



An
Bord
Pleanála

**S. 6(7) of Planning and
Development (Housing) and
Residential Tenancies Act 2016**

**Inspector's Report on
Recommended Opinion
311855-21**

Strategic Housing Development

The construction of 706 no. residential units (239 houses, 467 no. apartments, a creche and associated site works).

Location

Castlelake, Terry-land and Carrigtwohill (townlands) Carrigtwohill, Co. Cork

Planning Authority

Cork County Council.

Prospective Applicant

Bam Property Limited

Date of Consultation Meeting

03. 02. 2022

Date of Site Inspection

22.12. 2021

Inspector

F. Fair

1.0 Introduction

- 1.1.1. Having regard to the consultation that has taken place in relation to the proposed development and also having regard to the submissions from the planning authority and the documentation received from the prospective applicant, the purpose of this report is to form a recommended opinion as to whether the documentation submitted with the consultation request under section 5(5) of the Planning and Development (Housing) and Residential Tenancies Act 2016 - (i) constitutes a reasonable basis for an application under section 4, or (ii) requires further consideration and amendment in order to constitute a reasonable basis for an application under section 4.

2.0 Site Location and Description

- 2.1.1. The application site comprises six parcels of greenfield lands, with a stated area of some 18.126 ha, located at Castlelake, Terrylands and Carrigtwohill, Co. Cork. Carrigtwohill is located approx. 16 Km east of Cork city. The lands are bounded to the north by the railway tracks, to the east by station road and to the west by existing residential development. Carrigtwohill train station is located to the north of Station Road. There is a landscaped park with a lake located to the south with Main Street, Carrigtwohill located further to the south.
- 2.1.2. An east-west link road is currently under construction and will abut the southern boundary of a significant portion of the subject lands.
- 2.1.3. There are no buildings on the subject lands and are largely characterised by overgrown scrub. There are existing power lines located along the western edge of Castlelake North, that do not form part of the developable site area. There are 2 no. existing under passes beneath the train tracks, on the northern portion of the lands, identified as Blandcrest.

3.0 Proposed Strategic Housing Development

3.1.1. The subject proposal comprises 239 no. houses, 250 no. duplexes and 217 no. apartments in 7 number blocks ranging in height from 4 to 5 no. storey, a two storey creche and resident amenity space. Ancillary site works includes; public and communal open space, hard and soft landscaping, car parking, cycle parking, bin storage and lighting.

3.1.2. The following development parameters are noted: **Table 1**

Parameter	Site Proposal
Site area	18.13 ha Gross / 15.43 net
No. Of Units	706 no. units comprising: <ul style="list-style-type: none"> - 239 no. two storey houses - 250 no. duplexes - 217 no. apartments
Other uses	A Creche – 1088 sq. m
Density	46 u / ha
Height	Apartments 4 – 5 storey Duplexes - 3 storey Houses - 2 Storey
Dual Aspect Apartments	Not Stated
Public Open Space	53,110 sq. m
Car Parking	1,270 no. spaces. (ratio 1.8 per unit)
Bicycle Parking	1,908 spaces
Part V	107 units (15%)

Housing Mix	No. of Units
1 bed	142 (20%)
2 bed	305 (43%)
3 bed	233 (33%)
4 bed	26 (4%)
Total	706

4.0 National and Local Planning Policy

4.1.1. National

Project Ireland 2040 - National Planning Framework

Chapter 4 of the Framework addresses the issue of ‘making stronger urban places’ and sets out a range of objectives which it is considered will assist in achieving same. National Policy Objective 4 sets out to ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being.

The directly relevant National Policy Objectives as contained within the NPF include: National Policy Objective 3a: Deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements.

National Policy Objective 3b: Deliver at least half (50%) of all new homes that are targeted in the five Cities and suburbs of Dublin, Cork, Limerick, Galway and Waterford, within their existing built-up footprints.

National Policy Objective 11: In meeting urban development requirements, there will be a presumption in favour of development that can encourage more people and generate more jobs and activity within existing cities, towns and villages, subject to development meeting appropriate planning standards and achieving targeted growth.

