



An
Bord
Pleanála

S. 4(1) of Planning and Development (Housing) and Residential Tenancies Act 2016

Inspector's Report ABP-312076-21

Strategic Housing Development	275 residential units (205 houses, 70 apartments), crèche and associated site works.
Location	Ballyvolane (Townland), Ballyhooly Road, Ballyvolane, Co. Cork. (www.ballyvolaneshd.ie).
Planning Authority	Cork City Council.
Applicant	O'Flynn Construction Co. Unlimited Company.
Prescribed Bodies	<ol style="list-style-type: none">1. Minister for Housing, Planning and Local Government2. The Heritage Council3. An Taisce4. Irish Water5. National Transport Authority

6. Transport Infrastructure Ireland
7. Cork Childcare Committee
8. Cork County Council

Observer(s)

Niamh Cosgrave.

Date of Site Inspection

25 February 2022.

Inspector

Stephen Rhys Thomas.

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1.0 Introduction

- 1.1. This is an assessment of a proposed strategic housing development submitted to the Board under section 4(1) of the Planning and Development (Housing) and Residential Tenancies Act 2016. The application was made by O'Flynn Construction Co. Unlimited Company and received by the Board on 26 November 2021.

2.0 Site Location and Description

- 2.1. The subject site, which has a stated area of 7.5274 hectares, is located within the townland of Ballyvolane, on the northern fringes of Cork city. The site is located approximately 450m north of the junction with North Ring Road and is on the northern side of Ballyhooly Road.
- 2.2. The site is currently in agricultural use and consists of three fields. The lands rise gently from the roadside with the highest point of the site being located towards its northern boundary.
- 2.3. Two large detached houses adjoin the site to its west. There are established residential estates, Ashgrove and Meadow Park, to the south of the subject site, on the opposite side of the Ballyhooly Road. A number of single site houses adjoin the site to the south-east, accessed from a small cul-de-sac laneway.
- 2.4. There are doctor's surgeries, a large park and playground and retail premises (Lidl and Dunnes Stores/Ballyvolane Shopping Centre), a short walk south of the site. A footpath passes along the southern side of the Ballyhooly Road, but there is no footpath along the site frontage. A bus stop is located less than 100 metres south east of the site and another to the west at Kempton Park.

3.0 Proposed Strategic Housing Development

- 3.1. The proposed development on a total site of 7.5274 hectares will consist of 275 residential units, ranging in height from 2 to 5 storeys, the detail is as follows:

Parameter	Site Proposal
Application Site	7.5274 hectares

Number of Units	275 units 205 dwelling houses 70 apartments
Density	40.65 units per hectare (net)
Dual Aspect	261 of all units (95%) 14 apartment units are single aspect
Other Uses	Crèche – 413 sqm – 85 children
Public Open Space	0.8546 ha – 12.63% of the site (nett) 0.9987 ha (gross)
Height	2-5 storeys
Parking	415 car parking spaces 70 secure bicycle spaces 40 bike stands
Vehicular Access	Via the Ballyhooley Road.
Part V	27 units

3.2. Housing Mix

Unit Type	1 bed	2 bed	3 bed	4 bed	Total
House	0	40	159	6	205
Apartment	36	34	0	0	70
% of Total	13.1%	26.9%	58.5%	1.5%	100%

The provision of landscaping and amenity areas to include play areas, grassed areas and a bicycle path.

The provision of foul and surface water infrastructure on Ballyhooley Road.

All associated ancillary development including pedestrian/cyclist facilities, lighting, drainage, boundary treatments, bicycle & car parking and bin storage.

4.0 Planning History

4.1. The Site

None.

4.2. Nearby Sites:

ABP-307373-20, Permission refused for 162 residential units (74 houses, 88 apartments), crèche and associated site works. Single reason as follows:

1. Cork Metropolitan Area Transport Strategy 2040 (CMATS), published by the National Transport Authority in 2020 sets out an integrated transport planning policy framework for Cork with supporting investment priorities. The delivery of the strategy is a critical objective of the Regional Spatial and Economic Strategy for the Southern Region and Cork Metropolitan Area Strategy Plan, which came into effect in 2020. Critically important infrastructure identified in the Cork Metropolitan Area Transport Strategy includes a new distributor road on the north side of Cork city, referred to as the Cork Northern Distributor Road (CNDR). The proposed development has the potential to limit route choices on the provision of the Cork Northern Distributor Road as envisaged in the Cork Metropolitan Area Transport Strategy and in the Cobh Municipal District Local Area Plan 2017. Pending determination of the route of the Cork Northern Distributor Road, the proposal is considered to be inconsistent with Site Specific Objective NE-R-13 of the Cobh Municipal District Local Area Plan 2017, and is considered to be premature and inconsistent with the proper planning and sustainable development of the area.

ABP-306325-20, Permission for 753 residential units (531 houses, 222 apartments), crèche and associated site works.

5.0 Section 5 Pre Application Consultation

5.1. A section 5 pre-application consultation took place on the 24 May 2021 and a Notice of Pre-Application Consultation Opinion issued within the required period, reference number ABP-309554-21. An Bord Pleanála issued notification that, it was of the opinion, the documents submitted with the request to enter into consultations, required further consideration and amendment to constitute a reasonable basis for an application for strategic housing development. The following is a brief synopsis of the issues noted in the Opinion that needed to be addressed:

1. Infrastructure

Documents should detail the development and any impacts on the route of the Cork Northern Distributor Road (CNDR) a multi-modal orbital public transport route for Cork city and the proposed Ballyhooly Road (R614) upgrade works. The prospective applicant should demonstrate that the layout of the proposed development does not impinge upon any reservation required by the planning authority for the carrying out of these road upgrade works.

2. Density, Design and Layout

The residential density of the development should have regard to, inter alia, local policy context, together with the minimum densities provided for in the 'Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas' (May 2009) in relation to such sites. The layout of the proposed development should respond to the 12 criteria set out in the Urban Design Manual and the Design Manual for Urban Roads and Streets. The matters of arrangement and hierarchy of streets; connectivity with adjoining lands; hierarchy of open space and provision of quality, usable open space, together with the creation of character areas within a high quality scheme should be given further consideration. Cross-sections, visualisations and CGIs should be submitted, as necessary, in this regard.

5.2. The prospective applicant was advised that the following specific information was required with any application for permission:

1. A report that addresses the proposed materials and finishes of the proposed structures including specific detailing of finishes, openings, the treatment of

balconies, landscaped areas and boundary treatments. The extensive use of render on apartment and duplex units should be avoided.

2. A detailed landscaping plan for the site which clearly differentiates between areas of public, communal and private open space and which details exact figures for same.

3. A detailed schedule of accommodation which indicates consistency with relevant standards in the 'Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities' (2020).

4. A report that addresses issues of residential amenity (both existing residents of adjoining development and future occupants). Full and complete drawings including levels and cross sections showing the relationship between the development and adjacent residential units should be submitted.

5. A Sunlight/Daylight/Overshadowing analysis showing an acceptable level of residential amenity for future occupiers and existing residents, which includes details on the standards achieved within the proposed residential units, in private and shared open space, and in public areas within the development and in adjacent properties.

6. Additional CGIs/visualisations/cross-sections showing the proposed development relative to existing development in vicinity.

7. Archaeological Impact Assessment.

8. Additional water and wastewater details which addresses the matters raised by Irish Water.

9. Additional drainage details which address the matters raised in the Drainage Report contained within the PA Opinion.

10. School Demand and Concentration Report.

11. Phasing Plan.

12. Taking in Charge details.

13. The information referred to in article 299B(1)(b)(ii)(II) and article 299B(1)(c) of the Planning and Development Regulations 2001-2018 unless it is proposed to submit an EIAR at application stage.

5.3. Finally, a list of authorities that should be notified in the event of the making of an application were advised to the applicant and included:

1. Minister for Housing, Planning and Local Government
2. The Heritage Council
3. An Taisce
4. Irish Water
5. National Transport Authority
6. Transport Infrastructure Ireland
7. Cork Childcare Committee
8. Cork County Council

5.4. Applicant's Statement

5.4.1. Under section 6(7) of the Act of 2016, the Board issued a notice to the prospective applicant of its opinion that the documents enclosed with the request for pre-application consultations required further consideration and amendment in order to constitute a reasonable basis for an application for permission, the applicant has submitted a statement of the proposals included in the application to address the issues set out in the notice, as follows:

1. Infrastructure

The proposed development omits the northern section of the overall landholding (i.e. the two northernmost fields), the Cork Northern Distributor Road (CNDR) will not impact the site layout and conversely the proposed scheme would not impact the route of the CNDR. Accordingly, as part of the SHD application submission c.5 hectares to the north of the application site, within our client's ownership (and blue line boundary), has been omitted from the SHD planning application boundary. Until the route of the CNDR is confirmed, no application for residential development within this area will be pursued. The proposed development will not therefore, have any impact on the provision of the CNDR and is not premature pending the finalisation of this route.

The submitted site layout has been set back in order to accommodate the Ballyhooly Road (R614) upgrade works which will comprise a land reserve which allows for bus

lanes/ cycle lanes footpaths on both sides of the Ballyhooly Road as part of a BusConnects Scheme. The Design Team and Consulting Engineers (MHL) have engaged with the Infrastructure Development Division of Cork City Council and in particular the Project Engineer for the Ballyhooly Road (R614) upgrade scheme. The proposed development does not impinge upon the reservation required by the City Council to carry out the prescribed road/upgrade works.

2. Density, Design and Layout

Section 5.11 of the 2009 Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (Cities, Towns & Villages) states that for 'Outer Suburban / 'Greenfield' sites' the greatest efficiency in land usage will be achieved by providing net residential densities in the general range of 35-50 dwellings per hectare and such densities should be encouraged generally and that net densities less than 30 dwellings per hectare should generally be discouraged.

The 2015 Cork City Development Plan and the 2014 Cork County Development Plan includes policies for housing density that respects the Governments wish to deliver a sound return on infrastructure investment, particularly in relation to public transport, but also provide flexibility for developers to adapt to new market conditions and broaden the range of house types that can be built on zoned land so that, in future, more households will be attracted to locate in Cork's towns, especially in the County Metropolitan Area.

In the 2017 LAP, the site forms part of the NE-R-05 zoning, with the following specific objective: "High and Medium A Residential Development." Based on HOU 4-1 (Housing Density on Zoned Land) of the 2014 Cork County Development Plan (which is still the operative development plan for the area), High Density is defined as having a minimum of 35 units per Hectare with no maximum limit, while Medium A Density is defined as minimum 20 units per Hectare and maximum 50 units per Hectare. Using the net developable area, the overall density has been calculated at 40.65 units per hectare which is in accordance with national and local guidelines and is a sufficiently high density to provide for an acceptable efficiency in serviceable land usage given the suburban location of the site.

The Planning and Design Statement provides layout details in relation to the 12 criteria set out in the Urban Design Manual and the Design Manual for Urban Roads

and Streets. The matters of arrangement and hierarchy of streets, connectivity with adjoining lands, hierarchy of open spaces and provision of quality, useable open space, together with the creation of character areas within a high-quality scheme are also considered within the Planning and Design Statement submitted with this application. Cross-sections, visualisations and CGI's are also submitted.

6.0 Relevant Planning Policy

6.1. National Policy

6.1.1. Project Ireland 2040, National Planning Framework (NPF)

The National Planning Framework includes a specific Chapter, No. 6, entitled 'People Homes and Communities'. It includes 12 objectives among which:

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-base regeneration and increased building heights.

National Policy Objective 27 seeks to ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments, and integrating physical activity facilities for all ages.

National Policy Objective 33 seeks to prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.

6.1.2. **Housing for All - a New Housing Plan for Ireland** (September 2021)

A multi-annual, multi-billion euro plan which will improve Ireland's housing system and deliver more homes of all types for people with different housing needs.

The overall objective is that every citizen in the State should have access to good quality homes:

- to purchase or rent at an affordable price
- built to a high standard and in the right place
- offering a high quality of life

6.1.3. **Rebuilding Ireland – Action Plan for Housing and Homelessness 2016**

The Plan provides a multi-stranded, action-oriented approach to achieving many of the Government's key housing objectives. It aims to significantly increase the supply of social housing, to double the output of overall housing from the current levels to at least 25,000 per annum by 2020, to service all tenure types, and to tackle homelessness in a comprehensive manner.

The Plan is comprehensive and addresses all aspects of the housing system under five Pillars:

- Address Homelessness,
- Accelerate Social Housing,
- Build More Homes,
- Improve the Rental sector, and
- Utilise Existing Housing

6.1. **Section 28 Ministerial Guidelines**

6.1.1. Having considered the nature of the proposal, the receiving environment, the documentation on file, including submission from the planning authority, I am of the opinion, that the directly relevant Section 28 Ministerial Guidelines are:

- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, including the associated Urban Design Manual (2009).
- The Planning System and Flood Risk Management (including the associated Technical Appendices) (2009).

- Appropriate Assessment of Plans and Projects in Ireland – Guidelines for Planning Authorities (2009).
- Design Manual for Urban Roads and Streets (DMURS December 2013) (as updated) (Including Interim Advice note Covid-19 May 2020).
- Childcare Facilities – Guidelines for Planning Authorities 2001 and Circular PL3/2016 – Childcare facilities operating under the Early Childhood Care and Education (ECCE) Scheme.
- Urban Development and Building Height, Guidelines for Planning Authorities (2018) (the ‘Building Height Guidelines’).
- Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities (2020) (the ‘Apartment Guidelines’).
- Regulation of Commercial Institutional Investment in Housing. Guidelines for Planning Authorities (May 2021).

Other relevant national guidelines include:

- Framework and Principles for the Protection of the Archaeological Heritage Department of Arts, Heritage, Gaeltacht and the Islands 1999.

6.2. **Southern Regional Assembly Regional Spatial & Economic Strategy (RSES)**

Came into effect on the 31st of January 2020

Section 7.3 Strategic Residential Growth Nodes

- Ballyvolane Urban Expansion Area can accommodate 3,600 units,
- UEA investment will be holistic and phased.

Cork MASP Policy Objective 9

- Q North east orbital road (public transport infrastructure Ballyvolane).

6.3. **Cork County Council Development Plan 2014**

The site forms part of the Ballyvolane Urban Expansion Area as identified in the Cobh Municipal District Local Area Plan 2017. The site is suitably zoned for Medium 'A' type residential development of between 20 and 50 units per hectare.

The subject site is located within the jurisdiction of Cork City Council, having been subject to a boundary extension / transfer with Cork County Council in May 2019. The relevant Development Plan and Local Area Plan for the purposes of the assessment of this application remain as the Cork County Development Plan 2014 and the Cobh Municipal District Local Area Plan 2017.

The site is also included in Objective CS 4-1: Cork County Metropolitan Cork Strategic Planning Area which states: In the Cork Gateway, development to provide the homes and jobs that are necessary to serve the planned population will be prioritised. Details of the proposed development will be set out in Master Plan studies and Local Area Plans as appropriate.

Objective CS 4-1- The northern environs will have a major role in rebalancing the City in terms of population and employment.

