



An  
Bord  
Pleanála

## Inspector's Report ABP 309152-21

Development	Mixed use development comprising hotel, licensed supermarket, café/coffee shop, offices and residential.
Location	Site of former Blarney Park Hotel and Leisure Centre, St, Ann's Road, Monachapa, Blarney, Co. Cork.
Planning Authority	Cork City Council
Planning Authority Reg. Ref.	TP20/39597
Applicant	Irish Conference and Leisure Holdings Ltd.
Type of Application	Permission
Planning Authority Decision	Refuse
Type of Appeal	1 <sup>st</sup> Party v. Refusal
Appellant	Irish Conference and Leisure Holdings Ltd.
Observers	1. Irish Georgian Society 2. Blarney Castle Estate
Date of Site Inspection	11/05/21
Inspector	Pauline Fitzpatrick

## 1.0 Site Location and Description

- 1.1. The site, which has a stated area of 3.59 hectares, is immediately to the west of Blarney Town Square and is accessed from St. Ann's Road. It is roughly rectangular in shape save for the area that extends to the road.
- 1.2. It is the site of the now demolished Blarney Park Hotel and is brownfield in character with mounds of materials evident throughout, in addition to remnants of the ground floor in the form of floor slab, building foundation and paved/circulation areas. The northern, western, southern and south-eastern boundaries are delineated by fencing. The north-eastern boundary runs to the rear of dwellings that front onto St. Ann's Road with a block wall delineating its boundary, backed in part with trees. The south-eastern boundary fronts onto the road and is delineated by a low wall backed with planting. The existing entrance is gated.
- 1.3. Blarney Castle Estate is c. 200 metres to the south of the site with the associated car and coach park to the south-east. The lands to the west are in agricultural use. As noted previously four no. dwellings back onto the site to the north-east. St. Ann's Road is characterised by a mix of commercial and residential uses both single and two storey. It gives way to traffic on the R617 to the north.

## 2.0 Proposed Development

- 2.1. The proposal is for a mixed use development with a total gross floor area of 16,781 sq.m. and includes:
  1. 80 bedroom hotel 3-4 storeys high served by 74 parking spaces and 8 bicycle parking spaces.
  2. Licenced supermarket with a net retail sales area of 1,418 sq.m. (2,204 sq.m. gross) 1-2 storeys in height served by 88 parking spaces and 8 bicycle parking spaces.
  3. Café/coffee shop with a gross floor area of 222 sq.m. 2 storeys in height.
  4. Office building 2 storeys in height with a gross floor area of 664 sq.m.
  5. Commercial building comprising restaurant, 2 no. shops at ground floor level with personal services unit and office at 1<sup>st</sup> floor level. The gross floor space

of the building is 623 sq.m. The building to be served by 14 parking spaces and 32 bicycle spaces.

6. 70 no. residential units in 11 buildings ranging in height between 2 and 3 storeys. The unit mix entails:

- 17 no. 3 bedroom terrace units
- 3 no. two bedroom terrace units
- 4 no. 1 bedroom apartments
- 20 no. 2 bedroom apartments
- 6 no. 2 bedroom apartments over
- 6 no. 3 bedroom duplex units
- 7 no. 2 bedroom apartments over
- 7 no. 3 bedroom duplex units

103 parking spaces and 32 bicycle parking spaces are proposed to serve the residential units

7. Ancillary works including 6 no. underground surface water attenuation storage tanks.

2.2. The scheme will provide for public open spaces including 2 no. neighbourhood play areas of 208 sq.m.

2.3. Access is to be via St. Ann's Road.

2.4. The scheme is to be developed in four phases with the supermarket, hotel and the northern residential units to be developed in the first two phases.

2.5. The application is accompanied by:

- Planning Statement Report
- Quantitative Retail Assessment
- Design Statement
- Visual Assessment
- Booklet of Images

- Architectural Heritage Impact Assessment
- Archaeological Assessment
- Ecological Impact Assessment and AA Screening
- Tree, Hedgerow & Vegetation Survey, Assessment, Management & Protection Measures
- Traffic Impact Report
- Stage 1 & 2 Road Safety Audit
- Flood Risk Assessment
- Glint and Glare Assessment
- Noise and Vibration Impact Assessment
- Lighting Impact Assessment
- Preliminary Construction Environmental Management Plan (CEMP)
- Services Design Report
- Site Investigation Report

### **3.0 Planning Authority Decision**

#### **3.1. Decision**

Refuse permission for the above described development for 9 reasons which can be summarised as follows:

1. By reason of its design, scale and massing the proposal would be visually dominant and out of character with the existing pattern of development in the ACA and would be visually obtrusive. It would be contrary to objective HE4-5 of the County Development Plan.
2. The proposal would be obtrusive when viewed from Blarney Castle Estate and in views towards the estate and would detract from the special character and integrity of the setting.



3. The proposal by reason of its layout, design, height and massing would be contrary to the zoning objectives for the site as set out in the Blarney Macroom Municipal District LAP.
4. The large format convenience store is contrary to LAP policy with regard to retailing. The planning authority is not satisfied that it is an appropriate location for a supermarket given other town centre zonings and the identification of the principal location for additional retail floorspace at Stoneview.
5. The proposal is considered piecemeal in the absence of a comprehensive masterplan for the overall X-01 lands.
6. Given the high level of vacancy in the town centre the 5 no. retail units (*sic*) are considered premature pending the preparation of a Joint Retail Strategy for Metropolitan Cork.
7. The site is part of a larger site that has been identified as regeneration area BL RA 01 in the Blarney LAP. The planning authority is not satisfied on the basis of the overall design, layout and massing that the proposal would not protect and enhance the existing character of the area and views of the castle.
8. Given the deficient capacity of the local road network the proposal would result in unacceptable traffic congestion and consequent traffic hazard.
9. It would endanger public safety by reason of traffic hazard because of the serious pedestrian and vehicular conflict it would generate on the adjoining road.

### 3.2. Planning Authority Reports

#### 3.2.1. Planning Reports

##### ***Senior Executive Planner (Planning Policy):***

- The proposal is piecemeal in that it does not allow for a co-ordinated and comprehensive redevelopment of the lands.

- It is unclear what tourism related uses other than the hotel are proposed which is a key requirement for these lands.
- There is a significant level of retail vacancy in Blarney town centre. The viability of additional retail units to be examined in the context of the Joint Metropolitan Retail Strategy
- The design, orientation and proposed finishes are not in accordance with objective BL RA-01 of the LAP in that it does not respect the existing streetscape and would visually dominate Blarney Castle.

A refusal of permission recommended.

***Senior Executive Planner (Development Management)***

- The site's zoning reflects the sensitivity of its location. The visual impact on Blarney Castle Estate and the Old Town ACA are key considerations.
- The hotel design lacks distinctiveness. Its scale, mass and height would have a detrimental impact on Blarney Castle and estate.
- The proposal would contravene objective BL RA 01 which seeks to protect and enhance the existing character of the area and views of the castle.
- The design and layout of the supermarket dominates the development. It explicitly goes against the LAP stated aims in terms of the limited extent which the town centre can adapt to larger scale modern convenience shopping and for it to continue to cater for the niche retail needs of the tourism sector.
- The said convenience store would be better located in a less sensitive site. It would also attract unnecessary traffic movements into the key heritage old town.
- The overall proposal presents as a dominant mass and distorts the relationship between the town centre and the historic demesne. The scheme does not consider its setting and sensitive context. It completely ignores the heritage and setting of Blarney Castle, protected structures, the ACA and the wider landscape.