National Policy Objective 13: In urban areas, planning and related standards, including in particular building height and car parking will be based on performance criteria that seek to achieve well-designed high quality outcomes in order to achieve targeted growth. These standards will be subject to a range of tolerance that enables alternative solutions to be proposed to achieve stated outcomes, provided public safety is not compromised and the environment is suitably protected. National Policy

Objective 35: Increase residential density in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration and increased building heights.

National Policy Objective 57 sets out to enhance water quality and resource management, this includes the requirement to ensure that flood risk management informs place making by avoiding inappropriate development in areas at risk of flooding in accordance with The Planning System and Flood Risk Management Guidelines for Planning Authorities. Relevant Section 28 Ministerial Guidelines:

- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas' (including the associated 'Urban Design Manual')
 - Design Manual for Urban Roads and Streets (Interim Advice Note Covid -19, May 2020)
 - Guidelines for Planning Authorities on Urban Development and Building Heights, 2018
 - Sustainable Urban Housing: Design Standards for New Apartments (2020),
 - The Planning System and Flood Risk Management (including associated Technical Appendices).
 - Appropriate Assessment of Plans and Projects in Ireland – Guidelines for Planning Authorities (2009).
 - The Architectural Heritage Protection Guidelines for Planning Authorities (2011).

4.1.2. **Regional Policy**

4.1.3. **Local Policy**

Cork County Development Plan 2014

The site is within the settlement boundary of Carrigtwohill which is designated a 'Metropolitan Town' within Metropolitan Cork under the 2017 Cobh Municipal District Local Area Plan. The Plan outlines the vision for Carrigtwohill as a 'Metropolitan Town' but also its strategic role in Metropolitan Cork up to the year 2023 and beyond.

The LAP recognises the ability of the town to provide a strong supply of housing and business land and the availability of a commuter rail service will make this a particularly sustainable settlement. There are no water supply constraints and deficits in wastewater infrastructure have recently been addressed.

Carrigtwohill's target Population for 2022 under the current CDP is 11,618 which is an increase of 7,076 people over the 2011 population. This population target gives rise to an additional 3,195 households in Carrigtwohill. The Draft CDP proposes a population of 13,486 for 2028 which is an increase of 8,406 people over the 2016 population. The Draft CDP proposes provision for a further 3,445 dwellings up to 2028 with 3,216 housing units delivered on residentially zoned land and the balance of 229 delivered within the built footprint of the town.

As per the Cobh MD LAP (2017), the site is subject to Policy Objective CH-R-01 to provide for Medium density (A & B) residential development and where Flood Risk Objective IN-01 of the LAP applies. Medium density A residential development is defined by the County Development Plan as 20-50 no. units per hectare (net density) while Medium density B residential development has an upper limit of 25 no. dwellings per hectare creating an overlap with the lower limit to Medium Density A category with no lower limit.

There are other smaller pockets of development proposed which are located within the existing built up area and the site of the proposed childcare facility is subject to policy objective CT-T-03 Town Centre development which requires the submission of a TIA and RSA and where Flood Risk Objective IN-01 of the LAP applies.

There is also a specific policy objective CT-U-01 for provision of a new link road connecting Castle Lake to Station Road with underpass and CT-U-02 for provision of new link roads to access development lands. (Road lines on map are indicative only) This CT-U-01 link road is currently under construction as recently permitted as part of the new school campus development, planning ref. 19/5707.

There is a site specific objective, CH-R-01 to provide for medium density A & B residential development on the main part of the site and CT-T-03 for Town Centre

development on the site where the childcare facility as well as a number of residential units are proposed. Policy objective ZU 3-8 of the 2014 CCDP outlines appropriate uses in Town Centres which includes residential development.

DRAFT CORK COUNTY DEVELOPMENT PLAN 2022

The Draft Cork County Development Plan was issued on Wednesday 21st April 2021. It is intended that the new Cork County Development Plan 2022 will be the first consolidated Plan for the entire functional area of Cork County Council and relates to the new administrative boundary of the county. The new County Development Plan will replace not just the current County Development Plan (as varied) but also the current eight Municipal District Local Area Plans made in 2017 as well as the existing Town Plans.

