



An  
Bord  
Pleanála

## Inspector's Report ABP-308672-20

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**Strategic Housing Development**

Alterations to condition no. 1  
associated with previously permitted  
development ABP-300543-18

**Location**

Ballinglanna, Glanmire, Co. Cork

**Planning Authority**

Cork County Council

**Applicant**

O'Flynn Construction Co. Unlimited  
Company

**Type of Application**

Section 146B

**Prescribed Bodies**

Transport Infrastructure Ireland

**Observer(s)**

John Morrison

**Inspector**

Sarah Moran

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## Appendix I EIA Screening Form

## 1.0 Introduction

- 1.1. An Bord Pleanála received a request for alterations to a previously permitted development (reference ABP-300543-18) on 16<sup>th</sup> November 2020, from McCutcheon Halley on behalf of O'Flynn Construction Co. Unlimited Company to alter the permission granted for demolition of existing dwelling house and farm buildings and construction of 608 no. residential units, crèche, conversion of former coach house to provide retail/professional services, reservation of 1.2ha site for 16 classroom school, road improvements and associated site works on lands at Ballinglanna, Glanmire, Co. Cork. The request for alterations is made under Section 146B of the Planning and Development Act, 2000, as amended.
- 1.2. In accordance with Section 146B (2)(a) of the Planning and Development Act 2000 (as amended) and following a review of the submitted details, it was concluded that the alterations to which this request relates, amounted to a significant alteration to the overall development, and it could not be reasonably concluded that the Board would not have considered the relevant planning issues differently to a material extent, and that other planning issues for consideration might also arise. As a result, the alteration was considered to constitute the making of a material alteration of the terms of the development concerned.
- 1.3. Pursuant to subsection (3)(b)(i) notice was subsequently served on the requester to require the submitted information to be placed on public display and submissions sought, prescribed bodies to be issued a copy of the proposal, and additional drawings to be submitted.
- 1.4. Following the receipt of this information and display period up to 22<sup>nd</sup> April 2021, a determination is now required under subsection (3)(b)(ii) of the Act whether to —
  - (I) make the alteration,
  - (II) make an alteration of the terms of the development concerned, being an alteration that would be different from that to which the request relates (but which would not, in the opinion of the Board, represent, overall, a more significant change to the terms of the development than that which would be represented by the latter alteration), or
  - (III) refuse to make the alteration

## 2.0 Site Location and Description

2.1. The overall development site (c. 31 ha) is located in the area of Ballinglanna, Glanmire in Co. Cork. The eastern site boundary is the M8 motorway. The L3010 East Cliff road runs along part of the western boundary, meeting the L2999 Glanmire - Dunkettle road, which runs to the west and south of the site. The Caherlag road runs from the Dunkettle road along the remainder of the southern boundary. The site is bound by existing residential properties at the western and southern site boundaries and by the Fernwood estate to the north. Ballinglanna House and its grounds are located within the site but outside of the application area. There are an unoccupied bungalow and a disused farm complex within the site boundary. A small, partially culverted stream runs across the southern end of the site. There are two infrastructure wayleaves associated with trunk watermains traversing the site from East Cliff road to the north west to the Caherlag road to the south. There is a well, monument ref. CO075-094001, within the site boundary, which is to be retained. A further monument, ref. CO075-094002, and a protected structure, ref. PS01201, Gothic Ice House, are both located within the grounds of Ballinglanna House but outside the site boundary of ABP-300543-18. Construction works have commenced on the permitted development and are currently underway at the site.

## 3.0 Legislation

3.1. Section 146B – 146B(1) Subject to subsections (2) to (8) and section 146C, the Board may, on the request of any person who is carrying out or intending to carry out a strategic infrastructure development, alter the terms of the development the subject of a planning permission, approval or other consent granted under this Act.

(2) (a) As soon as practicable after the making of such a request, the Board shall make a decision as to whether the making of the alteration to which the request relates would constitute the making of a material alteration of the terms of the development concerned.

(b) Before making a decision under this subsection, the Board may invite submissions in relation to the matter to be made to it by such person or class of person as the Board considers appropriate (which class may comprise the public if,

in the particular case, the Board determines that it shall do so); the Board shall have regard to any submissions made to it on foot of that invitation.

3.2. Alteration a material alteration –

Section 146B(3)(b) If the Board decides that the making of the alteration would constitute the making of such a material alteration, it shall—

(i) by notice in writing served on the requester, require the requester to submit to the Board the information specified in Schedule 7A to the Planning and Development Regulations 2001 in respect of that alteration, or in respect of the alternative alteration being considered by it under subparagraph (ii)(II), unless the requester has already provided such information, or an environmental impact assessment report on such alteration or alternative alteration, as the case may be, to the Board, and

(ii) following the receipt of such information or report, as the case may be, determine whether to—

(I) make the alteration,

(II) make an alteration of the terms of the development concerned, being an alteration that would be different from that to which the request relates (but which would not, in the opinion of the Board, represent, overall, a more significant change to the terms of the development than that which would be represented by the latter alteration), or

(III) refuse to make the alteration.

(4) Before making a F466[determination under *subsection (3)(b)(ii)*], the Board shall determine whether the extent and character of—

(a) the alteration requested under *subsection (1)*, and

(b) any alternative alteration it is considering under F467[*subsection (3)(b)(ii)(II)*]

are such that the alteration, were it to be made, would be likely to have significant effects on the environment (and, for this purpose, the Board shall have reached a final decision as to what is the extent and character of any alternative alteration the making of which it is so considering).

(5) If the Board determines that the making of either kind of alteration referred to in F469[in *subsection (3)(b)(ii)*]—

(a) is not likely to have significant effects on the environment, it shall proceed to make a determination under F470[*subsection (3)(b)(ii)*], or

(b) is likely to have such effects, the provisions of *section 146C* shall apply.