There are a number of policies and objectives relating to urban design, density, education, surface water, transport and landscape, including:

Urban Design & Density

HOU 3-1- Implement the sustainable residential guidelines

HOU 3-2- Implement DMURS

HOU 3-3- Provision of a mix of house types and sizes

TABLE 3.1: Settlement Density Guide- Cork North Environs- High density at locations close to future quality public transport corridors.

Surface Water & SuDS

WS 5-1: a) Ensure all new development incorporate SuDS, b) provide adequate storm water infrastructure.

6.4. Cobh Municipal District Local Area Plan 2017

The site is located on lands zoned as in the Cork City North Environs area for the following:

Objective NE-R-05 - High and Medium A density residential development (20 – 50 units per hectare).

Specific Development Objective to: Upgrade of the Ballyhooly Road in tandem with the development to the Ballyvolane Urban Expansion Area (NE-U-05). Other site specific objectives of note adjoining the site include:

- NE-C-02 Proposed primary school
- NE-T-01 District Centre/Retail

The site is within the Cork City North Environs and the Ballyvolane Urban Expansion Area. There is a population target of 10,719 for Cork North Environs up to 2023 (up from 6,692 in 2011). Ballyvolane has the potential to create the critical mass to support improved public transport and services provision, set within the wider Cork Area Strategic Plan context.

Section 3.4.1 sets out that the vision for Cork City North Environs to 2020 is “to reinvigorate the northern suburbs of the city, within the County area, as a significant location for future residential development. This will require a planned major mixed use development at Ballyvolane coordinated with substantial infrastructure investment, the provision of enhanced community and recreational facilities and public transport accessibility, with the aim of rebalancing the provision of services more equitably throughout the city.”

Section 1.7.40 sets out that with regard to the Urban Expansion Areas, which includes Ballyvolane, infrastructure programmes for these sites are being progressed with the specific aim of delivering complex public infrastructure in an environment of multiple land ownerships within the sites.

Sections 3.4.111-117 inclusive Phasing and Implementation - Indicative Development Programme for Ballyvolane.

6.5. Cork Metropolitan Area Transport Strategy 2040 (CMATS)

Adopted by NTA in 2020

Sets out an integrated transport planning policy framework for Cork with supporting investment priorities. Takes its lead at national level from NPF 2040 and NDP 2018. The delivery of CMATS is a critical objective of the Regional Spatial and Economic Strategy for the Southern Region and Cork Metropolitan Area Strategy Plan, which also came into effect in 2020.

Critically important infrastructure identified in CMATS includes a new distributor road on north side of Cork city, referred to as the Cork Northern Distributor Road (CNDR), which is separate and distinct from the Cork Northern Ring Road. CNDR is a short-term objective and critical enabler for CMATS as set out within the Strategy. It is also specifically identified and listed within the objectives of the RSES for the Southern Region and Cork Metropolitan Area Strategy Plan 2020. The CNDR will deliver a multimodal orbital public transport route from the Carrigrohane Road in the western suburbs to Tinkers Cross in the north east of the city. The road will provide access to radial public transport routes, enable access to planned development lands, provide improved connectivity to the broader road network and enable the removal of traffic from Cork city centre.

The northern portion of the lands are reserved by the applicant for the provision of the CNDR.

6.6. Applicant's Statement of Consistency

- 6.6.1. The applicant has submitted a Statement of Consistency as per Section 8(1)(iv) of the Act of 2016, which indicates how the proposal is consistent with the policies and objectives of national and regional planning policy including section 28 guidelines and the Cork County Development Plan 2014 and Cobh Municipal District Local Area Plan 2017.

7.0 Observer Submissions

A single observer has welcomed some elements of the proposed development and raised a number of issues that can be summarised as follows:

Ballyhooly Road – it is not clear if a grass verge with trees along the road will be temporary given that a bus lane is to be included in the future. As this is new

development, adequate provision should be made for pedestrians, cyclists, bus lane and other road users from the outset.

Photomontage Booklet – the number and variety of photomontage images are not extensive and more images would have been preferred.

LAP – the LAP calls for infrastructure to arrive first, only road infrastructure has been improved, nothing else mentioned in the LAP has been delivered to date.

Transport Infrastructure - The plan indicates that bus services should be improved, junctions/roads upgraded, and the northern distributor road should be in place among other road improvements. With a projected 1,000 more households, many of the improvements planned for in terms of transport and traffic should be delivered and improved.

Green Space – green space planned for in the LAP should be accessed through the proposed development, as detailed in the LAP.

Surface water run off/Flooding – given the topography of the site it will be important to ensure that surface water systems are adequate and that more SuDS measures should be considered.

8.0 Planning Authority Submission

8.1. The Chief Executive's report, in accordance with the requirements of section 8(5)(a) of the Act of 2016, was received by An Bord Pleanála on the 1 February 2022. The report states the nature of the proposed development, the site location and description, planning history, submissions received and details the relevant Development Plan and Local Area Plan policies and objectives. A summary of the views of all elected members on 19 January 2022 is appended to the Chief Executive's Report and summarised adequately in the planning authority's report and replicated below.

All the members who spoke were generally in favour of proposal welcoming new housing in the area, general concerns include:

- Lack of adequate infrastructure and concerns as to whether this will be provided in future.

- Public transport to area insufficient.
- Current bus services poor and Bus connects proposals felt to be inadequate.
- If green verge is taken for another bus lane, then setback is inadequate.
- Lack of community centre and facilities in Ballyvolane overall to provide for explosion in population from Longview development and this one.
- Some concerns that apartments might bring a transient population and that the number of 3 bed semi-detached houses may be inadequate.

8.2. The planning and technical analysis in accordance with the requirements of section 8(5)(a)(ii) and 8(5)(b)(i) is summarised as follows.

It is requested that the Cork City Council's Submission to the Board at the consultation stage with regard to the relevant objectives and policies associated with the lands is read in conjunction with the key issues (outlined in the current report) for the assessment of this application. The key issues are:

Roads - Cork Northern Distributor Road (CNDR) and Ballyhooly Road Upgrade - These road design concerns have been fully addressed by changes to the red line boundary that exclude the top two fields of the landholding, and a set-back of the southern boundary ensuring that there will be no conflicts.

Density – the proposed residential density of 40.12 units per hectare, the distribution of higher density units and phasing plan are all concerns that need to be addressed. It is requested that the Board ensure that higher densities are appropriately located within the wider scheme and the phasing amended to ensure that the crèche and higher density elements are constructed in a timely manner.

Urban Design – as expressed by the City Architect, there are two main areas of concern: firstly, car parking areas to rear of residencies. This configuration is not supported and changes are required. Secondly, in conjunction with density and phasing, the visual prominence of buildings located on higher ground within the scheme should be carefully considered.

Traffic and Transportation - note that Cork City Council work with the NTA, on the implementation of the CMATS 2040. The Ballyhooly Road will, in the future, provide for high quality bus services with dedicated bus lane, a 20m road reserve will be

necessary. Other aspects to do with traffic and transport are acceptable and conditions are recommended.

Water Related Issues – standard technical conditions are recommended.

Environmental Assessment - The subject application includes a Natura Impact Statement. It is acknowledged that the Board is the competent authority for the determination of NIS and EIA requirements.

Archaeology - There are two archaeological monuments located within the proposed SHD site – Burnt mound (RMP CO074-131) and a Fulacht Fiadh (SMR CO074-172), conditions are recommended.

Public Open Space - The provision of open space at over 12.5% is satisfactory and is well distributed into five distinct areas. Lands to the north of the site have been identified as the zoning objective NE-O-04 in the Cobh Municipal District Local Area Plan for the provision of an urban park.

Housing - A condition should be attached to any grant of permission requiring that the applicant enter into agreement for the provision of social housing on site.

Fire and Building Control – The report from the Chief Fire Officer has raised concerns regarding the design of the proposed apartment blocks.

Planning Assessment Conclusion

It is the Chief Executive's opinion that, subject to the conditions set out in Appendix C, the proposed development accords with the proper planning and sustainable development of the area and therefore recommends that planning permission is granted. A total of 31 conditions are recommended, most are of a standard and technical nature, others of note include:

2. Prior to commencement the applicant shall submit, for agreement with the Planning Authority, revised plans to show the following changes:

(a) The 2 no. residential areas, to the south of the site, shall be reconfigured to increase passive surveillance of 2 no. car parking areas located to the north of units no. 48 & 49 and to the south of units no. 41 and 42.

(b) A minimum of 5 no. additional parking spaces shall be provided for the creche use, bringing the total to at least 8 no. spaces.

Reason: In the interest of safety

14. (a) The applicant shall coordinate with the Infrastructure Development Section during the detailed design and construction of the development. (b) A 20m corridor on the Ballyhooly Road shall be reserved for future sustainable transport infrastructure.

Reason: In the interest of orderly development and sustainable transportation infrastructure.

8.3. **Cork City Council Departmental Reports**

Chief Fire Officer – technical requirements highlighted and further engagement necessary.

Archaeology – no objections conditions recommended.

City Architect - no objections amending conditions recommended.

Drainage - no objections amending conditions recommended.

Environment - no objections conditions recommended.

Housing Directorate – Part V - no objections conditions recommended.

Infrastructure Development - no objections conditions recommended.

Parks and Recreation Division - no objections.

Traffic Operations - no objections conditions recommended.

Urban Roads and Street Design (Planning) - no objections conditions recommended.

Water Services - no objections conditions recommended.

9.0 **Prescribed Bodies**

9.1. The list of prescribed bodies, which the applicant was advised to notify of the making the SHD application to ABP, issued with the section 6(7) Opinion and included the following:

1. Minister for Housing, Planning and Local Government

2. The Heritage Council
3. An Taisce
4. Irish Water
5. National Transport Authority
6. Transport Infrastructure Ireland
7. Cork Childcare Committee
8. Cork County Council

9.2. The applicant notified the relevant prescribed bodies listed in the Board's section 6(7) opinion. The letters were sent on the 24 November 2021. A summary of those prescribed bodies that made a submission are included as follows:

Irish Water (IW)

Wastewater - In order to accommodate a wastewater connection, local upgrades may be required to be carried out to the network. The Cork Drainage Area Plan (Cork DAP) is an ongoing Irish Water project to survey and model the sewers in this area. The DAP model should be available Q2 2022 and will highlight any site-specific local upgrades required to accommodate this proposed development. It is expected that these local upgrades will be within the public domain. IW has an ongoing project to construct a wastewater pumping station to accommodate a proposed development which adjoins the site of this proposed development, it will now have to be upsized.

In respect of Water: Irish Water confirms that a water connection to the public network is feasible and is not subject to any upgrades.

Technical and standard conditions are recommended if permission is granted.

National Transport Authority (NTA) – A set back is proposed in order to accommodate the Ballyhooly Road (R614) upgrade works. The Ballyhooly Road has been identified in Cork Metropolitan Area Transport Strategy 2040 (CMATS) as part of the indicative BusConnects network. Consideration should be given to the provision of sufficient setback, to accommodate a typical road cross section as specified in CMATS (page 89), should this be required in the future, catering for

public transport, walking and cycling, in addition to general traffic. Typically, a road reservation of 20 metres would be required to accommodate this cross section.

Transport Infrastructure Ireland (TII) - The proposed development shall be undertaken in accordance with the recommendations of the Transport (Traffic) Assessment and Road Safety Audit submitted. Any recommendations arising should be incorporated as Conditions in the Permission, and funded by the developer.

The proposed development is located in a study area for a future road scheme. The Authority recommends that the planning authority consult with Cork City Road Design Office and the NTA in considering this application to ensure its compatibility.

10.0 Assessment

10.1. The Board has received a planning application for a housing scheme under section 4(1) of the Planning and Development (Housing) and Residential Tenancies Act 2016. My assessment focuses the proposed development in the context of the statutory development plan. My assessment also focuses on national policy, regional policy and the relevant section 28 guidelines. In addition, the assessment considers and addresses issues raised by the observations on file, the contents of the Chief Executives Report received from the planning authority and the submissions made by the statutory consultees, under relevant headings. The assessment is therefore arranged as follows:

- Zoning/Principle of Development
- Residential Density
- Urban Design – building height, layout and public realm
- Residential Amenity
- Traffic and Transport
- Infrastructure
- Other Matters

10.2. Zoning/Principle of Development

10.2.1. The site is currently agricultural and is located on the most northerly aspect of Cork City. The subject site and surrounding lands have been subsumed into the Cork Metropolitan area. The Southern Region Assembly RSES identifies Cork Metropolitan Area for significant growth. The site is located in the Cork City Northern Environs Area and Section 3.4 of the Cobh Municipal District Local Area Plan (LAP) 2017 provides guidance for the expansion of this area, emphasising the need to provide support for up to 3,600 new dwellings through a phased programme of development. The principle of residential use on these lands is acceptable.

- 10.2.2. The site is governed by zoning Objective NE-R-05 - High and Medium A density residential development (20 – 50 dwelling units per hectare) in the Cobh Municipal District Local Area Plan. The planning authority and a local observer accept that residential development is an acceptable use at this location. There is an objective to provide a link road between Ballyhooly Road and the Northern Relief Road in Mayfield, objective NE-U-06 of the LAP refers (Northern Distributer Road). The applicant states that the northern portion of the lands in their ownership have been omitted from the SHD application and sufficient space has been reserved for the proposed link road, the planning authority note this and agree.
- 10.2.3. Having regard to the nature and scale of development proposed, namely an application for 275 residential units and a crèche located on lands within a zoning objective, in which residential development is 'permitted in principle', and that a significant area of land has been reserved for a planned new road, I am of the opinion that given its zoning, the delivery of residential development on this prime site, in a compact form would be consistent with policies and intended outcomes of current Government policy and with local policy. Other items to do with traffic and transport, the Northern Distributer Road, residential density, design and layout are all addressed in detail in the following sections of my report. From the perspective of the overarching principle of residential development at this location, I am satisfied that the proposed development will increase residential accommodation and will enhance existing recreational amenity space provision. I therefore consider the proposal to provide residential development on these lands to be acceptable in principle.

10.3. Residential Density

- 10.3.1. The applicant sets out that an overall net residential density of 40.65 units per hectare has been achieved in accordance with Section 5.8 of the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (Cities, Towns & Villages) May 2009. In addition, the density is in line with the Cork City Development Plan 2015, the Cork County Development Plan 2014 and the Cobh Municipal District Local Area Plan 2017. The planning authority have formed a different opinion on two fronts, the relatively low overall density proposed and the imbalance of higher density across the site in the context of the phasing strategy. The planning authority's reservations can be tackled by a condition that addresses

the imbalanced phasing approach in order to deliver the crèche and higher density elements in a more timely manner.