The Draft Plan proposes high density residential development on the subject site, CT-R-01. High quality pedestrian and cycle connectivity, particularly to the adjoining school campus and station quarter, is to be provided. It should be noted that the Draft Plan, in order to align the Plan with Government Guidelines, proposes the minimum threshold being increased from 35 to 50 units / ha with no upper limit. This zoning category is applicable to suitable lands adjoining existing or planned high frequency public transport stations or bus stops within Metropolitan Cork. CT-U-12 seeks completion of the Northern Spine Link Road linking the Western Spine Link Road via the underpass to lands south of the railway and CT-U-07 identifies existing castle underpass for provision of pedestrian / cycling link to Interurban Greenway (CT-U-03)

5.0 Planning History

Subject Site

Planning Ref. 18/4693

Permission Granted for Construction of a creche of 581 sqm over one and two-storeys, new entrance, car parking and boundaries and all associated site development works. (BAM Property Ltd.)

Planning Ref. 17/5399 ABP-301610-18 Permission Refused for Construction of 277 no. residential units and 82 no. 2 & 3 bedroom apartments arranged in three blocks of three stories and one block of four stories and associated site development works. The proposed development represents a change of layout and house types on part of the lands previously permitted under the overall 'Castlelake' development.

REASON: The "Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas" published by the Department of the Environment, Heritage and Local Government in May, 2009, require a high quality approach to the design and layout of new housing. Having regard to the proposed site layout, and in particular the poor disposition and quality of public communal open space and future connectivity to Carrigtwohill Train station, the proposed development would constitute a substandard form of development, would provide an inadequate standard of amenity for future occupants and, therefore, conflict with provisions of the said guidelines. Furthermore, it is considered that the proposed development, including the revised proposal submitted by the applicant on the 1st day of October 2018 does not provide an appropriate architectural design response for the site. The proposed development is considered to be inconsistent with the proper planning and sustainable development of the area.

09/7936 PL04.237688 Permission Granted for Construction of 4-storey 90 bed nursing home, community day centre, parking and associated site development works. (BAM Gable Developments)

15/6759 Permission Granted for Extension of Duration of 09/7936 PL04.237688. (BAM Gable Developments)

00/7607 PL04.125446 Permission Granted for 771 Dwellings comprising 52 detached houses, 152 semi detached houses, 203 terraced houses, 132 duplex

units, 218 apartments and 14 serviced sites and associated site development works. Seven no commercial / retail units, hotel, shopping centre, with supermarket, 4 retail units with café diner, creche, recreational amenities and reservation of site for potential school development. The development comprises Phase One of a development at Terrylands. (Gable Holdings and Blandcrest Ltd)

Conditions of note included condition 2 which required that prior to the commencement of development, a revised phasing programme for development shall be submitted to the planning authority for agreement and that development shall be carried out in two main phases - 1A and 1B. Under clause (f) of this condition, it stated that Phase 1A shall include completion of the spine road, from the junction with Main Street (new roundabout junction), through the site up to the junction with Station Road. Condition no. 17 stated that a temporary football pitch shall be provided to serve the development, in a location to be agreed with the Planning Authority.

07/5921 Permission Granted for Extension of duration of 00/7607. (BAM Gable Developments Ltd., John F. Supple Ltd)

11/4857 Permission Granted for Extension of Duration of 00/7607. (BAM Gable Developments Ltd., John F. Supple Ltd)

00/7674 PL04.131129813 Permission Granted for Residential Units comprising 101 detached houses, 118 semidetached houses, 205 terraced houses, 168 duplex units, 221 apartments and, Reservations of sites for Potential Railway Station and Park and Ride Facility, Post Primary School Campus and associated Active Recreational Uses. (Gable Holdings Ltd & Blandcrest Ltd)

Condition 17 of this permission also required the provision of the temporary football pitch.

