



An  
Bord  
Pleanála

## Inspector's Report ABP 308670-20

<b>Development</b>	Construction of a three-storey primary care centre, 5 no. retail units and a café and all associated works.
<b>Location</b>	Saint Ann's Road, Monacnappa, Blarney, Co Cork.
<b>Planning Authority</b>	Cork City Council
<b>Planning Authority Reg. Ref.</b>	2039502
<b>Applicant(s)</b>	JAW Asset Holdings Limited.
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Refuse Permission
<b>Type of Appeal</b>	First Party
<b>Appellant(s)</b>	JAW Asset Holdings Ltd.
<b>Observer(s)</b>	Irish Georgian Society Blarney Castle Estate
<b>Date of Site Inspection</b>	4 <sup>th</sup> February 2021.
<b>Inspector</b>	Brid Maxwell

## 1.0 Site Location and Description

- 1.1. This appeal relates to a site located at the western end of Blarney Village circa 9km northwest of Cork City Centre. The appeal site, which has a stated area of 1.02 hectares, lies to the north of the site of the former Blarney Park Hotel to the south of which is the demesne of Blarney Castle. The village square is located within 150m to the southeast. The appeal site takes its access from St Ann's Road (R617) to the east and comprises a mix of brownfield and greenfield lands. The site is irregular in shape and incorporates a section of the roadway R617 around the junction within the redline boundary.
- 1.2. On the northern part of the site is a field currently in use as a playground for Blarney Primary School - Scoil Croí Íosa. The school is located on elevated ground on the opposite side of the R617 to the north of the appeal site. On the southern eastern part of the appeal site is a semi-detached single storey dwelling proposed for demolition as part of the development proposal. Field boundaries are defined by mature treelines of evergreen trees in the main. Various town centre retail /service uses are located along St Ann's Road interspersed with residential dwellings. To the west of the site is an industrial unit and agricultural lands.
- 1.3. Photographs of appeal site and vicinity are appended to this report.

## 2.0 Proposed Development

- 2.1. The application involves permission for construction of a 3-storey primary care centre with 5 no ground floor retail units (876.7sq.m) and a café. The proposed primary care centre (2436.5sq.m) will comprise reception, waiting area and associated offices, consultation room and staff welfare areas. The proposed development will involve the demolition of the existing semi-detached dwelling fronting St Ann's Road and provides for a single storey café (143.8sq.m) at this location. Provision is made for the upgrade of the junction of the R617 and St Ann's Road to include a roundabout and access to the proposed primary care centre.

Revisions are proposed to the existing school surface car park to facilitate the proposed access to the scheme.

- 2.2 It is outlined that the access arrangements to the proposed development are intended as a short-term measure in advance of the eventual re-alignment of the R617 as envisaged in the local area plan which will require the development of lands to the west of the applicant's landholding.

### 3.0 Planning Authority Decision

#### 3.1. Decision

- 3.1.1 By order dated 19<sup>th</sup> October 2020 Cork City Council issued notification of the decision to refuse permission for the following reasons.

1. The proposed development site is part of a larger overall regeneration site BL RA 01 in the Blarney Macroom Local Area Plan, identified for a sensitive approach where any future development will need to protect and enhance the existing character of the area and view of the Castle. It is considered by reason of its design, scale and layout, the proposed development would not protect and enhance the character of the area and views of the Castle but rather would detract from it. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.
2. The site forms part of a larger overall site of 4.23 hectares designated as zoned Special Policy Area BL-X-01 a strategically important area of development land in the centre of Blarney. It is considered by reason of the design and layout, and proposed use as a 3-storey primary care centre with 5 no ground floor retail units and café and associated surface car parking, that the application is premature and would represent piecemeal haphazard development and would compromise the need for a sensitive and appropriate re-development of this strategically important land and key special policy area. The proposed development would therefore be contrary to the Local Area Plan policy objectives for the overall site.
3. Having regard to the Blarney LAP and overall vision for Blarney 'old town' and references to limit the small scale developments that cater for the tourism sector and directing a new mixed use neighbourhood at Stoneview, the general heritage,

tourism, town centre and retail policies (GO-02, GO-05, GO-07, GO-09), and the objective for the sensitive development of the overall site, it is considered that the proposed development of a Primary Care Centre is not an appropriate use on this site. The proposed development would be contrary to policy set out in the Blarney LAP with regard to tourism, town centre and retail policies, and the proper planning and sustainable development of the area.

4. It is considered the proposed development, by reason of its design, scale, layout and relationship to existing properties, would seriously injure the residential amenities and depreciate the value of property in the vicinity. The proposed development would be therefore contrary to the proper planning and sustainable development of the area.

