



An  
Bord  
Pleanála

## Inspector's Report ABP-309372-21

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<b>Development</b>	The provision of 49 dwellings and all associated site works.
<b>Location</b>	Land off Fairfield Road, Fairfield, Blackpool, Cork.
<b>Planning Authority</b>	Cork City Council
<b>Planning Authority Reg. Ref.</b>	20/39659
<b>Applicant(s)</b>	Dunluce Land Holdings Ltd
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Refusal
<b>Type of Appeal</b>	First Party -v- Decision
<b>Appellant(s)</b>	Dunluce Land Holdings Ltd
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	26 <sup>th</sup> May 2021
<b>Inspector</b>	Hugh D. Morrison

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## 1.0 Site Location and Description

- 1.1. The site is located on elevated land on the southern side of Blackpool Valley through which runs the N20. Blackpool Shopping Centre and Retail Park lie 0.6km to the east and the employment areas comprised in Boland Industrial Estate and North Point Business Park lie, variously, 0.3km and 0.6km to the north. Cork city centre (St. Patrick's Street) is 2km away. The site is roughly triangular in shape: It is surrounded on two sides by existing housing estates comprising two-storey detached, semi-detached, and terraced dwelling houses and a dentist's surgery and pharmacy. The remaining side abuts open land that falls away in height generally in a northerly direction.
- 1.2. The site itself extends over an area of 0.93 hectares and it, too, falls at gentle/moderate gradients in a northerly direction. The two defined boundaries "on the ground" are denoted by palisade fencing augmented in places by walls and hedgerows. Formal access to the site is presently unavailable. However, its south-south-eastern boundary abuts Fairfield Road, which joins Fairfield Avenue/(Old) Commons Road/Popham's Road to provide a route to the site from the (New) Commons Road (N20).

## 2.0 Proposed Development

- 2.1. As originally proposed, the development would consist of the provision of 49 dwellings (3704.8 sqm), comprising of:
- (i) 9 two-storey terraced houses (5 two-bed/four-person (85.6 sqm) and 4 three-bed/five-person (95.4 sqm)), each with private amenity space to the rear, and
  - (ii) 40 apartment/duplex units comprised within 5 blocks ranging from three to four storeys in height comprising:
    - (a) 2 four-storey blocks including basement level (Block Type A) each consisting of 8 two-bed/four-person duplexes (each 83.4 – 84 sqm) with associated private amenity space,
    - (b) 2 three-storey blocks (Block Type B) each consisting of 4 two-bed/three-person duplexes (73 sqm) and 4 one-bed/two-person apartments (49 sqm) with associated private amenity space,

(c) 1 three-storey block (Block Type C) consisting of 4 three-bed/five-person duplexes (96 sqm) and 4 one-bed/two-person apartments (49 sqm) with associated private amenity space.

2.2. The proposed development would also provide for:

(iii) Internal roads, footpaths and shared surfaces, including 2 pedestrian access points and 2 vehicular access points from Fairfield Road,

(iv) 68 car parking spaces (58 residents and 10 visitors),

(v) 88 bicycle parking spaces (78 residents and 10 visitors), and

(vi) Landscaping, communal open space, bin storage, boundary treatments, drainage, and all associated site works necessary to facilitate the development.

2.3. The site would be laid out around an access road that would run mainly on an east/west alignment. Apartment Blocks Types A and C would be sited in positions parallel to the north of this road and terraced Blocks Type B would be sited in perpendicular positions to the south of it. Apartment Blocks Type B would be sited to the east. Communal open space would be sited towards the north-western corner of the site and between apartment Blocks Types C and B. A formal landscaped area, complete with steps and future footpath connection points with the adjoining lands to the north of the site, would be laid out between apartment Blocks Types A and C.

2.4. At the appeal stage, the applicant submitted a revised proposal, which would entail changes to the development within the south-eastern portion of the site. Thus, instead of 2 three storey apartment blocks denoted as Block Type B, there would be 1 such block of 7 one-bed/two-person (49 sqm) apartments and 7 two-bed/three-person (73 sqm) duplexes, i.e. a reduction of 1 apartment and 1 duplex from the original proposal and so a revised total of 38 apartments/duplexes or 47 dwelling units overall is envisaged.

2.5. The consolidated Block B would be sited in a position parallel to Fairfield Road and to the rear of a 3m wide combined pedestrian/cyclist path, which would extend eastwards around the corner of Fairfield Road to a proposed crossing point. The previously proposed vehicular access from Fairfield Road to a cluster of 10 car parking spaces and a bin storage area to the east of Block B would be omitted and so the sole vehicular access would be to the west of this Block. The space thereby

released would be laid out as landscaped open space. Two perpendicular and two parallel car parking spaces along the Fairfield Road frontage of the site would also be omitted.

### 3.0 Planning Authority Decision

#### 3.1. Decision

Permission was refused for the following reasons:

- 1. It is considered that the proposed development would constitute an excessive density and inappropriate scale and urban form of development, which would be out of character with the established residential character of the area, and would not conform to its overlaying designation as an Area of High Landscape Value. The proposed development would represent overdevelopment of the site and would seriously injure the amenities of the area and property in the vicinity and would, therefore, be contrary to the proper planning and sustainable development of the area.*
- 2. The height, nature, scale and locations of the proposed three – four storey development at the northern end of the site is considered to be a significant impact upon the protected landscape and townscape view, and would therefore be contrary to Paragraph 10.30 Townscape and Landscape Features, and Objective 10.6 Views and Prospects of the Cork City Development Plan 2015 – 2021, as well as Paragraph 4.176 of the Blackpool Local Area Plan 2011.*
- 3. The proposed development, by reason of its layout, massing, scale, three and four storey heights and proximity to the southern and western boundaries of the site, would be visually obtrusive, and would seriously injure the residential amenities and outlook of the area and adjoining properties, and would be out of character with the area and would, therefore, be contrary to the proper and sustainable development of the area.*
- 4. The proposed development would be contrary to policies and objectives of the Cork City Development Plan 2015 – 2021, including Section 16.18, with regard to public open space requirements by means of design and accessibility. It is considered that the proposed development would not provide an acceptable standard of open space amenity for future residents. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.*
- 5. Having regard to the two proposed vehicular access arrangements, the proposed development would endanger public safety by reason of traffic hazard due to lack of*

*pedestrian connectivity from the proposed development to existing footpath infrastructure. The narrow carriageway with on-street parking at sections causing it to have pinch-points, is inadequate to cater for the excessive traffic movements likely to be generated by the proposed development, and would lead to serious pedestrian and vehicular conflict. The proposed development would increase traffic congestion, and endanger public safety by reason of obstruction of road users. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.*

## **3.2. Planning Authority Reports**

### **3.2.1. Planning Reports**

See decision.