- The focus should be on a tighter urban grain and to set a precedent for any future development to the west. It should include centrally located open green spaces mirroring the village green and the pattern of development in the area.
- Sufficient screening not provided.

A refusal of permission for 8 reasons recommended.

The recommendation is endorsed by the Senior Planner.

### 3.2.2. Other Technical Reports

**City Architect** considers that the deficiencies in the layout, namely the large carpark associated with the Residential Precinct at the north-eastern end adjacent to the entrance, can be addressed by reconfiguration of apartment blocks and terraced dwellings. Review of the design of the terraced dwellings and maisonettes and use of stone or stone cladding instead of random rubble walling recommended.

#### **Conservation Officer**

- The principle of the redevelopment of the brownfield site is welcomed.
- The development will be visible and will have a significant impact on views from the Castle.
- An appropriate masterplan which would facilitate the layout and construction of a range of diverse new buildings which are integrated into the existing village centre around the square and overlooked by the Church of the Resurrection would be useful.
- The proposed layout will not lead to the integration of the new development. The insertion of a large floorplate retail unit with corresponding car parking is a challenging form to insert into the 'viewshed' of the Castle. The location of the axially laid out hotel, apartment and housing development in parallel on its western side will be visually disturbing. Rather than setting into the floodplain below the Castle they create overly strong forms which will attract the eye in a jarring way, exacerbated by solar panels on the roofs.

A refusal of permission recommended.

**Archaeologist** considers that the development will have a low archaeological impact. Further information recommended on impact on setting of Blarney Castle

and reassessment of visual impact in light of the overall design for the hotel unit and large retail unit. The landscape plan also needs to be reviewed.

**Traffic: Regulation and Safety Report** states that based on the data presented the proposal will result in substantial traffic being added to the local road network leading to congestion and potential traffic hazard. TRICS data has not been validated and maximum queue data has not been provided. A refusal of permission recommended.

**Urban Roads and Street Design (Planning) Report** endorses the above report and recommends refusal of permission.

**Area Engineer** endorses the above and recommends refusal of permission.

**Environment Report** recommends further information on waste to be generated.

**Drainage Report** recommends further information on the surface water drainage system.

### 3.3. Prescribed Bodies

**Irish Water** has no objection subject to conditions

**Inland Fisheries Ireland** recommends that confirmation be secured from Irish Water that there is sufficient capacity in the public sewer.

**An Taisce** considers that a sensitively designed hotel would be appropriate. The supermarket is problematic. The proposal is not compatible with the location sensitivity.

**Cork Airport** requests that the applicant should demonstrate that the proposal would not adversely affect the safety of aircraft operations at Cork airport (rooftop solar panels proposed within the development).

### 3.4. Third Party Observations

Submissions in favour and objecting to the proposed development received by the planning authority are on file for the Board's information. In summary:

In favour:

- Would benefit the community and remove a vacant site



- Improve shopping facilities and housing
- Hotel is much needed

Against

- Inappropriate scale and design
- Visual impact and negative impact on heritage village and Blarney Castle Estate
- Increased traffic and congestion
- Non-compliance with policy provisions

#### 4.0 Planning History

**ABP 308670-20** – current appeal with the Board for a three-storey primary care centre, 5 no. retail units and a café and associated works on a site immediately to the north of the appeal site.

#### 5.0 Policy Context

##### 5.1. Section 28 Ministerial Guidelines

The following are of relevance to the application:

- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas including the associated Urban Design Manual (2009).
- Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities, 2018 (amended 2020)
- Architectural Heritage Protection Guidelines for Planning Authorities, 2011.
- Retail Planning - Guidelines for Planning Authorities, 2011

##### 5.2. Development Plan

As of 31/05/19 under the boundary transfer extension the site forms part of the administrative area of Cork City Council. The provisions of the Cork County Development Plan continue to apply.

### 5.2.1. **Cork County Development Plan, 2014**

Blarney is identified as a smaller metropolitan town.

*Objective TCR 4-7* – strengthen and consolidate the retail role and function of the smaller metropolitan towns and to provide retail development in accordance with their planned population growth to serve their local catchments.

*Chapter 8 addresses Tourism*

Blarney Castle is listed as a key tourist attraction of national importance and significant visitor numbers and these key attractions are to be protected from inappropriate development.

The Blarney Architectural Conservation Area entailing the town centre and Blarney Castle estate is to the east and south of the appeal site.

### 5.2.2. **Blarney Macroom Municipal District Local Area Plan 2017**

*Section 3.2.26* - given the significant population growth target for Blarney, it is envisaged that additional retail floorspace will be required and the principal location for this will be within the main focus of future population growth at Stoneview, which will allow the existing town centre to focus more on its tourism offer.

*Section 3.2.31* – while the existing town centre in Blarney does function as a neighbourhood centre offering convenience shopping, its principal role is as a significant tourist destination, which is based on Blarney Castle and the Blarney Woollen Mills development. In order to help protect the significant tourist value of the castle, this plan has limited the extent to which the town centre can adapt to larger scale modern convenience shopping formats because to do so would harm the heritage value of the area that has proven so successful in attracting tourists.

*Section 3.2.32* – it is intended that the town centre will continue to cater for the niche retail needs of its tourism sector.

*Development Objective BL RA 01:* the former Blarney Park Hotel site occupies a strategic location on the western edge of Blarney.... its proximity to Blarney Castle and the Old 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 a 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.

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 a 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 re-alignment of the R717.

*Objective GO-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 comprise (*sic*) the landscape and heritage character of the area

*Objective GO-07* – to promote the further development of Blarney as a key tourist destination.

*Objective GO-09* – encourage the appropriate redevelopment of the BL-X-01 site.

*Specific Development Objectives for Special Policy Area BL-X-01:*

- to include a range of town centre uses including a hotel, 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 and views of the Castle.
- Include provision for pedestrian and cycleway linkages to adjoining BL-R018 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.

### 5.3. Natural Heritage Designations

Cork Harbour SPA is c.12km to the east of the site at its nearest point.

## 6.0 The Appeal

### 6.1. Grounds of Appeal

The 1<sup>st</sup> party appeal (submission by The Planning Partnership on its behalf and accompanied by supporting documentation and plans) can be summarised as follows:

#### 6.1.1. EIA

- Although the proposal is considered urban development which involves an area greater than 2ha. it is not located within a business district as defined under Part 2, Schedule 5 of the Planning and Development Regulations 2001, as amended, where the predominant land use is retail or commercial use. The requirement for screening for EIA does not apply.

#### 6.1.2. Policy Provisions

- The proposal complies with the overarching policy of securing more compact and sustainable urban development with the emphasis on renewing and developing existing built up areas. It will be in accordance with the target of at least 50% of new housing being delivered within existing built up areas of cities, towns and villages. Such policy takes precedence should provisions in a development plan differ.
- It aligns with the objectives of the Cork Metropolitan Area Strategic Plan and is consistent with the provisions of the Regional Spatial and Economic Strategy for the Southern Region 2020.
- The site is not zoned town centre and the LAP provisions for same do not apply.
- The site forms the majority part (85%) of lands identified as a Regeneration Area BL RA 01.



- The specific objective for the site, BL X -01, is clear and unambiguous in terms of the mix of uses. It confirms that appropriate convenience development is to be accommodated. The Chief Executive's Opinion on the issues raised by submissions received during the LAP preparation dated March 2017 is significant and gives the basis for the interpretation of the special policy area including reference to the provision of retail to serve the town.
- The LAP places a clear emphasis on the town centre and the retail core. It does not inhibit the modest expansion in existing retail floorspace outside of the retail core where such expansion will contribute to the overall sustainability of the retail offer in Blarney.