- 10.3.2. The proposed development will deliver 275 residential units across a site area of 7.5274 hectares, that amounts to a gross residential density of 36.53 units per hectare. However, the applicant has calculated that when the area of the site that includes improvements along the Ballyhooly Road, zones around National Monuments, surface water and drainage routes are omitted the net site area amounts to 6.7652 hectares and a net residential density of 40.6 units per hectare.
- 10.3.3. Firstly, the applicant has stated that the proposed net residential density of 40.6 units per hectare complies with Section 5.8 of the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (Cities, Towns & Villages) May 2009 (Density Guidelines), and with the Cork City Development Plan 2015, the Cork County Development Plan 2014 and the Cobh Municipal District Local Area Plan 2017.
- 10.3.4. Section 5.8 of the Density Guidelines refers to encouraging higher densities on lands within existing or planned transport corridors. In addition, the phasing of proposed major residential development in tandem with new public transport infrastructure / services should be considered. Higher densities could be considered, possibly in the range of 50 units per hectare or more, though the guidelines are not clear about whether such densities would refer to existing or planned public transport nodes. In any case the subject site is in a location where public transport and road improvements are planned, the Core Radial Bus Network refers to Ballyvolane and short term network improvements are anticipated along the Ballyhooly Road, Cork Metropolitan Area Transport Strategy 2040 refers (CMATS). The planning authority note planned public transport improvements and suggest that higher densities or at least a reorganisation of higher density delivery across the site should be considered.
- 10.3.5. The density guidelines also state that at outer suburban or greenfield sites on the periphery of cities or larger towns whose development will require the provision of new infrastructure, roads, sewers and ancillary social and commercial facilities, schools, shops, employment and community facilities, a general range of 35-50 dwellings per hectare should be encouraged. The subject site could conceivably fall

within both types of area, being a site that is clearly on the edge of the city amidst green fields but also along significant and planned infrastructure such as the Cork Northern Distributor Road that includes a public transport corridor.

10.3.6. In relation to how the applicant has calculated residential density, I refer to appendix A of the density guidelines. In order to derive a developable site area the applicant has excluded improvements along the Ballyhooly Road, zones around National Monuments, surface water and drainage routes, thus the developable area amounts to 6.7652 hectares. Whilst I would argue that surface water features such as on site facilities should not be omitted, this only amounts to 0.2 hectares and does not drastically effect the overall net density figure of 40 units per hectare. I am satisfied that an overall net residential density figure of 40 units per hectare is representative for this site. The question arises as to whether this is a high enough density when public transport improvements are planned for the overall area. In the context of this site, I note that the Cork Northern Distributor Road (CNDR) will pass immediately to the north, the CNDR will be multi-modal to cater for bus movements as well as segregated cycle and pedestrian infrastructure. According to CMATS the CNDR is a medium term (up to 2021) project and is currently at route selection stage. In addition, I note that to the north of the subject site a significant SHD permission was granted for 753 units at a residential density of 35.7 units per hectare. The scheme the subject of my assessment would provide an increased density along the route of the CNDR. The subject proposal would be close to achieving the 50 units per hectare that the density guidelines say should generally be considered along public transport corridors. I agree with the planning authority that the phasing plan to deliver higher densities across the site should be the subject of a condition in order to see the timely delivery of higher densities.

10.3.7. In terms of the overall residential density, given the locational context of the site and the level of public transport (planned and existing) and other services in the area I am of the view that development at the density range proposed, broadly accords with that detailed in the Sustainable Residential Development Guidelines and the LAP. I consider that the proposed density of 40 units per hectare represents a reasonable density, and that this density is consistent with the provisions of the Local Area Plan (NE-R-05 High and Medium A density residential development 20 – 50 units per hectare) and acceptable by reference to national planning policy.

10.4. Urban Design – building height, layout and public realm

10.4.1. The site comprises a number of large agricultural fields currently in use for growing crops and with mature hedge and treelines. There is a sizable frontage along Ballyhooly Road, this boundary is a combination of mature trees and hedgerow. The site slopes upwards from the public road and is divided by more mature trees and hedges. For the most part the site backs onto other agricultural land. At the southern portion of the site, there are two detached houses to the west and a small cul-de-sac of houses to the east. There is no public footpath to the frontage of the site, but upgrades are planned to the Ballyhooly Road that already provides a footpath along its southern side. The scheme is split into five character areas, described by the application as follows:

Character Area 1 - Ballyhooly Road, low-rise to form a strong urban edge to the existing commuter route, and is characterised by 3-storey terraced units fronting directly onto public footpath with remote on-street parking, with apartment building forming a gateway at the vehicular access.

Character Area 2 – Southern Open Space, based around the open space containing existing Hawthorn and Ash trees of the existing hedgerows. Dwellings have on-curtilage parking and the buildings on the north side of the character area highlight the beginning of the north/south linear open space.

Character Area 3 - Eastern Quarter: includes the childcare facility on the ground floor of an apartment building, positioned close to the neighbourhood centre and proposed primary school. A four-storey corner element is proposed as an indication of the route to the neighbouring commercial development, with the dwellings immediately adjacent to comprise a combination of own-door duplex units together with one and two-bedroom apartments accessed via common stairwells. An active open space is to be provided, together with an attractive pedestrian route to the northern portion of the lands.

Character Area 4 – West Central provides family homes with in-curtilage parking and private gardens – the majority of which overlook or are in close proximity to public open spaces.

Character Area 5 – East Central provides family homes, with the western dwellings forming an edge to the central open space. Elevational treatments

and materials will vary from those used in Character Area 4 in order to emphasise the sense of place and assist wayfinding through the scheme.

- 10.4.2. The planning authority are supportive of the urban design principles that underlay the proposed development and quote extensively from the report of the City Architect with regard to specific concerns about car parking to the front of the scheme and the possible relocation of higher density and taller buildings to the southern portion of the site. A local observer also notes that the visual impact of the development could have been more abundantly illustrated in the CGIs and photomontage images prepared by the applicant.
- 10.4.3. In terms of layout, the site is accessed from Ballyhooly Road via a single road, off which a number of cul-de-sac streets are positioned. Additional streets provide an uninterrupted access to lands east and west of the site and ultimately additional access is provided to lands 'reserved' for the route to the CNDR to the north. The street layout is logical and connections between character areas is reinforced by pedestrian/cyclist linkages rather than through streets. Open spaces are logically dispersed throughout the scheme and have satisfactory proportions so as to encourage use and help passive supervision. Open spaces also conform to the location of archaeological features on site and this is acceptable.
- 10.4.4. The planning authority make a point about car parking courts to the rear of units but I would have more concerns about the preponderance of car parking spaces at other locations throughout the scheme. For instance, the larger of the open space to the north of the site is dominated by car parking spaces that intrude and in my opinion reduces its attractiveness and usability.
- 10.4.5. In terms of the planning authority's suggestion that the taller elements of the scheme that include the crèche should be located along or close to the southern portion of the site. I note that the applicant's design statement sets out that increased densities are provided in the vicinity of the crèche, directly adjoining the proposed neighbourhood centre to the east. This will comprise apartments over the creche, in combination with duplex units enclosing an area of active open space. This overall block will range from three to five storeys (just over 17 metres) and take in hand a slight slope. My interpretation of the applicant's design approach is that together with new access streets to undeveloped land to the east, this area will change as planned

for by the 'community' and 'town centre' zoning illustrated by the LAP. I am satisfied that increased density, height and the childcare use is suitable at this location rather than repositioning it further to the south along Ballyhooly Road. I also note that the street elevation along Ballyhooly Road is designed to mirror that found across the street. The entrance to the proposed scheme is defined by a two duplex blocks with a three storey brick-clad elevation that projects a strong identity to the site entrance. In terms of the visual impact of the overall scheme and the five storey element that is positioned at the mid section and eastern side of the site, I am satisfied that this is the correct location for taller elements. This is because of the proximity of some commercial elements to the east (Lidl) and the possibility that the character of this area will change as planned for in the LAP.

10.4.6. The public realm approach to the overall site is fairly standard, with streets that conform to DMURS and a variety of street planting and passive supervision opportunities. A new cycle and footpath are planned to the back and away from Ballyhooly Road, I assess the suitability of this approach in more detail in the traffic and transport section of my report, but for the most part this is an attractive and usable change to the area. Houses will front onto Ballyhooly Road and this is a positive transformation for the area too.

10.4.7. In overall terms, I am satisfied that the urban design approach employed by the applicant is satisfactory. The division of the site into character areas is logical and will be helped by appropriate building and street finishes that can be amended by condition. Open spaces are logically situated throughout the site and the expectation that adjacent sites would be developed in the future has been planned for by the proposed street layout. The interface to the planned CNDR to the north of the site is difficult to evaluate in detail as route selection and associated reports are not yet complete. However, I am satisfied that the proposed interface can be adapted by any future housing design layout once plans for the CNDR are finalised. I am satisfied that the urban design approach to the layout of this site is acceptable.

10.5. Residential Amenity

10.5.1. As with any residential scheme, large or small, the residential amenities offered to future occupants and the preservation and protection of existing residential amenities is an important consideration. In this context, I firstly assess the proposed

development as it refers to future occupants, I apply the relevant standards as outlined in section 28 guidelines, specifically the Sustainable Urban Housing: Design Standards for New Apartments (2020). With respect to the residential amenity for future residents (proposed residential amenity standards), the planning authority raise no issues with regard to the design of the scheme in terms of residential amenity. The observer is not concerned about the residential amenity aspects of the development but more with the overall approach and integration of the development along Ballyhooly Road. The applicant has submitted a variety of architectural drawings, computer generated images and photomontages. I am satisfied that an appropriate level of information has been submitted to address issues to do with residential amenity.

Proposed Residential Amenity Standards - Future Residents (houses)

10.5.2. The applicant has submitted a Schedule of Accommodation and Housing Quality Assessment, that outlines the floor areas associated with the proposed dwellings and apartments. There are no section 28 guidelines issued by the minister with regard to the minimum standards in the design and provision of floor space with regard to conventional dwelling houses. However, best practice guidelines have been produced by the Department of the Environment, entitled Quality Housing for Sustainable Communities. Table 5.1 of the best practice guidelines sets out the target space provision for family dwellings. In all cases, the applicant has provided internal living accommodation that exceeds the best practice guidelines. According to the Schedule of Accommodation submitted by the application, all house types significantly exceed the relevant floor areas advised. In most cases, over 22 metres separation distance between opposing first floor windows has been provided and in some cases, more. In locations where the gable ends of some house types are closer, bathroom windows are provided with obscured glazed or some narrow plan houses exhibit a blank elevation and this is satisfactory. For example, the interface between site 123 and 144/145, house type A has a blank gable elevation; or site 226 and site 225, where house type E on site 226 has an entirely blank rear elevation. Finally, in relation to the rear elevation of duplex apartment blocks J, their rear elevation is lit by windows to landings and bathrooms, these should be glazed with obscure glass to protect the privacy of units located to the rear, for example sites 231-235 and apartment numbers 175-182.

10.5.3. In terms of private open space, garden depths are mostly provided at a minimum depth of 11 metres and according to the schedule provided by the applicant result in between 48 up to 90 sqm (one end of terrace house has a rear garden of 143 sqm) across all house types, with very few at the lower end. A very small number of rear garden depths are as low as 7 metres but are associated with large corner sites and result in good but irregularly shaped rear gardens with side access. In all of these cases where garden depths are quite shallow, there are wider parts to the rear garden that extend up to 11 metres. In general, the rear gardens associated with dwellings vary in shape and area and provide in excess of 48 sqm in all cases, the minimum sought by guidelines. The scale of the proposed dwellings and the large garden spaces are generous. The proposed dwelling houses are acceptable and will provide a good level of residential amenity to future occupants.

Future Residents (apartments)

10.5.4. The proposed development includes 70 apartments that comprises four duplex blocks and a large 'L' shaped block that is between three and five storeys in height. Two three storey duplex blocks are located at the southern portion of the site and act as a gateway entrance to the rest of the scheme. The bulk of the apartments are located at the mid-section of the site around a parking court and public open space. Most blocks are located close or adjacent to public open spaces and all are provided with their own private amenity spaces in the form of terraces and balconies. The Sustainable Urban Housing: Design Standards for New Apartments 2020 has a bearing on design and the minimum floor areas associated with the apartments. In this context, the guidelines set out Specific Planning Policy Requirements (SPPRs) that must be complied with.

10.5.5. The applicant states that all of the apartments exceed the minimum area standard. The applicant has also submitted a Schedule of Accommodation and Housing Quality Assessment, that outlines a full schedule of apartment sizes, that indicates proposed floor areas and required minima. In summary, it is stated that all apartments exceed the minimum floor area requirement by more than 10%, most (61 out of 75) units are described as dual aspect and all balcony/patio areas meet minimum requirements. I have interrogated the schedule of floor areas presented by the applicant and found these figures to be accurate. All apartments exceed the

minimum floor area by at least 10% and in some duplex apartment cases, units are twice the minimum size required.

- 10.5.6. Those units that have a single aspect, are either oriented east or west, for example units 147 and 148 in the main apartment block. I am satisfied that the dual aspect design advanced by the applicant is acceptable and will provide satisfactory apartment units with adequate outlook and private amenity spaces are of a satisfactory size.
- 10.5.7. Dwelling Mix - The overall development provides 36 one bed units (13.1%), 40 two bed units (26.9%), 159 three bed units (58.5%) and 6 four bed units (1.5%). The amount of one bed units is significantly below the upward amount of 50% allowed for in the guidelines, with 13.1% of the total proposed development as one bed units. However, when dwelling mix is set against apartment only the amount of one bed units amounts to 51%, this can be addressed by amalgamating two adjacent one bed units into a two bed unit. My suggestion is that unit 172 and 173 on the fourth floor of Block M be amalgamated to form a large two bedroom unit, an appropriate condition could address this. This would mean that the proposed development will provide 69 apartments and 34 would be one bed units, less than the 50% upward limit set by guidelines.
- 10.5.8. In my opinion the introduction of one, two, three and some four bedroom units will satisfy the desirability of providing for a range of dwelling types/sizes, having regard to the character of and existing mix of dwelling types in the area. Specific Planning Policy Requirement 1 is therefore met. The planning authority raise no issues in relation to the dwelling mix proposed, in this context I note that the Cork City Development Plan states that the provision of dwellings with 3 / 3+ bedrooms are very important to achieving balanced communities as they are attractive to families. The LAP states that for the Ballyvolane Urban Expansion area, the provision of housing will help define new areas with a wide range of house types and an appropriate dwelling mix. I am satisfied that the dwelling mix proposed by the applicant complies with national and local policy requirements.
- 10.5.9. Apartment Design Standards - Under the Apartment Guidelines, the minimum gross floor area (GFA) for a 1 bedroom apartment is 45 sq.m, the standard for 2 bedroom apartment (3-person) is 63 sq.m, the standard for a 2 bedroom (four-person)

apartment is 73 sq.m, while the minimum GFA for a 3 bedroom apartment is 90 sq.m, Appendix 1 *Required Minimum Floor Areas and Standards* of the Apartment Guidelines refer. The applicant states that this has been achieved in all cases and has been demonstrated in the Housing Quality Assessment (HQA) for apartments submitted with the application. Having reviewed the HQA, in terms of the robustness of this assessment and in the context of the Guidelines and associated standards, I would accept the applicant's analysis that the apartments are larger than the minimum standards by 10% amount in all of the units provided. I am satisfied that the proposed apartments are therefore in excess of the minimum floor area standards (SPPR 3), with none close to the minimum requirements. Given, that all apartments comprise floor areas in excess of the minimum, I am satisfied that the necessary standards have been achieved and exceeded. I am satisfied that the internal layout and floor areas of the apartments are satisfactory from a residential amenity perspective, SPPR 3 of the guidelines is met.

