habitat within the Cork Harbour SPA. Therefore, it is concluded that the proposed development will not result in any loss or deterioration of habitat within Natura 2000 sites.

Potential impacts from noise and disturbance

The proposed development site is outside the SPA boundary and is located on the outskirts on an existing urban environment. This area is already subject to noise disturbance and light pollution from neighbouring dwellings. The construction phase of the project will increase noise and disturbance, however given the distance from the SPA and the lack of suitable habitat for SCI species on or near the proposed development site I am satisfied that no impact on birds listed as qualifying interests for the Cork Harbour SPA will occur.

Potential impacts on water quality during construction

Potential impacts on aquatic habitats which can arise from surface water emissions during the construction phase of the proposed development include increased silt levels in surface water run-off, inadvertent spillages of hydrocarbons from fuel and hydraulic fluid. Given small scale of the proposed development and the distance from the SPA there is no significant risk of severe silt levels being generated or major spills of hydrocarbons. No impact on water quality within European sites during construction is predicted to occur.

Impacts on water quality from discharges of wastewater and surface water during operation.

Wastewater from the proposed development will be conveyed for treatment to Ballincollig Waste Water Treatment Plant (WWTP). Treated effluent from the proposed development will ultimately discharge into the waters of the Cork Harbour which sections overlap with that of the Cork Harbour SPA. The effluent discharge from the proposed housing development to the Ballincollig WWTP is well within its design capacity and will not comprise the operational capability of the WWTP to treat effluent to comply with emission limit values. Therefore, the impacts from the proposed development will be negligible given the current operating conditions at the WWTP. Likewise, minor

increases in nutrient levels potentially discharged by the WWTP will not have a significant impact on feeding conditions for birds listed as qualifying interests for the Cork Harbour SPA. No impact on these bird species is predicted to occur.

As per Sustainable Drainage Systems (SuDS) principles, management of surface water runoff during operation of the housing development has been built into the plans. Design measures will ensure runoff from the completed development will remain at or below greenfield rates. Therefore, there will be no impact on water quality and conservation objectives within the Cork Harbour SPA from surface water runoff during the construction phase.

Cumulative Impacts

The area surrounding the proposed development is also heavily populated with a mixture of residential estates and one-off dwellings and roads. Wastewater is also discharged from other settlements (e.g. Carrigaline, Middleton, Ringaskiddy) and local industry. This project is taking place within the context of greater levels of built development and associated increases in residential density in the Cork area. I note also the development is for a small residential development consisting of 113 residential units on serviced lands in an urban area and does not constitute a significant urban development in the context of the Cork City. As such the proposal will not generate significant demands on the existing wastewater treatment plant.

13.2.6. The application site is in the built up area. Its existing condition does not provide ex situ habitats that might support a species that is the subject of the conservation objective of a Natura 2000 site. The foul effluent from the proposed development would drain to the Ballincolling WWTP. Its downstream effect on the outflow from that system would be negligible. Having regard to the small scale of the development, there are no significant emissions predicted during the construction or operational phase. Therefore, the proposed development would not have the potential to have a significant indirect effect on any Natura 2000 site either.

13.2.7. These conclusions arise from the location and the nature of the proposed development and do not assume the implementation of any mitigation measures because the proposed development is not likely to give rise to any significant effects on any Natura 2000 site that could be mitigated. There are no effects, either direct or indirect, that are likely to arise from the proposed development that could become significant in combination with any other plan or project. It is therefore reasonable to conclude that on

the basis of the information on the file, which is adequate in order to issue a screening determination, that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on any European site, in view of the site's Conservation Objectives, and a Stage 2 Appropriate Assessment (and submission of a NIS) is not required

14.0 Recommendation

Having regard to the above assessment, I recommend that Section 9(4)(a) of the Act of 2016 be applied and that permission is granted for the reasons and considerations and subject to the conditions set out below.