### **3.2.2. Other Technical Reports**

- IFI: Defers to Irish Water.
- TII: Advises that the proposal would be at variance with national policy in relation to control of frontage development on national roads: Strongly recommends that a Traffic and Transport Assessment (TTA) be undertaken.
- Cork City Council:
  - Transport & Mobility: Further information requested with respect to road safety, parking, and public lighting, i.e. Stage 1/2 RSA, Construction Management Traffic Plan, improved pedestrian connectivity, car and bicycle parking breakdown, and public lighting scheme.
  - Waste Management & Control: No objection, subject to conditions.
  - Drainage: Further information requested with respect to the submission of foul and storm water drainage drawings and the size and design of the proposed attenuation tanks.
  - Parks: Objection raised on the basis that the site and adjoining lands to the north under the applicant's ownership should be the subject of a masterplan.

- Urban Roads & Street Design: Further information requested with respect to improved pedestrian facilities in the locality of the site and associated improved traffic management measures.
- Contributions: General and Supplementary Development Contribution Conditions requested.

## 4.0 Planning History

Pre-application consultations occurred on 31/01/19, 08/10/19, and 20/01/20.

## 5.0 Policy and Context

### 5.1. Development Plan

Under Map 4 of the Cork City Development Plan 2015 – 2021 (CDP), the site is zoned Z04, residential, local services and institutional uses, wherein the objective is “To protect and provide for residential uses, local services, institutional uses, and civic uses, having regard to employment policies outlined in Chapter 3.”

Under Map 4, the site is also shown as being an Area of High Landscape Value. Objective 10.4 pertains to Areas of High Landscape Value:

*To conserve and enhance the character and visual amenity of Areas of High Landscape Value (AHLV) through the appropriate management of development, in order to retain the existing characteristics of the landscape, and its primary landscape assets. Development will be considered only where it safeguards the value and sensitivity of the particular landscape. There will be a presumption against development where it causes significant harm or injury to the intrinsic character of the Area of High Landscape Value and its primary landscape assets, the visual amenity of the landscape; protected views; breaks the existing ridge silhouette; the character and setting of buildings, structures and landmarks; and the ecological and habitat value of the landscape.*

Adjoining lands to the north are designated a Landscape Preservation Zone and Fairfield Road, which abuts the site to the south, is identified as a proposed new amenity route/upgrade.

Under Map 14, the site is shown as forming part of the southern portion of the Commons Ridge, across the northern portion of which there are landscape/ townscape views identified as LT24A & B.

The site comes within the ambit of the North Blackpool Local Area Plan 2011 – 2017 (LAP), which has been extended to the end of 2021. This site is shown under Figures 3.5, 3.6 & 3.8 in relation to Urban Design, Building Scale/Massing, and Movement Strategies. It is also included within the discussion of the Sub-Area “Commons Ridge”, where the following advice is given, under Paragraph 4.176, with respect to layout:

*Residential development at the upper ridge should make a positive contribution to the area, in the form of a ‘perimeter block’ layout where active frontages overlook and address the public realm i.e. public streets, and rear elevations enclose private gardens. Terraced buildings would maximise enclosure and supervision of the ridge lands. A scale of 2 & 3-storeys is appropriate given the existing 2-storey character of the area.*

## 5.2. National Planning Guidelines

- Sustainable Residential Development in Urban Areas
- Sustainable Urban Housing: Design Standards for New Apartments
- Quality Housing for Sustainable Communities: Best Practice
- Urban Development and Building Heights
- Design Manual for Urban Roads and Streets

## 5.3. National and Regional Plans

- National Planning Framework
- Regional Spatial & Economic Strategy for the Southern Region
- Cork Metropolitan Area Strategic Plan

## 5.4. Natural Heritage Designations

- Cork Harbour SPA (004030)
- Great Island Channel SAC (001058)



## 5.5. EIA

Under Items 10(b)(i) and (iv) of Part 2 of Schedule 5 to Article 93 of the Planning and Development Regulations, 2001 – 2021, where more than 500 dwelling units would be constructed or where urban development would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere, the need for a mandatory EIA arises. The proposal is for the development of 49 dwellings on a site with an area of 0.93 hectares. Accordingly, it does not attract the need for a mandatory EIA. Furthermore, as this proposal would fall below the relevant thresholds, I conclude that, based on its nature, size, and location, there is no real likelihood of significant effects upon the environment and so the preparation of an EIAR is not required.

## 6.0 The Appeal

### 6.1. Grounds of Appeal

The applicant has responded to the Planning Authority's reasons for refusal by addressing on a topical basis the issues cited therein.

#### Density

- Figure 4.7 of the LAP shows 4 long blocks of residential development on the site, thereby indicating a higher density than that exhibited by the adjoining area of two-storey housing. The proposal would comprise terraced housing and apartment blocks that would reflect such density.
- The original proposal would have exhibited a density of 60 dwellings per hectare, whereas the revised one would exhibit a density of 58 dwellings per hectare. The proximity and frequency of public transport services and the proximity of Cork city centre, the Blackpool Shopping Centre, and local employment centres would all serve to justify the proposed density of development.
- The proposal would be designed to ensure that each dwelling has its own external front door. The mix of dwelling types and sizes would expand the range of housing available in the locality. As revised, a stronger urban edge

would be afforded to the site's frontage along Fairfield Road, along with more extensive landscaped communal areas of open space.

- The proposal for the site would be largely for apartments and so the applicant reviews the criteria set out in the Sustainable Urban Housing: Design Standards for New Apartment Guidelines for central and/or accessible urban locations and intermediate urban locations. This proposal could be considered appropriate under either of these criteria. Furthermore, it would comply with Section 16.41 of the CDP, which encourages higher densities within the vicinity of high frequency bus services and on larger sites, i.e. greater than 0.1 hectares.

#### Landscape designations

- The Planning Authority's second reason for refusal cites Objective 10.6 (Views and Prospects) and Paragraph 10.30 of the CDP and yet Figure 1.2 of the LAP shows that there are no protected views affecting the site, as distinct from the Landscape Preservation Zones to the north and to the north-west of it.
- Map 5 of the CDP depicts the site in relation to the adjoining lands, which are the subject of the Landscape Preservation Zone designation. A ridgeline runs through these lands and it is views of this ridge that Paragraph 10.30 of the CDP is concerned about. Under the proposal, new opportunities to view this ridge from within the site would become available, while views from within Blackpool Valley would be unaffected.
- The visual impact of the proposal itself would be mitigated by tree planting along its northern boundary and by possible future woodlands on the adjoining lands beyond comprised in the Landscape Preservation Zone.