#### 6.1.3. *Retail Component*

- Blarney is a Smaller Metropolitan Town in terms of the retail hierarchy. In view of its location further studies or demonstration of compliance with the sequential approach is not required. The Quantitative Retail Impact Assessment which accompanies the application confirms that the proposal is not premature pending the preparation of a Joint Retail Strategy for the metropolitan area and is in full compliance with the current County Development Plan and LAP, including the associated Joint Retail Strategy undertaken to inform both.
- There is no supermarket within Blarney.
- In the absence of diversity and enhanced retail attraction and the introduction of additional competition within the catchment area of Blarney it is expected that the level of retail spend leakage (60% convenience and 75% comparison) will continue to occur.
- Sufficient retail spend will be available within the catchment area to accommodate the proposed development. Significant additional convenience retail provision will be required in the future to cater for additional demand which will be driven by the future additional 2600 units intended for the Stoneview Urban Expansion Area.

- 1 no. retail unit in the town centre was vacant on day of site visit (09/01/21). Non-retail services are under performing, most likely as a consequence of the lack of tourism activity due to the Covid 19 pandemic.
- The proposal will act as a catalyst for addressing potential vacancy in the town centre by reducing its over dependence on the tourism industry and negative impacts due to seasonal fluctuations.

#### 6.1.4. **Built Heritage, Landscape and Design**

- The layout and character of the proposal has been conceived to respond to its setting and to the character of the adjoining town centre, the historical village square and enhanced awareness of the status of Blarney Castle and associated protected structures.
- Each precinct will contribute to the public realm in a different manner in terms of uses, design and character. In combination with each other there will be a coherence to the overall development which will read as an organic extension to the built form of the town having regard to the form and function of the surrounding area.
- The proposal does not provide for an additional village square as by doing so would significantly detract and undermine the historical importance of the Blarney village square.
- Extensive permeability and linkages is provided by the proposed development's mixed use commercial precinct along St. Ann's Road opening up and stretching into the site interior along the southern side of the main site access. It will provide high quality accommodation for a range of commercially focused town centre uses.
- The existing Blarney Castle car and coach park acts as a physical barrier severing the potential for linkages to the Town Centre and Village Square.
- Previous Board decisions (ABP 305373-19 & ABP 308156-20) accept that development can and should occur within the viewshed of Blarney Castle and that views from the castle cannot be the primary determinant of development objectives for the town.

- The site is not within the ACA and there is limited visual interaction between the subject site and key elements of the village and the Blarney Castle estate.
- The impact on the landscape setting of Blarney Castle estate is slight.
- Minor design amendments are proposed to further lessen the visual effects and include:
  - Hotel relocated northwards and parking reconfigured.
  - Increased planting at the southern end of the treelined avenue between apartment blocks 6 and 11 to close off the view of the hotel when viewed from the south.
  - Changes to external finishes
  - Removal of solar panels
  - Additional planting throughout site
  - Apartment Blocks 1 and 2 to be dual fronted
  - Revised proposals for Block 6 to Block 10 in response to City Architect's comments
  - Masterplan developed to illustrate how adjoining land to the north (remainder of special policy area BL X-01) may be developed.
- An assessment of the visual impact with the additional mitigation measures accompanies the appeal.
- The proposal will not have any significant negative impacts on built heritage resources within the village and the adjoining Blarney Demesne. It will result in very minor changes to the wider/remote setting of the castle. The predicted impact on the setting of the castle will be slight and localised from an architectural heritage perspective.
- The Visual Assessment concludes that the proposal will be a positive addition in the visual landscape.

#### 6.1.5. **Roads and Traffic**

- The increase in traffic in a town or village centre due to a redevelopment is not a valid reason for refusal.



- The Traffic Impact Report is robust.
- The trip rates used are site and development specific.
- The Traffic Impact Report notes that the site is located on the existing 215 bus route which provides access to Cork City Centre and Mahon which can operate at a higher frequency as demand/critical mass for the service increases in response to future development along the corridor through Blarney. This assumption is considered reasonable having regard to the City Council's objectives for the delivery of improved public transport within the likely timeframe for construction and occupation of the development as outlined in the Cork Metropolitan Area Transport Strategy 2040 and 'Core Bus Corridor' objectives for Blarney.
- Only the 0800 – 0900 hour was assessed in the AM peak on the basis that as part of a mixed use development the site would generate negligible inbound/outbound traffic before 0800 for non-residential uses and, therefore, the predominant factor would be the network peak hour flows on the R617 and St. Ann's Road which are highest between 0800 – 0900 in the AM peak period.
- The mix of dwelling units would result in lower car trip rates than the more traditional suburban 3 / 4 semi-detached development. Even if a higher trip rates was used for the development (0.667 for a more traditional 3 / 4 bed semi-detached development with 2 car parking spaces per unit) this would have a very small impact on the total AM and PM peak hour trips generated. When these are dispersed across the network junctions the change in impact would not be significant and would not fundamentally alter the assessment or conclusions of the Traffic Impact Study. Working from home may become more prevalent.
- The Traffic Impact Report noted that signal control of the junctions that are over capacity in future year assessments (R617, St. Anne's Road at western end and Millstream Row at eastern end) would improve access/egress and facilitate more manageable and balanced queuing.
- A development of this scale would result in significant contributions being levied towards roads infrastructure. Such levies could be applied towards the



provision of signal control upgrades in the village at the R617 junctions to manage flows at different periods when demands change.

- A Stage 1 and 2 Road Safety Audit was undertaken.
- Revised proposals to further enhance potential pedestrian accessibility, in addition to reducing vehicle speeds through this part of the village centre submitted.
- The development proposed to the north of the appeal site for a primary care centre and which is subject of an appeal includes a roundabout at the R617/St. Ann's road junction. It is an objective of the LAP to re-route the R617 through this primary care site. The masterplan identifies the possible route.
- A roundabout in a village centre is a sub-optimal arrangement which does not cater well for vulnerable road users. A signal controlled junction with pedestrian crossing would be more appropriate.
- A detailed Construction Management Plan could be required by way of condition.

**Note:** Conditions are detailed should the Board be minded to grant permission.

## 6.2. Planning Authority Response

None received

## 6.3. Observations

Observations received from:-

1. Irish Georgian Society
2. Blarney Castle Estate (submission by McCutcheon Halley accompanied by supporting documentation on its behalf)

The submissions can be summarised as follows:

- The proposal contradicts the site specific zoning objectives and strategic development objectives for the town as it disregards (a) need for a masterplan, (b) site specific objectives which provide for the protection and

enhancement of the existing character of the area and views of the Castle and for permeability and connectivity in regard to traffic solutions and (c) strategic development objectives for the urban expansion area of Stoneview.

- The contention that the zoning objective for Town Centre zoned lands does not apply to Special Policy Area BL X-01 is rejected. It specifically includes a range of town centre uses including a hotel, leisure centre, offices, residential and appropriate convenience, comparison and tourism related retail uses. This aligns directly with the overall town centre objective BL T-01 which provides for small scale developments that cater for the tourism retail sector.
- The excessive scale would have a significant detrimental impact on the character and setting of Blarney town and would compromise the special character of the protected structures in the vicinity and the ACA. It does not reflect the significance of the wider visual setting nor demonstrates an understanding of the significance of the place.
- The visual and landscape impact on the sensitive surroundings is significant and the information provided is insufficient.
- The reference to decisions made by the Board under refs. ABP 305373-10 and ABP 308156-20 refer to the visual impact of development on the wider landscape setting of Blarney Castle. The proposal on a site directly adjacent to the historic and protected structures, gardens and ACA is of the greatest possible consequence.
- It would have an adverse effect on views from Blarney Castle and from scenic route S29.
- The proposal is centred around a discount food store with a small hotel which, given the premier tourist destination that Blarney presents, lacks conviction regarding size, architectural merit, lack of coach parking and connectivity to the historic centre.
- The discount food store would attract mainly car based traffic to an area of Blarney that does not have the necessary infrastructure, severely impacting on local and tourism traffic in the Square and at the junction of St. Ann's road with the R617.