15.0 Reasons and Considerations

Having regard to:

- The sites planning history;
- The site's location on lands with a zoning objective for residential development;
- The policies and objectives in the Ballincollig/Carrigaline Local Area Plan 2017 and the Cork County Development Plan 2014*;
- Nature, scale and design of the proposed development;
- Pattern of existing development in the area;
- The Rebuilding Ireland Action Plan for Housing and Homelessness 2016;
- The National Planning Framework issued by the Department of Housing, Planning and Local Government in February 2018;
- Regional Spatial and Economic Strategy for the Southern Region, 2020;
- The Design Manual for Urban Roads and Streets (DMURS) issued by the Department of Transport, Tourism and Sport and the Department of the Environment, Community and Local Government in March 2013;
- The Sustainable Urban Housing: Design Standards for New Apartments issued by the Department of the Environment, Community and Local Government in March 2018;
- The Urban Development and Building Heights Guidelines for Planning Authorities 2019;

- The Planning System and Flood Risk Management' (including the associated 'Technical Appendices') 2009;
- Submissions and observations received; and
- Chief Executives Report.

It is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would be acceptable in terms of urban design, height and quantum of development and would be acceptable in terms of traffic and pedestrian safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

16.0 Recommended Order

Application: for permission under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016, in accordance with plans and particulars, lodged with An Bord Pleanála on the 8th day of September 2020 by HW Planning Consultants, on behalf of Stonecrest Construction Limited.

Proposed Development: The proposed strategic housing development includes 113 no. residential units, childcare facility, and associated site works.

The proposed development consists of the construction of:

- 59 no. two storey dwellings consisting of 21 no. 4-bedroom semi-detached dwellings, 15 no. 3-bedroom semi-detached dwellings, 4 no. 3-bedroom terraced dwellings, 19 no. 2-bedroom terraced dwellings; and ,
- an apartment building ranging in height between 4 and 5 storeys over basement containing 54 apartments and comprising 5 no. 3 bedroom apartments, 38 no. 2 bedroom apartments, and 11 no. 1-bedroom apartments.

Road improvement works provide for the upgrade of the Maglin Road from its junction with Castle Road to the proposed site entrance and will include the upgrade of the Maglin Road/Castle Road junction including the provision of a pedestrian crossing and the provision of crossing points and dedicated pedestrian / cycle paths along both sides of Maglin Road.

Ancillary site development works include the provision of a pedestrian and cycle path along the northern boundary of the site, landscaping to provide courtyard garden,

informal play area and kick about area, habitat area on lands to the south of the site, shared bin stores, ESB meter room.

Access to the proposed development to be provided via a proposed shared vehicular, pedestrian and cyclist entrance, a pedestrian / cyclist entrance to Maglin Road and makes provision for 3 no. pedestrian / cyclist entrances from the adjacent Maglin View estate to the north.

Decision: Grant permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

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. Such matters included any submissions and observations received by it in accordance with statutory provisions.

In coming to its decision, the Board had regard to the following:

- a) The site's location within the administrative area of Cork City Council* with a zoning objective for residential development;
- b) The policies and objectives in the Cork County Development Plan 2014* and Ballincollig/Carrigaline Local Area Plan 2017;
- c) Nature, scale and design of the proposed development;
- d) Pattern of existing and permitted development in the area;
- e) The Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas and the accompanying Urban Design Manual;
- f) The Design Manual for Urban Roads and Streets (DMURS) issued by the Department of Transport, Tourism and Sport and the Department of the Environment, Community and Local Government in March 2013;

*Following the extension of the administrative boundaries in 2019, Ballincollig now falls within the area of Cork City Council. The City Council have confirmed that pending adoption of a new city development plan for the period 2022 – 2028, the Cork County Development Plan remains the operative development plan for the area.

- g) The Guidelines for Sustainable Residential Developments in Urban Areas and the accompanying Urban Design Manual – a Best Practice Guide, issued by the Department of the Environment, Heritage and Local Government in May 2009;
- h) The Urban Development and Building Heights Guidelines for Planning Authorities 2018;
- i) The Planning System and Flood Risk Management Guidelines for Planning Authorities (2009)
- j) Chief Executive's Report;
- k) Submissions and observations received;
- l) The report and recommendation of the inspector including the examination, analysis and evaluation undertaken in relation to appropriate assessment screening and environmental impact assessment screening

Appropriate Assessment

The Board completed an Appropriate Assessment screening exercise in relation to the potential effects of the proposed development on designated European Sites, taking into account the nature, scale and location of the proposed development within a zoned and serviced urban area, the lack of direct connections with regard to the source-pathway-receptor model, the Report for the purposes of Appropriate Assessment Screening submitted with the application, the Inspector's report and submissions on file. In completing the screening exercise, the Board adopted the report of the Inspector and concluded that the proposed development, individually or in combination with other plans or projects, would not be likely to have a significant effect on any European site, in view of the conservation objectives of such sites, and that a Stage 2 Appropriate Assessment (and submission of a Natura Impact Statement) is not, therefore, required.