(8) (a) Before making a determination under F474[a determination under *subsection (3)(b)(ii)*] or (4), the Board shall—

(i) make, or require the person who made the request concerned under *subsection (1)* to make, such information relating to that request available for inspection for such period,

(ii) notify, or require that person to notify, such person, such class of person or the public (as the Board considers appropriate) that the information is so available, and

(iii) invite, or require that person to invite, submissions or observations (from any foregoing person or, as appropriate, members of the public) to be made to it in relation to that request within such period,

as the Board determines and, in the case of a requirement under any of the preceding subparagraphs, specifies in the requirement; such a requirement may specify the means by which the thing to which it relates is to be done.

#### Section 146(C)

146C.— (1) This section applies to a case where the determination of the Board under *section 146B(4)* is that the making of either kind of alteration referred to in F477[*section 146B(3)(b)(ii)*] is likely to have significant effects on the environment.

## 4.0 Policy Context

### 4.1. Section 28 Ministerial Guidelines

4.1.1. Having considered the nature and extent of the proposal, the receiving environment and the documentation on file, I consider that the directly relevant section 28 Ministerial Guidelines are:

- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas including the associated Urban Design Manual
- Design Manual for Urban Roads and Streets (DMURS)
- The Planning System and Flood Risk Management Guidelines for Planning Authorities including the associated Technical Appendices.
- Urban Development and Building Heights Guidelines for Planning Authorities

### 4.2. Project Ireland 2040 - National Planning Framework

4.2.1. A number of key policy objectives are noted as follows:

- NPO 3(a): Deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements.
- NPO 3(b): Deliver at least half (50%) of all new homes that are targeted in the five Cities and suburbs of Dublin, Cork, Limerick, Galway and Waterford, within their existing built-up footprints
- NPO 11: In meeting urban development requirements, there will be a presumption in favour of development that can encourage more people and generate more jobs and activity within existing cities, towns and villages, subject to development meeting appropriate planning standards and achieving targeted growth.
- NPO 13: In urban areas, planning and related standards, including, in particular, 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. These standards will be subject to a range of tolerance that enables alternative solutions to be proposed to achieve stated outcomes, provided public safety is not compromised and the environment is suitably protected.

- NPO 27: Ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments, and integrating physical activity facilities for all ages.
- NPO 33: Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.
- NPO 35: Increase residential density in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration and increased building heights.

### 4.3. Local Planning Policy

- 4.3.1. The site was located outside the boundary of Cork City when the original permission was granted in 2018. While it has been located within the boundary of Cork City Council since 31<sup>st</sup> May 2019, the relevant statutory plans remain the Cork County Development Plan 2014 and the Cobh Municipal District LAP 2017, which are still in force pending current reviews of the Cork City and County Development Plans. See section 6.0 of the Inspector’s Report of ABP-300543-18, which sets out the relevant detailed objectives of same.

## 5.0 Proposed Development

- 5.1. The requestor is making a request to An Bord Pleanála for alterations relating to ABP-300543-18. The proposed alterations are as follows.
- 5.2. Alterations to 24 no. house types to be provided in phases 2 and 3 of the permitted development. The request also seeks a change in unit types and a minor modification to the permitted turning head within phases 4 and 5 of the permitted development. These amendments involve an increase of 2 no units on site which will increase the overall development from 608 no. units to 610 no. units. The requestor submits that the proposed alterations are required to provide more efficient units and a more cost effective build. The amendments relate to two discrete areas within the overall Ballinglanna lands, site areas A and B as follows.
- 5.3. Site Area A is located on the western side of the overall Ballinglanna development, overlooking East Cliff Road. This area, as permitted, comprised 22 no. detached and



semi-detached houses. It is proposed to replace the 22 no. permitted units with 24 no. units as set out below. The amended housing mix involves the introduction of new 3 bed semi-detached house types and new 2 bed terraced house types, which will result in a slight reduction in the overall floorspace. The permitted and proposed house types, housing mix and overall quantum of development may be examined as follows:

<b>Unit Type</b>	<b>Area (sq.m.)</b>	<b>No. Of Units Permitted</b>	<b>No. of Units Proposed</b>
Ca 4 bed semi house	133.6	14	
C1a 4 bed semi house	134.7	3	
C2a 4 bed semi house	133.6	3	
B1a 2 bed detached house	178.5	2	
H1c 3 bed semi house	101.5		4
Ja/Jb/Jc 3 bed semi house	105.17		4
Ka/Kb/Kc 2 bed terraced house	80		8
F1a 3 bed semi house	118.3		1
F2a 3 bed semi house	119.62		1
Fa 3 bed semi house	122.47		6
<b>Total</b>		<b>22</b>	<b>24</b>
<b>Total Floor Area</b>		<b>3,032.2 sq.m.</b>	<b>2,439.42 sq.m.</b>

Site Area B is located at the southern end of the overall Ballinglanna site, to the west of Ballinglanna House. A total of 11 no. detached houses are permitted in this area. No additional units are proposed in this area. The proposed amendments involve a minor modification to a turning head within the permitted roads layout. The proposed amended housing mix is as follows:

<b>Unit Type</b>	<b>Area (sq.m.)</b>	<b>No. Of Units Permitted</b>	<b>No. of Units Proposed</b>
Ab 4 bed detached house	193.9	5	8
Bb 4 bed detached house	177.2	5	2
B1b 4 bed detached house	178.5	1	1
<b>Total</b>		<b>11</b>	<b>11</b>
<b>Total Floor Area</b>		<b>1,258.4 sq.m.</b>	<b>2,084.1 sq.m.</b>

## 7.0 Submission from the Planning Authority

7.1. There is no submission on file.

## 8.0 Observation

8.1. There is one observation on file from John Morrison Consulting Engineers Ltd., which confirms that their client Mitchel Barry sold Glanmire Rectory in November 2019 and no longer has any ownership or interest in the property. There are no further comments in relation to the proposed alterations.