5. It is considered by reason of its design, mass, layout and relationship to Blarney Town Centre and Blarney Castle Estate Architectural Conservation Area the proposed development would adversely affect the Architectural Conservation Area.

6. Given existing high levels of vacancy in Blarney Town Centre, the proposal for 5 no retail units on the subject lands is considered premature pending the preparation of a Joint retail strategy for Metropolitan Cork which will consider the future retail requirements for Blarney.

### 3.2. Planning Authority Reports

#### 3.2.1. Planning Reports

3.2.1.1 Policy Section - Senior Executive Planner's report considers the proposal to be piecemeal and does not allow for co-ordinated comprehensive redevelopment of these lands. Unclear what tourism related uses are proposed. There are a number of vacant retail units in Blarney Town Centre and the viability of additional retail units must be examined in the context of the joint metropolitan retail strategy. Design and orientation not in accordance with BL RA 01. Does not respect the existing streetscape and is not considered to be architecturally iconic. Refusal recommended.

3.2.2 Area Planner's report considers that the proposed development of a primary care centre is not appropriate on a sensitive site next to the primary heritage site where tourist related uses are a priority. Area BL T01 to the east is more appropriate



location for such use. In addition, town centre identified in Stoneview BL R 02 is another possible location. Piecemeal development as proposed is out of character.

Proposed development would be an inappropriate form of development on this sensitive site which forms part of an overall masterplan site. Proposed three storey building with a length of 70m will dominate and be visually intrusive and incongruous to the existing single storey houses and seriously impact on remaining dwelling.

Refusal recommended for six reasons as reflected in decision.

### 3.2.2. Other Technical Reports

- 3.2.2.1 Environment Report. A construction management plan, waste management plan and noise assessment required.
- 3.2.2.2 Contributions report €183,683 in accordance with the development contribution scheme.
- 3.2.2.3 Traffic Regulation and Safety report. Further information required regarding parking breakdown. Traffic and Transport Assessment. Road Safety Audit Stage 1/2 Public lighting scheme to be reviewed and details of traffic signalling equipment.
- 3.2.2.4 Senior Executive Engineer Drainage Division. Further information required regarding stormwater calculations and provision for storm water run-off. Notable issues with regard to storm water runoff at this location. Site specific flood risk assessment required.
- 3.2.2.5 Area Engineer's report recommends seeking additional information in respect of a number of items including pathway design and traffic calming, desire line for school activities. Confirmation with regard to third parties consent in relation to discharge of surface water to watercourse.
- 3.2.2.6 Urban Roads And Street Design. Further information to include transition zone to be introduced between rural environment and more urbanised development, pedestrian provision and traffic management and calming measures.
- 3.2.2.7 Archaeologist report No recorded monument within the site. The visual impact on the setting of Blarney Castle is not considered significant. No archaeological objection.

3.2.2.8 Conservation officer. Information submitted is insufficient to allow a full assessment of the application. The visual analysis does not show the proposal in relation to the Castle either in drawn or photomontage form. It is clear that it will be visible from the upper floors of the Castle. The creation of roundabout, demolition of semi-detached bungalow and construction of single storey detached coffee shop set back from the line of the demolished bungalow is visually unsatisfactory. Further information required including demonstration of the relationship of the proposed development with Blarney Castle both in drawn sectional and elevational form and by means of photomontage.

### 3.3. Prescribed Bodies

- 3.3.1 An Taisce submission asserts that a number of issues to be addressed including integration of the design and landscaping of the proposed centre with the village, traffic management and the overall appropriate development of the former hotel site.
- 3.3.2 Irish Georgian Society. Through its design, scale and location the proposal would have a detrimental impact on the character and setting of Blarney Town, an important planned industrial settlement and have an adverse effect on views from Blarney Castle Estate as well as from the castle itself a protected structure of national importance. Insufficient information provided to assess impact in terms of visual impact. Proposal would undermine the special interest of Blarney.
- 3.3.3 Irish Water.- No objection subject to connection agreement and capacity issues.

### 3.4. Third Party Observations

3.4.1 Submission by McCutcheon Halley Planning Consultants on behalf of Blarney Castle Estate which includes supporting observations from Southgate Consultants Heritage Conservation Specialists outlines objection to the development on a number of grounds summarised as follows:

- Development is contrary to planning policy and overall development of Blarney.
- Negatively affects the tourism experience regarding views to and from the Castle (RPS 00382) its curtilage and Blarney's historic town centre and ACA.