Environmental Impact Assessment

The Board completed an environmental impact assessment screening of the proposed development and considered that the Environmental Report submitted by the applicant, identifies and describes adequately the direct, indirect, secondary, and cumulative effects of the proposed development on the environment.

Having regard to:

- a) the nature and scale of the proposed development, which is below the threshold in respect of Class 10(b)(iv) of Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended,
- b) the location the location of the site on lands zoned BG-R-11 is zoned '*Medium A*' density in the Maglin UEA forming part of the Ballincolig/Carrigaline Local Area Plan 2017,
- c) The existing use on the site and pattern of development in surrounding area;
- d) The availability of mains water and wastewater services to serve the proposed development,
- e) the location of the development outside of any sensitive location specified in article 299(C)(1)(v) of the Planning and Development Regulations 2001 (as amended),
- f) The guidance set out in the "Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development", issued by the Department of the Environment, Heritage and Local Government (2003),
- g) The criteria set out in Schedule 7 of the Planning and Development Regulations 2001 (as amended),

It is considered that the proposed development would not be likely to have significant effects on the environment and that the preparation and submission of an environmental impact assessment report would not therefore be required

Conclusions on Proper Planning and Sustainable Development

The Board considered that, subject to compliance with the conditions set out below that the proposed development would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would not endanger public safety by reason of traffic hazard, or have a negative impact on the character or setting of Ballincollig Castle (RMP CO073-062), protected structure (RPS 467) to the northeast of the site. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

16.1. Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, 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. In default of agreement, the matter(s) in dispute shall be referred to An Bord Pleanála for determination.

Reason: In the interest of clarity

2. The internal road network serving the proposed development, including turning bays, junctions, parking areas, footpaths and kerbs, shall be in accordance with the detailed construction standards of the planning authority for such works and design standards outlined in DMURS. In default of agreement the matter(s) in dispute shall be referred to An Bord Pleanála for determination.

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

3. The proposed cycle infrastructure be designed so as to comply with all necessary standards in the NTA National Cycle Manual.

Details of the layout, marking demarcation and security provisions for the cycle spaces and cycle infrastructure shall be as submitted to An Bord Pleanála with this application, unless otherwise agreed in writing with, the planning authority prior to commencement of development.

Reason: To ensure that adequate bicycle parking provision is available to serve the proposed development, in the interest of sustainable transportation.

4. The developer shall facilitate the protection of archaeological materials or features which may exist within the site. In this regard, the developer shall -
 - (a) undertake an Archaeological Impact Assessment, submitted prior to commencement of any development to the Planning Authority for writing approval,
 - (b) notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development,
 - (c) submit to and agree in writing with the planning authority any revised proposals for the design which is deemed necessary to ensure that the development will not cause avoidable disturbance to archaeological material and will limit any unavoidable disturbance,

(d) submit full details relating to the proposed buffer zone around RMP C0073-161 including the long term management of this buffer zone.

(e) employ a suitably-qualified archaeologist who shall monitor all site investigations and other excavation works, and

(f) provide arrangements, acceptable to the planning authority, for the recording and for the removal of any archaeological material which the authority considers appropriate to remove.

In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

Reason: In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any remains that may exist within the site.

5. Mitigation and monitoring measures outlined in the plans and particulars, including the Section 11 of the EclA 'Mitigation Measures', shall be carried out in full, except where otherwise required by conditions attached to this permission. A qualified ecological specialist shall monitor these works.

Reason: In the interest of protecting the environment and in the interest of public health.