## 9.0 Submission of Transport Infrastructure Ireland

9.1. The prescribed body TII states that it has no observations to make in relation to the proposed development.

## 10.0 Planning History

10.1. The application proposed to be altered, ref. ABP-300543-18 comprised:

- (i) The demolition of an existing dwelling house and farm buildings;
- (ii) The construction of 608 number residential units, to include 496 number, dwelling houses (comprising a mix of two, three, and four-bed, detached, semi-detached and terraced/town houses); and 112 number apartments (comprising a mix of one, two, and three bed duplexes/apartments in six number separate blocks (Blocks A to F) which range in height from three to five storeys);

- (iii) Block A also includes a crèche, retail unit and community centre/sports hall;
- (iv) The conversion of the former coach house to provide retail/professional services;
- (v) The reservation of a 1.2-hectare site for a 16-classroom school;
- (vi) Road improvements including the provision of a new four arm signalised junction and associated realignment of the Dunkettle Road; a new access onto and revised road alignment for the Caherlag Road (including the closure of the existing Caherlag/Dunkettle Road T-junction); a new internal link/distributor road connecting with the adjoining Fernwood Estate; and revisions to the existing entrance serving Ballinglanna House;
- (vii) All associated ancillary development works including drainage, footpaths & cycle lanes (including a pedestrian/cycle amenity trail), landscaping and amenity areas (including 11 number local/neighbourhood play areas and eight number, kickabout areas), boundary treatments including a noise barrier adjoining the N8/Glanmire bypass, bicycle & car parking (to be provided at ground and basement level), public lighting and all other ancillary development.

The Board granted permission on 29<sup>th</sup> March 2018 subject to 25 no. conditions. Condition no. 4(a) required that not more than 400 no. dwelling units and associated site works (Phases 1 to 6), shall be constructed prior to completion of the Dunkettle Interchange upgrade works. In addition, the distributor link road required under Local Area Plan objective GM-U-06 (Phase 1) shall be constructed prior to the occupation of any dwelling. Condition no. 4(b) required that work on any subsequent phases after Phases 1 to 6 shall not commence until such time as the written agreement of the planning authority is given to commence the next phase. Condition no. 6 required the following amendments:

- (a) The parking layout for the houses shall be amended such that the dividing boundary walls are omitted and shared parking areas are provided rather than two individual spaces in the front curtilage of each house.
- (b) Additional landscaping shall be provided around the renovated Coach House, in order to improve the setting of the protected structure.

(c) Houses number 330 to 333 shall be re-orientated such that they overlook the public open space to the east and shall share vehicular access with house numbers 338 to 341.

(d) Three of the 'kick about' spaces shall be redesigned as Multi-Use Games Areas, to conform to the specifications of the planning authority for such facilities.

The remaining conditions imposed did not involve any significant changes to the development.

10.2. There are two previous applications relating to the development site, ref. 08/4584 PL04.233061 and 05/6392 PL04.218603 (both refused on appeal), which are detailed in the Inspector's report of ABP-300543-18.

## 11.0 **Assessment**

11.1. The following are considered to be the principal matters for consideration with regard to the proposed alterations:

- Density and Unit Mix
- Quality of Residential Accommodation
- Daylight and Sunlight
- Impacts on Residential Amenities

These matters may be considered separately as follows.

### 11.2. **Density and Unit Mix**

11.2.1. The proposed alterations involve an increase of 2 no. units to the 608 no. units permitted under ABP-300543-18. This will not result in any substantial change to the overall residential density of the permitted development. The permitted development has an overall net density of 30.5 units/ha, which was considered to be in accordance with national planning policy for an 'outer suburban/greenfield site', as per the section 28 'Guidelines for Planning Authorities for Sustainable Residential Development in Urban Areas', which is still in force. It was also considered to be in accordance with relevant development plan policy and with the site-specific LAP zoning objective GM-R-06. I am satisfied that the proposed alterations will generally be in accordance with these policies and objectives. The proposed minor increase in

density is therefore considered to be acceptable and in accordance with national policy, specifically the Sustainable Residential Development Guidelines, subject to appropriate design and amenity standards, which are assessed below.

11.2.2. The permitted and proposed overall housing mix may be compared as follows:

Unit Type	Permitted		Proposed	
	Count	Percentage	Count	Percentage
2 bed house	85	14%	91	15%
3 bed house	249	41%	265	43%
4 bed house	162	26%	142	23%
1 bed apt	41	7%	41	7%
2 bed apt	65	11%	65	11%
3 bed apt	6	1%	6	1%
<b>Total Units</b>	<b>608</b>		<b>610</b>	

The proposed alterations involve a slight increase in the overall percentage of 2 and 3 bed houses and a corresponding reduction in the proportion of 4 bed houses. I consider that these changes are marginal in the context of the permitted housing mix and with regard to relevant national and local planning policies. The mix now proposed will enhance the housing mix of the wider area, where there are a large number of 3/4 bed dwellings within traditional housing developments. The proposed revised housing mix is therefore considered satisfactory.

### 11.3. Quality of Residential Accommodation

11.3.1. The proposed alterations to Site Area A involve the replacement of 20 no 4 bed semi-detached house types (stated areas 133.6 sq.m. and 134.7 sq.m.) and the omission of 2 no. 2 bed detached houses (178.5 sq.m.) with 8 no. 3 bed semi-detached houses (118.3 sq.m. – 122.47 sq.m.), 8 no. 3 bed end of terrace houses (101.5 sq.m. - 105.17 sq.m.) and 8 no. 2 bed terraced houses (80 sq.m.). The requestor submits that the proposed new house types are similar to permitted units elsewhere in the development and will result in a slight reduction in the overall floorspace of the development. The proposed house types, floor areas and design are generally in accordance with the guidance provided in the document Quality Housing for Sustainable Communities and the Urban Design Manual that

accompanies the Sustainable Residential Development in Urban Areas Guidelines for Planning Authorities. The overall layout is very similar to that already permitted and adequate private amenity spaces are provided to the rear of each house type.

11.3.2. The proposed alterations to Site Area B involve revisions to 11 no. permitted 4 bed detached units (177.2 sq.m. – 193.9 sq.m.), with a slight increase in the overall floor area due to an increased number of larger units, with a total of 8 no. ‘Ab’ unit types in lieu of the permitted 5 no. ‘Ab) house types. The overall layout of this area of the site is generally unchanged and all units are provided with substantial private open space. As above, I am satisfied that this part of the development is generally in accordance with the guidance provided in the document Quality Housing for Sustainable Communities and the Urban Design Manual that accompanies the Sustainable Residential Development in Urban Areas Guidelines for Planning Authorities.