12/5005 Permission Granted for Extension of Duration of 00/7674. (BAM / Gable Ltd (Formerly Ascon Gable)

08/7493 Permission Granted for extension of Duration of 00/7674 (Ascon Gable Ltd)

NOTE. There were a number of amendment applications pertaining to the permitted development including 05/862, 05/4357, 05/7728, 06/8004, 07/75745, 11/5087, 11/5088, 14/4308

OTHER RELEVANT KEY PROJECTS / PART VIII PROPOSALS / CONSENTS IN CARRIGTWOHILL

There are a number of key infrastructure projects and developments either recently completed, currently under way or at preliminary design stage in Carrigtwohill which are relevant to this development proposal which are summarised below.

19/5836 Internal road upgrades, IDA Business Park.

Recently completed upgrade of existing internal access roads to provide a dedicated shared use cycleway and footpath, pedestrian and cycle crossing point, bus lane, bus shelter and traffic safety barrier. The development includes the provision of a cycleway and footpath adjacent to the L-3616 public road to connect into the L-3615 at the north eastern corner of the IDA Business Park.

Carrigtwohill URDF – Public Realm Infrastructure Bundle:

Part 8 proposal for Main Street and Station Road Public Realm Works including footpath widening, road re-alignment, resurfacing, signalisation, traffic calming

measures, street lighting, demolition of buildings at the junction of Main Street and Station Road along with other small scale demolition works, and provision of new public spaces, upgrade of Wisers Road junction, additional capacity measures at N25 Junction 3 (Cobh Cross) including widening and realignment of approach roads to the roundabout. It is expected that the proposed development will be advertised before year end 2021.

19/5707 Station Road Schools Campus:

Permission granted for construction of three no. new school buildings and the construction of a main link road with roundabout from Castlelake Housing Estate to Station Road and an additional link from the roundabout to Station Road. This campus comprises of two primary schools and one post-primary school. The link road is currently under construction. There were conditions attached to the permission requiring either the delivery / implementation of the required upgrades and / or junction signalisations or payment of a special contributions towards same.

Bury's Bridge Cycleway:

Part 8 consent for strategic cycleway scheme connecting Bury's Bridge at Dunkettle with Carrigtwohill. The cycleway enters the west side of Carrigtwohill to the north of Cobh Cross (N25 Junction 3) and runs parallel to Carrigtwohill Main Street before turning north and running along the Castlelake Access Road where it then joins the link roads associated with the new schools campus permitted under 19/5707.

Carrigtwohill – Middleton Inter-Urban Cycleway Phase 1:

Part 8 strategic cycleway scheme proposal extending from Wisers Road, north of the Cork to Middleton railway line at the western end of Carrigtwohill to the east of the Carrigane Road bridge at the eastern end of Carrigtwohill. The scheme will pass through the Carrigtwohill UEA, cross Wisers Road, Station Road, Leamlara Road and

Carrigane Road. It will connect to the Carrigtwohill Train Station and the new school campus on Station Road. The scheme will provide connectivity between the existing IDA Business Park to the west of Wisers Road and the industrial zoned lands to the south of the Carrigane Road. It is expected that the proposed development will be advertised before year end 2021

6.0 **Section 247 Consultation(s) with Planning Authority**

It is stated in the planning authority opinion that a Section 247 pre-planning meeting took place with Cork County Council (CCC) on 15th July 2021. This meeting was followed up by a further second consultation on 16th September 2021. The minutes of the meetings are attached to the file.

7.0 **Submissions Received**

Irish Water (report dated 2nd December 2021)

Report confirms that a CoF has been issued subject to:

In respect of Water:

In order to facilitate a water connection for the proposed development, the following is required to be completed;

- A network extension will be required to the Urban Expansion Area (UEA) site and two connection points. Existing watermains in Carrigtwohill must be upsized. A modelling exercise is required to determine the full extent of this upsizing and to determine whether a network extension is required to connect the Tibbotstown water supply scheme to Cork City & Harbour water supply scheme.

In respect of Wastewater:

In order facilitate a wastewater connection for the proposed development, the following is required to be completed;

- A network extension will be required to the Urban Expansion Area (UEA) site and two connection points.
- 326m of 375mm diameter sewer immediately upstream of Old Cobh Road Pump Station must be upsized to 750mm.
- 3 wastewater pump stations must be upsized, however the exact extent and nature of these works has yet to be determined.