- The commercial nature of the development is overly demanding in relation to traffic and bulk and contravenes tourism and employment policies in the LAP.
- There is no justification for the removal of A and B class trees.
- The proposed amendments submitted with the appeal do not address the issues raised.
- The residential layout, aspect and amenity provision is poor. The supermarket severs access to the town centre from Blocks 5-11.

#### 6.4. Section 131 Notices

Certain prescribed bodies were invited to make a submission/observation on the appeal. One response was received.

##### 6.4.1. *Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media*

The submission can be summarised as follows:

- It is understood that this is a landscape that has continued to evolve over time. The main issue for consideration is the management of change so that it is appropriate to the special significance of the place.
- The previous hotel on the site was single storey within a landscaped site located away from the most sensitive boundary to Blarney Castle demesne. The single storey form did not break the tree line and did not impact on the main terrace to the square.
- The current proposal entails a significant change in scale from single storey to three storeys and also the full intensification of the site to all boundaries. The overall impact and scale of the proposal will be clearly discernible within the village context and will visually intrude on the pristine setting of the castle and its landscape which are of special significance.
- The duplex units is a design approach more appropriate to a contemporary suburban housing scheme and does not have adequate regard to local character or scale. The overall form of the dense housing layout will not readily 'fit' into the established built environment.

- The Department is not supportive of the proposal due to the level of impact it would have on the historic setting of the castle and the historic core of the village which is integral to the approach and experience of this major cultural landmark.

## 7.0 Assessment

I consider that the issues arising in the case can be assessed under the following headings:

- Compliance with Policy Provisions
- Retail Provision
- Built Heritage, Landscape and Design
- Access and Traffic
- Residential Amenity
- Environmental Impact Assessment
- Appropriate Assessment

### 7.1. Compliance with Policy Provisions

- 7.1.1. Blarney is identified as one of nine 'metropolitan towns' within the Cork gateway in the Cork County Development Plan where the strategic aim is to promote the settlements as critical population growth, service and employment centres. Following on from same the Blarney and Macroom Municipal District LAP designates Blarney for significant population growth with an additional 2566 dwelling units required (Table 2.2). As noted in section 3.2.2 of the plan the bulk of this is earmarked for Stoneview to the north-east of the 'old town' where large scale development will not adversely impact on the historic tourist centre near the Castle.
- 7.1.2. The uniqueness of Blarney is identified at a regional level in the Regional Economic and Spatial Strategy for the Southern Region 2020 and at county level in the County Development Plan, as a significant tourist destination with a wealth of natural, cultural and heritage assets of national importance. The uniqueness of the settlement derives from the composition of the historic town square and the Blarney



Castle Estate with the county development plan recognising the need to protect the character of the older part of the town.

- 7.1.3. This importance is further distilled in the Blarney and Macroom Municipal District Local Area Plan wherein Blarney is described as an iconic tourist centre with tourism being the significant industry and where the 'old centre' of the settlement relies on the quality and attractiveness of the built and natural heritage of the local area. Section 3.2.23 of the LAP states that it is important that future development initiatives within the vicinity of the Castle and the Estate do not compromise the tourism potential of the town or compromise the landscape and heritage character of the area on which the local tourism economy relies.
- 7.1.4. The site subject of the appeal, formerly the location of the Blarney Castle Hotel and brownfield in nature, is located c. 200 metres to the north of Blarney Castle and is immediately to the west of the town square. It forms the bulk of a designated regeneration area (BL RA 01). As per the guidance set out in Table 3.3 it is noted that although the site is at a strategic location on the western edge of Blarney it is sensitive due to its proximity to Blarney Castle and the Town Square. It is stated that the location, siting and design of any future development will require careful consideration and shall be required to be of a high quality architectural design so as to protect and enhance the existing character of the area and views of the Castle. Due regard to the existing streetscape around the adjoining square will be required whilst an architecturally iconic building could be included. Mixed use development is to be facilitated on the section of the regeneration area covered by special policy area BL X-02 with residential on the western portion.
- 7.1.5. The LAP objectives for the site which is subject of special policy area BL X-02, seek to provide for 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 are required to be of a high quality architectural design with the reinforcement of the western and southern boundaries in order to protect the existing character of the area and views of the Castle. I note that the LAP is silent on what is intended by 'appropriate convenience'. I shall address this in further detail below with specific regard to the proposed large format supermarket with a gross floor area of 2204 sq.m. and net retail sales area of 1,418 sq.m. As to whether the proposed

retail component will comply with the requirement for tourism related retail uses will also be addressed.

7.1.6. I note that the site comprises the bulk of the area covered by this special policy area. The remainder, immediately to the north, is subject of a concurrent appeal under ref. ABP 308670-20 on which a primary care centre and retail is proposed.

7.1.7. In general terms I submit that the proposed development, comprising of a mix of a hotel, residential, retail, offices, café, restaurant can be considered to be acceptable in principle. However, the acceptability or otherwise of the development is predicated on other planning and environmental considerations being satisfied. Certainly the redevelopment of such a brownfield serviced site in such a central location will dictate a certain quantum to ensure a sustainable level of development in accordance with national, regional and local policy. However, this will be tempered by the particular sensitivities of the site in terms of its location both to Blarney Castle Estate and the town, the protection of which are explicitly provided for in the LAP.

## **7.2. Retail Provision**

7.2.1. The scheme entails 3 no. retail units with an overall net retail floorspace of 1,611 sq.m. Of concern in terms of the retail component being provided is the licenced supermarket with a gross floor area of 2,204 sq.m. and net retail sales area of 1,418 sq.m. in the centre of the site.

7.2.2. The agent for the appellant contends that given the location of the site outside but in close proximity to the town centre, the fact that convenience retail is permitted within the zone and the availability of sufficient retail spend in the catchment, the proposal accords with planning and retail policy. A Quantitative Retail Assessment accompanies the application.

7.2.3. Blarney is identified as a Level 3 – Small Metropolitan Town in the Metropolitan Joint Retail Strategy, 2015. As per the said quantitative assessment I accept the view that sufficient retail spend will be available within the catchment area to accommodate the proposed development having regard to uncatered retail spend and the clawback of retail spend leakage in the Design Year (2024). In addition significant additional convenience retail provision will be required in the future to

cater for additional demand which will be driven by the future additional 2600 units intended for the Stoneview Urban Expansion Area.