#### Height, massing and scale of the proposal

- A significant discrepancy exists within the LAP whereby, under Paragraph 3.50 & Figure 3.6, the site is shown as being suitable for up to four storeys, while, under Section 4.176, a scale of two – three storeys is stated as being appropriate.

- The topography of the site facilitates the siting of two storey dwelling houses and three, and four storey apartment buildings in positions whereby, when viewed from Fairfield Road, they appear to be of a similar height. The overall massing of the development is eased. Furthermore, the siting of the apartment buildings would facilitate informal surveillance of the adjoining lands to the north.
- Figure 3.5 (Urban Design Strategy) of the LAP illustrates how the site is enclosed on three of its four sides by existing development and so it constitutes an infill one.

#### Open space

- The fourth reason for refusal cites Paragraph 16.18 of the CDP, which requires that 15% of site areas be laid out as Public Open Space (POS). Under the original and revised proposals, 17.87% and 18.57% would, respectively, be achieved. The extent of useable POS has been increased under the revised proposal, too, i.e. in the eastern portion such space would be available for active recreation and in the central portion it would be available for passive recreation. Both spaces would be accessible to the wider public and the latter would be laid out to facilitate any future link northwards to the Commons Road (N20).
- Paragraph 3.88 of the LAP envisages that the adjoining lands to the north would be planted to form a woodland park with an open character.

#### Residential amenity

- The first and third reasons for refusal relate to overdevelopment and the proximity of the proposal to the southern and western boundaries of the site. In relation to the former boundary, the siting of two-and-half storey apartment blocks in a set-back position and in a stepped down format would allow for a 3m wide shared foot/cycle path with tree planting. In relation to the latter boundary, a separation distance of c. 22m would be achieved between corresponding existing and proposed blank gable ends.

## Road, pedestrian, and cycling infrastructure

- Uncontrolled pedestrian crossings would be sited at either end of the proposed 3m wide shared foot/cycle path.
- The aforementioned items and road markings and signage for the proposal are shown in a drawing of the site included under Appendix 5 of the applicant's grounds of appeal.
- Under the revised plan, proposed on-street parking spaces along the northern side of Fairfield Road have been omitted and the carriageway to this Road would be widened to achieve a minimum width of 5.5m, thereby easing the introduction of additional traffic along it.
- Within c. 500m of the site there are bus stops for local (201, 203 & 235) and regional (243) bus services, which run at regular intervals between 06.00 and 23.00. Given these services, the revised plans show a reduction in the quantum of proposed car parking spaces on the site, i.e. the 12 spaces at the eastern end of the site have been omitted. Of the remaining 54 spaces, 18 spaces would be allocated to the 9 proposed dwelling houses and 36 would be allocated to the 38 apartments.

### 6.2. **Planning Authority Response**

No further comments to make.

### 6.3. **Observations**

None

### 6.4. **Further Responses**

None

## 7.0 **Assessment**

- 7.1. I have reviewed the proposal in the light of national planning guidelines, national and regional plans, the Cork City Development Plan 2015 – 2021 (CDP), the North

Blackpool Local Area Plan 2011 – 2017 (LAP) (extended to the end of 2021), relevant planning history, the submissions of the parties, and my own site visit. Accordingly, I consider that this application/appeal should be assessed under the following headings:

- (i) Procedural matters,
- (ii) Land use, density, and transportation,
- (iii) Landscape and visual impacts,
- (iv) Residential amenity,
- (v) Housing mix and development standards,
- (vi) Traffic, access, and parking,
- (vii) Water, and
- (viii) Appropriate Assessment.

**(i) Procedural matters**

- 7.2. At the appeal stage, the applicant has revised its design of apartment Block Type B. As originally submitted, this Block would have comprised two buildings, i.e. one, the front elevation of which, would have been sited opposite Nos. 14 – 17 Fairfield Road (inclusive), and one, the southern side elevation of which, would have been sited opposite No. 13A Fairfield Road. As revised, it would comprise one building, i.e. a larger version of the building opposite Nos. 14 – 17, i.e. one that would be opposite Nos. 13 and 13A, too.
- 7.3. Insofar as the revised proposal would represent a significant change over the original proposal from the perspective of the residents of Nos. 13 and 13A Fairfield Road, they would need to be reconsulted.
- 7.4. More generally, the access arrangements for the site would differ between the original and revised proposals and so, insofar as the resulting changes would have at least potentially differing implications for the residents opposite on Fairfield Road, they would need to be reconsulted.
- 7.5. I conclude that, if the Board is minded to grant, then the revised proposal should be the subject of a further consultation exercise.

## **(ii) Land use, density, and transportation**

- 7.6. The site is located in Cork's north-western suburbs on elevated lands above Blackpool Valley and the N20. Under the CDP, this site is zoned Z04, residential, local services and institutional uses, wherein the objective is "To protect and provide for residential uses, local services, institutional uses, and civic uses, having regard to employment policies outlined in Chapter 3." It is presently undeveloped, and, under the proposal, it would be developed to provide a permissible in principle residential use.
- 7.7. The site is conveniently located for Blackpool Shopping Centre, which the CDP zones as a district centre, and it is also potentially conveniently located for employment centres to the north-west of this Shopping Centre, e.g. Boland Industrial Estate and North Point Business Park. In this respect, the LAP discusses a movement strategy for this site in conjunction with the adjoining lands to the north, whereby a public footpath/cycleway would be provided across both of them, thereby linking the existing Fairhill housing estates with these employment centres and bus stops on Commons Road (N20). The promotion of sustainable modes of transport and improved connectivity would ensue.
- 7.8. Relatively high frequency bus services are within walking distance of the site. Bus Eireann's No. 203 service runs along Fairfield Avenue to the east of the site. This service links the north of the city with the south of the city and it operates typically at 20-minute intervals. Bus Eireann's No. 215 service runs along Commons Road (N20). This service links Tower with Mahon and it operates typically at 30-minute intervals.
- 7.9. In the light of the above locational and transportation factors, I consider that, under the Sustainable Urban Housing: New Apartment Development Standards Guidelines, the site can reasonably be categorised as being at an intermediate urban location. Net density advice for these locations indicates that in excess of 45 dwellings per hectare is normally appropriate.
- 7.10. The proposal as originally submitted and as revised would be for 49 and 47 dwellings, respectively. While the site has an area of 0.92 hectares, 0.11 hectares would be laid out as an embankment and so the applicant cites 0.81 hectares as being the relevant basis for the calculation of net residential density. Under Appendix

A of the Sustainable Residential Development in Urban areas Guidelines, significant landscape buffers can be excluded from site areas for the purpose of calculating net residential density. The embankment would fulfil this role and so I accept the use of 0.81 hectares. Consequently, the net residential density of the original and revised proposals would be 60 and 58 dwellings per hectare and thus in accord with the above cited advice.