11.3.3. I am therefore satisfied that the proposed revised house types will provide a good standard of accommodation for future residents of the development.

#### 11.4. Daylight and Sunlight

11.4.1. The requestor has not submitted any Daylight, Sunlight and Overshadowing assessment of the proposed revised house types. County Development Plan Objective HOU 3-1: Sustainable Residential Communities (a) states:

*Ensure that all new development within the County supports the achievement of sustainable residential communities. The Council will have regard to the provisions of the Guidelines on Sustainable Residential Development in Urban Areas and the accompanying Urban Design Manual, in development plan preparation and in assessing applications for development through the development management process.*

Section 7.1 of the Guidelines on Sustainable Residential Development in Urban Areas states in relation to daylight and sunlight:

*Overshadowing will generally only cause problems where buildings of significant height are involved or where new buildings are located very close to adjoining buildings. Planning authorities should require that daylight and shadow projection diagrams be submitted in all such proposals. The recommendations of “Site Layout*

*Planning for Daylight and Sunlight: A Guide to Good Practice” (B.R.E. 1991) or B.S. 8206 “Lighting for Buildings, Part 2 1992: Code of Practice for Daylighting” should be followed in this regard.*

The BRE standards and associated British Standard (note that BS 8206-2:2008 is withdrawn and superseded by BS EN 17037:2018) describe recommended values (eg. ADF, VSC, APSH, etc) to measure daylight, sunlight, and overshadowing impact, however it should be noted that the standards described in the BRE guidelines are discretionary and not mandatory policy/criteria (para.1.6). The BRE guidelines also state in paragraph 1.6 that:

*Although it gives numerical guidelines, these should be interpreted flexibly since natural lighting is only one of many factors in site layout design.*

While I note that the document British Standard (BS) 8206-2:2008 has since been withdrawn and that the publication of the guidelines been replaced by BS EN 17031:2018 ‘Daylight in Buildings’, however, I am satisfied that this does not have a material bearing on the outcome of this assessment and that the relevant guidance documents remain those referenced in the Guidelines on Sustainable Residential Development in Urban Areas.

11.4.2. I do not consider the omission of a specific daylight, sunlight and overshadowing assessment is significant in this instance with regard to the specific characteristics of the proposed alterations. The proposed revised house types are in keeping with the moderate 2-4 storey scale of the permitted development, limiting the extent of overshadowing that may result. The alterations do not involve any significant changes to the permitted layout and provide adequate separation distances between houses, which will limit the degree of obstruction that could result. All of the proposed houses are dual or triple aspect or detached houses, maximising available light and ventilation to all of the proposed residential units. The existing/ permitted houses adjacent to proposed alterations are not of a scale or height that would generate significant obstruction to light or overshadowing of areas. In addition, the BRE note that other factors that influence layout include considerations of privacy, security, access, enclosure, microclimate etc. in Section 5 of the standards. In addition, industry professionals would need to consider various factors in determining an acceptable layout, including orientation, efficient use of land and

arrangement of open space, and these factors will vary from urban locations to more suburban ones. The BRE guidelines are therefore clear that access to natural light is only one of many factors in site layout design.

11.4.3. I consider that adequate allowance has been made in the proposed design for daylight and sunlight through adequate separation between houses relevant to the scale of the development. As such, I am content that daylight, sunlight, and overshadowing conditions for units in the proposed alterations will generally be within an acceptable range. While I acknowledge that the requestor has failed to carry out their own assessment of the numerical targets for daylight and sunlight in the proposed alterations, I am satisfied that considerations of daylight and sunlight have informed the proposed revised layout design in terms of separation distances, scale and aspect. I have also carried out my own assessment in accordance with the considerations outlined in the BRE guidelines. As such and noting that the guidelines state that numerical targets should be applied flexibly (specifically ADF values of 1% to bedrooms, 1.5% to living rooms and 2% to kitchens), and that natural light is only one factor to be considered in layout design, I consider the alterations are in accordance with the BRE guidelines and therefore the associated requirements under the development plan and section 28 guidelines are satisfied.

11.4.4. In conclusion, I have had appropriate and reasonable regard of quantitative performance approaches to daylight provision, as outlined in the Building Research Establishment's 'Site Layout Planning for Daylight and Sunlight' (2nd edition) and BS 8206-2: 2008 – 'Lighting for Buildings – Part 2: Code of Practice for Daylighting'. I am satisfied that the design and layout of the requested alterations have been fully considered alongside relevant sunlight and daylighting factors. The standards achieved, when considering all site factors and the requirement to secure comprehensive urban regeneration of this highly accessible and serviced site within Cork City, in accordance with national policy guidance, are in my opinion acceptable, are in compliance with the relevant BRE and BS standards.

## 11.5. **Impacts on Residential Amenities**

11.5.1. As noted above, the proposed alterations involve only minor amendments to the permitted layout and achieve satisfactory separation distances to adjacent houses



within the permitted development. The design of the revised house types is similar to those already permitted in other parts of the overall development.

11.5.2. The request does not include a daylight, sunlight, and overshadowing assessment. Section 2.2.4 of the BRE guidelines states in relation to daylight to existing buildings:

*Loss of light to existing windows need not be analysed if the distance of each part of the new development from the existing window is three or more times its height above the centre of the existing window. In these cases, the loss of light will be small...” (para. 2.2.4)*

The adjacent houses within the permitted development would not fall into the exception described above. However, I do not consider the omission of a specific daylight, sunlight, and overshadowing assessment to be significant given the specific characteristics of the proposed alterations. They relate to new housing on land zoned for such and involve minor alterations to the existing permitted development at Ballinglanna, which have the same scale as the permitted development with only minor changes to house types and the housing mix. As a result, any impact upon daylight and sunlight would be within the normal range for a residential estate in my view, and not so detrimental to be considered significantly harmful impact. Therefore, I do not consider the omission of a specific daylight, sunlight, and overshadowing assessment to be significant given the specific characteristics of the proposed alterations. Given that the proposed layout generally achieves the standard 22 m separation distance to adjacent permitted houses, it is considered that adequate regard has been had to the preservation of the residential amenity of existing/ permitted properties, when balanced against the need for housing on zoned and serviced lands and that the design and layout of the overall development is of a good architectural and urban design standard respecting the established pattern of development in the area.