- 7.2.4. I consider that the substantive issue is whether the site is suitable for the large format supermarket in the context of current plan policy. I note that the objectives pertaining to special policy area BL-X-01 in stating that appropriate convenience is acceptable does not elaborate on what is intended by 'appropriate'. The agent for the appellant considers that the application of the LAP provisions for the town centre in terms of a presumption against larger scale modern convenience shopping are not applicable. It is further contended that the Chief Executive's Opinion on the issues raised by submissions to the LAP preparation dated March 2017 (copy attached) is significant in that it gives the basis for the interpretation of the special policy area including the provision of retail to serve the town. I submit that the said Chief Executive's opinion does not constitute a statutory document to which regard is had and that the LAP is required to be read and interpreted in its own right. The Council's Area Planner in her assessment of the application considers that the design and layout of the supermarket explicitly goes against the LAP stated aims for the town centre, namely for it to continue to cater for the niche retail needs of the tourism sector.
- 7.2.5. Whilst I am of the opinion that the map accompanying the plan does not delineate the site within the town centre zoning this is somewhat undermined by the written text, specifically sections 3.2.27 and 3.2.28, where it is stated that no changes are proposed to the town centre zonings but that BL-X-01 adjoining the town centre to the west could provide an opportunity for the provision of high quality tourist related retail uses. I also note the reference to the provision of a mix of *town centre uses* in objective BL-X-01 itself (my emphasis). In addition section 3.2.26 of the LAP states that given the significant population growth target for Blarney, it is envisaged that additional retail floorspace will be required and the principal location for this will be within the main focus of future population growth at Stoneview, *which will allow the existing town centre to focus more on its tourism offer* (my emphasis).
- 7.2.6. Although current retail policy advocates central locations for retail provision I consider that the specific and unique nuances that prevail in Blarney are material considerations in the assessment. As is emphasised in the LAP the tourism offer in the town is of paramount importance and requires that future development initiatives



within the vicinity of the Castle do not compromise the landscape and heritage character of the area on which the local tourism relies. On this basis the provisions for the site as set out in the plan are of particular import and it is reasonable to seek to pursue the intent of the Plan rather than maximise the utilisation of the lands for retail use. This view is offered with the understanding that other lands within the LAP are earmarked to accommodate the further residential growth and associated services intended for the village.

- 7.2.7. On balance, I am of the view that the overriding principles that pertain to the town centre are applicable to the site in terms of development that contributes to the enhancement of the town square and wider heritage value of the area whilst affording an opportunity for modern premises with larger floor plates. Whilst I will address the issue of design and context in detail below I would suggest that a large format convenience unit which, by necessity of its function and servicing requirements, is somewhat generic in design, could not be considered to accord with what is reasonably intended by high quality tourist retail use or a town centre use catering for the niche retail needs of the tourism sector as envisaged in the plan and specifically referenced in the special policy objective for the site.

### **7.3. Built Heritage, Landscape and Design**

- 7.3.1. The sensitivity of the site as a consequence of its location immediately adjoining the historic town centre and its proximity to Blarney Castle and Estate is clearly flagged in LAP. The castle is intrinsically linked to the village and, by reason of its topography and mature setting, forms the back drop to the settlement.
- 7.3.2. The site is immediately to the west of the town square separated by a lane providing both vehicular in addition to pedestrian access to the rear of a number of dwellings that front onto the square and pedestrian access to the car park serving the Blarney Castle Estate. Blarney Castle is visible from the site and is located c.200 metres to the south. Blarney town centre and the castle estate comprise an Architectural Conservation Area. Whilst the site is not within this ACA the LAP requires that development in the vicinity of the Blarney Castle Estate have regard to the Guidelines on Architectural Heritage Protection. Section 13.8.3 of the said guidelines note that the extent of the potential impact of proposals will depend on the location of the new works, the character and quality of the protected structure, its



designed landscape and its setting, and the character and quality of the ACA. Large buildings, sometimes at a considerable distance, can alter views to or from the protected structure or ACA and thus affect their character.

- 7.3.3. Whilst Blarney Castle Estate was open to the public on day of inspection the castle itself was not (Covid restrictions) and, as such, I was not in a position to view the site from the upper reaches of the monument. However, I consider that both the documentation submitted with the application and appeal allow for a proper assessment in this regard. I note that views from the upper reaches of the Castle are not listed for protection.
- 7.3.4. As noted in the observation from the Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media the landscape is a dynamic element and will continue to evolve. Of importance is the management of change so that it is appropriate to the special significance of the place. With the site clearly earmarked for redevelopment it is acknowledged that a degree of effect on the town setting and views from Blarney Castle will be accepted. I would also accept the agent for the appellant's contention that views from the castle cannot be the primary determinant of development objectives for the town. Notwithstanding, the substantive consideration will be the quality of the development and whether it would protect and enhance the existing character of the area of which significant emphasis is placed in terms of its importance to the tourism function of the settlement.
- 7.3.5. In this context I submit that the scale and layout of the development as proposed is problematic. Certainly the site offers an opportunity for retail units with a larger format than that existing in the town centre as suggested in the LAP, however that as proposed is significantly at variance with that prevailing. The fact that the hotel that previously occupied the site had a large footprint cannot be seen as sufficient justification in this instance. In my opinion the scheme is dominated by the large format convenience store and surface parking in the centre around which all other uses are proposed. By reason of its function the design solution is somewhat generic and, in my opinion, has no cognisance to the sensitivities of the location positioned on a north-south axis when viewed from the south and the Castle. The proposal in the appeal submission to omit the roof solar panels and additional landscaping would, in my opinion, have little discernible impact.

- 7.3.6. The four storey hotel located in the north-western corner framed by an avenue of 3 storey duplex units will draw the viewer's eye. In adopting such a design layout whereby there would be intervisibility between the hotel and Blarney Castle the opportunity for a building of high architectural design is evident. In my opinion that proposed in terms of design is somewhat generic and the amendments proposed in the appeal would not, in my opinion, address the shortcomings.
- 7.3.7. I would concur with the City Council's Conservation Officer that the duplex design which frames the view between the hotel and the castle estate in parallel to the large format convenience unit emphasises the bulk of the latter unit and its overly strong form. In addition, the design of the duplex units as originally proposed is unsuccessful in that, in taking design cues from the historic town centre, results in a pastiche execution. The design of the units is materially altered in the proposed amendments accompanying the appeal submission to address these concerns however the said alterations do not overcome the overly strong form.
- 7.3.8. The residential precinct along the southern boundary with the units facing towards Blarney Castle estate is acceptable in execution and design. That proposed in the north—eastern corner is less so by reason of the positioning of the grouped parking for both the dwellings and apartments having somewhat of a backland feel giving rise to concerns in terms of lack of passive surveillance. I will address the issue of residential amenity in further detail in section 7.5 below.
- 7.3.9. The proposed development to the street frontage in comprising for a mix of uses and is generally acceptable subject to appropriate finishes in accordance with the recommendations of the City Architect.
- 7.3.10. In conclusion, the design response in terms of land use, building form, scale and character, in my opinion, is inappropriate and I would not concur with the agent for the appellant's view that the overall development will read as an organic extension to the built form of the town having regard to the form and function of the surrounding area. Indeed the opposite arises with an overly strong configuration with unit formats significantly greater than that prevailing in the town centre. A development of the scale proposed immediately adjacent to the ACA, inclusive of the Blarney Castle Estate, would adversely impact the setting of the ACA and would materially contravene a number of LAP objectives including objective GO-06, which seeks to

protect the landscape and heritage character of the area. The development would also militate against the realisation of objective (GO-07) which seeks to promote the further development of Blarney as a key tourist destination. Whilst certain elements are responsive to the sensitivities of the site the bulk are not. I do not consider that the scheme as proposed strikes the appropriate balance between the realisation of the growth potential of Blarney whilst protecting the town's environmental qualities.