7.11. I conclude that the proposal for the residential use of the site would, in principle, be appropriate from a land use perspective. I conclude, too, that the site would be reasonably well served by public transport and that the net density of the proposal would be accord with the relevant national planning guidelines. Use of sustainable modes of transport and greater connectivity could be promoted by the provision of north/south public footpath/cycleway links.

### **(iii) Landscape and visual impacts**

7.12. Under the CDP, the site and the adjoining lands to the north, which are under the applicant's control, too, are identified as being an urban sylvan landscape character area. In this respect, under the heading of Enhancing Cork's Landscape, the CDP identifies the site and the adjoining lands to the north as being suitable for new urban woodlands.

7.13. The adjoining land to the north is denoted NW12, Farranferris Ridge, on Map 4 of the CDP, but the accompanying commentary in Table 10.2 suggests that NW14, Blackpool Valley (west) Ridge Commons Road, is intended. This is confirmed by cross checking the CDP with the discussion in the LAP of the Sub-Area known as the Commons Ridge. This land is designated a landscape preservation zone, and, under NW14, its landscape assets identified for protection are as follows:

- *K: Rural character/green belt – proximity of rural and agricultural land uses to the city,*
- *A: Topography – ridges, escarpments, slopes,*
- *C: Tree canopy – areas with existing woodlands or significant tree groups, or areas with potential for new woodlands,*
- *E: Visually important land (including views and prospects of special amenity value, potential vantage points and locally important views), and*

- *O: Gateways to the city.*

The site-specific objectives for NW14 are as follows:

- *To develop a woodland park on the southern valley slope to provide an attractive landscape feature at the gateway and to connect the rural landscape with the city.*
- *To provide pedestrian linkages between residential areas at the top of the slope and Fitz's Boreen and Sunbeam development area.*

7.14. The site itself is designated as an area of high landscape value. Paragraphs 10.16 – 10.19 of the CDP discuss this designation. They refer to the primary landscape assets of these areas, the need for development to have a neutral/positive impact upon the landscape, and thus the need for it to “respect the character and the primacy and dominance of the landscape.” Furthermore, there will be a presumption against development where it causes significant harm or injury to the intrinsic character of the area of high landscape value. Objective 10.4 states:

*To conserve and enhance the character and visual amenity of Areas of High Landscape Value (AHLV) through the appropriate management of development, in order to retain the existing characteristics of the landscape, and its primary landscape assets. Development will be considered only where it safeguards the value and sensitivity of the particular landscape. There will be a presumption against development where it causes significant harm or injury to the intrinsic character of the Area of High Landscape Value and its primary landscape assets, the visual amenity of the landscape; protected views; breaks the existing ridge silhouette; the character and setting of buildings, structures and landmarks; and the ecological and habitat value of the landscape.*

7.15. The primary landscape assets of the site are not explicitly identified by the CDP. Nevertheless, insofar as this site adjoins and is continuous with NW14, I take the view that there is considerable overlap in their landscape assets. The distinction in their designations reflects the presence of the escarpment ridge, known as the Commons Ridge, within NW14 and the presence of landscape/townscape views, identified as LT24A & B in the CDP, over it. The application site, as an area of high landscape value, is an important part of the setting of this ridge and so its role is a complementary one.

7.16. The applicant has submitted a site survey and proposed site sections. These illustrate that the site initially falls at a gentle gradient and then at a moderate gradient in a northerly direction. They also illustrate that a cut (3140 cubic metres)



and fill (1227 cubic metres) approach to the excavation of the site would be undertaken that would entail the lowering of the initial southerly portion and the raising of the northerly portion behind an embankment. The fill would be evident, for example, in the north-western portion of the site, where it would effectively create the conditions for a basement level in the four-storey apartment Block Type A. The two buildings comprised in this apartment block type would be accompanied by the three-storey apartment Block Type C, which would present to the north as being similar in height to them. The line of these three buildings above the aforementioned embankment would together be visible from public vantage points to the north.

- 7.17. The applicant has submitted a Landscape and Visual Impact Report. With respect to landscape impact, the applicant recognises that the site is continuous with the Commons Ridgeline further to the north and it is set within a low-rise but prominent built context to the south-east and the south-west. In terms of landscape impact significance (Table 5-3 of the Report), landscape impact is deemed to be medium to low reflecting variously the Commons Ridgeline and the built context, and the sensitivity of the receptor is deemed to be medium yielding a moderate to slight landscape impact significance.
- 7.18. The aforementioned discussion of landscape impact significance needs to be placed within the context of the above cited discussion of the site's area of high landscape value designation, which overlays the residential zoning objective. The question can reasonably be asked as to what difference the designation has made to the design approach adopted in shaping the proposal? In this respect, I am concerned that the significant reworking of levels would effectively change the shape of the site to ensure that the site is more readily developable for the quantum of development being sought, whereas the designation would prompt an approach that works more with the grain of the site's existing topography and the need to ensure that the landscape remains primary and dominant.
- 7.19. Turning to visual impact, under the CDP, the site is shown as forming part of the southern portion of the Commons Ridge, across the northern portion of which there are landscape/townscape views identified as LT24A & B. The applicant's Planning Statement acknowledges these views, and it states that the proposal would have low impacts upon them. I concur with this statement.

7.20. The applicant's Landscape and Visual Impact Report assesses the visual impact of the proposal. In this respect, six view points were identified for examination. Visual impact photomontages depict these view points before and after development and the results of the assessment are summarised in Table 5-6 with reference to pre-mitigation and residual stages.

- Localised view points denoted as Nos. 5 & 6 are on residential streets, Fairfield Road and Glenview Drive, that bound the site to the south-east and to the south-west. Given the proximity of these view points to the site, they register the highest levels of significance of visual impact at moderate and low, respectively. At the appeal stage, these views were supplemented by additional photomontages from view points within the vicinity of the site.
- Elsewhere, view points denoted as Nos. 2 & 3 register slight – imperceptible levels of significance of visual impact. These view points are on the Old Mallow Road and adjacent to Cork Builders Providers North Branch on Fitz's Boreen, both of which lie to the north of the site.
- The remaining view points denoted as Nos. 1 & 4 register imperceptible levels of significance of visual impact. These view points are at North Point Industrial Estate Roundabout and on Commons Road.