- Contravention of Zoning objective BLRA01. Site better suited to tourist related activities.
- Cumulative effect of the proposal in the context of the remaining portion of lands zoned X091 and the proposed SHD application 200m north of the site. <sup>1</sup>
- Negative visual impact at this sensitive location. Visual impact of view from the castle has not been assessed and designated scenic route S39.
- Historical Visual Link from Blarney Castle to Blarney National School is important as the site for the National School was donated by Sir George and Lady Cofthurst in 1898.
- No traffic impact assessment or road safety audit despite significant changes proposed to the road junction with the R617 to Tower.
- Car park layout is suggestive of future connection to mixed use development to the south through this is not addressed explicitly in the application. Piecemeal development.
- Proposed development brings mainly car based traffic to the west of Blarney distant from the focus of future population growth to the east and north of Blarney.
- Landscaping proposals inadequate. Removal of tree row to the south will expose the site to views from the castle.
- Expanse of proposed flat roof would be visual anomaly in view from the castle.

3.4.2 Submission from Teresa Vaughan, Naomh Mhuire, St Ann's Road owner of the adjoining semi-detached dwelling. Submission notes that as affected neighbour no pre-planning consultation was carried out. Concerns arise with regard to negative impact on established residential amenity. Significant flooding issues arise.

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<sup>1</sup> 308156 Refusal of permission for 150 residential units childcare facility and associated works.

## 4.0 Planning History

### Site adjoining the appeal site to the south

**ABP Ref 309152-21 PA Ref 20/39597** Concurrent first party appeal of refusal of permission in respect of the adjoining site to the south. Application sought permission for mixed use development comprising hotel, licensed supermarket café coffee shop office block and commercial building. Cork City Council's decision to refuse permission was for 9 reasons related to visual obtrusiveness, negative impact on Blarney Castle Estate, contravention of objective BL-X-01, inappropriate location for large scale convenience shopping format, piecemeal development, premature pending preparation of joint retail strategy for Metropolitan Cork, traffic congestion and hazard.

**PA Ref 12/5084** Split Decision In respect of larger site which incorporated the appeal site.

Permission was granted 17/07/2012 for retention and completion of demolition of former Blarney Park Hotel complex and 4no. single-storey dwellings; and b) permission for demolition of 1no. single-storey dwelling and remaining hotel outbuildings;

Permission refused for demolition of 1 no single storey dwelling and the construction of a single storey discount foodstore including the sale of alcohol for consumption off the premises, provision of 99 no car parking spaces signage external plant enclosure boundary walls and fencing entrance roadway bus lay by and all associated landscaping and site development works. Refusal reason was on grounds of piecemeal development which could potentially prejudice the appropriate development of the entire X-02 lands and on grounds of detrimental impact on the setting of Blarney Castle and estate. Detrimental impact on the protected structure. Dwelling proposed for demolition subject to ministerial recommendation for consideration for inclusion on the record of protected structures.

**PA Ref 14/4015** Withdrawn - Application was for permission for (a) the construction of a single-storey discount foodstore including the sale of alcohol for consumption off



the premises (b) the construction of a single-storey tourism/retail unit (c) the construction of a single-storey tourism related retail unit (d) the construction of a single-storey funeral home, and (e) provision of village square amenity area, and all associated landscaping and site development works, including 207 no. car parking spaces, signage, external plant enclosure, boundary walls, fencing and entrance roadway

**PA Ref 20/39513** Incomplete application. (development as subsequently submitted under 20/39597 ABP309152-21)

Recent decision of the Board in relation to site to the north.

**ABP Ref 308516-20** Application for 150 no residential units (112 houses and 38 apartments) childcare facility and associated works. Refused 17/12/2020 for the following reason:

*"The proposal for the construction of 150 number residential units, on lands zoned Medium B Density Residential Development in the Blarney Macroom Municipal District Local Area Plan 2017, materially contravenes zoning objective BL-R-03, that states Medium B Density Residential Development including detached dwellings, limited to the lower portion of the site. The proposed development includes a residential density in excess of that planned for on the lower portion of the site which has been reserved for a residential density range of between 12-25 units per hectare in the adopted land use zoning objective. It is considered that the inclusion of a residential density of 36.6 units per hectare, within an area of land for which the residential density range is 12-25 units per hectare, would be contrary to the Local Area Plan and not be in accordance with section 8(1)(a) (iv)(II) of the Planning and Development (Housing) and Residential Tenancies Act 2016, as amended, which is required to be included in the public notice at application stage, therefore, the Board is precluded from granting permission for the proposed development."*

## 5.0 Policy Context

### 5.1. Development Plan

5.1.1 Blarney is included in the wider Cork City Administrative area since the expansion of the City Boundary which took effect in May 2019.