11.5.3. Overall, I am content that the daylight, sunlight, and overshadowing impacts of the alterations on adjacent existing / permitted houses will be within an acceptable range for the area and not significantly harmful. The site areas of the proposed alterations are not adjacent to any residential properties outside the boundary of the original permission. I have applied the guidance within the BRE guidelines and associated BS 17037:2018 in my assessment of this issue, and particularly in light of the

guidelines own assertions that numerical targets should be applied flexibly (para.1.6) and that natural light is only one of many factors in site layout design (para.1.6), as discussed above in relation to sunlight and daylight within the proposed houses. Therefore, while a specific assessment has not been submitted with quantification of this impact, in my opinion the proposed alterations have been designed in consideration of potential daylight and sunlight impact upon adjacent residents and this is reflected in the scale and layout of the proposal.

11.5.4. I am satisfied that that proposal has a layout that reflects a standard suburban residential estate, as well as in scale and form, which will limit potential for reduced daylight and sunlight to surrounding properties. As such, I consider that the proposed alterations make adequate provision for daylight and sunlight to surrounding properties in accordance with BRE considerations that I have applied, and therefore the requirements under the County Development Plan and section 28 guidance are satisfied. In addition, I note that the planning authority has not raised concerns in relation to this matter and that no third party submission have raised the matter of overshadowing. On this basis, it is considered that adequate regard has been had to the preservation of the residential amenity of adjacent properties, when balanced against the need for housing on zoned and serviced lands. Overall, I am satisfied that the daylight, sunlight, and overshadowing impacts of the alterations on existing / permitted properties will be within an acceptable range for the area and not significantly harmful.

## **12.0 Environmental Impact Assessment Screening**

12.1. Under S146B(4), the Board must consider whether the proposed material alterations would be likely to have significant effects on the environment, before making a determination under S146B(3)(b)(ii).

12.2. Item (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.)

In addition, item 13(a) of Schedule 5 Part 2 refers to changes and extensions to permitted developments:

Any change or extension of development already authorised, executed or in the process of being executed (not being a change or extension referred to in Part 1) which would:

- (i) result in the development being of a class listed in Part 1 or paragraphs 1 to 12 of Part 2 of this Schedule, and
- (ii) result in an increase in size greater than –
  - 25 per cent, or
  - an amount equal to 50 per cent of the appropriate threshold,whichever is the greater.

For all sub-threshold developments listed in Schedule 5 Part 2, where no EIAR is submitted or EIA determination requested, a screening determination is required to be undertaken by the competent authority unless, on preliminary examination, it can be concluded that there is no real likelihood of significant effects on the environment.

12.3. The requestor has submitted an EIA Screening Report. This states that the proposed alterations will cover a footprint of 1.08 ha (0.65 ha for site A and 0.43 ha for site B). An EIAR was submitted with the original application. The proposed alterations at site A relate solely to the house types in Phases 2 and 3 of the permitted development and the proposed alterations in Site B relate solely to the house types in phases 4 and 5 of the permitted development with a minor modification of the road turning head. The alterations will not substantially alter the density of the permitted development and will not diminish the standard of urban design or residential amenity achieved within the development. The proposed floor areas within Site A will be reduced as a result of the proposed alterations and there will be two additional residential units. The total number of residential units in Site B is unchanged. The construction methodology will remain the same, and the proposed alteration will not result in any material changes to the Construction and Environmental Management Plan. There will be no changes to proposals for the disposal of surface or foul

wastewater. Adequate measures are in place to avoid, reduce or mitigate likely impacts, such that neither the construction nor operational phase of the overall development will have a significant negative impact on the environment. The Screening Report notes that the alterations will not result in an increase in size greater than 25% of the permitted development and concludes that the proposed development is below the thresholds for mandatory EIAR. I accept this conclusion, given the minor nature of the proposed alterations and with regard to the matters summarised above.

12.3.1. The development site is a greenfield site in an urban area that is zoned and serviced and surrounded by existing residential areas. There are no designated sites at or in the immediate vicinity of the development site (European sites and / or pNHAs). I note from the EIAR of ABP-300543-18 that the site was originally primarily farmland bounded by hedgerows, with habitats dominated by improved agricultural grassland of little ecological value. The significance of the hedgerow habitats at the site is assessed as light to moderate. A woodland along the western side of the site is to be retained and managed, which is evaluated as a significant positive impact. A total of 5 no. invasive alien plant species were recorded at the site and an invasive species management plan is to be implemented during construction. The site is within the catchment of the Glashaboy river and all surface water from the site drains to the Glashaboy estuary. There is a stream running through the site, which is isolated from the Glashaboy River by a 200m long section of culverted channel that is likely to be impassible for fish. The riparian habitat at the stream is of low quality and of no significance as a fisheries habitat. The EIAR reports a total of 5 bat species and several bat roosts at the site, with high levels of bat activity including foraging, commuting and social functioning. The site is evaluated as being of local importance for bats. While the removal of hedgerows and treelines at the site is a long-term moderate negative impact, the retention and enhancement of woodlands at the site will reduce this impact and a biodiversity corridor will provide foraging habitat. Works at bat roosts are to be subject to a bat derogation licence from the NPWS, to include a mitigation plan, along with other bat mitigation measures. It is anticipated that there will be no significant, long term residual impacts on bats and that the current bat community will persist in the area. The EIAR does not identify any significant cumulative impacts on biodiversity. It includes assessment and proposed mitigation

measures of impacts associated with construction noise and vibration, air quality, traffic, cultural heritage impacts, population and human health impacts. No significant interactions or cumulative impacts are envisaged. Section 11.4.1 of the Inspector's report on ABP-300543-18 concludes that the main significant direct and indirect effects of the proposed development on the environment are as follows:

- Landscape and visual impacts, which will be mitigated by the retention and enhancement of existing wooded areas, new landscaping and the creation of a new woodland and biodiversity corridor between Ballinglanna House and the woodland on the western site of the site.
- Traffic and transportation impacts, which will be mitigated by the phasing of the development with construction of up to 400 units in advance of completion of the Dunkettle Interchange upgrade and by the completion of a package of local road improvement measures in accordance with the provisions of the Cobh Municipal District LAP 2017.
- Land and soils impacts, which will be mitigated by re-use of soil and subsoil material in the development; limited soil stripping; measures to control sediment in surface runoff; construction management measures.
- Water impacts, which will be mitigated by construction management measures and the installation of interceptors on roads within the scheme.
- Biodiversity impacts, which will be mitigated by construction management measures; protection of habitats to be retained; cowslip translocation; landscaping; woodland management; invasive species management; measures to avoid disturbance to badgers and bats; provision of bat boxes and alternative bat roosting locations.
- Cultural heritage impacts, which will be mitigated by pre-construction surveys and site investigations; monitoring and removal of stone walls; avoidance and protection during construction works and monitoring of ground works.

12.4. The requestor's EIA Screening Report considers the proposed alterations with regard to the criteria at Schedules 7 and 7A as to whether the proposed sub-threshold development would be likely to have significant effects on the environment that could and should be the subject of environmental impact assessment. It

concludes that, having regard to the nature, extent, and the characteristics of likely impacts, the proposed alterations to the permitted development do not constitute a project defined by Part 1 and Part 2, Schedule 5 of the 2001 Regulations as requiring an EIAR and would not warrant a sub threshold EIA in accordance with Article 103 of the 2001 Regulations.

12.5. Having regard to the EIA Screening Report, to the other documentation on file and to the original permission ABP-300543-18, including the EIAR of same, I note that the proposed alterations involve minor modifications to the permitted development and are of a nature and the size that are well below the applicable thresholds for EIA. The proposed residential units would be similar to predominant land uses in the area. The proposed alterations will not increase the risk of flooding within the site. The alterations would not give rise to significant use of natural resources, production of waste, pollution, nuisance, or a risk of accidents. The development is served by municipal drainage and water supply. The site is not subject to a nature conservation designation and does not contain habitats of conservation significance. The alterations will not result in any additional visual or cultural heritage impacts above those of the permitted development. The development involves only a minor modification to a permitted turning head in Site B and the proposed two additional units in Site A will not generate a significant amount of additional traffic such as would warrant further assessment. The construction of the proposed alterations will not involve any significant changes such that a revised Construction and Environmental Management Plan would be necessary. There have been no significant new developments permitted in the vicinity of the development site since the original permission and no significant interactions or cumulative impacts are envisaged.

12.6. I have had regard to the characteristics of the site, location of the proposed development, and types and characteristics of potential impacts. I have examined the sub criteria having regard to the Schedule 7A information and all other relevant information on file, including the AA Screening Report. As noted above, the EIAR submitted with the application assess the impact of the overall development, in addition to cumulative impacts with regard to other permitted development in proximity to the site, and demonstrates that, subject to the various construction and design related mitigation measures recommended, the development will not have a

significant impact on the environment. The AA Screening set out in Section 13.0 concludes that the potential for adverse impacts on European sites can be excluded at the screening stage. I consider that the location of the proposed alterations and the environmental sensitivity of the geographical area would not justify a conclusion that it would be likely to have significant effects on the environment. The proposed alterations do not have the potential to have effects the impact of which would be rendered significant by its extent, magnitude, complexity, probability, duration, frequency or reversibility. In these circumstances, the application of the criteria in Schedule 7 to the proposed sub-threshold development demonstrates that it would not be likely to have significant effects on the environment and that an environmental impact assessment is not required before a grant of permission is considered. This conclusion is consistent with the EIA Screening Statement submitted with the subject request.

- 12.7. I am overall satisfied that the information required under Section 299B(1)(b)(ii)(II) of the Planning and Development Regulations 2001 (as amended) have been submitted.
- 12.8. I note the requirements of Section 299B (1)(b)(ii)(II)(C), whereby the requestor is required to provide to the Board a statement indicating how the available results of other relevant assessments of the effects on the environment carried out pursuant to European Union legislation other than the Environmental Impact Assessment Directive have been taken into account. I have had regard to the SEA of the statutory plans for the area in which the development site is located. I am satisfied, given the minor nature of the proposed alterations, that no other relevant assessments of the effects on the environment carried out pursuant to European Union legislation other than the EIA Directive are directly relevant in this instance.
- 12.9. A Screening Determination should be issued confirming that there is no requirement for an EIAR based on the above considerations.

## **13.0 Appropriate Assessment**

- 13.1. The authorised development was screened for Appropriate Assessment and it was concluded that it would not be likely to have significant effects on any Natura 2000 site and that an appropriate assessment was not required. The Board is directed to

section 10.10 of the Inspector's report of ABP-300543-18, which comprises an AA screening of the permitted development and concludes that, having regard to the nature and scale of the development, to the proposed foul and surface water treatment measures and construction mitigation measures, the nature of the receiving environment and proximity to the nearest European sites, it was reasonable to conclude that the proposed development would not be likely to have a significant effect individually or in combination with other plans or projects on a European site in view of the sites' conservation objectives that and a Stage 2 AA was therefore not required. The Board also completed an AA 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 AA Screening Report submitted with the application, and the Inspector's report and submissions on file. In completing the screening exercise, the Board adopted the report of the Inspector and concluded that, by itself or in combination with other development in the vicinity, the proposed development would not be likely to have a significant effect on any European Site in view of the sites' conservation objectives, and that a Stage 2 AA was not, therefore, required.