7.21. The case planner critiques the applicant's assessment of view point No. 3. In this respect, attention is drawn to the proposal, which would entail the formation of a linear embankment and wall along the exposed northern boundary of the site. These features of the proposal would be a prominent intervention in the landscape and subsequent tree planting would continue to draw attention to their presence. She anticipates that significant visual impact would arise.

7.22. During my site visit, I observed that Fitz's Boreen falls in a southerly direction towards its junction with Commons Road (N20). The perspective of the site gained by travelling down this Boreen changes from one in which the site is seen below the skyline and within the context of the existing buildings to one in which the skyline is breached by existing buildings to the south of the site, i.e. the dentist's surgery and pharmacy building. The applicant's Section 4-4 depicts proposed apartment Block Type A as having a ridge height that would exceed the eaves height of this building. This Section also shows that the presenting northerly elevations of this Block would

be sited almost 57m further to the north of it. Consequently, I anticipate that the proposal would, when viewed from towards the foot of Fitz's Boreen, breach the skyline to a far greater extent than occurs at present.

- 7.23. Given the case planner's critique, which could also be made of view point No. 2, and given my observations of the changing view of the proposal from Fitz's Boreen, I consider that the applicant's assessment underplays the likely significance of visual impact from Fitz's Boreen. In this respect, I judge that the evolving view would have the effect of heightening visual receptor sensitivity to medium and the visual impact from the foot of this Boreen would be medium, too, yielding a significance of visual impact that would be moderate.
- 7.24. The height of the proposal is contested by the parties. The applicant draws attention to a tension that exists between Paragraph 3.50 & Figure 3.6 of the LAP, which indicate that the site is suitable for up to four storeys, and Section 4.176, which state that a scale of two – three storeys is appropriate. It contends that, in the light of the former Paragraph/Figure, the specification of up to four storeys within its proposal is appropriate. By contrast, the Planning Authority only draws attention to the latter Section in this respect.
- 7.25. Under Paragraph 1.9 of the Urban Development and Building Heights Guidelines, the need to support general building heights of at least three to four storeys in suburban areas is mandated. In the light of this Paragraph, I consider that the above cited tension should be resolved in favour of allowing at least an element of four-storey building on the site. That said, the proposal would entail the raising of the lower (northerly) portion of the site and the siting of the tallest (four-storey) buildings upon it. Such an approach fails to utilise existing site levels to reduce the prominence of any four-storey buildings and, in the light of my observations on views from Fitz's Boreen, it would result in an unduly prominent development upon a site that is designated as an area of high landscape value.
- 7.26. Figure 4.7 of the LAP shows an indicative layout of the site and by implication an indicative scale. The accompanying commentary emphasises the value of perimeter blocks with active frontages that overlook the public realm. Such blocks are shown as being laid out on an east/west axis. The proposal would reflect this advice insofar as the apartment Block Types A and C would be laid out on such axes and they

would afford passive surveillance of the adjoining lands to the north. Elsewhere, apartment Block Type B and the terrace Block A and B would depart from the indicative layout. The applicant states that in the former case this would provide the site with a more pronounced urban edge and in the latter case no commentary is provided.

- 7.27. I conclude that the proposal would fail to work sufficiently with the existing topography of the site and so it would lead to inordinate landscape impacts. I conclude, too, that the design approach adopted would give rise to a proposal that would be unduly prominent in so its visual impact would be excessive.

**(iv) Residential amenity**

- 7.28. The site is surrounded by existing dwelling houses to the south-east on Fairfield Road, to the south-west on Glenwood Drive, and to the west on Beechwood Grove.
- 7.29. Under the revised proposal, the three-storey building denoted as apartment Block B, which would be sited in a position facing onto the north-western side of Fairfield Road, would be extended eastwards. This extended building would correspond with the existing two-storey dwelling houses opposite, i.e. the detached dwelling house No. 13A and the terraced dwelling houses Nos. 13 – 17 (inclusive), over separation distances of 17.4m and 18.4m, respectively. It would have a finished ground floor level of 61.50m OD stepping down to 60.95m OD, while No. 13A and Nos. 13 – 17 would have finished floor levels of 62.34m OD and 63.12m OD, respectively.
- 7.30. I consider that the difference in heights between the existing and proposed buildings would be eased by the higher ground floor levels of the former and the design of the latter, whereby the third storey would be provided in the roofspace. While the separation distances would be tight for a conventional suburban layout, the siting of the existing dwelling houses to the south south-east of the proposed apartments/duplexes would ensure that lighting levels are maintained. Loss of outlook and increased overlooking would ensue. However, these losses need to be weighed against the site's zoning for residential development and the need to achieve higher densities than have prevailed heretofore in suburban locations.
- 7.31. The Planning Authority's third reason does cite concern over serious injury to the residential amenities of adjoining properties. The case planner's report refers in this respect to the detached two-storey dwelling house (upper floor is provided in the

roofspace) at No. 37 Glenwood Drive and the detached two-storey dwelling house at No. 36 Beechwood Drive.

- 7.32. No. 37 is sited in a position adjacent to the southern most corner of the site. Its east north-east facing side elevation would correspond with the south-western corner of the proposed end of terrace two-storey dwelling house denoted as No. 43. Its north north-west facing rear elevation would correspond with the south-eastern corner of the proposed end of terrace two-storey dwelling house denoted as No. 44. No. 37 has a finished ground floor level of 65m OD, while the equivalent levels at Nos. 43 & 44 would be 61.7m OD and 62.05m OD. The minimum separation distance in the former case would be 9.3m and in the latter case 12m. Given the significantly higher finished ground floor level of No. 37 and the siting of Nos. 43 and 44 to the east and to the north, I consider that any loss of lighting to and outlook from No. 37 would be minimal. Any overlooking would be slight, and it would be capable of being eased by judicious tree planting.
- 7.33. No. 36 is sited in a position adjacent to the western boundary of the site with the end of the cul-de-sac known as Beechwood Grove. Its eastern side elevation corresponds with this boundary and it would also correspond with the western side elevation of the proposed four-storey apartment Block Type A, which would be sited towards the north-western corner of the site. No. 36 has a finished ground floor level of 56.6m OD and the adjacent apartment building would have a finished ground floor level of 60.15m OD, i.e. not the basement level but the ground floor level from the southern side. The separation distance between these two corresponding side elevations would be 21.3m and a mature hedgerow would mark the boundary between the side garden to No. 36 and the western site boundary. Submitted Sections 1 and 3 depict the resulting relationship, wherein the ridgeline of No. 36 would be similar in height to the eaves line of the apartment building, i.e. the fourth storey, which would be provided in the roofspace. I consider that when viewed together the transition in height between these two buildings would be evident and its visual impact would be eased by the intervening mature hedgerow.
- 7.34. To the south of No. 36 lies No. 23 Glenwood Drive, a split-level dwelling house that presents as single storey to the south and two-storey to the north. The north-eastern corner of this dwelling house would on a diagonal line 27.4m to the south-west of the

aforementioned apartment building. Accordingly, some loss of outlook from the existing dwelling house would ensue.