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

- 7.4.1. A Traffic Impact Report accompanies the application.
- 7.4.2. St. Ann's Road fronting the site comprises a mix of residential and commercial uses with the small commercial development including a post office to the north east of the site entrance. Its junction with the R517 to the north is controlled by a stop sign. The town centre is immediately to the east. As noted in the said report the R517 functions as a partial relief road. Traffic entering the town from the N20 will tend to turn off from the R617 at Millstream Row to access the Woollen Mills and Blarney Square/Blarney Castle. Traffic entering the town from Tower would turn onto St. Ann's Road. Through traffic between Tower and Blarney would tend to use the R617 to access the N20.
- 7.4.3. TRICS was used in terms of assessment of trip generation and whilst there is potential for complementary trips the approach taken makes no allowance for same. The agent for the appellant in the appeal submission elaborated on the approach taken in the impact assessment. Of note only the 0800 – 0900 hour was assessed in the AM peak on the basis that as part of a mixed use development the site would generate negligible inbound/outbound traffic before 0800 for non-residential uses and therefore the predominant factor would be the network peak hour flows on the R617 and St. Ann's Road which are highest between 0800 – 0900 in the AM peak period. In response to the adequacy of the trip generation of 0.33 it is stated that the mix of dwelling units would result in lower car trip rates than the more traditional suburban 3 / 4 semi-detached development. Even if a higher trip rates was used for the development (0.667 for a more traditional 3 / 4 bed semi-detached development with 2 car parking spaces per unit) this would have a very small impact on the total AM and PM peak hour trips generated and, when these are dispersed across the



network junctions, the change in impact would not be significant and would not fundamentally alter the assessment or conclusions of the Traffic Impact Study.

7.4.4. In terms of the 5 links assessed the increase in traffic ranges from:

- 7.59% on the R617 (south arm) and 8.26% on the Killowen Road in the PM peak in the opening year (2022)
- 27.58% in AM peak and 39.27% in the PM peak on St. Ann's Road and R617(E)
- 42.55% and 43.21% in the AM and PM peak at St. Ann's Road and The Square.

7.4.5. Capacity modelling of 5 no. key junctions was carried out. Of note:

- the junction of Tower Road/Killowen Road/R517 will be at capacity in the opening year in the do nothing scenario.
- the junction of St. Ann's Road and R617 will be at capacity between 2022 and 2027 in a do nothing scenario.
- The junction of R617 and Millstream Row will be at capacity in the opening year in a do nothing scenario.

7.4.6. In all instances the development traffic will materially worsen the queue lengths at the junctions and the upgrading of the junctions will be required irrespective of the proposed development. I note that the constraints at the junction of St. Ann's Road and R517 has been identified with a LAP objective for the realignment and improvement of the R517 through the lands to the north of the subject site. This could also potentially address the issues arising at the Killowen junction.

7.4.7. In advance of the realisation of the objective the signalisation of the junctions is considered to be necessary

7.4.8. I would concur that the surveys undertaken in February would not be reflective of the traffic levels experienced during the summer months and in view of the dominance of the tourism industry in the town which, by its nature, peaks during the summer period, the results of the assessment can be considered be very conservative. On the basis of the predominant function of the centre of Blarney and the location of future residential development to the north and north-east of the town the merits of

locating a convenience store which will, by its nature, bring notable levels of vehicular movements into the centre is also queried.

7.4.9. Notwithstanding, there is no question that the proposed development will result in a significant increase in traffic volumes over that prevailing along St. Ann's Road and in the vicinity with the majority of junctions analysed under strain regardless of whether the development proceeds or not. I would concur with the applicant that such deficiencies in such a central location are not reasonable grounds for a refusal of permission. The onus for the resolution of the said deficiencies lies with the local authority so as to allow for the proper and appropriate development of the town including the redevelopment of the subject site as provided for in the LAP.

#### 7.5. Residential Amenity

7.5.1. The scheme provides for 70 no. residential units in 11 buildings ranging in height between 2 and 4 storeys. The unit mix entails:

- 17 no. 3 bedroom terrace units
- 3 no. two bedroom terrace units
- 4 no. 1 bedroom apartments
- 20 no. 2 bedroom apartments
- 6 no. 2 bedroom apartments over
- 6 no. 3 bedroom duplex units
- 7 no. 2 bedroom apartments over
- 7 no. 3 bedroom duplex units

7.5.2. The mix of dwelling types is considered acceptable.

7.5.3. Tables 5.3 of the Planning Statement sets out a schedule of accommodation and floor areas.

7.5.4. There are no section 28 guidelines with regard to the minimum standards in the design and provision of floor space for conventional dwelling houses. However, best practice guidelines have been produced by the Department of the Environment, entitled Quality Housing for Sustainable Communities. Table 5.1 therein sets out the target space provision for family dwellings. In all cases, the applicant has provided

internal living accommodation that exceeds the relevant floor areas advised. Each dwelling is served by a rear amenity space. The rear gardens range in area from 77 sq.m. to over 200 sq.m.

- 7.5.5. Apartments are provided in 2 and 3 storey blocks (Blocks 3, 4, 5 and 11). The document *Sustainable Urban Housing Design Standards for New Apartments Guidelines for Planning Authorities 2018* is applicable. I note that the floor areas for all apartment units meet or exceed the minimum specified with the majority exceeding same by at least 10%. All have dual aspect. The floor to ceiling heights to the ground floor units at 2.4 metres do not meet the SPPR 5 minimum requirement of 2.7 metres. The number of units per floor per core is significantly less than the maximum allowable of 12 per floor per core. The minimum storage requirements, aggregate floor areas for living/dining/kitchen rooms, minimum widths for living/dining room, minimum bedroom floor areas/width and minimum aggregate bedroom floor areas and private balcony spaces as set out in Appendix 1 are met. Thus, save for SPPR5 the relevant SPPRs of the guidance document are complied with.
- 7.5.6. In terms of daylighting and sunlighting the relevant guidelines pertaining to apartment development require planning authorities to have regard to quantitative performance approaches to daylight provision outlined in guides like the BRE guide 'Site Layout Planning for Daylight and Sunlight' (2nd edition) or BS 8206-2: 2008 – 'Lighting for Buildings – Part 2: Code of Practice for Daylighting' which offer the capability to satisfy minimum standards of daylight provision. In terms of the housing units section 5.3.1 of the Quality Housing for Sustainable Communities requires that the layout of the dwellings be designed to make effective use of natural daylight and sunlight, as far as practicable, that dwellings are oriented so that all main rooms get direct sunlight at some time during the day and that windows are adequately sized and room shapes designed to allow good daylight penetration.
- 7.5.7. In view of the low rise nature of the overall scheme, the layout and orientation of the residential component, the dwelling unit designs and the pattern of development on adjoining lands, I am satisfied that no issues in terms of daylighting and sunlighting in the residential units, open space areas within the scheme or existing development on adjoining lands will arise.