- 13.1.1. I note the zoned and serviced nature of the development site and the fact that the proposed alterations do not involve any significant amendments to site services or surface water drainage. Having considered the Board's determination on Appropriate Assessment on ABP-300543-18, section 12.0 of the Inspector's Report on ABP-300543-18, the nature, scale and extent of the proposed alterations relative to the development subject of and approved under ABP-300543-18, and the information on file which I consider adequate to carry out AA Screening, I consider it reasonable to conclude that the alterations proposed, individually or in combination with other plans or projects, would not be likely to have a significant effect on the European sites in view of the sites' conservation objectives and a Stage 2 Appropriate Assessment (and submission of a NIS) is not therefore required.
- 13.1.2. In reaching this conclusion I took no account of mitigation measures intended to avoid or reduce the potentially harmful effects of the project on any European Sites.



## 14.0 Recommendation

14.1. As per section 146B(3)(b)(ii), the Board may (I) make the proposed alteration; (II) make an alteration of the terms of the development concerned, being an alteration that would be different from that to which the request relates (but which would not, in the opinion of the Board, represent, overall, a more significant change to the terms of the development than that which would be represented by the latter alteration), or (III) refuse to make the alteration. As per the above discussion, the proposed alterations are considered acceptable without any further amendments. I therefore recommend that the Board apply the provisions of section 146B(3)(b)(ii)(I) and make the proposed alteration in accordance with the draft order set out below.

### **DRAFT ORDER**

**REQUEST** received by An Bord Pleanála on the 16<sup>th</sup> day of November 2020 from O'Flynn Construction Co. Unlimited Company under section 146B of the Planning and Development Act, 2000, as amended, to alter the terms of a permitted Strategic Housing Development of a 10 year permission for demolition of existing dwelling house and farm buildings and construction of 608 number residential units, crèche, conversion of former coach house to provide retail/professional services, reservation of 1.2 hectare site for 16 classroom school, road improvements and associated site works at a site at Ballinglanna, Glanmire, Co. Cork, the subject of a permission under An Bord Pleanála reference number ABP-300543-18.

**WHEREAS** the Board made a decision to grant permission, subject to 25 conditions, for the above-mentioned development by order dated the 29<sup>th</sup> day of March 2018 under ABP-300543-18,

**AND WHEREAS** the Board has received a request to alter the terms of the development, the subject of the permission,

**AND WHEREAS** the proposed alterations are described as follows:

- Alterations to phases 2 and 3 of the permitted development at Site Area A, located at the north western corner of the overall development site, comprising replacement of 22 number detached and semi-detached house types Ca, C1a, C2a and B1a (20 number 4 bed semi-detached houses and 2 number 2 bed detached houses) with 24 number house types H1c, Ja/Jb/Jc, Ka/Kb/Kc, F1a, F2a and Fa, comprising 16 number 3 bed semi-detached houses and 8 number 2 bed terraced houses, with a consequent reduction in the overall floorspace from 3,032.2 square metres to 2,439.42 square metres.
- Alterations to phases 4 and 5 of the permitted development at Site Area B, located to the west of Ballinglanna House, at the centre of the overall development site, comprising replacement of 11 number 4 bed detached house types comprising 5 number house type Ab, 5 number house type Bb and one number house type B1b, with 8 number house type Ab, 2 number house type Bb and one number house type B1b, with a consequent increase in the overall floorspace from 1,258.4 square metres to 2,084.1 square metres. The proposed alterations at Site Area B will also result in a slight change in the location of an associated turning head within the permitted development.
- These alterations involve an increase of 2 number units on site which will increase the overall development from 608 number units to 610 number units.

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

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

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

**NOW THEREFORE** in accordance with section 146B(3)(a) of the Planning and Development Act, 2000, as amended, the Board hereby alters the above-mentioned decision so that the permitted development shall be altered in accordance with the plans and particulars received by the Board on the 16<sup>th</sup> day of November 2021.

### **MATTERS CONSIDERED**

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

### **REASONS AND CONSIDERATIONS**

Having regard to:

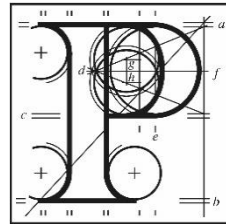
- (i) the nature and scale of the Strategic Housing Development, permitted under An Bord Pleanála Reference Number ABP-300543-18, in respect of a 10 year permission for demolition of existing dwelling house and farm buildings and construction of 608 number residential units, crèche, conversion of former coach house to provide retail/professional services, reservation of 1.2ha site for 16 classroom school, road improvements and associated site works,
- (ii) the examination of the environmental impact, including in relation to European sites, carried out in the course of that application;
- (iii) the limited nature, scale and extent of the alterations;
- (iv) the absence of any significant new or additional environmental concerns (including in relation to European sites) arising as a result of the proposed alterations, and
- (v) the report of the Board's Inspector,

it is considered that the proposed alterations to the permitted development would be generally in accordance with the provisions of the of the Cork County Development the policies and objectives in the Cork County Development Plan 2014, Development Plan Variation number 1 of the 12<sup>th</sup> day of February 2018 and the Cobh Municipal District Local Area Plan 2017, would not be likely to give rise to impacts on the surrounding area that significantly differed from those that were considered before permission was granted and would not injure the character of the permitted development or the level of amenity that it would afford its occupants. The proposed alterations would therefore be in keeping with the proper planning and sustainable development of the area.

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Sarah Moran  
Senior Planning Inspector  
29<sup>th</sup> July 2021

**Appendix A: EIA Screening Form**



**An  
Bord  
Pleanála**

**EIA - Screening Determination for Strategic Housing Development Applications**

<b>A. CASE DETAILS</b>		
<b>An Bord Pleanála Case Reference</b>		ABP-308672-20
<b>Development Summary</b>		Alterations to permission ABP-300543-18 to result in an overall increase in 2 no. residential units; changes to 7 no. house types at Site Areas A and B and a revised turning head layout at Site Area B.
	<b>Yes / No / N/A</b>	
<b>1. Has an AA screening report or NIS been submitted?</b>	<b>Yes</b>	An EIAR and a Stage 1 AA Screening Report were 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	
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	Yes	SEA undertaken in respect of the Cork County Development Plan 2014

B. EXAMINATION	Yes/ No/ Uncertain	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.	Is this likely to result in significant effects on the environment? Yes/ No/ Uncertain
1. Characteristics of proposed development (including demolition, construction, operation, or decommissioning)			