- 7.35. I conclude that the proposal would affect the residential amenities of existing dwelling houses in the vicinity of the site, but not to any inordinate degree.

**(v) Housing mix and development standards**

- 7.36. Under the original and revised proposals, 49 or 47 residential units would be provided. Under both proposals 9 of these units would be terraced dwelling houses and so, variously, 40 or 38 apartments/duplexes would be provided. Of these apartments/duplexes, 12 would be one-bed (30%), 24 two-bed (60%), and 4 three-bed (10%) or 11 would be one-bed (29%), 23 two-bed (60.5%), and 4 three-bed (10.5%). Under SPPR 1 of the Sustainable Urban Housing: Development Standards for New Apartments Guidelines, “housing developments may include up to 50% one-bed units”. The proposals would come within this threshold and so they would represent an acceptable housing mix.
- 7.37. The applicant has submitted plans for the proposed terraced dwelling houses that include Housing Quality Assessments based on Table 4.1 of the Quality Housing for Sustainable Communities: Best Practice Guidelines. These Assessments show that these dwelling houses would comply with the recommended areas cited in this Table. Each dwelling house would be served by private open space, which would range in area between 57 and 193 sqm. Qualitatively, the front and rear elevations of the terraces would face either east or west, as would their accompanying private open spaces.
- 7.38. The applicant has submitted a Housing Quality Assessment for the proposed apartments/duplexes, which is based on the standards set out in the Appendix to the Sustainable Urban Housing: Development Standards for New Apartments Guidelines. This Assessment shows that these apartments/duplexes would comply with the required standards. A majority of them would exceed these standards by more than 10%, i.e. of the 40, 24 would do so, or of the 38, 37 would do so. Qualitatively, the front and rear elevations of the apartment blocks would face roughly either north or south. Balconies would be sited on northern elevations. While not ideal from a lighting perspective, these balconies would afford views over

Blackpool Valley. Each apartment/duplex would be dual aspect and so, internally, lighting and ventilation levels would be good.

- 7.39. Under the Sustainable Urban Housing: Development Standards for New Apartments Guidelines, minimum areas for communal amenity space are cited in accordance with the size of apartments/duplexes, i.e. for one-bed units, 5 sqm, for two-bed/three-person units, 6 sqm, for two-bed/four-person units, 7 sqm, and for three-bed units, 9 sqm. If these standards are applied to the original and revised proposals, then the minimum areas for communal amenity spaces would be 250 sqm or 239 sqm.
- 7.40. As originally submitted the proposal would entail the provision of 246 sqm of communal open space centrally within the site and 254 sqm in the north-western corner. As revised, the former figure increased to 416 sqm. Under either scenario, the quantum of communal amenity space would accord with the standards set out in the Guidelines.
- 7.41. As originally submitted the proposal would have entailed the provision of public open space (landscaped areas) that would have extended over 17.97% of the site's net residential area, i.e. excluding the embankment along the northern boundary. As revised, this percentage would increase with the addition of the area of the site towards its eastern extremity, where a cluster of parking spaces would be omitted.
- 7.42. The Planning Authority's fourth reason for refusal critiques the provision of public open space on the site on the grounds of its design and accessibility. It also cites Section 16.18 of the CDP, which refers to the need for 10% of site areas to be laid out as public open space. As I understand the Planning Authority's position, the usability of the areas denoted as public open space is questioned.
- 7.43. At the appeal stage, the applicant has submitted landscape proposals, which do not distinguish between communal open space and public open space. Instead, the term "open space" is used to refer to the original centrally sited space, the eastern space and a space beside the northern boundary and between apartment Blocks Type A and C. The first of these spaces would be "a central plaza area for meeting and social activities, the second would be grassed and tree planted, presumably for passive recreation, and the third would be laid out in a crescent with steps to facilitate future connection with the LAP's proposed pedestrian/cyclist link to Commons Road (N20). The omission under this scenario of the communal open

space in the north-western corner of the site is welcome as it would have been of limited amenity value.

7.44. Ordinarily, the provision of open space envisaged by the landscape proposals would have provided a reasonable response to the requirements of the Guidelines and the CDP. However, as discussed under the third heading of my assessment, the site is not simply zoned for residential use, but it is designated an area of high landscape value with a complementary role to the adjoining lands to the north, which are designated a landscape preservation area. I conclude that the applicant's response to the site's designation falls short of what could reasonably be expected and key to this is its handling of open space within the site, which as proposed signals a missed opportunity to give greater expression to the existing landscape.

7.45. I conclude that the proposal would exhibit a satisfactory housing mix and it would accord with all relevant development standards. I conclude, too, that, while quantitatively, the provision of open space would be appropriate, the design and layout of this space would fail to articulate the existing landscape of the site, which is designated an area of high landscape value.

**(vi) Traffic, access, and parking**

7.46. Under the original and revised proposals, 49 or 47 dwellings would be provided, and they would be served by 68 or 54 car parking spaces. Insofar as traffic generation is linked to car parking provision, a reduction in the one should lead to a reduction in the other.

7.47. As discussed under the first heading of my assessment, the site is in an intermediate urban location. The Sustainable Urban Housing: Design standards for New Apartments Guidelines advise on parking to the effect that "planning authorities must consider a reduced overall car parking standard and apply an appropriate maximum car parking standard."

7.48. Under Map 11 of the CDP, the site is shown as lying within Car Parking Zone 3. Standards for this Zone state that 1.25 spaces should be provided for one/two-bed dwellings and 2.25 spaces for three-bed dwellings. Under the original and revised proposals, 41 one/two-bed and 8 three-bed dwellings would be provided and 39 one/two-bed and 8 three-bed dwellings would be provided, respectively. Thus, under



the original and revised proposals, maximum totals of 69.25 or 66.75 spaces would arise.