8.0 **Forming of Opinion**

Pursuant to section 6(7) of the Act of 2016, regard is had in the forming of the opinion to the documentation submitted by the prospective applicant; the planning authority submissions and the discussions which took place during the tripartite consultation meeting. I shall provide brief detail on each of these elements hereunder.

9.0 **Documentation Submitted**

The prospective applicant has submitted information pursuant to section 5(5)(a) of the Planning & Development (Housing) and Residential Tenancies Act 2016 and Article 285 of the Planning and Development (Strategic Housing Development) Regulations 2017. This information included, inter alia,

- Planning & Design Statement
- Statement of Consistency
- Possible Effects on the Environment, Section 5(5)(iii) Report
- Flood Risk Assessment
- Part V Costs and Methodology
- Architectural Design Statement
- Road Safety Audit Brief

- DMURS Consistency report
- Road Safety Audit
- Landscape Masterplan
- Landscape Design Rationale Report
- Landscape Visual Impact Assessment
- AA Screening Report
- Letters of consent

I have considered all of the documentation submitted by the prospective applicant, relating to this case.

10.0 **Planning Authority Submission**

In compliance with section 6(4)(b) of the 2016 Act the planning authority for the area in which the proposed development is located, Cork County Council, submitted copies of their section 247 consultation with the prospective applicant and also submitted their opinion in relation to the proposal. These were received by An Bord Pleanála on the 01st December 2021.

The Planning Authority has identified a number of considerations which may have a bearing on the Board's decision as to whether the proposal constitutes a reasonable basis for an application. A synopsis of the report is set out below:

- Proposal is consistent with the Council's overall plans and policies for the area and the Planning Authority welcomes the completion of the existing residential development at Castlelake.
- The distribution of and integration of smaller green spaces to add defensibility and an improved sense of residential amenity.
- Recreational needs of different age groups / users have been taken into account in the design/ layout and provision of open space and recreational facilities.

- Suitable buffer with the railway line.
- Relationship of finished house levels / to avoid opportunity for noise pollution and over-looking from passing trains.
- Less emphasis on long cul-de-sacs with improved connectivity to open space / play areas.
- More emphasis on home zone play areas
- Improved variation in external building designs
- Whether the mix of house types and sizes is appropriate.
- Connectivity – compatibility with other adjoining key infrastructure and existing road network
- Phasing plan and delivery of creche
- Location of childcare facility relative to housing
- Connectivity to train station
- Noise Impact assessment of rail line
- Surface water management
- Green Infrastructure
- AA
- EIA matters
- IW Network extension required in respect of water and waste water

I have reviewed and considered all of the documentation submitted by the planning authority relating to this case.

11.0 Consultation Meeting

A Section 5 Consultation meeting took place via Microsoft Teams on the 3rd February 2022, commencing at 02.30 am. Representatives of the prospective applicant, the planning authority and An Bord Pleanála were in attendance. An agenda was issued by An Bord Pleanála prior to the meeting.

The main topics raised for discussion at the tripartite meeting were as follows:

1. Compliance with CDP Policy, Local Area Plan and Carrigtwohill URDF.
 - Density, core strategy, mix of tenure.
 - Integration with the wider area; to the north, to existing residential to the west, to the train station, to the school site and to the 'TC' zoned site.
2. Urban Design Approach
 - Layout, visual impact
 - Overhead power line
 - Residential amenity
 - External building design
 - Childcare facility
3. Public open space quantum and quality, landscaping and ecology.
4. Traffic, Transport and Connectivity.
 - Compatibility with other adjoining key proposed and existing infrastructure, road network initiatives and projects.
 - Delivery of public realm infrastructure
 - Phasing plan
5. Noise Impact Assessment and railway line.
6. Issues raised in the CE Report incl. Environment Department, Ecology Department, Traffic and Transportation Section, Housing Infrastructure & Implementation Team (HIIT), Estates Section, Architect's Report, Area Engineer.
7. AOB

11.1.1. In respect of compliance with Cork County Development Plan (2014-2020), the Local Area Plan (LAP) and Carrigtwohill URDF, An Bord Pleanála representatives sought further elaboration / discussion / consideration on the following:

- Further justification of the density and mix of tenure proposed, in light of, core strategy and policy set out in the Cork County Development Plan (2014-2020), the Local Area Plan (LAP).
- Further justification that the reason for refusal on the previous ABP-301610-18 (Dec 2018) has been overcome
- Further consideration and justification with respect to integration with the wider area, to the north, to existing residential to the west, to the train station, to the school site and to the 'TC' zoned lands.
- Further consideration and justification that the proposal is compatible with other adjoining key infrastructure and the existing road network in Carrigtwohill.
- Further justification of deliverability of connections, in particular, to Carrigtwohill train station.
- Further consideration of the draft development plan timelines. Should a new draft plan be adopted while any application is under consideration by the Board it would be subject to compliance with the new plan.
- A material contravention statement should refer to the development plan/ LAP at the time the application is made.

11.1.2. In relation to urban design approach, An Bord Pleanála representatives sought further elaboration / discussion / consideration on the following:

- Justification that the proposal provides a high-quality approach to the design and layout of new housing. Strong justification at application stage for the architectural design approach chosen. Justification of the housing and open space layout and connectivity in the context of the existing pattern of development in the area.

- Further consideration of the long cul-de-sacs layout proposed and consideration of improved connectivity to open space / play areas for all future residents.
- Further consideration of inclusion of home zone play areas.
- Further consideration of variation in external building designs.
- Further consideration and justification for non under grounding of the overhead power line.
- Justification for the disposition and quality of public and communal open space.
- Further consideration of the proposal in terms of residential amenity afforded to future residents. Clarification that the proposed apartments are in compliance with the sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2018).
- Clarification required with regard to % of dual and single aspect units proposed within the development and clear identification of any north facing single aspect units.
- Further consideration of the childcare facility in light of the PA comments with respect to same.
- Further consideration of visual impact in terms of views within and across the site.
- Further consideration of additional cross sections showing the proposed development, including impact upon the existing dwellings to the west and surrounding existing development.

11.1.3. In relation to public open space (POS) quantum and quality, landscaping and ecology, An Bord Pleanála representatives sought further elaboration / discussion / consideration on the following:

- Further consideration and demonstration of adequacy of POS in terms of quality and quantity, compliance with Cork County Council Interim recreation and amenity policy and adequate passive supervision.
- Further consideration of the distribution and integration of smaller green spaces to add defensibility and an improved sense of residential amenity.
- Further justification and assessment indicating how the recreational needs of different age groups / users have been taken into account in the design/ layout and provision of open space and recreational facilities.
- Green Infrastructure Plan / Landscaping Plan / Arboriculture drawings, landscape plan and engineering plans to take account of one another.
- Justification that relevant survey work has been carried out and up to date in relation to biodiversity and ecological issues.

11.1.4. In relation to traffic and connectivity, An Bord Pleanála sought further elaboration/discussion/consideration of the following:

- There has been cross over in discussion on some of the items on the agenda and discussion with regard to traffic and connectivity set out heretofore is noted.
- Further clarity that the layout is compatible with other adjoining key proposed and existing infrastructure, road network initiatives and projects.
- Further clarity in respect of delivery of public realm infrastructure.
- Further consideration of a phasing plan.
- Consistency between all drawings and documentation, no room for inaccuracies, drawings need to be accurate and legible.
- Further analysis and assessment in terms of traffic impact assessment, in particular, in light of PA concerns raised.

11.1.5. In relation to noise impact assessment and the railway line, An Bord Pleanála sought further elaboration/discussion/consideration of the following:

- Further consideration and clarity with respect to possible future upgrade to the railway line, possible dualling of the line and how any reservation in place would impact the proposed layout.
- Further consideration that the application will be referred to Iarnród Éireann for comments.
- A noise impact assessment report is required to be submitted with any future application.
- Further consideration and justification in relation to separation distances of housing units to the railway line and boundary treatments.
- Clarity that all documentation is reviewed in terms of inaccuracies and that all submitted reports and supporting documentation has cognisance to each other, and any inconsistencies are resolved. There is limited scope for further information to be submitted in SHD cases and accurate information is required for an informed decision to be made.