6. 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. 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

7. The road improvements on the Maglin Road and Castle Road junction as outlined in Drawing Nos. 18215-JBB-1B-XXX-DR-T-00052 and 18215-JBB-1B-XX-DR-C-0036 submitted with the application, shall be carried out in full by the developer at his expense. A final design shall be submitted to, and agreed in writing with, the planning authority prior to commencement of the development. The final design shall comply with the provisions of DMURS and include the recommendations of the Stage 1/2 Road Safety Audit. A Stage 3/4 Road Safety Audit and a Quality Audit shall be agreed and discharged with the planning authority.

Reason: To facilitate safe pedestrian and vehicular access to the proposed development.

8. Prior to the opening/occupation of the development, a Mobility Management Strategy (including an interim or temporary strategy reflecting any requirements or adjustments relating to Covid-19 movement and travel patterns) shall be submitted to and agreed in writing with the planning authority. This shall provide for incentives to encourage the use of public transport, cycling, walking and carpooling by residents/occupants/staff employed in the development and to reduce and regulate the extent of parking. The interim or temporary strategy, where applicable, should reflect the requirements of DMURS Interim Advice Note – Covid Pandemic Response (May, 2020). The mobility strategy shall be prepared and implemented by the management company for all units within the development.

Reason: In the interest of encouraging the use of sustainable modes of transport and reflecting the needs of pedestrians and cyclists during Covid-19 pandemic

9. A minimum of 10% of all car parking spaces should be provided with EV charging stations/points, and ducting shall be provided for all remaining car parking spaces facilitating the installation of EV charging points/stations at a later date. Where proposals relating to the installation of EV ducting and charging stations/points has not been submitted with the application, in accordance with the above noted requirements, the development shall submit such proposals shall be submitted and agreed in writing with the Planning Authority prior to the occupation of the development.

Reason: To provide for and/or future proof the development such as would facilitate the use of Electric Vehicles

10. (a) The communal open spaces, including hard and soft landscaping, car parking areas and access ways, communal refuse/bin storage, and all areas not intended to be taken in charge by the local authority, shall be maintained by a legally constituted management company

(b) Details of the management company contract, and drawings/particulars describing the parts of the development for which the company would have responsibility, shall be submitted to, and agreed in writing with, the planning authority before any of the residential units are made available for occupation.

(c) Details of all operational arrangements associated within the creche shall be submitted to and agreed in writing with the planning authority prior to occupation of the creche.

Reason: To provide for the satisfactory future maintenance of this development in the interest of residential amenity.

11. The landscaping scheme and play facilities shown on drg no. 4000, landscape master plan, as submitted to An Bord Pleanála as part of this application shall be carried out within the first planting season following substantial completion of external construction works. In addition to the proposals in the submitted scheme, the following shall be carried out: The site shall be landscaped, using only indigenous deciduous trees and hedging species, and shall include:

(a) the relocation of a bin store from the front of the site to an appropriate accessible and overlooked location to the rear of the apartment building.

(b) the submission of a revised landscaping plan to incorporate trees and hedgerow on the southern site boundary as part of the central amenity area and trees to the northeast of the site at the location of the relocated bin store.

(c) submission of a tree planting scheme including details of the type, quantity and location.

(d) the planting shall integrate the recommendations as proposed in the Ecological Impact Assessment.

(e) play facilities shall be provided within the communal areas of the apartment development in line with the requirements of Section 4.13 of the Sustainable Urban Housing: Design Standards for New Apartments. Guidelines for Planning Authorities (2018)

(f) all details of the play facilities and passive recreation facilities shall be submitted for the agreement of the planning authority prior to commencement of development.

(g) details of boundary treatment.

(h) provision of a designated pedestrian path through the biodiversity corridor.

Revised drawings/ documentation showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority/An Bord Pleanála prior to commencement of development.

All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development or until the development is taken in charge by the local authority, whichever is the sooner, 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.

12. Prior to the commencement of development, the applicant shall submit an Invasive Species Management Action Plan for the written agreement of the planning authority to include full details of the eradication of the Japanese Knotweed from the site prior to any construction works commencing. An annual update report to include photographs shall be submitted to the Planning Authority for their written approval

Reason: In the interest of clarity and the protection of the environment during construction and operational phases of development.