As part of the transitional arrangements the planning policy applicable is The Blarney Macroom Municipal District Local Area Plan 2017.

The plan notes the importance of Blarney as a tourism destination internationally regarded for its castle, its attractive surroundings and the historic character of the village itself. The need for regard to impacts of proposed developments on Both Blarney Castle and the wider Blarney Estate is emphasised. Future development initiatives within the vicinity of the Estate should not compromise the landscape and heritage character of the area on which the local tourism economy relies.

When assessing development proposal in the vicinity of the Estate, regard should be given to the Department of the Environment, Heritage and Local Government "Guidelines on Architectural Heritage Protection", which acknowledge that new development can have a negative impact on a protected structure, even when the proposal is detached from the protected structure and outside the curtilage of the attendant grounds.

General Objective -06 Ensure adequate regard is given to assessing the visual impacts of new developments in close proximity to Blarney Castle and Estate so as to ensure that such developments do not compromise the landscape and heritage character of the area.

General Objective GO-07 to promote the future development of Blarney as a tourism destination.

The appeal site is part of Regeneration Area BL-RA-01 special policy area applies *"The former Blarney Park Hotel site occupies a strategic location on the western edge of Blarney. The hotel was demolished some years ago and all that remains is its footprint. Its proximity to Blarney Castle and the Town Square makes it a sensitive site, where any future development will need to protect and enhance the existing character of the area and views of the Castle. The location, siting and design of any future development on the site will need careful consideration and have to be carried out to a high-quality architectural design. Such development should have regard to the existing streetscape around the adjoining square and could include an architecturally iconic building. It is an objective of the plan to facilitate the mixed-use redevelopment on part of this site zoned as a special policy area with residential*

*development on the western portion. Any development should ensure that adequate linkages are provided between the site and the existing town centre."*

Special Policy Area Objective **BL-X01** applies which is

*"To include a range of town centre uses including a hotel, a leisure centre, offices, residential and appropriate convenience, comparison and tourism related retail uses. All buildings on the site should be of a high-quality architectural design. The western and southern boundaries of the site will need to be reinforced in order to protect the existing character of the area and views of the Castle. Include provision for pedestrian and cycleway linkages to adjoining BL-R-18 site to the west and the town centre to the east. Any development on the northern portion of the site will make provision for the realignment of the R617."*

*Flood Risk Objective Applies.*

The Road from Clogheen Tower and Blarney and the Road to Blarney Lake is designated Scenic Route S39.

Blarney Demesne has a number of recorded monuments archaeological sites and protected structures including Blarney Ornamental Tower (00379), Blarney Castle Country House(00380), Icehouse (00454),and Blarney Tower House & Bawn (00382).

The area of Blarney Town Centre and Blarney Castle Estate is designated as an Architectural Conservation Area.

Notably Stoneview to the north east of Blarney old town on the northern side of the N20 and the Dublin to Cork rail line is identified as an urban expansion area to accommodate mixed use development including residential units associated community facilities a town centre school sites parks rail station and park and ride facility and employment uses.

At 3.2.26 it is outlined that the principal location for additional retail floorspace will be at Stoneview which will allow the existing town centre to focus more on its tourism offer.



## 5.2. Natural Heritage Designations

5.2.1 The site is not located within or directly adjacent to any Natura 2000 sites.

The River Blackwater SAC occurs within 16km to the north east.

Cork Harbour SPA is within a 12km radius to the south east and of the site.

The Great Island Channel SAC occurs within 16km to the southeast.

## 5.3. EIA Screening

5.3.1 Having regard to the nature and relatively small scale of the proposed development, the receiving environment, including location within a fully serviced urban environment and to the nature, extent, characteristics and likely duration of potential impacts, I conclude that the proposed development is not likely to have significant effects on the environment and that the submission of an Environmental Impact Statement is not required. The need for environmental impact assessment can, therefore, be excluded at preliminary examination.

## 6.0 The Appeal

### 6.1 Grounds of Appeal

6.1.1 The first party appeal is submitted by HW Planning. Grounds of appeal are summarised as follows:

- Decision is based on a conservative and rigid interpretation of the Blarney Municipal District Local Area Plan (LAP) which aims to restrict town centre development and represents an outdated and flawed vision for Blarney.
- Stoneview project is a medium-term prospect at best given the massive infrastructural investment required.
- To restrict the development of community services within the existing town centre sets a dangerous precedent for the future development of Blarney, will hinder the growth of the settlement and impact on local access to essential services.