10.5.10. Dual Aspect Ratios – The applicant points out that nearly all units are dual aspect. Given the overall design of units proposed, a combination of conventional houses and duplex units on large floorplans, I can see that it has been relatively easy to provide dual aspect across most dwelling types, SPPR 4 of the guidelines is met. For those units that achieve only a single aspect, they are 14 in number and have an easterly/westerly orientation and this is acceptable. In addition, I note that the City Development Plan looks for 90% of units to be dual aspect and the proposed achieves this easily.

10.5.11. Floor to ceiling height – the duplex apartment drawings that accompany the application show that floor to ceiling heights of 2.7 metres are achieved at all levels. The main apartment block has ground floor to ceiling heights that range between 2.85 and 3.00 metres, at upper levels a standard 2.7 metres is achieved. This is acceptable and in accordance with SPPR 5 of the guidelines.

10.5.12. Lift and stair cores – no more than 10 units are served by a lift/stair core and this is acceptable, SPPR 6 of the guidelines is met. The duplex apartment blocks are not provided with lift and stair cores.

10.5.13. Internal storage space is provided for all apartments at a minimum of 3 sqm and up to 10.99 sqm in some cases. Private amenity spaces exceed the minimum

area required by the Apartment Guidelines (5 sqm for a one-bed, 7 sqm for a two-bed unit and 9 sqm for a three bed unit). Public open spaces are evenly distributed throughout the scheme with no unit further than a short walk away. The design takes into account security considerations with good levels of passive surveillance and accessibility to amenity space. All of these features have been provided as part of the overall scheme and comply with the advice set out in sections 3 and 4 of the Apartment Guidelines.

- 10.5.14. Building Lifecycle Report - I note that the Apartment Guidelines, under section 6.13, require the preparation of a building lifecycle report regarding the long-term management and maintenance of apartments. Such a report has been supplied with the planning application and details long term maintenance and running costs. In addition, the guidelines remind developers of their obligations under the Multi-Unit Developments Act 2011, with reference to the ongoing costs that concern maintenance and management of apartments. A condition requiring the constitution of an owners' management company should be attached to any grant of permission. In addition, given the exposed character of the site, a more robust and durable form of external finish such as brick could be specified.
- 10.5.15. Overlooking/Privacy - The planning authority have no concerns with regard to issues of privacy and overlooking in the proposed scheme. For the most part the proposed development is well spread out and there should be no adverse impacts from potential loss of privacy or overlooking. There are some locations where opposing upper floor windows could cause an issue, but this issue is either met by blank gable elevations or bathroom/landing windows that can be fitted with obscure glazing.
- 10.5.16. Overshadowing/sunlight/daylight – The observer and the planning authority have not queried the daylight, sunlight and overshadowing assessment submitted with the application. The City Development Plan states that applications for apartments will need to demonstrate daylight / sunlight quality in the units, dual aspect, floor/ceiling heights and residential density have an impact on residential amenity and sunlight/daylight, according to the plan.
- 10.5.17. The proposed development comprises a combination of conventional dwelling houses, duplex apartment blocks no greater than three storeys in height and an

apartment block that is between three and five storeys. The overall layout allows for generous separation distances between buildings and nearly all units are dual aspect with many units enjoying a third aspect on gable walls. I note that section 3.16 of the Apartment Guidelines discusses dual aspect ratios and states dual-aspect apartments, as well as maximising the availability of sunlight, also provide for cross ventilation and should be provided where possible. In duplex type or smaller apartment blocks that form part of mixed housing schemes in suburban areas, dual aspect provision is generally achievable. The proposed development provides just such a scenario where access to sunlight has been maximised in all cases through dual and triple aspect units. I note that section 3.2 development management criteria under the Building Height Guidelines (SPPR 3) refers to considerations on daylight and overshadowing. There are no excessively tall buildings proposed in the scheme. I note that the prevailing building heights are two storey and some three storey buildings in the overall urban area. I have had regard to section 3.2 Development Management Criteria of the Height Guidelines and I am satisfied that at the varying scale of the city, neighbourhood, street and site, the generally two storey with a minor proportion of three and up to five storey development would be acceptable. In addition, I note that the Cork City Development Plan refers to the consideration of sunlight and daylight when preparing planning applications and the applicant has prepared such a study.

10.5.18. Irrespective, the applicant's has submitted a Sunlight, Daylight & Shadow Assessment, prepared by Chris Shackleton Consulting and examines the impact the proposed Development and Crèche Apartment block will have on neighbours in terms of daylight, sunlight & shadow. In addition, the report examines how the proposed J/J1, J/J2 and Crèche Blocks perform in terms of access to light.

10.5.19. In terms of the development performance of the proposed scheme, the report states that analysis has used the strict BRE minimum values of 1.0% for bedrooms and 2.0% for the Living / Dining / Kitchen room spaces. In terms of ADF (average daylight factors) for all tested rooms on all 3 blocks tested compliance with the relevant requirements has been met, no rooms exhibit poor ADF results. The results for sunlight APSH to living rooms in the main apartment block are also positive with all rooms tested achieving at least the minimum standard. Shadow/sunlight to the amenity area to the west of the main apartment block also receives the minimum 2

hours sunlight on the 21 March. The apartment units contained within the duplex units are dual aspect and were not tested, this is satisfactory. I find that the low-rise form, low scale massing and minimal three storey height of the duplex units and three/five storey height of the main apartment block is carefully modulated so as to maximise access to natural daylight, ventilation and views and minimises any overshadowing and loss of light. The requirement for a specific sunlight/daylight and overshadowing analysis for this development is not warranted, however, the applicant's report clearly details the achievement of all requirements based on the BRE guidance document BR 209 and the referenced BS 8206-2:2008 Lighting for buildings – Part 2: Code of practice for daylighting. It is clear that a conventional housing and duplex apartment scheme with separation distances between opposing first floor windows of 22 metres in the majority of cases would clearly allow excellent levels of daylight/sunlight to penetrate habitable rooms and amenity spaces and the report demonstrates this.

Existing Residential Amenity

10.5.20. I note that only a single observation was lodged by a local resident and that those concerns relate mainly to public transport provision and the overall visual representation of the development. No specific residential amenity concerns were raised in relation to particular residential properties. The planning authority have some issues and suggestions with regard to some urban design aspects of the overall layout but again no specific concerns about residential amenity. These are matters dealt with elsewhere in this report. Overall, the planning authority raise no particular concern with regard to how the development interacts with its neighbours.

10.5.21. The proposed development will be constructed on three large agricultural fields north of the Ballyhooly Road. There are two large single residential properties directly to the west of the site, with three others located up a private laneway, a fifth dwelling is located on the eastern boundary of the site along Ballyhooly Road. The properties to the west are located more than 22 metres away behind a mature tree/hedge line. The proposed development along the western boundary of the site comprises two storey house and I do not anticipate any undue residential amenity impacts at this location.

- 10.5.22. The three houses that back on to the site from the private laneway to the east are also in excess of 22 metres from the rear elevations of two storey houses proposed along the eastern boundary of the site. The three to five storey apartment block is located uphill and over 25 metres to the north west of the nearest dwelling and the applicant has prepared a sunlight/daylight and overshadowing report to understand the impact to these properties from the proposed apartment block. In terms of overlooking and overbearing appearance I do not anticipate any severe impacts to result because a mature hedge/tree line separates the existing dwellings from proposed and the separation distances are significant.
- 10.5.23. The dwelling located to the south eastern corner of the site along the Ballyhooly Road is positioned to the rear of proposed two storey terraced houses. The location is behind a mature hedge/tree line and the separation distance amounts to over 20 metres. Given the context and setting of the existing dwelling and the design and position of the proposed terraced houses, I do not anticipate any adverse impacts to residential amenity.
- 10.5.24. The applicant has prepared a Sunlight, Daylight & Shadow Assessment that includes an analysis of the impact on neighbours. The properties selected include: Arderrow and The Bungalow, two properties that are located along the eastern boundary of the site and in the vicinity of the proposed apartment block. Given, the location of these properties in relation to the only apartment block in the proposed scheme, I am satisfied that these are the only properties that require assessment in relation to sunlight/daylight and overshadowing.
- 10.5.25. The report explains that in terms of adjacent properties, tests were carried out to establish the quantity and quality of skylight (daylight) available to a room's windows. Locations tested are based on guideline recommendations for the closest facades which have windows with potential for impact. In terms of VSC the report concludes that when tested with the new development in place, the VSC for all tested windows was greater than 27%, or not breaching the 0.8 times its former value limit for habitable rooms. The average change ratio for VSC is 0.88 and the lowest was 0.82. The proposed development complies with the requirements of the BRE guidelines in relation to maintaining skylight availability for neighbours. In addition, sunlight into living spaces was also assessed and the report concludes that all tested windows comply with the annual APSH and winter WPSH requirements for

sunlight. The average change ratio for sunlight is APSH:1.00 and WPSH: 1.00. The report states that the proposed development complies with the requirements of the BRE guidelines in terms of both annual and winter sunlight availability to neighbours as it applies to living rooms and conservatories. Finally, in relation to shadow/sunlight to gardens and open spaces, the report states that more than 2 hours of sunlight on the 21st of March is achieved. The BRE guidelines state that in order for a proposed development to have a noticeable effect on the amount of sunlight received in an existing garden or amenity area, the value needs to both drop below the stated target value of 50% and be reduced by more than 20% of the existing value. In this instance 95% of the assessed gardens have met the criteria for effect on sunlighting as set out in the BRE Guidelines and this is acceptable.

10.5.26. Overall, the report concludes that neighbouring properties will generally not be affected by the proposed development and the impacts on Skylight, Sunlight and Shadow have been tested in accordance with the best practice guidelines (BRE). I have interrogated the analysis prepared by the applicant and found them to be robust. It is not surprising that the two properties tested would return good results in terms of sunlight/daylight and overshadowing because the separation distances are so great, and the proposed apartment block is only three storeys at its closest point.

Overall residential amenity conclusion

10.5.27. I find that there will be no adverse impacts in terms of overlooking and loss of privacy to existing residences and this is due to the separation distances involved and the open context of the site and surrounds. Neither does overbearing impact become a concern because along the site's lower boundaries (southern side) development has been designed to mirror what already exists across the street. Site sections and elevations submitted with the application illustrate these points. The proposed layout and design of the development is acceptable without significant amendment.

10.5.28. Given the foregoing, the reports and drawings prepared by the applicant and the views and observations expressed by the planning authority and the observer, I am satisfied that the proposed development will provide an acceptable level of residential amenity for future occupants, subject to the minor alterations I recommend. In addition, the proposed development has been designed to preserve

the residential amenities of nearby properties and will enhance the residential amenities associated with the existing houses in the area.

10.6. Traffic and Transport

- 10.6.1. The proposed development of 275 dwelling units will gain vehicular access directly from Ballyhooly Road and leave a considerable amount of space for the planned Cork Northern Distributor Road (CNDR). The development will provide a set back from the Ballyhooly Road comprising a wide grass margin planted with trees, a combined footpath and cycleway and two pedestrian crossings. The applicant notes that the Ballyhooly Road is proposed to be upgraded by Cork City Council to provide improved public transport, vehicle, cycling and pedestrian connectivity to existing infrastructure in the vicinity. A total of 415 car parking spaces are provided in a combination of in-curtilage, dedicated and general on street and crèche drop off spaces. In terms of bicycle parking, 70 are provided for the apartments and a further 40 bike stands are distributed around the main apartment block building. The applicant has prepared a Traffic and Transport Assessment (TTA), Mobility Management Plan (MMP), Construction Management Plan (CMP), Road Safety Audit (RSA) and a variety of drawings. The planning authority are broadly satisfied with these access and parking arrangements but recommend some technical adjustments especially with regard to parking, should permission be granted. The observer is concerned about the arrangements along Ballyhooly Road in light of future improvements. The National Transport Authority (NTA) have made comments in relation to the Ballyhooly Road improvements and Transport Infrastructure Ireland (TII) note future road plans for the area.
- 10.6.2. In detail, the proposed development includes a main north/south street from the R614 Ballyhooly Road to future housing development and route of the CNDR. Dedicated pedestrian and cycle facilities are provided along the street and along the norther side of the Ballyhooly Road Road. According to the application, this main north/south street and others throughout the development have been designed with DMURS principles. I am satisfied that the new street network will enhance the urban street network within the area and that it is in accordance with DMURS. I recommend that detailed design drawings for the junctions and safety audits are submitted to the PA for agreement prior to the commencement of works.

- 10.6.3. Both the NTA and the planning authority have outlined that improvements are planned for the Ballyhooly Road and it is noted that a set back of the proposed development in order to accommodate the proposed Ballyhooly Road (R614) upgrade works has been provided. It is generally agreed that the proposed development does not impinge upon the reservation required by the City Council to carry out the prescribed road/upgrade works. The planning authority state that a request for a 20 metre road reserve along the Ballyhooly Road has been provided and that this is an indication that the Ballyhooly Road will, in the future, provide for high quality bus services with dedicated bus lane. I am satisfied that given the material provided by the applicant and the assurances of the planning authority and the NTA, that the proposed development has been positioned so as to permit future physical and public transport improvements to the Ballyhooly Road. In terms of the route of the CNDR, the applicant has provided a sizable proportion of the site, free from development until such time as the detail of the new road is known. I am satisfied that the proposed development will not prejudice the design of any future road improvements to the north and south of the site. In addition, the proposed street design and layout allows for possible future connections to be easily achieved and a condition to ensure paved surfaces reach up to all boundaries should be attached.
- 10.6.4. Parking - The proposed development includes a total of 415 car parking spaces, as follows: Parking in Curtilage 289, Dedicated on-street parking 21, General on-street parking, 102 Dedicated spaces and Crèche drop-off 3. The applicant notes that the total number of car parking spaces proposed is below the Development Plan minimum standard of 2 spaces per house and 1.25 spaces per apartment, that would result in almost 500 car parking spaces. The planning authority accept the car parking quantum proposed by the applicant but require additional car parking spaces to be provided for the sole use of the crèche, condition 2 of the Chief Executive's report refers. The Sustainable Urban Housing Design Standards for new Apartments Guidelines 2020 suggests that that at 'Intermediate Urban Locations' such as this, planning authorities must consider a reduced overall car parking standard and apply an appropriate maximum car parking standard. It would appear that the planning authority are satisfied that the quantum of car parking provided is acceptable. This combined with an adequate level of cycle parking and cycling facilities in general is an accepted level of car parking. I note that there are plans to improve the existing

public transport provision in the area. The planning authority highlight that it is their aim to implement CMATS 2040, which is intended to incrementally deliver the specified transport infrastructure interventions and public transport services over time, to align with the continued growth of the City and wider Metropolitan Area. In this regard, CMATS and Bus Connects will be subject to periodic review and are intended to be scalable, flexible and future proofed enough to meet changes in population and employment growth in tandem with the principle of compact growth and public transport oriented development.