- 7.5.8. As noted above the communal parking area proposed to the rear of Blocks 1 – 4 in the north-eastern corner of the site is not an optimum arrangement with the absence of adequate passive surveillance. I consider that a redesign of this area to address the shortcomings could be addressed by way of condition should the Board be disposed to a favourable decision.
- 7.5.9. I note that the revised plans accompanying the appeal submission provide for windows in the gable of 2 storey end unit in Block 10 to address the concerns regarding passive surveillance of the amenity space proposed in the south-western most corner. This is generally acceptable.
- 7.5.10. In conclusion and subject to certain amendments I consider that the residential component of the scheme would provide for adequate amenity for prospective residents and is acceptable.
- 7.6. Environmental Impact Assessment – Preliminary Screening**
- 7.6.1. An Environmental Impact Assessment Screening report was not submitted with the application.
- 7.6.2. The development subject of this application falls within the class of development described in 10(b) Part 2, Schedule 5 of the Planning and Development Regulations, 2001, as amended. EIA is mandatory for developments comprising over 500 dwelling units or over 10 hectares in size or 2 hectares if the site is regarded as being within a business district.
- 7.6.3. The number of dwelling units proposed at 70 is well below the threshold of 500 dwelling units noted above. The site has an area of 3.59 hectares and is located within an existing built up area but not in a business district. The site is therefore well below the applicable threshold of 10 hectares.
- 7.6.4. The proposed development is on a brownfield site within the town of Blarney. The site comprises disturbed ground, artificial surfaces, scrub and trees. The introduction of a mixed use development on zoned lands will not have an adverse impact in environmental terms on surrounding land uses. The proposed development would not give rise to waste, pollution or nuisances that differ from that arising from other housing in the neighbourhood. It would not give rise to a risk of major accidents or risks to human health. The proposed development would use the public and drainage services of Irish Water and Cork City Council upon which its

effects would be marginal. The site is in proximity to the Architectural Conservation Area of Blarney and Blarney Castle Estate. The application is accompanied by a Design Statement, Visual Assessment, Architectural Heritage Impact Assessment and Booklet of Images. These address the issues arising in terms of the sensitivities in the area. The proposed development is not likely to have a significant effect on any Natura 2000 site. This has been demonstrated by the submission of an Appropriate Assessment Screening Report that concludes no impacts upon the conservation objectives of the Natura sites.

7.6.5. Having regard to

- the nature and scale of the proposed development, which is below the threshold in respect of Class 10(iv) of Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended,
- the location of the site on lands that are zoned for a mix of uses under the provisions of the Blarney and Macroom Municipal District Area Local Area Plan 2017 and the results of the strategic environmental assessment of the Blarney and Macroom Municipal District Area Local Area Plan undertaken in accordance with the SEA Directive (2001/42/EC).
- the location and context of the site and pattern of development in the surrounding area,
- The availability of mains water and wastewater services to serve the proposed development,
- 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),
- The criteria set out in Schedule 7 of the Planning and Development Regulations 2001 (as amended)

I have concluded that, by reason of the nature, scale and location of the subject site, the proposed development would not be likely to have significant effects on the environment and that on preliminary examination an environmental impact assessment report was not necessary.

## 7.7. Appropriate Assessment

- 7.7.1. An Ecological Impact Assessment and AA Screening report accompanies the application.

### *Stage 1 Appropriate Assessment Screening*

- 7.7.2. The requirements of Article 6(3) as related to screening the need for appropriate assessment of a project under part XAB, section 177U and section 177V of the Planning and Development Act 2000 (as amended) are considered fully in this section.

#### *Compliance with Article 6(3) of the Habitats Directive*

- 7.7.3. The requirements of Article 6(3) as related to screening the need for appropriate assessment of a project under part XAB, section 177U of the Planning and Development Act 2000 (as amended) are considered fully in this section.
- 7.7.4. The applicant has submitted an Ecological Impact Assessment and AA Screening report as part of the planning application. The report was prepared by Limosa Environmental dated August 2020. The applicant's Stage 1 AA Screening Report was prepared in line with current best practice guidance and provides a description of the proposed development and identified European Sites within a possible zone of influence of the development.
- 7.7.5. The applicant's AA Screening Report concluded that no impacts are predicted to occur upon downstream Natura 2000 sites as a result of the proposed project.
- 7.7.6. Having reviewed the documents I am satisfied that the information allows for a complete examination and identification of any potential significant effects of the development, alone, or in combination with other plans and projects on European sites.

#### *Screening for Appropriate Assessment – Test of likely significant effects*

- 7.7.7. The project is not directly connected with or necessary to the management of a European Site and, therefore, it needs to be determined if the development is likely to have significant effects on European sites.
- 7.7.8. The proposed development is examined in relation to any possible interaction with European sites designated Special Conservation Areas (SAC) and Special



Protection Areas (SPA) to assess whether it may give rise to significant effects on any European Site.

*Brief Description of the Development.*

- 7.7.9. The applicant provides a description of the project in Sections 3.2 and 6 of the Ecological Impact Assessment report. Evidence of the previous hotel use remains on the site with paving, internal roads and carpark areas evident. Vegetation has colonised and spread since the site was formerly active with a mix of woodland, scrub and dry grassland with ornamental planting associated with the previous use evident in places. There is a shallow open drain along the western site boundary. The ecology team undertook a desk top study with site visits in June and July 2020.
- 7.7.10. The development as proposed comprises a mixed use development entailing residential, retail, offices and a hotel on a 3.6 hectare site.
- 7.7.11. The site is to be served by an existing water main along St. Ann's Road and a new foul sewer system on the site is to connect to an existing public foul sewer network located along the southern boundary of the site. Surface water from the site is proposed to be collected via a new system to be installed. As the development is proposed to be constructed in 4 no. phases each phase will be serviced by its own attenuation system and flow control system using Hydrobrake Optimum outflow Control. The surface water collection network and on-site attenuation tanks have been designed in accordance with SUDS. The tanks will have a retention capacity of 1919m<sup>3</sup> for the overall site. The controlled flow outfalls from the tanks will discharge to the existing open drain located along the western boundary. This drain flows southwards to the south-western corner of the site and connects to the existing stream on adjoining lands to the south of the site and onwards to the River Martin c.100 metres distant. The existing Blarney town surface water collection network also discharges to the stream to the south of the site through a 600mm diameter pipe.
- 7.7.12. A Preliminary Construction Environmental Management Plan accompanies the application. The proposed works may give rise to a very low risk of pluvial flooding occurring during the construction stage, primarily during the excavation process, as the levels may be lowered slightly to achieve construction formation level, but the area will then be filled with imported engineered stone fill material to achieve the

required design levels for the proposed development. During the construction phase surface water management will entail a temporary surface water settling lagoon/holding pond for each phase into which excess water will be pumped from the excavation areas, to be retained and settled for a minimum period of 24 hours. This is to ensure that all silts and solids within the surface water runoff will settle before the water is discharged to the drainage ditch on the western boundary.

#### *Zone of Influence and Potential for Impacts*

- 7.7.13. Figure 5 of the of the Ecological Impact Assessment and AA Screening Report shows Natura 2000 nearest the appeal site. In terms of the zone of influence, I would note that the site is not within or immediately adjacent to a Natura 2000 site. The nearest Natura 2000 site is Cork Harbour SPA (Site Code 004030) located c. 12 km to the east. There are no other designated sites within 15km. Great Island Channel SAC (Site Code 001058) is located greater than 16km to the east of the site at the closest point.
- 7.7.14. The site is not located in a Natura 2000 site and, as such, the potential for direct impacts can be excluded. Having regard to the source-pathway-receptor model the potential for indirect impacts arise due to surface water runoff and waste-water discharge.
- 7.7.15. Taking account of the characteristics of the proposed development in terms of its location and scale of works, and the conservation objective for the European site within the zone of influence, I consider that the following impact mechanisms need to be examined:
- Construction Phase:
- Surface water run-off from the site that contains silt, sediments and/or other pollutants impacting water quality in downstream Natura 2000 site.
  - Disturbance and displacement of species of qualifying interest of the Natura 2000 site due to disturbance associated with construction activities and increased human activity during the construction.
  - Indirect habitat loss or deterioration.

#### Operational Phase:

- Surface water run-off from the site that contains silt, sediments and/or other pollutants impacting water quality in the downstream Natura 2000 site.
- Foul effluent discharges impacting water quality in downstream Natura 2000 site.
- Disturbance and displacement of qualifying species due to disturbance and increased human activity in the area.

Having reviewed the documents and submissions, I am satisfied that the submitted information allows for a complete examination and identification of all the aspects of the project that could have an effect, alone, or in combination with other plans and projects on European sites.