- 7.49. Under the original and revised proposals, 68 or 54 spaces would be provided. If the spaces that would serve the terraced dwelling houses are excluded, i.e. 9 dwelling houses comprising 5 two-bed and 4 three-bed, then based on CDP maximums 15.25 spaces, say 15 spaces, should be deducted from the above totals to give the number of spaces that would be available for apartments/duplexes, i.e. 53 or 39.
- 7.50. Under the original and revised proposals, if the dwelling houses are excluded then, 36 or 34 one/two-bed and 4 three-bed dwellings would be provided. Under CDP maximums, these apartments/duplexes should be served by no more than 54 or 51.5 spaces. At 53 or 39 spaces, the proposals would be within these maximums.
- 7.51. Turning to the revised proposal, the site is an intermediate one between central and/or accessible and peripheral and/or less accessible urban locations. Under central and/or accessible urban locations, parking is to be “minimised, substantially reduced or wholly eliminated”, while under peripheral and/or less accessible urban locations it is to be provided on the basis of one space per residential unit plus one space per 3 or 4 residential units for visitors. If this approach is applied to the current proposal, then 50 – 53.2 or 47.5 – 50.54 spaces would be an appropriate level of provision. As the site is in an intermediate urban location a mid-point between these levels of provision and 0 would suggest an appropriate level of provision, i.e. 25 – 27 spaces for the original proposal or 24 – 25 spaces for the revised one. Under the revised proposal, 39 spaces would be available for apartments/duplexes and as such this would represent over provision.
- 7.52. The aforementioned over provision would risk an unnecessary level of traffic generation. Alternatively, if sustainable modes of transport are promoted by the provision of a public footpath/cycleway across between the site and Commons Road (N20), then reduced car parking could be expected to be accompanied by less traffic generation. The proposal would not entail such provision and so the logic of over provision of car parking and excessive traffic generation would follow.
- 7.53. Under the CDP cycle parking standards, 1 space for every two apartments/duplexes would be required as a minimum. Under the Sustainable Urban Housing: Design standards for New Apartments Guidelines, 1 space per bedroom is required for

residents and 1 space per two dwellings for visitors. Under the original and revised proposals there would be variously 40 and 38 apartments/duplexes and these would have 72 and 69 bedrooms. Accordingly, 72 or 69 cycle spaces for residents and 20 or 19 cycle spaces for visitors would be required, i.e. 92 or 88 in total.

- 7.54. Under the original and revised proposals, 88 cycle spaces would be provided in 5 communal cycle storage facilities sited throughout the site: 78 spaces would be allocated to residents and 10 to visitors. This level of provision would accord with the requirements of the Guidelines and, subject to some reallocation in favour of visitors, it would be satisfactory.
- 7.55. Turning to the proposed vehicular and pedestrian access points to the site from Fairfield Road, while Figure 3.8 of the LAP shows indicatively such access points from the bend in Fairfield Road adjacent to the eastern extremity of the site, under the proposal they would be from opposite Nos. 18 & 18A Fairfield Road. The selection of this higher point of access would connect with the more southerly portion of the site where existing site levels are less challenging. A secondary point of access closer to the bend was originally proposed in conjunction with the provision of a cluster of car parking spaces, along with a public footpath along the site's south-eastern boundary with Fairfield Road as far as this bend. This access and the attendant cluster were omitted under the revised proposal submitted at the appeal stage.
- 7.56. The Planning Authority's fifth reason for refusal critiques the original proposal on the basis that Fairfield Road has a narrow carriageway, which is subject to pinch points due to on-street parking, and so the proposal would exacerbate congestion on this Road. Furthermore, the proposed public footpath would fail to tie in with any existing public footpaths and so pedestrians would be placed in danger by this lack of connectivity. The applicant has responded to this critique by reiterating its proposal to widened the carriageway along the frontage of its site to 5.5m and by proposing to provide a 3m wide shared public footpath/cycleway, which would extend around the bend in Fairfield Road where it would connect with the existing public footpath on the far side of this Road via a new crossing point.
- 7.57. During my site visit, I observed the incidence of on-street parking along Fairfield Road and the associated reduction of the available carriageway to a single lane

width. I also observed that the proposed crossing point around the bend would be on an incline and that existing speed ramps lie across the carriageway before and after the proposed line of this crossing point. Subject to a Road Safety Audit, this crossing point and any accompanying one at the western end of the site's frontage would allow the proposed public footpath/cycleway to tie in with existing public footpaths satisfactorily. In this respect, a gap in the public footpath to the west of the southern most corner of the site may be capable of being plugged to ensure that a continuous public footpath would be available in a westerly direction.

- 7.58. The sole proposed vehicular access to the site would be designed to the relevant specifications set out in the Design Manual for Urban Roads and Streets. Likewise, on-site access arrangements would be designed to these standards.
- 7.59. I conclude that the proposal would entail the over provision of car parking spaces that would risk otherwise avoidable traffic congestion. I conclude, too, that in the absence of a public footpath/cycleway between the site and Commons Road (N20) across adjoining lands under the applicant's control, the proposal would fall short in its promotion of sustainable modes of transport. While revisions to the proposal submitted at the appeal stage would improve pedestrian connectivity and safety on Fairfield Road, the underlying failure to provide the more direct pedestrian/cyclist link to Commons Road, as part of this proposal, persists.

#### **(vii) Water**

- 7.60. Under the proposal, the development would be connected to the public water mains and the public foul and storm water sewers. The applicant made a pre-connection enquiry of Irish Water, which responded by stating that, subject to a valid connection agreement, the proposed connection to their networks can be facilitated.
- 7.61. The Drainage advice received by the case planner highlighted that no drainage drawings were submitted as part of the application. It also questioned the appropriateness of the size of the proposed attenuation tank and proposed discharge rate from this tank. Further information was thus requested. However, the application was not the subject of a further information stage and so these drawings and questions remain outstanding. If the Board is minded to grant, then it may wish to request these items as further information.

7.62. The OPW's flood maps show the site as not being the subject of any identified flood risk.

I conclude that, in the light of Irish Water's correspondence with the applicant, its proposed connections to their networks would be in prospect. I conclude, too, that on-site drainage arrangements have yet to be the subject of submitted plans.

#### **(viii) Appropriate Assessment**

7.63. The applicant and the Planning Authority have undertaken Stage 1 screening exercises for Appropriate Assessment. I will draw upon their screening exercises and the NPWS's website in undertaking my own screening exercise below.