<p><b>1.1 Is the project significantly different in character or scale to the existing surrounding or environment?</b></p>	<p><b>No</b></p>	<p>The alterations comprise the construction of residential units on zoned lands. The nature and scale of the proposed alterations are not regarded as being significantly at odds with the surrounding pattern of development.</p>	<p>No</p>
<p><b>1.2 Will construction, operation, decommissioning or demolition works cause physical changes to the locality (topography, land use, waterbodies)?</b></p>	<p><b>Yes</b></p>	<p>The proposed alterations are located on greenfield infill lands in Glanmire, now within Cork City Council. The proposed alterations are not considered to be out of character with the pattern of development in the surrounding area.</p>	<p>No</p>
<p><b>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?</b></p>	<p><b>Yes</b></p>	<p>Construction materials will be typical of such an 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><b>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?</b></p>	<p><b>Yes</b></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 Management Plan will satisfactorily mitigate potential impacts. No operational impacts in this regard are anticipated.</p>	<p>No</p>

<p><b>1.5 Will the project produce solid waste, release pollutants or any hazardous / toxic / noxious substances?</b></p>	<p><b>Yes</b></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 Management Plan will satisfactorily mitigate potential impacts.</p> <p>Operational waste will be managed via a Waste Management Plan. Significant operational impacts are not anticipated.</p>	<p><b>No</b></p>
<p><b>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?</b></p>	<p><b>No</b></p>	<p>No significant risk identified. Operation of a Construction Management Plan will satisfactorily mitigate emissions from spillages during construction. The operational development will connect to mains services. Surface water drainage will be separate to foul services within the site. No significant emissions during operation are anticipated.</p>	<p><b>No</b></p>



<p><b>1.7 Will the project cause noise and vibration or release of light, heat, energy or electromagnetic radiation?</b></p>	<p><b>Yes</b></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 Management Plan. Management of the scheme in accordance with an agreed Management Plan will mitigate potential operational impacts.</p>	<p><b>No</b></p>
<p><b>1.8 Will there be any risks to human health, for example due to water contamination or air pollution?</b></p>	<p><b>No</b></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 Management Plan would satisfactorily address potential impacts on human health. No significant operational impacts are anticipated.</p>	<p><b>No</b></p>
<p><b>1.9 Will there be any risk of major accidents that could affect human health or the environment?</b></p>	<p><b>No</b></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. There are no Seveso / COMAH sites in the vicinity of this location.</p>	<p><b>No</b></p>

<b>1.10 Will the project affect the social environment (population, employment)</b>	<b>Yes</b>	Development of this site as proposed will result in a change of use and an increased population at this location. This is not regarded as significant given the urban location of the site and surrounding pattern of land uses.	<b>No</b>
<b>1.11 Is the project part of a wider large scale change that could result in cumulative effects on the environment?</b>	<b>No</b>	This is an alteration to an existing permitted development. The development changes have been considered in their entirety and will not give rise to any significant additional effects.	<b>No</b>
2. Location of proposed development			
<b>2.1 Is the proposed development located on, in, adjoining or have the potential to impact on any of the following:</b> <ol style="list-style-type: none"> <li>1. European site (SAC/ SPA/ pSAC/ pSPA)</li> <li>2. NHA/ pNHA</li> <li>3. Designated Nature Reserve</li> <li>4. Designated refuge for flora or fauna</li> </ol>	<b>No</b>	No European sites located on the site. An AA Screening Report accompanied the original application which concluded the proposed development, individually or in combination with other plans or projects would not adversely affect the integrity of	<b>No</b>

<p><b>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</b></p>		<p>any European site, in view of the sites Conservation Objectives.</p>	
<p><b>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?</b></p>	<p><b>No</b></p>	<p>No such species use the site and no impacts on such species are anticipated.</p>	<p>No</p>
<p><b>2.3 Are there any other features of landscape, historic, archaeological, or cultural importance that could be affected?</b></p>	<p><b>No</b></p>	<p>There is a protected structure and several national monuments proximate to the site, however the proposed alterations do not negatively impact on these.</p>	<p>No</p>
<p><b>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?</b></p>	<p><b>No</b></p>	<p>No such features arise in this urban location.</p>	<p>No</p>

<p><b>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?</b></p>	<p><b>No</b></p>	<p>The development will implement SUDS measures to control surface water run-off. The site is not at risk of flooding. Potential indirect impacts are considered with regard to surface water, however, no likely significant effects are anticipated.</p>	
<p><b>2.6 Is the location susceptible to subsidence, landslides or erosion?</b></p>	<p><b>No</b></p>	<p>Site investigations identified no risks in this regard.</p>	<p>No</p>
<p><b>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?</b></p>	<p><b>No</b></p>	<p>The site is served by a local urban road network. There are sustainable transport options available to future residents. No significant contribution to traffic congestion is anticipated.</p>	<p>No</p>
<p><b>2.8 Are there existing sensitive land uses or community facilities (such as hospitals, schools etc) which could be affected by the project?</b></p>	<p><b>Yes</b></p>	<p>The alterations would not be likely to generate additional demands on educational facilities in the area.</p>	<p>No</p>

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

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

## D. MAIN REASONS AND CONSIDERATIONS

Having regard to: -

- a) the nature and scale of the proposed alterations, which are 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 for residential development under the cobh Municipal district Local Area Plan 2017.
- d) The existing / permitted use on the site and pattern of development in surrounding area,
- e) The planning history relating to the site,
- f) The availability of mains water and wastewater services to serve the proposed alterations,
- g) The location of the alterations outside of any sensitive location specified in article 299(C)(1)(v) of the Planning and Development Regulations 2001 (as amended),
- h) 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),
- i) The criteria set out in Schedule 7 of the Planning and Development Regulations 2001 (as amended), and
- i) The features and measures proposed by requester envisaged to avoid or prevent what might otherwise be significant effects on the environment, including measures identified in the proposed Construction & Demolition Waste Management Plan (CDWMP) of the parent permission,

It is considered that the proposed alterations 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:** \_ Sarah Moran\_\_

**Date:** \_\_29<sup>th</sup> July 2021\_\_\_\_