- Decision fails to acknowledge the need for a primary care centre in this area.
- Balance is required in the protection of Blarney's unique and valuable cultural heritage while enabling its development as a modern urban town.
- Proposal will deliver on the BL-X-01 policy objective through delivery of a contemporary urban quarter of high architectural design that meets the needs of the future development of Blarney.
- Limiting development to niche of small-scale leisure and tourism-based functions will not serve the strategic development of Blarney nor the quality of life of permanent residents of the settlement and the wider area.
- Proposal is neither haphazard nor piecemeal. Will integrate positively with the surrounding proposals to form part of a coherent and long-awaited regeneration of this area. Concurrent application 20/39597 for a major mixed-use development.
- Proposed road enhancements will serve as a precursor to the full eventual realignment of the R617 and will address existing safety hazard.
- Notable wider strategic benefits. BL-U-17 Strategic roads objective.
- The scale of the proposed development is appropriate and in accordance with the Urban Development and Building Heights Guidelines and will not impact on the character of the area or nearby ACA.
- Proposal will enhance the residential amenities of the area.
- Stoneview lands will require new services such as water and wastewater infrastructure and new roads including significant upgrades to the N20 and a new grade separated interchange. A substantial element of these works will be carried out by TII as part of the M20 project which is still at early feasibility stage and is identified as a medium terms goal in the Cork Metropolitan Area Transport strategy with a target delivery dated of 2031. Dependent on the reopening of Blarney Rail station.
- Suggestion of the PA that all major development in the settlement should be directed to the area around Stoneview is unsustainable.

- Development objectives for the area will not be realised without a degree of change occurring in the views from Blarney Castle.
- Question the assertion that there is a high level of vacancy on Blarney Town Centre. A review of property website daft.ie yielded just 20 results of commercial property available to buy or let the majority being industrial units in Blarney Business park. No retail units were available to buy or let at the time of search.
- Single storey café located at the eastern extend of the development in order to provide a transition between the single storey properties and the primary care centre.

#### 6.1. Planning Authority Response

6.2.1 The Planning Authority did not respond to the grounds of appeal.

#### 6.2. Observations

6.3.1 Observations by the Irish Georgian Society notes location adjoining Blarney Castle Estate Architectural Conservation Area and north of Blarney Castle. Through its design, scale and location the Irish Georgian Society is of the opinion that the proposed development would have a detrimental impact on the character and setting of Blarney Town and have an adverse effect on views from Blarney Castle estate as well as from the castle itself a protected structure of national importance. The proposed development would undermine the special interest of Blarney and run contrary to the provisions of the Cork County Development Plan 2014 and the Blarney Macroom Municipal District Local Area Plan 2017.

6.3.2 Submission by McCutcheon Halley, Chartered Planning Consultants in collaboration with Southgate Associates Conservation Architects on behalf of Blarney Castle Estate reiterates objection to the development on a number of grounds summarised as follows:

- The proposed development would draw large volumes of traffic to an important gateway to Blarney and have a significant negative impact on important and historic view from Blarney Castle, designated ACA and Scenic Route 39.
- Proposal is not reflective of the need for high quality architectural design which is sensitive to an enhances the existing character of the area and view of the Castle.
- Cumulative impact of adjoining proposed development to the south or Monacnapa Strategic Housing Development PL28.308156
- Significance of the northern viewshed of the castle outlined in submission to SHD application. Impact on views from Castle to Blarney NS.
- Project splitting hinders assessment.
- Stoneview remains as a strategic objective for the sustainable development of Blarney as reiterated in recently adopted Regional Spatial and Economic Strategy for the Southern Region.
- Car based proposal and retail offering will diminish the town centre retail.
- Full traffic assessment is required.
- The design of the primary care centre does not respond to the location – its height, bulk and orientation dominate the surrounding buildings and they do not respect the existing buildings in and adjacent to the ACA especially when viewed from the Scenic Route S39 ad from the historic town square within the ACA.
- Photographic viewpoints from castle and vicinity towards the site appended to illustrate sensitivity and enable assessment of potential impacts.