7.64. The site is neither in nor beside a European site. This site lies 0.2km south of the River Bride, which flows into the River Lee and Cork Harbour. Two European Sites exist in this Harbour, i.e. Cork Harbour SPA (004030) and Great Island SAC (001058). While the site and the lands adjoining it to the north slope downwards towards this River, the N20 and industrial/commercial premises form an effective barrier to any run-off reaching it. There is thus no hydrological link between the site and the River Bride and hence between it and Cork Harbour.

7.65. The Planning Authority advises, too, that there are no capacity issues in the Cork WWTP at Garrigrennan, Little Island, which would serve the developed site.

7.66. Notwithstanding the above cited absence of a hydrological link, the size, location, and undeveloped state of the site are such that I consider the proposal should be assessed with respect to any significant effect upon the Qualifying Interests of the Cork Harbour SPA.

7.67. Under Screening for Stage 1 Appropriate Assessment, the question to be addressed is, "Is the project likely to have a significant effect either individually or in combination with other plans and projects on a European Site(s)?"

7.68. The project is for the construction of 49 or 47 dwellings on the site in two, three, and four-storey blocks. Considerable reworking of the site's topography would be required to facilitate their construction and they would be accompanied by an embankment and areas of open space that would be tree planted.

7.69. The Qualifying Interests of Great Island Channel SAC are as follows:

Mudflats and sandflats not covered by seawater at low tide [1140]

Atlantic salt meadows (*Glauco-Puccinellietalia maritimae*) [1330]

The Conservation Objectives for of these Qualifying Interests is to maintain the former and restore the latter to their favourable conservation condition.

7.70. The Qualifying Interests of Cork Harbour SPA are as follows:

Little Grebe (*Tachybaptus ruficollis*) [A004]

Great Crested Grebe (*Podiceps cristatus*) [A005]

Cormorant (*Phalacrocorax carbo*) [A017]

Grey Heron (*Ardea cinerea*) [A028]

Shelduck (*Tadorna tadorna*) [A048]

Wigeon (*Anas penelope*) [A050]

Teal (*Anas crecca*) [A052]

Pintail (*Anas acuta*) [A054]

Shoveler (*Anas clypeata*) [A056]

Red-breasted Merganser (*Mergus serrator*) [A069]

Oystercatcher (*Haematopus ostralegus*) [A130]

Golden Plover (*Pluvialis apricaria*) [A140]

Grey Plover (*Pluvialis squatarola*) [A141]

Lapwing (*Vanellus vanellus*) [A142]

Dunlin (*Calidris alpina*) [A149]

Black-tailed Godwit (*Limosa limosa*) [A156]

Bar-tailed Godwit (*Limosa lapponica*) [A157]

Curlew (*Numenius arquata*) [A160]

Redshank (*Tringa totanus*) [A162]

Black-headed Gull (*Chroicocephalus ridibundus*) [A179]

Common Gull (*Larus canus*) [A182]

Lesser Black-backed Gull (*Larus fuscus*) [A183]

Common Tern (*Sterna hirundo*) [A193]

Wetland and Waterbirds [A999]

The Conservation Objectives for each of these Qualifying Interests is to maintain its favourable conservation condition.

- 7.71. In the absence of a direct hydrological link between the site and Great Island Channel SAC, the proposal would not pose a risk to the Qualifying Interests of this SAC and so their Conservation Objectives would not be significantly effected by it. Likewise, the envisaged indirect hydrological link via the Cork WWTP would not lead to any significant effect as it is operating within its capacity.
- 7.72. The applicant has surveyed the site and its adjoining lands to the north in order to identify the habitats that are present therein. With respect to the site, the following habitats have been identified using Fossitt's "A Guide to Habitats in Ireland" (2000):
- Semi-improved agricultural grassland (GA1),
  - Scrub (WS1), and
  - Hedgerows (WL1)/Treelines (WL2).
- 7.73. The Qualifying Interests for the Cork Harbour SPA comprise sea and wetland bird species that would tend not to breed or forage on the habitats comprised in the site. The applicant's ecologist delineates the following species as being potential exceptions: Oystercatcher, Golden Plover, Common Gull, Lesser Black-backed Gull, and Lapwing. These species forage for insects in grassland. However, as the site is 5.7km from the SPA and they are separated by the built-up area of Cork City's northside, and as more favourable habitats are available closer to this SPA, it is highly unlikely that the proposed development of the site would significantly effect these species.
- 7.74. The applicant has interrogated the planning register and identified several recent planning permissions for development within the area surrounding the site. These would relate to sites that have already been developed and so there is no potential for them to combine with the application green field site to have a significant effect upon the Cork Harbour SPA.
- 7.75. 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, it has been concluded that the proposed development individually or in combination with other plans or projects would not be likely to have a significant effect on European Sites Nos. 001058 and 004030, in

view of these Sites' Conservation Objectives, and Appropriate Assessment (and submission of a NIS) is not therefore required.

- 7.76. This determination is based on the following: The absence of a direct hydrological link between the site and the identified European Sites, the distance of 5.7 km across Cork City between the site and European Site No. 004039, and the habitats comprised in the site and the availability of more attractive habitats closer to this European site for foraging.
- 7.77. In making this screening determination no account has been taken of any measures intended to avoid or reduce potentially harmful effects of the project of a European Site.

## **8.0 Recommendation**

That permission be refused.

## **9.0 Reasons and Considerations**

1. Having regard to the Objective 10.4 of the Cork City Development Plan 2015 – 2021 and the designation of the site as an area of high landscape value, the Board considers that the proposal would entail the reworking of site levels in a manner that would be unsympathetic to its landscape character and that would result in development that is unduly prominent when viewed from public vantage points to the north. The design approach adopted fails to be sufficiently shaped by the site's landscape designation and so it would result in significant harm to the landscape character of the site and the visual amenities of the area. The proposal would thus contravene the aforementioned Objective and, as such, it would be contrary to the proper planning and sustainable development of the area.
2. Having regard to the Sustainable Urban Housing: Development Standards for New Apartments Guidelines and the Cork City Development Plan 2015 – 2021, the Board considers that the proposal would entail the over provision of car parking spaces, which would be likely to generate excessive vehicular traffic, thereby exacerbating congestion and attendant safety hazards on the existing public road network. Conversely, the proposal would fail to adequately promote

sustainable modes of transportation and associated local connectivity and so it would not afford the necessary alternatives to private car usage. The proposal would thus contravene the advice of the aforementioned Guidelines and it would frustrate good traffic management and the promotion of sustainability. This proposal would be contrary to the proper planning and sustainable development of the area.

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Hugh D. Morrison  
Planning Inspector

26<sup>th</sup> July 2021