11.1.6. In regard to issues raised in the CE Report incl. Environment Department, Ecology Department, Traffic and Transportation Section, Housing Infrastructure & Implementation Team (HIIT), Estates Section, Architect's Report, Area Engineer, An Bord Pleanála sought further elaboration / discussion / consideration of the following:

- Noted that the items raised in PA reports have been previously discussed throughout the meeting.
- Requirement for a Habitats Directive Screening Report which identified possible risks to any Natura sites.
- A report on surface water drainage, surface water management strategy and flood risk which deals specifically with quality of surface water discharge.
- Analysis and assessment of the proposed development in terms of a construction method statement.

- Further clarification and justification that the documentation submitted draws a clear distinction between local ecology and Natura 2000 sites, in relation to any future Natura Impact Statement.
- Further consideration and justification that issues around AA and any possible NIS issues are considered.
- Clarification that all items raised by the PA in their report submitted to the Board are addressed.

11.1.7. In regard to other matters, An Bord Pleanála sought further elaboration / discussion / consideration of the following:

- No further comments.

11.1.8. Both the prospective applicant and the planning authority were given an opportunity to comment and respond to the issues raised by the representatives of ABP. Those comments and responses are recorded in the 'Record of Meeting ABP-311841-21' which is on file. I have fully considered the responses and comments of the prospective applicant and planning authority in preparing the Recommended Opinion hereunder.

12.0 Conclusion and Recommendation

12.1.1. Based on the entirety of the information before me, it would appear that the proposed development falls within the definition of Strategic Housing Development, as set out in section 3 of the Planning and Development (Housing) and Residential Tenancies Act 2016.

12.1.2. I have examined all of the information and submissions before me including the documentation submitted by the prospective applicants, the submissions of the planning authority and the discussions which took place at the tripartite meeting. I have had regard to both national policy, via the section 28 Ministerial Guidelines and local policy via the statutory plans for the area.

- 12.1.3. Having regard to all of the above, I recommend that the Board serve a notice on the prospective applicant, pursuant to Section 6(7)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016, stating that it is of the opinion that the documentation submitted with the consultation request under section 5(5) of the Act **constitutes a reasonable basis for an application for strategic housing development** under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016.
- 12.1.4. I would also recommend that the prospective applicant be notified, pursuant to article 285(5)(b) of the 2017 Regulations, that specified information (as outlined hereunder) be submitted with any application for permission that may follow. I believe the specified information will assist the Board at application stage in its decision making process. I am also recommending that a number of prescribed bodies (as listed hereunder) be notified by the prospective applicant of the making of the application.

13.0 **Recommended Opinion**

- 13.1.1. An Bord Pleanála refers to your request pursuant to section 5 of the Planning and Development (Housing) and Residential Tenancies Act 2016. Section 6(7)(a) of the Act provides that the Board shall form an opinion as to whether the documents submitted with the consultation request (i) constitute a reasonable basis for an application under section 4 of the Act, or (ii) require further consideration and amendment in order to constitute a reasonable basis for an application under section 4.
- 13.1.2. Following consideration of the issues raised during the consultation process and having regard to the opinion of the planning authority, **An Bord Pleanála is of the opinion that the documentation submitted with the request to enter into consultations constitute a reasonable basis for an application for strategic housing development.**
- 13.1.3. Furthermore, pursuant to article 285(5)(b) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant is

hereby notified that, in addition to the requirements as specified in articles 297 and 298 of the Planning and Development (Strategic Housing Development) Regulations 2017, the following specific information should be submitted with any application for permission:

1. An updated Architectural Design Statement. The statement should include a justification for the proposed development, having regard to, inter alia, urban design considerations, visual impacts, site context, the locational attributes of the area, linkages through the site, pedestrian connections and national and local planning policy. The statement should specifically address layout, urban design, disposition and quality of public open space and communal open space, finishes of the blocks, the design relationship between the individual blocks within the site, and to existing residential property to the west. The statement should be supported by contextual plans and contiguous elevations and sections.