- 10.6.5. The planning authority do have concerns about the design and layout of the car parking provided, particularly in relation to parking courts at the south of the development where passive supervision is limited. An increase in crèche parking provision is also suggested. I also have concerns about the parking layout and design, my main concerns revolve around the preponderance of car parking in areas of public open spaces. Specifically, I am not satisfied that car parking allocated to units 113 to 122 has been adequately thought through. Given that there is a significant amount of room within the red line boundary of the site to re-position units 113 to 122 northwards, I see no reason why spaces cannot be provided in-curtilage. In addition, the car parking for units 140 to 144 could be provided as parallel spaces along the street to the north of units 144, 123 to 126. A condition should be attached to reflect these amendments.
- 10.6.6. I do not agree that additional car parking should be provided for the crèche, as I would envisage that the facility would seek to serve the emerging community in the area, rather than to generate additional car journeys from further afield. The MMP submitted with the application should be reviewed in consultation with the planning authority to ensure that sustainable transport options are highlighted to residents and users of the crèche. Finally, I have reviewed the position and design of the car parking courts at the southern end of the site. I find that units 41 and 42 adequately overlook the 13 spaces to the south and that units 58 to 61 look across to the 8 spaces to the east. I am satisfied that this car parking arrangement is designed not to interfere with cycle and pedestrian routes and I am satisfy that no design changes are necessary. In this context I am guided by The Design Manual for Urban Roads and Street, section 2.2 refers to a shift away from conventional roads based design solutions towards a more integrated model of street design that incorporates

elements of urban design and landscaping. Section 2.2.1 identifies connectivity, enclosure, active frontage and pedestrian activity as key characteristics of sustainable urban neighbourhoods. I am satisfied that the proposed roads layout is generally in accordance with the principles of DMURS. The provision of direct frontage onto the north/south future link street and Ballyhooly Road is consistent with DMURS guidance.

- 10.6.7. The dwelling houses have ample space for cycle storage, for the apartments, 70 bike spaces are placed in secured bike storage near the relevant apartments and 40 bike stands are positioned around the apartment building/ creche/ play areas. The applicant states that the layout will facilitate full permeability for pedestrian and cycle travel through the overall scheme with a future link to the Cork Northern Distributor Road. I consider the approach to cycle use and parking to be reasonable having regard to the site's locational context.
- 10.6.8. Traffic and Public Transport Assessment – The observer has raised concerns in relation to the internal design of the site and its interface with Ballyhooly Road. However, they note that adequate space has been left for future road improvements and that access throughout the site is good. The planning authority raise no concerns with regard to the quantum of development proposed and any consequences that might result to the local road network. No issues are envisaged but that ongoing consultation should continue in relation to future road improvements in the area.
- 10.6.9. The application is accompanied by a Traffic and Transport Assessment. The main conclusions are that the proposed development complies with the LAP, existing conditions along the Ballyhooly Road can cater for the development, the layout provides onward connections, the cumulative impact of the development has been assessed as acceptable, integration with the CNDR is possible and that the proposal will not adversely impact upon traffic flows on the Ballyhooly Road. Specifically, traffic modelling of 4 local junctions, concluded that Phase I of the scheme to be completed and occupied by 2022, requires no change to the existing roads network. The applicant states that Modelling was carried out on the basis that an incremental increase in the modal shift rate over a number of years (2022-2025) was applied to development traffic only and that there was no associated application of the increase in modal shift to background traffic flows (which would result in a reduction in

junction flows). The planning authority have found the applicant's assessments to be acceptable in terms of traffic. I am satisfied that the submitted traffic assessment is robust and that it accords with relevant national guidance. The assessment demonstrates that the impact of the proposed development on the local traffic network would be marginally positive.

10.6.10. In terms of public transport, I note that this area has been planned for significant structural and capacity/frequency changes to occur in the future, the Cork Metropolitan Area Transport Study (CMATS) is instructive in this instance. At present, the closest public bus route serving the site is the 207, the terminus lies 100m from the site entrance. Route 207 runs from Ballyvolane to Donnybrook via Cork City centre every 30 minutes. According to the TTA, as part of the Ballyvolane Strategic Transport Corridor (BSTC) significant improvements to Route 207 are proposed with the aim of decreasing journey times and enhancing public facilities, such as bus shelters, RTPI (Realtime Public Information), bus priority at all signal-controlled junctions and an increase in frequency of services once improvements are complete.

10.6.11. The planning authority have highlighted that the Route 207 city bus route passes the site and that there are bus stops in close proximity to the proposed development on the R614. As part of the Ballyvolane Strategic Transport Corridor (BSTC) significant improvements to Route 207 are proposed with the aim of decreasing journey times and enhancing public facilities. As per CMATS, the medium-term strategy is to introduce BusConnects throughout Cork Metropolitan Area and will provide better access to the city centre. This will increase sustainable travel options for residents in the medium-long term future.

10.6.12. I note that the priority delivery of BusConnects routes have not been finalised but I am satisfied that the quantum of development proposed will be a significant factor in achieving the aims and ambition of CMATS and other projects in the area. In this context, I note other large SHD housing projects that have been granted permission within the CMATS study area and I am satisfied that public transport provision in the vicinity at present and in to the future is adequate and will be significantly enhanced.

10.6.13. Construction Traffic - The submitted Construction Management Plan sets out how the lands will be developed on a phased basis and that construction traffic will be coordinated. All vehicular access to the site will be via the Ballyhooly Road. Staff parking areas and a site compound will be formed during the initial site set-up, and will be in place for the entire duration of the construction period. I would note that the volume of traffic during construction will be lower than that generated during the operational phase and that any impacts arising will be temporary in nature. I am satisfied that impacts can be satisfactorily addressed through the implementation of a Traffic Management Plan. This can be satisfactorily addressed by way of condition.

10.6.14. Traffic and Transport Conclusion - The proposed development is located at a well-served suburban location close to a variety of amenities and facilities, such as schools, playing pitches and the commercial/retail centres of the Ballyvolane. Current public transport options are limited to a relatively low frequency bus service but significant plans and investment are in place to upscale public transport provision across Cork City and this location in particular. In addition, there are good cycle and pedestrian facilities proposed in the development and this should encourage other network improvements in the area. The proposed development will add significant improvements to the public realm in this respect. It is inevitable that traffic in all forms will increase as more housing comes on stream. However, I am satisfied that most of the ingredients are in place to encourage existing and future residents to increase modal shift away from car use to more sustainable modes of transport and this can be achieved by the implementation of the mobility management plan and provision of a car parking strategy.

10.7. Infrastructure

10.7.1. The applicant has prepared a Services Infrastructure Report and a Flood Risk Assessment, as well as detailed infrastructure drawings to support the application. I deal with infrastructure aspects of the proposal such as drainage, flood risk and water services over the following sections:

10.7.2. Drainage - The Services Infrastructure Report submitted with the application outlines in detail the surface water management strategy proposed for the site. According to the report there is an existing shallow drainage ditch, approx. 300mm - 400mm deep, that runs along a large section of the eastern site boundary, before it discharges to

an existing 300mm diameter storm sewer in the Ballyhooly Road to the south of the site and on to the Glenn River. This drainage ditch will be maintained in an open state. It is explained that the existing surface water infrastructure on Ballyhooly Road cannot accept flows from the proposed development, a new surface water sewer from the site to the Glen River is required. This new storm sewer will run along the Ballyhooly Road discharging to the Glen River at a point upstream of the bridge at Dunnes Stores. The proposed route of this sewer is shown on Drawing No. 20213-JBB-XX-XX-DR-C-04005. The applicant notes that this storm sewer on the Ballyhooly Road may form part of the proposed Ballyhooly Road Upgrade Project by Cork City Council and the applicant will liaise with Cork City Council when detailed design of this upgrade project is being advanced.

10.7.3. The overall surface water strategy for the site has been dictated in part, by the sloping topography of the site. Thus, the primary surface water drainage network will consist of conventional piped systems that will convey the flows towards the natural low points of the site where final storage will be provided by way of StormTech attenuation tanks. Some run-off will be collected by SuDS measures and this is acceptable. The planning authority raise no objection to the proposed surface water management strategy subject to the attachment of conditions that I consider to be of a standard and technical nature.

10.7.4. Flood Risk – the applicant has prepared a site-specific Flood Risk Assessment, the site is located in flood zone C. The applicant's report concludes that the main flood risk to the site has been identified as pluvial flooding. The site is located on a sloping hillside and is surrounded by a local drainage network that manages surface water flows through and around the existing site. To minimise the pluvial flood risk, a system has been proposed to capture surface water from the lands to the north and transfer these through the site via a self contained piped system. Stormwater will be managed on site before controlled discharge. A separate hydrogeological assessment has been undertaken to assess the potential of the discharge to ground, the overarching finding is that there is no negative impact on the site. The planning authority note the contents of the FRA and recommend standard and technical conditions. I am satisfied having regard to the proposal to provide on site storage that there would be no increase in flood risk at other locations. I note that new piped

infrastructure will convey surface water from the site to the Glenn River, and in this context the requirements of the planning authority are noted.

10.7.5. **Water Services** – The site can be facilitated by water services infrastructure and the planning authority and Irish Water have confirmed this. In this respect, IW have stated that in order to accommodate a wastewater connection, local upgrades may be required to be carried out. IW note that the Cork Drainage Area Plan (Cork DAP) is an ongoing Irish Water project to survey and model the sewers in this area, the results of the DAP model will highlight any site-specific local upgrades required to accommodate this proposed development. Local upgrades will be within the public domain. IW has an ongoing project to construct a wastewater pumping station to accommodate a proposed development on an adjacent site. In order to accommodate the wastewater connection for this development proposal it is necessary to increase the capacity and storage of the pumping station on the adjoining site due for completion Q1 2023 (subject to change). I am satisfied that an appropriate condition can address the matters raised by IW and there is no substantive reason to delay the subject the proposal. IW confirm that water connection to the development is feasible without any upgrades. I am satisfied that there are no significant water services issues that cannot be addressed by an appropriate condition.

10.8. **Other Matters**

10.8.1. Archaeology - I refer the Board to the Archaeological Impact Assessment and Testing report submitted by the applicant. The site is in the Ballyvolane townland at the edge of the suburban area of Ballyvolane on the northern side of Cork city. It comprises three adjoining fields in arable use. There are two recorded archaeological sites within the proposed development site a burnt mound (CO074-131) and a fulacht fia (CO074-172). The planning authority recommend the attachment of conditions referenced by the City Archaeologist. The mitigation proposed by the applicant to preserve in-situ the two archaeological monuments within appropriate buffer zones is acceptable and I agree that an appropriate condition should be attached.

10.8.2. Social and Affordable Housing – The applicant has submitted proposals for transfer of 10% of the proposed units to the planning authority, 27 units, as follows:

Unit Type	Bedrooms	Amount
A1	3	1
A2	3	2
B	3	2
C1	2	3
E3	3	1
F	3	2
J	2	8
J1	1	8
Total		27

10.8.3. Units are distributed throughout the overall scheme. The planning authority note the provision of Part V and its obligations for the developer, revisions to initial discussions are noted and no objections raised. The standard Part V requirement of 10% was applicable at the time that the application was being prepared. With regard to the above I note the recent Housing for All Plan and the associated Affordable Housing Act 2021 which requires a contribution of 20% of land that is subject to planning permission, to the planning authority for the provision of affordable housing. There are various parameters within which this requirement operates, including dispensations depending upon when the land was purchased by the developer. In the event that the Board elects to grant planning consent, a condition can be included with respect to Part V units and will ensure that the most up to date legislative requirements will be fulfilled by the development.

10.8.4. Childcare facilities - The proposed crèche has a stated floor area of 413sqm with capacity for 85 children. The applicant has provide a social infrastructure assessment and concluded that this is the appropriate scale of childcare facility given the availability of others in the area. The planning authority raise no issue with the scale of crèche proposed. I am satisfied that the rate of provision is acceptable by reference to the Childcare Facilities Guidelines (Appendix 2). I am also satisfied

that the location of the creche within Block Type M is acceptable and I recommend no changes to the design and layout of the scheme.

10.8.5. Recent Section 28 Guidelines – The new guidelines are brief and concern the regulation of commercial institutional investment in certain housing developments of five or more houses and/or duplex units but not those schemes that have ‘build-to-rent’ status. The Regulation of Commercial Institutional Investment in Housing May 2021 Guidelines for Planning Authorities, enables planning authorities and An Bord Pleanála to attach planning conditions that require a legal agreement controlling the occupation of units to individual purchasers, i.e. those not being a corporate entity, and, those eligible for the occupation of social and/or affordable housing, including cost rental housing. In the context of the current planning application that comprises a mixture of houses and apartments/duplexes it is appropriate to attach the relevant condition advised by the recently published guidelines.

10.8.6. Ecology – In addition to a Natura Impact Statement, the applicant has submitted an Ecological Impact Assessment, prepared by Karen Banks MCIEEM (Greenleaf Ecology) and dated November 2021. A walkover survey of the site was carried out on the 28 May 2021, together with a survey for invasive species on the same date and a bat survey on the 28 May and 12 July 2021. Breeding bird surveys of the site were undertaken on 28 May 2021 and 25 June 2021. The habitat character of the site can be described by arable crops, treelines and drainage ditches. The assessment identifies that the site has no unusual features of interest and section 5 of the assessment sets out mitigation measures common to any similarly scaled urban development. Measures are mostly highlighted in the preliminary Construction Environment Management Plan (CEMP) submitted with the application. The report concludes that in the absence of mitigation, the proposals have the potential to impact on protected/notable species, through disturbance during the construction phase. However, with the successful implementation of landscaping proposals for the site and the specific mitigation measures outlined in Section 5, no significant adverse residual impacts to fauna are anticipated. The planning authority note the impact that the development may have on ecology and recommend a condition (number 7 of Appendix C of the Chief Executive’s Report). I concur that an appropriate condition should be attached to ensure the preservation of the local ecology of the area.