## 7.0 Assessment

7.1 From my assessment of the file and inspection of the site, it is my view that the key planning issues for this appeal are as follows:-

- Principle of development - Zoning and Policy Context.
- Design, Layout & Impact on architectural heritage and on the amenities of the area

- Access and Traffic
- Servicing and Flood Risk
- Appropriate Assessment

## 7.2 Principle of Development - Zoning and Policy Context.

7.2.1 As outlined above Blarney falls within the expanded boundary of Cork City Council since May 2019. The County Development Plan 2014 and the Blarney Macroom Municipal District Local Area Plan 2017 also contains focused objectives with regard to the appeal site. Blarney is identified as a Metropolitan Town in the Core Strategy of the County Development Plan 2014 for which the strategic aim is as a critical population growth service and employment centre within the Cork Gateway. The plan sets out the vision for Blarney to continue to function as one of the principal tourist attractions in the region whilst developing as a metropolitan town with good access to the Cork Suburban Rail Network. The implementation of a major mixed-use development at Stoneview to the north east of the town to co-ordinate with the re-opening of the railway station is identified as the main focus for population growth while the existing town centre is the focus for the tourism offer. I note that the plan states that the existing town centre BL-T-1 zoning is deemed adequate for town centre expansion.

7.2.2 The Special Policy Area Planning Objective BL-X 01 refers to the appeal site and adjoining lands (former hotel lands)(Total BL-X-01 Area is 4.23ha) and it is targeted for the provision of high-quality tourist related retail uses. In order to protect the significant tourist value of the Castle the plan limits the extent to which the town centre can adapt to larger scale modern convenience shopping formats because to do so could harm the heritage value of the area. On this basis it is intended that the town centre will cater for niche retail needs of its tourism sector. In relation to the Town Square, it is an objective of the plan to protect this important area of open space from inappropriate development. The BL-X-01 Special Policy Area objective specifies *“to include a range of town centre uses including a hotel, a leisure centre, offices residential and appropriate convenience comparison and tourism related uses. All*



*buildings on the site should be of a high-quality architectural design. The western and southern boundaries of the site will need to be reinforced in order to protect the existing character of the area and views of the Castle. Include provision for pedestrian and cycleway linkages to adjoining BL-R-18 site to the west and the town centre to the east. Any development on the northern portion of the site will make provision for the realignment of the R617.” I note that a flood risk objective applies and a Traffic Impact Assessment and Road Safety Audit are required.*

7.2.3 The appeal site is partially included within the Regeneration Area BL-RA-01 special policy area as designated in the Blarney Macroom Municipal District Local Area Plan (LAP). The plan notes that the former Blarney Park Hotel Site occupies a strategic location on the western edge of Blarney. The sensitivity of the site given its proximity to Blarney Castle and Town Square is noted and it is stated that *“The location, siting and design of any future development on the site will need careful consideration and have to be carried out to a high-quality architectural design. Such development should have regard to the existing streetscape around the adjoining square and could include an architecturally iconic building. It is an objective to plan to facilitate the mixed-use redevelopment on part of this site as a special policy area with residential development on the western portion. Any development should ensure that adequate linkages are provided between the site and the existing town centre.”*

7.2.4 In terms of land use I note that the City Council in its decision (reason no 3) deemed the proposed primary care centre to be an inappropriate use on the appeal site in light of the policy context. The Planner’s report considered that the town centre area (zoned BL T 01) or new town centre identified in Stoneview would be more appropriate for the siting of such use. I note that the first party argues that the delivery of the Stoneview lands is a long-term vision dependent on extensive and various infrastructural requirements which will occur over several LAP lifecycles. It is argued that to insist on the provision of a primary care centre at Stoneview would effectively prevent the delivery of the much needed community facility to the local population in the short to medium term. The first party appellant also notes that the coherent development of the BL-RA-01

special policy area lands which cover an area of more than 4 hectares would need to be of an appropriate and viable scale and include for a mix of land uses and not just small-scale tourism uses.

7.2.5 I am inclined to concur with the first party appellant that given the vision for the mixed-use development of Regeneration area BL- RA01 the principle of provision of a primary care centre would not be precluded by the zoning objectives pertaining. I would however consider that a clear review and assessment of alternative locations would represent good planning practice. I also note the comments of third-party observers with regard to the traffic and transport implications of such a use. The Special policy area objective BL X-01 refers to "Town centre uses including a hotel leisure centre offices residential and appropriate convenience comparison and tourism related retail uses." On the matter of the proposed retail units a total floor area of 876.7sq.m gross floor area is proposed in 5 units and a café of 143.8sq.m. The extent of retail floor space proposed is not insignificant in the context of the existing town centre and therefore an assessment of retail impact would be required. The first party within the grounds of appeal questions the assertion within the Council's reason for refusal no 6 of a high level of vacancy within Blarney however provides no meaningful detailed framework to inform the assessment of retail impact.

7.2.6 On the question of the principle of demolition of the existing single storey dwelling on the site I would have some concern in light of the semi-detached nature of the dwelling, that its demolition should be considered an extreme approach given the likely implications for the adjoining dwelling. As regards the architectural merit of the existing dwelling I note that it is of no particular architectural merit though the historic evolution of the site and building typology should be assessed and an archival standard photographic survey of the site would be considered appropriate in the circumstances.