2. A detailed statement, demonstrating how the proposed development will tie in safely with the wider road network in Carrigtwohill, with other adjoining key infrastructure and to Carrigtwohill train station, in particular, with respect to pedestrian and cycle routes.

3. A detailed statement, which should provide adequate identification of all such elements and justification as applicable, where / if the proposed development materially contravenes the statutory Plan or Local Area Plan for the area other than in relation to the zoning of the land, indicating why permission should, nonetheless, be granted, having regard to a consideration specified in section 37(2)(b) of the Act of 2000.

4. A detailed statement of justification of the density proposed, in terms of suburban location, sequential approach, the road network, topography of the site and

specific local objectives pertaining to the lands contained in the Cobh Municipal District Local Area Plan 2017.

5. A Traffic and Transportation Impact Assessment.
6. Cross-sections at appropriate intervals, photomontages, and any other information deemed relevant, illustrating FFL's levels, ground levels and topography of the site. In particular, showing proposal relative to the train line and to any adjoining existing development in the vicinity, useability and functionality of public open space and private open space / rear gardens.
7. Justification of layout, location and hierarchy and quantum of open space provision, both communal and public open space (POS). Clarity with regard to compliance with Development Plan standards.
8. Detailed landscape drawings that illustrate hard and soft landscaping, useable communal open space, meaningful public open space, quality audit and way finding. The public open space shall be usable space, accessible and overlooked to provide a degree of natural supervision. Details of play equipment, street furniture including public lighting and boundary treatments should be submitted.
9. Details of a Green Infrastructure Plan, Landscaping Plan, Arboriculture Drawings, and Engineering Plans that take account of one another.
10. An up-to-date Ecological Impact Assessment, inclusive of a Bat Survey.
11. A Noise Impact Assessment, with regard being had to proximity to the railway line.
12. A Housing Quality Assessment that provides details in respect of the proposed apartments set out as a schedule of accommodation, with the calculations and

tables required to demonstrate compliance with the various requirements of the 2020 Guidelines on Design Standards for New Apartments. It is important that the proposal meets and preferably exceeds the minimum standards in terms of dual aspect and proportion of apartments which exceed the floor area by 10%. In the interests of clarity clear delineation / colour coding of floor plans indicating which of the apartments are considered by the applicant as dual / single aspect, single aspect north facing and which apartments exceeds the floor area by 10%.

13. A Daylight and Shadow Impact Assessment of the proposed development, specifically with regard to:

- (i) Impact upon adequate daylight and sunlight for individual units, public open space, courtyards, communal areas, private amenity spaces and balconies.
- (ii) Impact to any neighbouring properties.

14. A report that addresses issues of residential amenity (both existing residents of adjoining development and future occupants), specifically with regards to potential overlooking, overshadowing and overbearing. The report shall include full and complete drawings including levels and cross-sections showing the relationship between the proposed development and adjacent residential development.

15. A robust Ecological Impact Statement Report, AA screening report and NIS, as appropriate, which considers potential impacts on the Qualifying Interests of any Natura 2000 site.

16. A report on surface water drainage, surface water management strategy and flood risk which deals specifically with quality of surface water discharge.

17. A response to matters raised within the PA Opinion dated the 1st December 2021.

18. A site layout plan indicating what areas, if any, are to be taken in charge by the planning authority.

19. Site Specific Construction and Demolition Waste Management Plan.

20. Details of public lighting.

13.1.4. Pursuant to article 285(5)(a) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant is informed that the following authorities should be notified in the event of the making of an application arising from this notification in accordance with section 8(1)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016:

1. Irish Water
2. Iarnród Éireann
3. Cork County Childcare Committee.

PLEASE NOTE:

Under section 6(9) of the Planning and Development (Housing) and Residential Tenancies Act 2016, neither the holding of a consultation under section 6, nor the forming of an opinion under that section, shall prejudice the performance by the Board, or the planning authority or authorities in whose area the proposed strategic housing development would be situated, of any other of their respective functions under the Planning and Development Acts 2000 to 2016 or any other enactment and cannot be relied upon in the formal planning process or in legal proceedings.

Fiona Fair
Senior Planning Inspector
22.02.2022