11.0 Screening for Environmental Impact Assessment

- 11.1. The site is an urban greenfield site (zoning objective NE-R-05 - High and Medium A density residential development (20 – 50 units per hectare in the Cobh Municipal District Local Area Plan 2017). The site is located at the edge of an existing urban area comprising a combination of houses and retail units. The lands comprise agricultural ground. The proposed development relates to the construction of 275 units and a crèche.
- 11.2. The development is within the class of development described at 10(b) of Part 2 of Schedule 5 of the planning regulations. An environmental impact assessment would be mandatory if the development exceeded the specified threshold of 500 dwelling units or 10 hectares, or 2ha if the site is regarded as being within a business district.
- 11.3. The proposal for 275 residential units on a site of 7.5274 ha is below the mandatory threshold for EIA. The nature and the size of the proposed development is well below the applicable thresholds for EIA. I note that the uses proposed are similar to predominant land uses in the area and that the development would not give rise to significant use of natural resources, production of waste, pollution, nuisance, or a risk of accidents. The site is not subject to a nature conservation designation and does not contain habitats or species of conservation significance. The AA Screening set out in Section 12 concludes that the potential for adverse impacts on Natura 2000 site can be excluded at the screening stage.
- 11.4. The criteria at schedule 7 to the regulations are relevant to the question as to whether the proposed sub-threshold development would be likely to have significant effects on the environment that could and should be the subject of environmental impact assessment. The application is accompanied by an EIA Screening Report which includes the information required under Schedule 7A to the planning regulations. In addition, the various reports submitted with the application address a variety of environmental issues and assess the impact of the proposed development, in addition to cumulative impacts with regard to other permitted developments in proximity to the site, and demonstrate that, subject to the various construction and design related mitigation measures recommended, the proposed development will

not have a significant impact on the environment. I have had regard to the characteristics of the site, location of the proposed development, and types and characteristics of potential impacts. I have examined the sub criteria having regard to the Schedule 7A information and all other submissions, and I have considered all information which accompanied the application including inter alia:

- Planning and Design Statement
- A Site Masterplan and Design Rationale including CGIs
- A Landscape and Visual Assessment Report
- A Daylight and Sunlight Assessment
- Archaeological Impact Assessment
- An Ecological Impact Assessment
- An Appropriate Assessment Screening and Natura Impact Statement
- A Flood Risk Assessment
- Groundwater Assessment
- Services Infrastructure Report
- Tree Survey Report

11.5. The applicant has prepared and submitted a standalone documents entitled: Statement on EIA Screening Process – Statement pursuant to Planning and Development Regulations 2001 (as amended) and Section 299B(1)(b)(ii)(II)(C). Noting the requirements of Section 299B (1)(b)(ii)(II)(C), whereby the applicant is required to provide to the Board a statement indicating how the available results of other relevant assessments of the effects on the environment carried out pursuant to European Union legislation other than the Environmental Impact Assessment Directive have been taken into account I would note that the following assessments / reports have been submitted.

- Report on Appropriate Assessment Screening and a Natura Impact Statement has been undertaken pursuant to the Habitats Directive (92/43/EEC) and the Birds Directive (2009/147/EC).

- The Flood Risk Assessment addresses the potential for flooding having regard to the OPW CFRAMS study which was undertaken in response to the EU Floods Directive.
- The submitted Outline Construction Management Plan sets out standards derived from the EU Ambient Air Quality Directive.

11.6. The EIA screening report prepared by the applicant has, under the relevant themed headings considered the implications and interactions between these assessments and the proposed development, and as outlined in the report states that the development would not be likely to have significant effects on the environment. I am satisfied that all relevant assessments have been identified for the purpose of EIA Screening.

11.7. I have completed an EIA screening assessment as set out in Appendix A of this report. I consider that the location of the proposed development and the environmental sensitivity of the geographical area would not justify a conclusion that it would be likely to have significant effects on the environment. The proposed development does not have the potential to have effects the impact of which would be rendered significant by its extent, magnitude, complexity, probability, duration, frequency or reversibility. In these circumstances, the application of the criteria in Schedule 7 to the proposed sub-threshold development demonstrates that it would not be likely to have significant effects on the environment and that an environmental impact assessment is not required before a grant of permission is considered. This conclusion is consistent with the EIA Screening Statement submitted with the application.

11.8. Overall, I am satisfied that the information required under Section 299B(1)(b)(ii)(II) of the Planning and Development Regulations 2001 (as amended) have been submitted. A Screening Determination should be issued confirming that there is no requirement for an EIAR based on the above considerations.

11.9. Having regard to:

(a) The nature and scale of the proposed development which is below the threshold in respect of Class 10(b)(iv) and Class 13 of Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended,

(b) the site's location close to the Ballyvolane Shopping Centre at Ballyhooly Road and Cork City Centre, close to a bus route within an established built up area on lands with a zoning objective NE-R-05 - High and Medium A density residential development (20 – 50 units per hectare) in the Cobh Municipal District Local Area Plan 2017,

(c) the existing use on the site and pattern of development in the surrounding area,

(d) the planning history relating to the surrounding area,

(e) the availability of mains water and wastewater services to serve the proposed development,

(f) the location of the development outside of any sensitive location specified in Article 299(C)(1)(v) of the Planning and Development Regulations 2001, as amended,

(g) the provisions of the guidance as set out in the Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development, issued by the Department of the Environment, Heritage and Local Government (2003),

(h) the criteria as set out in Schedule 7 of the Planning and Development Regulations 2001, as amended, and

(i) the features and measures proposed by the developer envisaged to avoid or prevent what might otherwise be significant effects on the environment, including measures identified in the Outline Construction Management Plan.

11.10. Having regard to the limited nature and scale of the proposed development and the absence of any connectivity to any sensitive location, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded. An EIA - Preliminary Examination form (see appendix A) has been completed and a screening determination is not required.

12.0 **Appropriate Assessment**

12.1. **Introduction**

12.1.1. The applicant has prepared an AA Screening Report as part of a Natura Impact Statement (NIS). The screening report concludes that potential impacts on two identified European sites may arise as a result of the proposed development, during the construction and operational phases and so an NIS has been prepared. The requirements of Article 6(3) as related to screening the need for appropriate assessment of a project under part XAB, section 177U and section 177V of the Planning and Development Act 2000 (as amended) are considered fully in this section.

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

12.2.1. The Habitats Directive deals with the Conservation of Natural Habitats and of Wild Fauna and Flora throughout the European Union. Article 6(3) of this Directive requires that any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives. The competent authority must be satisfied that the proposal will not adversely affect the integrity of the European site before consent can be given. The proposed development is not directly connected to or necessary to the management of any European site and therefore is subject to the provisions of Article 6(3).

12.2.2. The applicant has submitted a Screening Report for Appropriate Assessment as well as an NIS. The Screening Report has been prepared by Karen Banks MCIEEM Greenleaf Ecology. The Report provides a description of the proposed development and identifies European Sites within a possible zone of influence of the development. The AA screening report concludes that "in the absence of mitigation measures to control surface water pollution via the drainage channel on the eastern boundary of the proposed site during the construction of the proposed development, the potential for likely significant effects on the SCI for Cork Harbour SPA and Annex I habitats within Great Island Channel SAC, as a result of a reduction in water quality cannot be ruled out. In view of objective information, best scientific knowledge and the conservation objectives of the European sites, the potential for likely significant effects to Cork Harbour SPA and Great Island Channel SAC cannot be excluded. Likely significant effects (in the absence of mitigation) to these European sites arise

primarily from the potential for water quality degradation as a result of the proposed works which, in turn, has the possibility to affect the conservation objectives of the European sites alone or in combination with other plans or projects.”

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

12.3. **Need for Stage 1 AA Screening**

12.3.1. The project is not directly connected with or necessary to the management of a European Site and therefore it needs to be determined if the development is likely to have significant effects on a European site(s). The proposed development is examined in relation to any possible interaction with European sites designated Special Conservation Areas (SAC) and Special Protection Areas (SPA) to assess whether it may give rise to significant effects on any European Site in view of the conservation objectives of those sites.

12.4. **Brief Description of the Development**

12.4.1. The applicant provides a description of the project in Section 3 of the Screening Report. The development is also summarised in Section 3 of my Report. In summary, permission is sought for 275 residential units and a crèche on a greenfield site of 7.5 hectares that is on the north eastern edge of Cork City. Land uses in the vicinity include agricultural ground and residential properties. The site is serviced by public water supply and foul drainage networks. The wastewater collection within the development will be via a network of gravity sewers for ultimate discharge to a pumping station to be located to the west of the site. The pumping station is at the design stage and will be located on Ballyhooly Road; Irish Water have confirmed feasibility for the connection. The foul water will be treated at the Carrigrenan WWTP, which has sufficient capacity for the proposed development.

12.4.2. New drainage infrastructure will be provided within the proposed development to deal with new runoff from the developed site, the existing drainage ditch will be maintained along the eastern boundary of the site to ensure that existing drainage regimes will continue to be available to adjoining lands. The drainage ditch running along the eastern site boundary discharges to an existing 300mm diameter storm

sewer in the Ballyhooly Road to the south of the site. The existing storm sewer in the Ballyhooly Road runs east along the Ballyhooly Road turning in a southerly direction at Dunnes Stores before discharging to the Glen River. The Glen River is a second order watercourse, which confluences with the Bride River (a 2nd order watercourse) to form the Kiln River c.2.6km downstream of the bridge at Dunnes Stores, before flowing into the River Lee, which is a large 6th order river, a further c.1.0km downstream. The River Lee is part of the Lee Estuary transitional waterbody, which flows into Cork Harbour c.5km further downstream. The dominant habitat on site is arable crops with treelines and drainage ditches. No flora or fauna species for which Natura 2000 sites have been designated were recorded on the application site.

12.5. Submissions and Observations

12.5.1. The submissions and observations from the Local Authority, Prescribed Bodies, and third parties are summarised in sections 8, 9 and 10 above. There are no submissions that directly refer to appropriate assessment matters.

12.6. Zone of Influence

12.6.1. A summary of European Sites is presented in Section 3.4 (*Description of European Sites*) of the AA Screening Report. The proposed development is not located within or immediately adjacent to any European Site. The nearest European sites to the proposed development are: Blackwater River (Cork/ Waterford) SAC (Site Code: 002170); Great Island Channel SAC (Site Code: 001058); and Cork Harbour SPA (Site Code: 004030). The report has reviewed connectivity between the sites and the proposed works. Connectivity is identified via the potential source-pathway-receptor model which identifies the potential impact pathways such as land, air, hydrological, hydrogeological pathways etc. which may support direct or indirect connectivity of the proposed works to European sites and/or their qualifying features. Source – pathway – receptor dynamics were assessed for Blackwater River (Cork/Waterford) SAC, and the report has determined that there is no connectivity (via surface water, groundwater, air or other environmental vectors) between the proposed works and this site. As a result, the Blackwater River site will not be considered further for screening purposes. Cork Harbour SPA and Great Island Channel SAC support remote and indirect hydrological connectivity to the proposed site and the report concludes that these sites should be considered further.

12.6.2. There are no Annex 1 habitats present within the proposed development site or its immediate environs. There are no records of any species or habitats for which European sites are designated within the development site. The nearest major watercourse is the Glen River, which confluences with the Bride River to form the Kiln River c.2.6km, before flowing into the River Lee. The River Lee is part of the Lee Estuary transitional waterbody, which flows into Cork Harbour.

12.6.3. Section 4.2 of the applicant's screening report identifies potential impacts in the absence of mitigation associated with the proposed development taking account of the characteristics of the proposed development in terms of its location and scale of works, and examines whether there are any European sites within the zone of influence. The single issue examined is the potential for linkage through hydrological connections. In the absence of mitigation, the input of potential pollutants to the Cork Harbour SPA and Great Island Channel SAC cannot be excluded, and could have potential effects on the qualifying interests of the SAC/SPA. However, the report concludes that there would be no potential for any impacts to other Nature 2000 sites. The applicant's screening assessment concludes that, as the risk of potential significant effects on four European sites cannot be ruled out, during the construction and operational phases, the two sites are: Great Island Channel SAC (Site Code: 001058); and Cork Harbour SPA (Site Code: 004030).

12.7. Screening Assessment

12.7.1. In terms of zone of interest there are three Natura 2000 sites that are within 15 km of the application site, they are as follows:

- Blackwater River (Cork/ Waterford) SAC (Site Code: 002170);
- Great Island Channel SAC (Site Code: 001058); and
- Cork Harbour SPA (Site Code: 004030).

12.7.2. In applying the 'source-pathway-receptor' model to all Natura 2000 sites within 15 km of the application site I am satisfied that the potential for impacts on the Blackwater River (Cork/ Waterford) SAC can be excluded at the preliminary stage due to the nature and scale of the proposed development, the degree of separation and the absence of ecological and hydrological pathways.

12.7.3. In applying the ‘source-pathway-receptor’ model, I consider that the following sites could potentially be affected due to connections via surface water drainage: Great Island Channel SAC (Site Code: 001058); and Cork Harbour SPA (Site Code: 004030). The Conservation Objectives (CO) and Qualifying Interests of these two sites are as follows:

European sites assessed for the purpose of screening.

Site name and code	Distance from the site	Qualifying Interest
Great Island Channel SAC (001058)	c.6.8 km to the south east	Mudflats and sandflats not covered by seawater at low tide [1140] Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>) [1330]
Cork Harbour SPA (004030)	c. 2.8km to the south east of the site	Little Grebe (<i>Tachybaptus ruficollis</i>) [A004] Great Crested Grebe (<i>Podiceps cristatus</i>) [A005] Cormorant (<i>Phalacrocorax carbo</i>) [A017] Grey Heron (<i>Ardea cinerea</i>) [A028] Shelduck (<i>Tadorna tadorna</i>) [A048] Wigeon (<i>Anas penelope</i>) [A050] Teal (<i>Anas crecca</i>) [A052] Pintail (<i>Anas acuta</i>) [A054] Shoveler (<i>Anas clypeata</i>) [A056] Red-breasted Merganser (<i>Mergus serrator</i>) [A069] Oystercatcher (<i>Haematopus ostralegus</i>) [A130] Golden Plover (<i>Pluvialis apricaria</i>) [A140] Grey Plover (<i>Pluvialis squatarola</i>) [A141] Lapwing (<i>Vanellus vanellus</i>) [A142] Dunlin (<i>Calidris alpina</i>) [A149] Black-tailed Godwit (<i>Limosa limosa</i>) [A156] Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157] Curlew (<i>Numenius arquata</i>) [A160] Redshank (<i>Tringa totanus</i>) [A162] Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179] Common Gull (<i>Larus canus</i>) [A182]

		Lesser Black-backed Gull (<i>Larus fuscus</i>) [A183] Common Tern (<i>Sterna hirundo</i>) [A193] Wetland and Waterbirds [A999]
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12.7.4. The Great Island Channel SAC (001058) contains two marine habitats. The submitted AA Screening Report notes no direct hydrological link to this SAC although notes the potential run-off of pollutants from the construction work on a watercourse to the west of the Ballyhooly Road which ultimately flows into the Cork Harbour SPA via the Glen River. This water course connects to the site via field drains and culverts. The AA Screening Report refers to the inclusion of mitigation measures to prevent any negative impact on Cork Harbour. The Cork Harbour SPA is located c. 3km to the east and supports 24 Species of Conservation Interest. The habitats within this SPA have been noted in the AA Screening Report as intertidal areas in Cork Harbour and having regard to the location of the watercourse.

12.8. Consideration of Impacts:

- There is nothing unique or particularly challenging about the proposed greenfield development, either at construction phase or operational phase.
- With regard to impacts on sites within a 15 km radius due to ecological connections, I am satisfied having regard to the nature and scale of the proposed development on serviced land, the minimum separation distances from European sites, the intervening uses, and the absence of direct source – pathway – receptor linkages, that there is no potential for indirect impacts on sites in the wider area (e.g. due to habitat loss / fragmentation, disturbance or displacement or any other indirect impacts) and that no Appropriate Assessment issues arise in relation to the European sites listed above.
- During the operational stage surface water from the proposed development will outfall to existing drainage ditch running along the eastern site boundary, this discharges to an existing 300mm diameter storm sewer in the Ballyhooly Road to the south of the site, improvements are planned to surface water drainage infrastructure along the Ballyhooly Road. The existing storm sewer in the Ballyhooly Road runs east along the Ballyhooly Road turning in a southerly

direction at Dunnes Stores before discharging to the Glen River. The Glen River is a second order watercourse, which confluences with the Bride River (a 2nd order watercourse) to form the Kiln River c.2.6km downstream of the bridge at Dunnes Stores, before flowing into the River Lee, which is a large 6th order river, a further c.1.0km downstream. The River Lee is part of the Lee Estuary transitional waterbody, which flows into Cork Harbour c.5km further downstream to where the Great Island Channel SAC and Cork Harbour SPA are located. The surface water pathway creates the potential for an interrupted and distant hydrological connection between the proposed development and European sites in the inner section of Cork Harbour.