13. Details of the materials, colours and textures of all the external finishes to the proposed dwellings/buildings shall be as submitted with the application, unless otherwise agreed in writing with, the planning authority/An Bord Pleanála prior to commencement of development. In default of agreement the matter(s) in dispute shall be referred to An Bord Pleanála for determination.

Reason: In the interest of visual amenity.

14. No additional development shall take place above roof parapet level, including lift motor enclosures, air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennas or equipment, unless authorised by a further grant of planning permission.

Reason: To protect the residential amenities of property in the vicinity and the visual amenities of the area.

15. The applicant or developer shall enter into water and/or waste water connection agreement(s) with Irish Water, prior to commencement of development.

Reason: In the interest of public health.

16. Drainage arrangements including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services. Prior to commencement of development the developer shall submit to the Planning Authority for written agreement a Stage 2 - Detailed Design Stage Storm Water Audit. Upon Completion of the development, a Stage 3 Completion Stormwater Audit to demonstrate Sustainable Urban Drainage System measures have been installed, and are working as designed and that there has been no misconnections or damage to storm

water drainage infrastructure during construction, shall be submitted to the planning authority for written agreement.

Reason: In the interest of public health and surface water management

17. 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

18. Proposals for an estate/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(s) 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).

Reason: In the interest of urban legibility and to ensure the use of locally appropriate place names for new residential areas.

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

Reason: In the interests of public safety and residential amenity

20. Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in relation to the provision of housing in accordance with the requirements of section 94(4) and section 96(2) and (3) (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate shall have been applied for and been granted under section 97 of the Act, as amended. Where such an agreement is not reached within eight weeks from the date of this order, the matter in dispute (other than a matter to which section 96(7) applies) may be referred by the planning authority or any other prospective party to the agreement to An Bord Pleanála for determination.

Reason: To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan of the area.

21. 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 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 of the development.

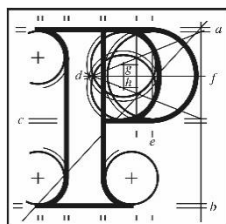
22. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the 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.

Irené McCormack
Planning Inspector

10th December 2020

Appendix A: EIA Screening Form



An
Bord
Pleanála

EIA - Screening Determination for Strategic Housing Development Applications

A. CASE DETAILS		
An Bord Pleanála Case Reference		ABP-308111-20
Development Summary		113 no. residential units (59 no. houses, 54 no. apartments), childcare facility and associated site works
	Yes / No / N/A	
1. Has an AA screening report or NIS been submitted?	Yes	An EIA Screening Report and a Stage 1 AA Screening Report was submitted with the application
2. Is a IED/ IPC or Waste Licence (or review of licence) required from the EPA? If YES has the EPA commented on the need for an EIAR?	No	

<p>3. Have any other relevant assessments of the effects on the environment which have a significant bearing on the project been carried out pursuant to other relevant Directives – for example SEA</p>	<p>Yes</p>	<p>SEA undertaken in respect of the Cork County Development Plan 2014 and the Ballincollig/Carrigaline Local Area Plan 2017</p>
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<p>B. EXAMINATION</p>	<p>Yes/ No/ Uncertain</p>	<p>Briefly describe the nature and extent and Mitigation Measures (where relevant) (having regard to the probability, magnitude (including population size affected), complexity, duration, frequency, intensity, and reversibility of impact) Mitigation measures –Where relevant specify features or measures proposed by the applicant to avoid or prevent a significant effect.</p>	<p>Is this likely to result in significant effects on the environment? Yes/ No/ Uncertain</p>
<p>1. Characteristics of proposed development (including demolition, construction, operation, or decommissioning)</p>			
<p>1.1 Is the project significantly different in character or scale to the existing surrounding or environment?</p>	<p>No</p>	<p>The development comprises the removal of existing trees and hedgerow on site and construction of residential units on lands zoned residential in keeping with the residential development in the vicinity.</p>	<p>No</p>