#### European Sites

##### 7.7.16. Summary of European Sites within the possible zone of influence:

###### **Cork Harbour SPA [Site Code 004030]**

c. 12km east of the proposed development.

CO – To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA.

Qualifying Interests/Species of Conservation Interest: Little Grebe (*Tachybaptus ruficollis*) [A004], Grey Plover (*Pluvialis squatarola*) [A141], Great Crested Grebe (*Podiceps cristatus*) [A005], Lapwing (*Vanellus vanellus*) [A142], Cormorant (*Phalacrocorax carbo*) [A017], Dunlin (*Calidris alpina*) [A149], Grey Heron (*Ardea cinerea*) [A028], Black-tailed Godwit (*Limosa limosa*) [A156], Shelduck (*Tadorna tadorna*) [A048], Bar-tailed Godwit (*Limosa lapponica*) [A157], Wigeon (*Anas penelope*) [A050], Curlew (*Numenius arquata*) [A160], Teal (*Anas crecca*) [A052], Pintail (*Anas acuta*) [A054], Black-headed Gull (*Chroicocephalus ridibundus*) [A179], Shoveler (*Anas clypeata*) [A056], Common Gull (*Larus canus*) [A182], Red-breasted Merganser (*Mergus serrator*) [A069], Lesser Black-backed Gull (*Larus fuscus*) [A183], Oystercatcher (*Haematopus ostralegus*) [A130], Golden Plover (*Pluvialis apricaria*) [A140], Redshank (*Tringa totanus*) [A162], Common Tern (*Sterna hirundo*) [A193] and Wetlands and [A999]



7.7.17. Consideration of Impacts on Cork Harbour SPA (site code 004030):

- There is nothing unique or particularly challenging about the proposed urban development, either at construction phase or operational phase.
- There is an open drain along the western site boundary. During the construction and operational phases surface water from the proposed development will outflow to the drain. The said drain flows into a stream to the south of the site which then flows into the River Martin which is approx. 100 metres from the site. The river flows from east to west joining the Shournagh River approx. 1.5km southwest of the site. The Shournagh River is a tributary of the River Lee which enters the sea at Cork Harbour. The hydrological distance is over 12 km.
- The measures to be employed at construction stage are standard practices for urban sites and would be required for a development on any urban site in order to protect local receiving waters, irrespective of any potential hydrological connection to Natura 2000 sites.
- During the operational phase clean, attenuated surface water will discharge to the drain in small and controlled volumes. (see Services Design Report). The pollution control measures to be undertaken during the operational phase are standard practices for urban sites and would be required for a development on any urban site in order to protect local receiving waters, irrespective of any potential hydrological connection to Natura 2000 sites.
- In the event that the surface water treatment measures were not implemented or failed, I remain satisfied that the potential for likely significant effects on the qualifying interests the Cork Harbour SPA can be excluded given the distant connection, the nature and scale of the development and the volume of the receiving waters within Cork Harbour (dilution factor).
- The foul discharge from the proposed development would drain, via the public network, to the Blarney/Tower Waste Water Treatment Plant. The proposed overall daily wastewater loading is 77.080m<sup>3</sup>. There is sufficient capacity in the treatment plant to accommodate the proposed development. Irish Water has reported that the WWTP was non-complaint in 2019 in terms of ortho-Phosphate and Total Phosphorous levels. However, monitoring of receiving

waters indicate that discharge from the WWTP does not have an observable negative impact on water quality or WFD status of the receiving waters (Annual Environmental Report for Blarney/Tower WWTP (Irish Water 2019)). On this basis, I am satisfied that the potential for significant impacts on the Cork Harbour SPA due to impacts arising from foul discharges from the proposed development can be screened out.

- The SPA is designated for the protection of a range of waterbird species that typically forage and roost along the intertidal mudflats and coastal wetlands or fields. The site does not support habitats of ex-situ ecological value for qualifying interest species of the Cork Harbour SPA. The surveys indicated that the site is not used by any qualifying species. In view of the separation distance and extent of development in the said intervening distance no impacts are envisaged. On the basis of the foregoing the potential for significant impacts on waterbirds that are a qualifying species of the SPA due to disturbance and displacement effects can be screened out.

7.7.1. Cumulative impacts are addressed in Section 5.2 of the Ecological Impact Assessment and AA Screening Report. It takes into consideration a number of proposed developments which have secured permission in Blarney including residential and commercial development. It also takes into consideration plans for the area including the Masterplan for Stoneview and the Blarney Municipal District LAP. I do not consider that there are any specific in-combination effects that arise from other plans or projects.

#### *Mitigation Measures*

7.7.2. No measures designed or intended to avoid or reduce any harmful effects of the project on a European Site have been relied upon in this screening exercise.

#### *Screening Determination*

7.7.3. The proposed development was considered in light of the requirements of Section 177U of the Planning and Development Act 2000 as amended. Having carried out Screening for Appropriate Assessment of the project, it has been concluded that the potential individually or in combination with other plans or projects would not be likely to give rise to significant effects on European Site No. 004030 or any other European

site, in view of the site's Conservation Objectives and Appropriate Assessment (and submission of a NIS) is not therefore required.

7.7.4. This determination is based on the following:

- The distance of the proposed development from the European Site
- The site for the proposed development does not have habitat to support the Special Conservation Interests of the Special Protection Area.

## 8.0 Conclusions and Recommendation

- 8.1. The location of the brownfield site in such a central location in the town of Blarney will dictate a certain quantum of development in the interests of securing the sustainable use of scarce and serviced lands in accordance with national, regional and local policies. However this must be advanced in the context of the particular sensitivities of the site in terms of its location both to Blarney Castle Estate and the town and their important tourism functions. The provisions of the LAP are quite clear in this regard.
- 8.2. It is considered that the development, as proposed, both in terms of the nature of uses and the development layout and design cannot be considered to accord with what is reasonably intended by development objective BL RA 01 of the LAP and does not protect and enhance the existing character of the area and views of the castle. I therefore recommend that permission for the above described development be refused for the following reasons and considerations.

## 9.0 Reasons and Considerations

1. The site is immediately adjacent to the Blarney Architectural Conservation Area which encompasses the town centre and Blarney Castle and Estate. The site is designated for regeneration under development objective BL RA 01 of the Blarney Municipal District Local Area Plan 2017 and is identified as a sensitive strategic site wherein any future development will need to protect and enhance the existing character of the area and views of the castle and be of a high quality architectural design. It is considered that the proposed development by reason of its design, scale and massing would be visually



dominant, would be out of character and would visually detract from the setting of the Architectural Conservation Area and the heritage value of the area. The proposed development would, therefore, materially contravene local area plan objective GO-06 which requires that development does not compromise the landscape and heritage character of the area and would be contrary to the proper planning and sustainable development of the area.

2. The site is within an area zoned special policy area BL-X-01 in the current Blarney Municipal District Local Area Plan, 2017. The specific development objective for the zone is for development to include a range of town centre uses including a hotel, leisure centre, offices, residential and appropriate convenience, comparison and tourist related retail uses. It is considered that the proposed large format convenience retail unit and associated surface car parking at the centre of the site around which the other proposed uses are arranged, does not constitute appropriate convenience or a tourist related retail use on such a designated sensitive site in close proximity to the town centre. It is considered that the proposed development contravenes materially the special policy area zoning for the site and would militate against the realisation of objective GO-07 of the local area plan which seeks to promote the further development of Blarney as a key tourist destination. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



Pauline Fitzpatrick  
Senior Planning Inspector

19<sup>th</sup> July, 2021