- During the construction phase standard pollution control measures are to be used to prevent sediment or pollutants from leaving the construction site and entering the water system. During the operational phase clean, attenuated surface water will discharge to a new storm sewer along the Ballyhooly Road discharging to the Glen River at a point upstream of the bridge at Dunnes Stores. The pollution control measures to be undertaken during both the construction and operational phases are standard practices for urban sites and would be required for a development on any urban site in order to protect local receiving waters, irrespective of any potential hydrological connection to Natura 2000 sites. In the event that the pollution control and surface water treatment measures were not implemented or failed, I remain satisfied that the potential for likely significant effects on the qualifying interests of Natura 2000 sites in Cork Harbour can be excluded given the distant and interrupted hydrological connection, the nature and scale of the development and the distance and volume of water separating the application site from Natura 2000 sites in Cork Harbour (dilution factor).
- In terms of in combination impacts other projects within the Cork areas which can influence conditions in the River Lee and Cork Harbour via rivers and other surface water features are also subject to AA. In this way in-combination impacts of plans or projects are avoided.

12.8.1. Surface water from the proposed development will pass through a range of SuDS including green roofs and permeable paving. Waters from green roofs and permeable paving and all other surface water will be attenuated in underground

attenuation tanks. All surface waters will pass through a hydrocarbon interceptor before discharge to the surface water network (See 'Services Infrastructure Report' and drawings by Barry and Partners Consulting Engineers and for construction stage see 'Construction Management Plan').

- 12.8.2. These waters will ultimately drain to Cork Harbour via a variety of watercourses. These are not works that are designed or intended specifically to mitigate an effect on a Natura 2000 site. They constitute the standard approach for construction works in an urban area. Their implementation would be necessary for a residential development on any greenfield site in order to protect the receiving local environment and the amenities of the occupants of neighbouring land regardless of connections to any Natura 2000 site or any intention to protect a Natura 2000 site. It would be expected that any competent developer would deploy them for works on an urban site whether or not they were explicitly required by the terms or conditions of a planning permission.
- 12.8.3. The good construction practices are required irrespective of the site's hydrological connection via the urban surface water drainage system to those Natura 2000 sites. They are not required for the purpose of mitigating any potential impact to those Natura sites, given the distance and levels of dilution that would occur in any event. There is nothing unique, particularly challenging or innovative about this urban development on a greenfield/edge of urban site, either at construction phase or operational phase. It is therefore evident from the information before the Board that the proposed construction on the applicant's landholding would not be likely to have a significant effect on the Great Island Channel SAC and Cork Harbour SPA Stage II AA is not required.
- 12.8.4. I note the applicant submitted a Natura Impact Statement. In deciding to prepare and submit a NIS the applicant states that the precautionary principle was being applied. I am of the opinion that the application of the precautionary principle in this instance represents an over-abundance of caution and is unwarranted.

12.9. **AA Screening Conclusion:**

- 12.9.1. In reaching my screening assessment conclusion, no account was taken of measures that could in any way be considered to be mitigation measures intended to avoid or reduce potentially harmful effects of the project on any European Site. In

this project, no measures have been especially designed to protect any European Site and even if they had been, which they have not, European Sites located downstream are so far removed from the subject lands and when combined with the interplay of a dilution affect such potential impacts would be insignificant. I am satisfied that no mitigation measures have been included in the development proposal specifically because of any potential impact to a Natura 2000 site.

12.9.2. It is reasonable to conclude that on the basis of the information on file, which I consider adequate in order to issue a screening determination, that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on the Great Island Channel SAC (Site Code: 001058); and Cork Harbour SPA (Site Code: 004030) or any European site, in view of the sites' Conservation Objectives, and a Stage 2 Appropriate Assessment (and submission of a NIS) is not therefore required. In reaching this conclusion I took no account of mitigation measures intended to avoid or reduce the potentially harmful effects of the project on any European Sites.

13.0 Recommendation

13.1. Having regard to the above assessment, I recommend that section 9(4)(c) of the Act of 2016 be applied and that permission is GRANTED for the development as proposed for the reasons and considerations and subject to the conditions set out below.

14.0 Reasons and Considerations

Having regard to the following:

- (a) the site's location close to the Ballyvolane Shopping Centre and Cork City Centre, close to a bus service and other local facilities and amenities, within an established built up area on lands with a zoning objective NE-R-05 - High and Medium A density residential development (20 – 50 units per hectare) in the Cobh Municipal District Local Area Plan 2017;
- (b) the policies and objectives set out in the NPF and SRA/RSES

- (c) the policies and objectives set out in the Cork County Development Plan 2014 and the Cobh Municipal District Local Area Plan 2017
- (d) the Rebuilding Ireland Action Plan for Housing and Homelessness, 2016
- (e) Urban Development and Building Heights, Guidelines for Planning Authorities, 2018
- (f) the Design Manual for Urban Roads and Streets (DMURS), 2013, as amended
- (g) the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, 2009
- (h) the Guidelines for Planning Authorities on Sustainable Urban Housing: Design Standards for New Apartments, 2020
- (i) the Planning System and Flood Risk Management (including the associated Technical Appendices), 2009
- (j) the nature, scale and design of the proposed development,
- (k) the availability in the area of a range of social, community and transport infrastructure,
- (l) the pattern of existing and permitted development in the area,
- (m) the planning history of the site and within the area,
- (n) the submissions and observations received,
- (o) the report of the Chief Executive of Cork City Council, and
- (p) the report of the Inspector, including the examination, analysis and evaluation undertaken in relation to appropriate assessment and environmental impact assessment.

It is considered that, subject to compliance with the conditions set out below that the proposed development would constitute an acceptable quantum and density of development in this accessible urban location, would not seriously injure the residential or visual amenities of the area, would be acceptable in terms of urban design, height and quantum of development and would be acceptable in terms of

pedestrian and traffic safety. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

15.0 Recommended Draft Board Order

Planning and Development Acts 2000 to 2020

Application for permission under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016, in accordance with plans and particulars lodged with An Bord Pleanála on the 26th day of November 2021 by McCutcheon Halley Planning Consultants on behalf of O'Flynn Construction Co. Unlimited Company.

Proposed Development

Permission is sought for 275 residential units (205 dwelling houses and 70 apartments), ranging in height from 2 to 5 storeys, all on a site of 7.5274 hectares. The development also includes:

- A childcare facility of 413 sqm that will accommodate up to 85 children.
- The provision of landscaping and amenity areas to include play areas, grassed areas and a bicycle path. Open space total of 0.8546 ha – 12.63% of the site (nett) or 0.9987 ha (gross).
- The provision of 415 car parking spaces, 70 secure bicycle spaces and 40 bike stands.
- The provision of foul and surface water infrastructure on Ballyhooly Road.

Matters considered

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

required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

Reasons and Considerations

In coming to its decision, the Board had regard to the following:

- (a) the site's location close to the Ballyvolane Shopping Centre and Cork City Centre, close to a bus service and other local facilities and amenities, within an established built up area on lands with a zoning objective NE-R-05 - High and Medium A density residential development (20 – 50 units per hectare) in the Cobh Municipal District Local Area Plan 2017;
- (b) the policies and objectives set out in the NPF and SRA/RSES
- (c) the policies and objectives set out in the Cork County Development Plan 2014 and the Cobh Municipal District Local Area Plan 2017
- (d) the Rebuilding Ireland Action Plan for Housing and Homelessness, 2016
- (e) Urban Development and Building Heights, Guidelines for Planning Authorities, 2018
- (f) the Design Manual for Urban Roads and Streets (DMURS), 2013, as amended
- (g) the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, 2009
- (h) the Guidelines for Planning Authorities on Sustainable Urban Housing: Design Standards for New Apartments, 2020
- (i) the Planning System and Flood Risk Management (including the associated Technical Appendices), 2009
- (j) the nature, scale and design of the proposed development,
- (k) the availability in the area of a range of social, community and transport infrastructure,
- (l) the pattern of existing and permitted development in the area,
- (m) the planning history of the site and within the area,

- (n) the submissions and observations received,
- (o) the report of the Chief Executive of Cork City Council, and
- (p) the report of the Inspector, including the examination, analysis and evaluation undertaken in relation to appropriate assessment and environmental impact assessment.

It is considered that, subject to compliance with the conditions set out below that the proposed development would constitute an acceptable quantum and density of development in this accessible urban location, would not seriously injure the residential or visual amenities of the area, would be acceptable in terms of urban design, height and quantum of development and would be acceptable in terms of pedestrian and traffic safety. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Appropriate Assessment Screening

The Board completed an Appropriate Assessment screening exercise in relation to the potential effects of the proposed development on European Sites, taking into account the nature and scale of the proposed development on serviced lands, the nature of the receiving environment which comprises a built-up urban area, the distances to the nearest European sites and the hydrological pathway considerations, submissions on file, the information submitted as part of the applicant's Appropriate Assessment documentation and the Inspector's report. In completing the screening exercise, the Board agreed with and adopted the report of the Inspector and that, by itself or in combination with other development, plans and projects in the vicinity, the proposed development would not be likely to have a significant effect on any European Site in view of the conservation objectives of such sites, and that a Stage 2 Appropriate Assessment is not, therefore, required. In particular, the Board agreed with and adopted the Inspector's assessment and conclusion that a Stage 2 Appropriate Assessment was not required notwithstanding the submission of an NIS by the applicant for permission which proceeded on the basis that a Stage 2 Appropriate Assessment was required.

Environmental Impact Assessment

The Board completed an environmental impact assessment screening of the proposed development and considered that the Environmental Impact Assessment Screening Information Report submitted by the developer which contains the information as set out in Schedule 7A of the Planning and Development Regulations 2001, as amended and the Article 299B Statement submitted by the applicant.

Having regard to:

(a) The nature and scale of the proposed development which is below the threshold in respect of Class 10(b)(iv) and Class 13 of Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended,

(b) the site's location close to the Ballyvolane Shopping Centre at Ballyhooly Road and Cork City Centre, close to a bus route within an established built up area on lands with a zoning objective NE-R-05 - High and Medium A density residential development (20 – 50 units per hectare) in the Cobh Municipal District Local Area Plan 2017,

(c) the existing use on the site and pattern of development in the surrounding area,

(d) the planning history relating to the site and the surrounding area,

(e) the availability of mains water and wastewater services to serve the proposed development,

(f) the location of the development outside of any sensitive location specified in Article 299(C)(1)(v) of the Planning and Development Regulations 2001, as amended,

(g) the provisions of the guidance as set out in the Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development, issued by the Department of the Environment, Heritage and Local Government (2003),

(h) the criteria as set out in Schedule 7 of the Planning and Development Regulations 2001, as amended, and

(i) the features and measures proposed by the developer envisaged to avoid or prevent what might otherwise be significant effects on the environment, including measures identified in the Outline Construction Management Plan.

It is considered that the proposed development would not be likely to have significant effects on the environment and that the effects on the environment and that the preparation and submission of an environmental impact assessment report would not, therefore, be required.

Conclusion on Proper Planning and Sustainable Development

The Board considered that, subject to compliance with the conditions set out below that the proposed development would constitute an acceptable quantum and density of development in this accessible urban location, would not seriously injure the residential or visual amenities of the area, would be acceptable in terms of urban design, height and quantum of development and would be acceptable in terms of pedestrian safety. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area. In coming to this conclusion, specific regard was had to the Chief Executive Report from the planning authority.

16.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development, or as otherwise stipulated by conditions

hereunder, and the development shall be carried out and completed in accordance with the agreed particulars. In default of agreement the matter(s) in dispute shall be referred to An Bord Pleanála for determination.

Reason: In the interest of clarity.

2. The proposed development shall be amended as follows:
 - (a) Unit 172 and 173 on the fourth floor of Block M shall be amalgamated to form a two bedroom unit.
 - (b) Obscure glazing shall be used for upper floor level windows of landings and bathrooms, where separation distances fall below 20 metres.
 - (c) The use of render on the exterior of the apartment and duplex blocks shall be omitted in full and any render shown on the plans and particulars submitted with the application shall be replaced with suitable brick type finish.
 - (d) Car parking spaces located in the main public open space at the northern end of the site shall be omitted. Car parking spaces assigned to unit numbers 113-122 (inclusive) shall be located 'in-curtilage', this may require a minor shift to the north of units 113-122.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of residential and visual amenity and traffic safety.

3.
 - (a) The development shall be carried out on a phased basis, in accordance with a phasing scheme which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of any development.
 - (b) A 20m corridor on the Ballyhooly Road shall be reserved for future sustainable transport infrastructure.

Reason: To ensure the timely provision of services and infrastructure for the benefit of the occupants of the proposed dwellings and in the interest of traffic safety.

4. All mitigation and monitoring measures outlined in the plans and particulars, including the Flood Risk Assessment, Construction Management Plan and Ecological Impact Assessment, shall be carried out in full, except where otherwise required by conditions attached to this permission.

Reason: In the interest of protecting the environment and in the interest of public health.

5. The developer shall enter into water and wastewater connection agreements with Irish Water, prior to commencement of development.

Reason: In the interests of clarity and public health.

6. Details of the materials, colours and textures of all the external finishes to the proposed dwellings/buildings and boundaries shall be as submitted with the application, unless otherwise agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

7. Drainage arrangements including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services. Prior to commencement of development the developer shall submit the following details to the planning authority for written agreement:

- (i) Full design details of the proposed surface water outfall along the Ballyhooly Road. The developer shall coordinate with the Infrastructure Development Section during the detailed design and construction of the development.

In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

Reason: In the interest of public health and surface water management.

8. The following requirements in terms of traffic, transportation and mobility shall be incorporated into the development and where required, revised plans and particulars demonstrating compliance with these requirements

shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development:

- (a) The details and the extent of all road markings and signage requirements on surrounding roads, shall be submitted to the Planning Authority for approval prior to the commencement of development.
- (b) The roads and traffic arrangements serving the site (including signage) shall be in accordance with the detailed requirements of the planning authority for such works and shall be carried out at the developer's expense.
- (c) The internal road network serving the proposed development including turning bays, junctions, parking areas, footpaths, cycle paths and kerbs, pedestrian crossings and car parking bays shall comply with the requirements of the Design Manual for Roads and Streets and with any requirements of the planning authority for such road works.
- (d) Cycle tracks within the development shall be in accordance with the guidance provided in the National Cycle Manual.
- (e) The materials used on roads and footpaths shall comply with the detailed standards of the planning authority for such road works.
- (f) The developer shall carry out a Stage 3 Road Safety Audit of the constructed development on completion of the works and submit to the planning authority for approval and shall carry out and cover all costs of all agreed recommendations contained in the audit.

In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

Reason: In the interests of traffic, cyclist and pedestrian safety and sustainable travel.