<p>1.2 Will construction, operation, decommissioning or demolition works cause physical changes to the locality (topography, land use, waterbodies)?</p>	<p>Yes</p>	<p>The proposal includes construction of a residential estate which is not considered to be out of character with the pattern of development in the surrounding town.</p>	<p>No</p>
<p>1.3 Will construction or operation of the project use natural resources such as land, soil, water, materials/minerals or energy, especially resources which are non-renewable or in short supply?</p>	<p>Yes</p>	<p>Construction materials will be typical of such urban development. The loss of natural resources or local biodiversity as a result of the development of the site are not regarded as significant in nature.</p>	<p>No</p>
<p>1.4 Will the project involve the use, storage, transport, handling or production of substance which would be harmful to human health or the environment?</p>	<p>Yes</p>	<p>Construction activities will require the use of potentially harmful materials, such as fuels and other such substances. Such use will be typical of construction sites. Any impacts would be local and temporary in nature and implementation of a Construction Environmental Management Plan will satisfactorily mitigate potential impacts. No operational impacts in this regard are anticipated.</p>	<p>No</p>

<p>1.5 Will the project produce solid waste, release pollutants or any hazardous / toxic / noxious substances?</p>	<p>Yes</p>	<p>Construction activities will require the use of potentially harmful materials, such as fuels and other such substances and give rise to waste for disposal. Such use will be typical of construction sites. Noise and dust emissions during construction are likely. Such construction impacts would be local and temporary in nature and implementation of a Construction Environmental Management Plan will satisfactorily mitigate potential impacts.</p> <p>Operational waste will be managed via a Waste Management Plan to obviate potential environmental impacts. Other significant operational impacts are not anticipated.</p>	<p>No</p>
<p>1.6 Will the project lead to risks of contamination of land or water from releases of pollutants onto the ground or into surface waters, groundwater, coastal waters or the sea?</p>	<p>No</p>	<p>No significant risk identified. Operation of a Construction Environmental Management Plan will satisfactorily mitigate emissions from spillages during construction. There is no direct connection from the site to waters. The operational development will connect to mains services. Surface water drainage will be separate to foul services.</p>	<p>No</p>

<p>1.7 Will the project cause noise and vibration or release of light, heat, energy or electromagnetic radiation?</p>	<p>Yes</p>	<p>Potential for construction activity to give rise to noise and vibration emissions. Such emissions will be localised, short term in nature and their impacts may be suitably mitigated by the operation of a Construction Environmental Management Plan.</p> <p>Management of the scheme in accordance with an agreed Management Plan will mitigate potential operational impacts.</p>	<p>No</p>
<p>1.8 Will there be any risks to human health, for example due to water contamination or air pollution?</p>	<p>No</p>	<p>Construction activity is likely to give rise to dust emissions. Such construction impacts would be temporary and localised in nature and the application of a Construction, Environmental Management Plan would satisfactorily address potential impacts on human health.</p> <p>No significant operational impacts are anticipated.</p>	<p>No</p>
<p>1.9 Will there be any risk of major accidents that could affect human health or the environment?</p>	<p>No</p>	<p>No significant risk having regard to the nature and scale of development. Any risk arising from construction will be localised and temporary in nature. The site is not at risk of flooding.</p> <p>There are no Seveso / COMAH sites in the vicinity of this location.</p>	<p>No</p>

1.10 Will the project affect the social environment (population, employment)	Yes	Redevelopment of this site as proposed will result in an increase in residential units of 113 no. units which is considered commensurate with the development of a Ballincollig.	No
1.11 Is the project part of a wider large scale change that could result in cumulative effects on the environment?	No	Stand alone development, with minor developments in the immediately surrounding area.	No
2. Location of proposed development			
2.1 Is the proposed development located on, in, adjoining or have the potential to impact on any of the following: <ol style="list-style-type: none"> 1. European site (SAC/ SPA/ pSAC/ pSPA) 2. NHA/ pNHA 3. Designated Nature Reserve 4. Designated refuge for flora or fauna 	No	No conservation sites located on the site. An AA Screening Assessment accompanied the application which concluded no significant adverse impact on any European Sites.	No