7.2.7 On the question of the development being piecemeal I note that the Council's second reason for refusal was as follows: *"The site forms part of a larger overall site of 4.23 hectares designated as zoned Special Policy Area BL-X-01 a strategically important area of development land in the centre of Blarney. It is considered by*

*reason of the design and layout, and proposed use as a 3-storey primary care centre with 5 no ground floor retail units and café and associated surface car parking, that the application is premature and would represent piecemeal haphazard development and would compromise the need for a sensitive and appropriate re-development of this strategically important land and key special policy area. The proposed development would therefore be contrary to the Local Area Plan policy objectives for the overall site.” I note the concurrent appeal on the adjoining site ABP Ref 309152-21 (PA Ref 20/39597) for a mixed-use development to include hotel, licensed supermarket, a café, office building, commercial building and 70 residential units. I note the lack of meaningful co-ordination between the two site layouts and on this basis, I would concur entirely that the proposal represents haphazard piecemeal development which would compromise the appropriate development of this key special policy area. A holistic approach would be required to ensure the fully co-ordinated development of these lands.*

**7.3 Design, Layout & Impact on architectural heritage and on the amenities of the area**

- 7.3.1 On the issue of the design and layout of the proposal I note that the policy context envisions careful consideration and promotes a high-quality architectural design with regard to the overall BL-X-01 lands. Development should have regard to the existing streetscape around the adjoining square and could include an architecturally iconic building. Emphasis is placed on the protection of the character of the area and views of the Castle. The plan sets out that when assessing development proposals in the vicinity of the Blarney Estate, regard should be given to the Department of the Environment, Heritage and Local Government “Guidelines on Architectural Heritage Protection”, which acknowledge that new development can have a negative impact on a protected structure, even when the proposal is detached from the protected structure and outside the curtilage of the attendant grounds. Objective GO-06 of the plan relates to visual impacts of developments in close proximity to Blarney Castle and states “Ensure adequate regard is given to assessing the visual impacts of new



developments in close proximity to Blarney Castle and Estate so as to ensure that such developments do not compromise the landscape heritage of the area. The site occupies an important gateway position on the north-western approach to Blarney and the impact of development on views from Blarney Castle across the wider landscape needs to be considered and the Blarney Architectural Conservation Area as well as impact on designated Scenic Route S39.

7.3.2 The specific nature and qualitative elements of the proposal need to be considered in terms of the assessment of the appropriateness of the proposed development to this context. The application is accompanied by a Planning and Design Statement by Deady Gahan Architects which sets out the design concept. The proposed primary care centre development is laid out as one single three storey block extending east west on the site and with a length of 70m and a maximum height of 13.45m. The proposed building reflects a contemporary design approach with external materials to include cut limestone cladding and glazing at ground floor level with beige and white brick and a dark feature cladding system. A composite roof panel system is provided. Whilst I would take no issue with the merits of the design of the proposal per se I consider that it fails to address the sensitivity and context of the appeal site. The proposal by reason of its scale and design would clearly dominate the approach to Blarney and detract from views from the designated Scenic Route S39 and would be at odds with the existing streetscape. I would also be of the view that the design and layout gives rise to significant impact on the adjacent dwelling and the relationship is not appropriately mitigated and resolved. I consider that the proposal fails to take account of the site context, existing site screening or to appropriately mitigate visual impact on views from Blarney Castle and Estate.

7.3.3 A number of objections have been raised in the submissions on behalf of the Blarney Castle Estate which include landscape assessment and analysis to support the case made. The assessment notes the significance of the northern viewshed of the Castle, the relationship to Blarney National School and the context in terms of the screening provided by the existing trees. The design response as submitted in the application in my view fails to take account of or design around existing site features and context and does not meet the challenge for the creation of an attractive high



quality architectural design suitable for this context. On the basis of the foregoing, I conclude that refusal on grounds of inappropriate design and layout is appropriate.

#### **7.4 Access and Traffic**

7.4.1 The proposed development involves significant alterations to the existing road layout to upgrade the junction of the R617 and St Anne's road and provide for a roundabout. I note the reports of the Area Engineer and Traffic Section of the City Council outlining the need for a Traffic and Transport Assessment and Road Safety Audit to inform the assessment of likely impact and provide appropriate mitigation. I would concur that given the significant alterations proposed and in the context of the connectivity and linkages to future development of the overall lands and future realignment of the R617 further information is required in this regard.

7.4.2 On the matter of pedestrian safety I note the difficulties and evident hazard in regard to pedestrian access across the heavily trafficked R616 between the National School and the playground / car park within the northern portion of the appeal site. I consider that the level of information provided is insufficient with regard to pedestrian provision, analysis of the desire lines for school activities and details of traffic calming measures. I note that the letter of from Scoil Chroí Íosa in relation to consent to the inclusion of the school playground and parking area within the appeal site outlines concerns in relation to loss playing pitch and provision for more direct pedestrian crossing facilities.

#### **7.5 Servicing and Flood Risk**

7.5.1 In relation to surface water disposal, I note that the storm water proposal as outlined in the Engineering Report by MHL and Associates outlines an intention to provide for stormwater attenuation on site and outfall to local watercourse located to the southwest of the site at greenfield runoff rates. I note that the report of the City Council Senior Executive Engineer Drainage Division notes difficulties with regard to storm water run-off at this location (as evidenced by presence of large aco channel drains at the entrances to the pair of semi-detached dwellings and drainage gully in

the verge of the public road). This was also raised within the third-party submission from the owner of the dwelling adjoining that proposed for demolition. The Senior Executive Engineer Drainage Division also notes the need to assess fluvial flood risk from the adjacent watercourse. I also note reference to the need for flood risk assessment within the Special Policy Area Objective BL-X01. I consider that the level of detail on the appeal file with regard to flood risk is inadequate.

7.5.2 I note that submission from Irish Water indicates no objection to the proposal in terms of foul sewer capacity or public water supply.

## **7.6 Appropriate Assessment**

7.6.1 The site is not located within or directly adjacent to any Natura 2000 site. In terms of hydrological pathways surface water disposal is proposed to a watercourse to the south of the site which drains to the River Martin a tributary of the River Shournagh in turn a tributary of the River Lee which flows into Cork Harbour designated as Cork Harbour SPA (Site 4030) and Great Island Channel Special Area of Conservation (Site Code 001058). The application does not address this issue.

7.6.2 In light of the location upstream of the Natura 2000 sites the potential arises for direct and indirect effects arising from habitat loss and impact on water quality during construction and operation phases of the proposed development. The potential for significant effects on the European Sites cannot be excluded based on the information provided to the Board. Accordingly, a Natura Impact Statement would be required. On the basis of the information provided with the application and appeal I am not satisfied that the proposed development individually or in combination with other plans or projects would not adversely affect the integrity of the Cork Harbour SPA or Great Island Channel Special Area of Conservation in view of the sites Conservation objectives.

## **CONCLUSION AND RECOMMENDATION**

Having considered the file and all submissions and having visited the site, I recommend that permission be refused for the following reasons and considerations.

### REASONS AND CONSIDERATIONS

1. The appeal site is located within a larger regeneration site BLRA01 and Special Policy Area BL-X-01 as designated in the Blarney Macroom Electoral Area Local Area Plan. BLRA 01 requires that the location, siting and design of any future development on the site will need careful consideration and have to be carried out to a high-quality architectural design. The appeal site occupies an important gateway position on the north-western approach to Blarney adjacent to designated Scenic Route S39. The proposed development by reason of its scale, layout and design, would constitute a development out of character with the existing development pattern, would interfere with views or prospects of special amenity value and interest which it is necessary to preserve. The Board is not satisfied that the development does not compromise the landscape heritage of the area contrary to Objective GO-06 of the Plan. The proposed development would seriously injure the amenities of the area and would contravene the policies of the Planning Authority as expressed in the current Development Plan for the area and would therefore be contrary to the proper planning and sustainable development of the area.
2. Having regard to the objectives of the development plan in respect of regeneration site BLRA01 and Special Policy Area BL-X-01 as designated in the Blarney Macroom Electoral Area Local Area Plan of which the appeal site forms part, it is considered that the proposed development would constitute piecemeal development which could potentially prejudice the appropriate development of the remainder of the BL-X-01 lands and would accordingly be contrary to the proper planning and sustainable development of the area.
3. The proposed development would seriously detract from the residential amenity of existing occupants of the dwelling forming part of the semi-detached pair with that proposed for demolition and would, therefore,

seriously injure the amenities and depreciate the value of property in the vicinity of the site. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

4. On the basis of the information provided with the application and appeal The Board is not satisfied that the proposed development individually or in combination with other plans or projects would not adversely affect the integrity of the Cork Harbour SPA or Great Island Channel Special Area of Conservation in view of the sites Conservation objectives. In such circumstances the Board is precluded from granting permission.



Bríd Maxwell  
Planning Inspector

15<sup>th</sup> April 2021

DECISION QUASHED