<p>5. Place, site or feature of ecological interest, the preservation/conservation/ protection of which is an objective of a development plan/ LAP/ draft plan or variation of a plan</p>			
<p>2.2 Could any protected, important or sensitive species of flora or fauna which use areas on or around the site, for example: for breeding, nesting, foraging, resting, over-wintering, or migration, be affected by the project?</p>	<p>No</p>	<p>No such uses on the site and no impacts on such species are anticipated.</p>	<p>No</p>
<p>2.3 Are there any other features of landscape, historic, archaeological, or cultural importance that could be affected?</p>	<p>No</p>	<p>The site is c. 300m north east of Ballincollig Castle (RMP CO073-062), bawn (RMPCO073-062002) and cave (RMPCO073-062002). Ballincollig Castle is also a protected structure (RPS 467). There is a standing stone (RMP CO073-074) c. 180m to the north and several other recorded archaeological sites within 1km of the development site. In addition, a 'fulacht fiadh' was discovered within the site during archaeological test excavations.</p>	<p>Yes However, no features are located within the residential development area.</p>
<p>2.4 Are there any areas on/around the location which contain important, high quality or scarce resources which could be affected by the project, for example: forestry, agriculture, water/coastal, fisheries, minerals?</p>	<p>No</p>	<p>There are no areas in the immediate vicinity which contain important resources.</p>	<p>No</p>

<p>2.5 Are there any water resources including surface waters, for example: rivers, lakes/ponds, coastal or groundwaters which could be affected by the project, particularly in terms of their volume and flood risk?</p>	<p>No</p>	<p>Watercourse located to the south and east of the site. The development will implement SUDS measures to control surface water run-off. The site is not at risk of flooding.</p>	
<p>2.6 Is the location susceptible to subsidence, landslides or erosion?</p>	<p>No</p>	<p>There is no evidence in the submitted documentation that the lands are susceptible to lands slides or erosion and the topography of the area is flat.</p>	<p>No</p>
<p>2.7 Are there any key transport routes(eg National Primary Roads) on or around the location which are susceptible to congestion or which cause environmental problems, which could be affected by the project?</p>	<p>No</p>	<p>The site is served by a local urban road network.</p>	<p>No</p>
<p>2.8 Are there existing sensitive land uses or community facilities (such as hospitals, schools etc) which could be affected by the project?</p>	<p>Yes</p>	<p>There is no existing sensitive land uses or substantial community uses which could be affected by the project.</p>	<p>No</p>

3. Any other factors that should be considered which could lead to environmental impacts			
3.1 Cumulative Effects: Could this project together with existing and/or approved development result in cumulative effects during the construction/ operation phase?	No	No developments have been identified in the vicinity which would give rise to significant cumulative environmental effects.	No
3.2 Transboundary Effects: Is the project likely to lead to transboundary effects?	No	No trans boundary considerations arise	No
3.3 Are there any other relevant considerations?	No		No

C. CONCLUSION			
No real likelihood of significant effects on the environment.	Yes	EIAR Not Required	
Real likelihood of significant effects on the environment.	No		

D. MAIN REASONS AND CONSIDERATIONS

Having regard to: -

- (a) the nature and scale of the proposed development, which is below the threshold in respect of Class 10(iv) of Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended,
- (b) the location of the site on lands zoned BG-R-11 is zoned 'Medium A' density in the Maglin UEA forming part of the Ballincolig/Carrigaline Local Area Plan 2017 and Objective HOU 4-1: Housing Density on Zoned Land of the Cork County Development Plan 2014, and the results of the Strategic Environmental Assessment of the plan;
- (c) The existing use on the site and pattern of development in surrounding area;
- (d) The availability of mains water and wastewater services to serve the proposed development,
- (e) the location of the development outside of any sensitive location specified in article 299(C)(1)(v) of the Planning and Development Regulations 2001 (as amended)
- (e) The guidance set out in the "Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development", issued by the Department of the Environment, Heritage and Local Government (2003),
- (f) The criteria set out in Schedule 7 of the Planning and Development Regulations 2001 (as amended), and
- (g) The features and measures proposed by applicant envisaged to avoid or prevent what might otherwise be significant effects on the environment,

It is considered that the proposed development would not be likely to have significant effects on the environment and that the preparation and submission of an environmental impact assessment report would not therefore be required.

Inspector: _____ Irené McCormack

Date: _____ 10/12/2020