9. The site shall be landscaped (and earthworks carried out) in accordance with the detailed scheme of landscaping, which shall be submitted to and agreed in writing with the Planning Authority prior to commencement of development. The scheme shall include provisions for hard and soft

landscaping within the site, boundary treatments and includes measures for the protection of trees within and adjoining the site.

Reason: In order to ensure the satisfactory completion of the development.

10. A total of 110 no. secure bicycle parking spaces shall be provided within the development, 70 of these spaces shall be located in proximity to the apartment/crèche complex. Design details for the cycle spaces and cycle storage compounds shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To ensure that adequate bicycle parking provision is available to serve the proposed development, in the interest of sustainable transportation.

11. Prior to the opening of the development, a Mobility Management Strategy shall be submitted to and agreed in writing with the planning authority. This shall provide for incentives to encourage the use of public transport, cycling, walking and car pooling by staff employed and patrons of the crèche development and to reduce and regulate the extent of parking. The mobility strategy shall be prepared and implemented by the management company for all units within the development. Details to be agreed with the planning authority shall include the provision of centralised facilities within the development for bicycle parking, shower and changing facilities associated with the policies set out in the strategy.

Reason: In the interest of encouraging the use of sustainable modes of transport.

12. A minimum of 10% of all communal car parking spaces should be provided with functioning EV charging stations/points, and ducting shall be provided for all remaining car parking spaces, including in-curtilage spaces, facilitating the installation of EV charging points/stations at a later date. Where proposals relating to the installation of EV ducting and charging stations/points has not been submitted with the application, in accordance with the above noted requirements, such proposals shall be submitted and agreed in writing with the Planning Authority prior to the occupation of the development.

Reason: To provide for and/or future proof the development such as would facilitate the use of Electric Vehicles.

13. The developer shall facilitate the preservation, recording and protection of archaeological materials or features that may exist within the site. In this regard, the developer shall employ a suitably qualified archaeologist who shall monitor all site investigations and other excavation works.

Reason: In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any remains that may exist within the site.

14. Proposals for an estate/street name, house numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all estate and street signs, and house numbers, shall be provided in accordance with the agreed scheme. The proposed name(s) shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. No advertisements/marketing signage relating to the name(s) of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name(s).

Reason: In the interest of urban legibility and to ensure the use of locally appropriate place names for new residential areas

15. Public lighting shall be provided in accordance with a scheme, which shall include lighting along pedestrian routes through open spaces details of which shall be submitted to, and agreed in writing with the planning authority prior to installation of lighting. Such lighting shall be provided prior to the making available for occupation of any residential unit.

Reason: In the interests of amenity and public safety.

16. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. The cables shall avoid roots of trees and hedgerows to be retained in the site. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed

development.

Reason: In the interests of visual and residential amenity.

17. A plan containing details for the management of waste within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the waste shall be managed in accordance with the agreed plan.

Reason: To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment.

18. Prior to commencement of development, the developer shall submit to and agree in writing with the planning authority a properly constituted Owners' Management Company. This shall include a layout map of the permitted development showing the areas to be taken in charge and those areas to be maintained by the Owner's Management Company. Membership of this company shall be compulsory for all purchasers of property in the apartment blocks. Confirmation that this company has been set up shall be submitted to the planning authority prior to the occupation of the first residential unit.

The Management Company shall include and manage the Community Building for the benefit of the residents of the apartments or the wider community as determined by the Planning Authority.

Reason: To provide for the satisfactory completion and maintenance of the development in the interest of residential amenity.

19. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the "Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects", published by the Department of the Environment, Heritage and Local Government in July 2006. The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and

locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Region in which the site is situated.

Reason: In the interest of sustainable waste management.

20. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including:

(a) Location of the site and materials compounds including areas identified for the storage of construction refuse; areas for construction site offices and staff facilities; site security fencing and hoardings; and car parking facilities for site workers during the course of construction;

(b) The timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site; measures to obviate queuing of construction traffic on the adjoining road network; and measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;

(c) Details of the implementation of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;

(d) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains. The measures detailed in the construction management plan shall have regard to guidance on the protection of fisheries during construction works prepared by Inland Fisheries Ireland.

A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be kept for inspection by the planning authority.

Reason: In the interest of amenities, public health and safety.

21. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Saturdays inclusive, and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

22. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance until taken in charge by the local authority of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion or maintenance of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

Reason: To ensure the satisfactory completion and maintenance of the development until taken in charge.

23. Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in relation to the provision of housing in accordance with the requirements of section 94(4) and section 96(2) and (3) (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate shall have been applied for and been granted under section 97 of the Act, as amended. Where such an agreement is not reached within eight weeks from the date of this order, the matter in dispute (other than a matter to which section 96(7) applies) may be referred by the planning authority or any other prospective party to the agreement to An Bord Pleanála for determination.

Reason: To comply with the requirements of Part V of the Planning and

24. Development Act 2000, as amended, and of the housing strategy in the development plan of the area.

(a) Prior to the commencement of any house or duplex unit in the development as permitted, the applicant or any person with an interest in the land shall enter into an agreement with the planning authority (such agreement must specify the number and location of each house or duplex unit), pursuant to Section 47 of the Planning and Development Act 2000, that restricts all houses and duplex units permitted, to first occupation by individual purchasers i.e. those not being a corporate entity, and/or by those eligible for the occupation of social and/or affordable housing, including cost rental housing.

(b) An agreement pursuant to Section 47 shall be applicable for the period of duration of the planning permission, except where after not less than two years from the date of completion of each specified housing unit, it is demonstrated to the satisfaction of the planning authority that it has not been possible to transact each specified house or duplex unit for use by individual purchasers and/or to those eligible for the occupation of social and/or affordable housing, including cost rental housing.

(c) The determination of the planning authority as required in (b) shall be subject to receipt by the planning and housing authority of satisfactory documentary evidence from the applicant or any person with an interest in the land regarding the sales and marketing of the specified housing units, in which case the planning authority shall confirm in writing to the applicant or any person with an interest in the land that the Section 47 agreement has been terminated and that the requirement of this planning condition has been discharged in respect of each specified housing unit.

Reason: To restrict new housing development to use by persons of a particular class or description in order to ensure an adequate choice and supply of housing, including affordable housing, in the common good.

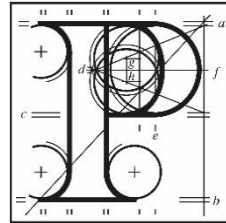
25. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the

area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

Stephen Rhys Thomas
Senior Planning Inspector
11 March 2022

17.0 Appendix I EIA Screening Form



An
Bord
Pleanála

EIA - Screening Determination for Strategic Housing Development Applications

A. CASE DETAILS		
An Bord Pleanála Case Reference		ABP-312076-21
Development Summary		275 dwelling units and crèche.
	Yes / No / N/A	
1. Has an AA screening report or NIS been submitted?	Yes	AA Screening Report and Natura Impact Statement

<p>2. Is a IED/ IPC or Waste Licence (or review of licence) required from the EPA? If YES has the EPA commented on the need for an EIAR?</p>	<p>No</p>	<p>No</p>
<p>3. Have any other relevant assessments of the effects on the environment which have a significant bearing on the project been carried out pursuant to other relevant Directives – for example SEA</p>	<p>Yes</p>	<p>Cork County Development Plan 2014 and Cobh Municipal District Local Area Plan 2017 were subject to SEA and SFRA. And the following are of relevance:</p> <ul style="list-style-type: none"> • Report on Appropriate Assessment Screening and Natura Impact Statement has been undertaken pursuant to the Habitats Directive (92/43/EEC) and the Birds Directive (2009/147/EC). • The Flood Risk Assessment addresses the potential for flooding having regard to the OPW CFRAMS study which was undertaken in response to the EU Floods Directive. • The submitted Outline Construction Management Plan sets out standards derived from the EU Ambient Air Quality Directive.

<p>B. EXAMINATION</p>	<p>Yes/ No/ Uncertain</p>	<p>Briefly describe the nature and extent and Mitigation Measures (where relevant)</p> <p>(having regard to the probability, magnitude (including population size affected), complexity, duration, frequency, intensity, and reversibility of impact)</p> <p>Mitigation measures –Where relevant specify features or measures proposed by the applicant to avoid or prevent a significant effect.</p>	<p>Is this likely to result in significant effects on the environment?</p> <p>Yes/ No/ Uncertain</p>

1. Characteristics of proposed development (including demolition, construction, operation, or decommissioning)			
1.1 Is the project significantly different in character or scale to the existing surrounding or environment?	No	Not significant in scale in context of the wider area.	No
1.2 Will construction, operation, decommissioning or demolition works cause physical changes to the locality (topography, land use, waterbodies)?	Yes	Uses proposed consistent with land uses in the area. Residential zoning applies. Residential use permitted in principle. No changes to topography or waterbodies.	No
1.3 Will construction or operation of the project use natural resources such as land, soil, water, materials/minerals or energy, especially resources which are non-renewable or in short supply?	Yes	Construction materials used will be typical of any urban development project. The loss of natural resources as a result of the development of the site are not regarded as significant in nature.	No
1.4 Will the project involve the use, storage, transport, handling or production of substance which would be harmful to human health or the environment?	Yes	Construction activities will require the use of potentially harmful materials, such as fuels and other such substances. Materials used will be typical of those used in construction activities. Any impacts would be local and temporary in nature and will be mitigated by measures detailed in the submitted Outline Construction and Demolition Waste Management Plan. No operational impacts in this regard are anticipated.	No

<p>1.5 Will the project produce solid waste, release pollutants or any hazardous / toxic / noxious substances?</p>	<p>Yes</p>	<p>Construction activities will require the use of potentially harmful materials, such as fuels and other such substances and give rise to waste for disposal. Such use will be typical of construction sites. Noise and dust emissions during construction are likely. Any impacts would be local and temporary in nature and will be mitigated by measures detailed in the submitted Outline Construction and Demolition Waste Management Plan. No operational impacts in this regard are anticipated.</p> <p>Operational waste will be managed via an operational waste management plan. Foul water will discharge to the public network. No significant operational impacts anticipated.</p>	<p>No</p>
<p>1.6 Will the project lead to risks of contamination of land or water from releases of pollutants onto the ground or into surface waters, groundwater, coastal waters or the sea?</p>	<p>No</p>	<p>No significant risk identified. Risks during construction will be mitigated by measures detailed in the submitted Outline Construction and Demolition Waste Management Plan. No operational impacts in this regard are anticipated.</p> <p>In the operational phase the development will connect to public wastewater network and attenuated surface water will discharge to the municipal surface water piped system.</p>	<p>No</p>

<p>1.7 Will the project cause noise and vibration or release of light, heat, energy or electromagnetic radiation?</p>	<p>Yes</p>	<p>Potential for construction activity to give rise to noise and vibration emissions. Any impacts would be local and temporary in nature and will be mitigated by measures detailed in the submitted Outline Construction and Demolition Waste Management Plan. No operational impacts in this regard are anticipated.</p>	<p>No</p>
<p>1.8 Will there be any risks to human health, for example due to water contamination or air pollution?</p>	<p>No</p>	<p>Construction activity is likely to give rise to dust emissions and surface water runoff. Any impacts would be local and temporary in nature and will be mitigated by measures detailed in the submitted Outline Construction and Demolition Waste Management Plan. No operational impacts in this regard are anticipated.</p>	<p>No</p>
<p>1.9 Will there be any risk of major accidents that could affect human health or the environment?</p>	<p>No</p>	<p>No significant risk having regard to the nature and scale of development. The issue of Flood Risk has been satisfactorily addressed in the submitted FRA. There are no Seveso / COMAH sites in the vicinity of this location.</p>	<p>No</p>

1.10 Will the project affect the social environment (population, employment)	Yes	Development of this site as proposed will result in an increase in residential units within the urban area of Ballyvolane, Cork. The anticipated population of the development is small in the context of the wider urban area. No social environmental impacts anticipated.	No
1.11 Is the project part of a wider large scale change that could result in cumulative effects on the environment?	No	No.	No
2. Location of proposed development			
2.1 Is the proposed development located on, in, adjoining or have the potential to impact on any of the following: <ol style="list-style-type: none"> 1. European site (SAC/ SPA/ pSAC/ pSPA) 2. NHA/ pNHA 3. Designated Nature Reserve 4. Designated refuge for flora or fauna 	No	No. Potential for significant effects on Natura 2000 sites has been screened out.	No

<p>5. Place, site or feature of ecological interest, the preservation/conservation/ protection of which is an objective of a development plan/ LAP/ draft plan or variation of a plan</p>			
<p>2.2 Could any protected, important or sensitive species of flora or fauna which use areas on or around the site, for example: for breeding, nesting, foraging, resting, over-wintering, or migration, be affected by the project?</p>	<p>No</p>	<p>No habitats of species of conservation significance identified within the site or in the immediate environs.</p>	<p>No</p>
<p>2.3 Are there any other features of landscape, historic, archaeological, or cultural importance that could be affected?</p>	<p>Yes</p>	<p>Yes, there are two recorded archaeological sites within the proposed development site a burnt mound (CO074-131) and a fulacht fia (CO074-172). It is proposed to preserve the two archaeological monuments, the fulacht fia (CO074-172) and the burnt mound (CO074- 131), within a green space in the proposed development. The fulacht fia (CO074-172) will be retained within an 8m radius buffer zone and the burnt mound (CO074-131) within a 10m radius buffer zone which will narrow to 8m at the northern end. It is proposed to carry out low level landscaping works within the buffer zone of the burnt mound to marry with an adjoining road proposed along its northern side.</p>	<p>No</p>

<p>2.4 Are there any areas on/around the location which contain important, high quality or scarce resources which could be affected by the project, for example: forestry, agriculture, water/coastal, fisheries, minerals?</p>	<p>No</p>	<p>There are no areas in the immediate vicinity which contain important resources.</p>	<p>No</p>
<p>2.5 Are there any water resources including surface waters, for example: rivers, lakes/ponds, coastal or groundwaters which could be affected by the project, particularly in terms of their volume and flood risk?</p>	<p>Yes</p>	<p>The main watercourse within the site proximity is Glen River, which flows from east to west approximately 400m south of the site. It then joins with the Bride River in Blackpool, right upstream of the culverted section under the N20 Blackpool Bypass. Unnamed stream flows in a southerly direction approximately 300m west of the site before joining with the Glen River downstream of the proposed development. A comprehensive drainage network is located onsite and surrounding area. A large drain runs along the site's eastern boundary, separated by a ditch which runs in a north-south direction. The site is in Flood Zone C and is at a low risk of inundation from fluvial sources. No historic flooding was identified at the site or immediate surrounding area. The development will include a stormwater system that will manage surface water within the site boundary. This will contain attenuation tanks and discharge surface water from the site at its greenfield equivalent.</p>	<p>No</p>

2.6 Is the location susceptible to subsidence, landslides or erosion?	No	No.	No
2.7 Are there any key transport routes(eg National Primary Roads) on or around the location which are susceptible to congestion or which cause environmental problems, which could be affected by the project?	No	No.	No
2.8 Are there existing sensitive land uses or community facilities (such as hospitals, schools etc) which could be affected by the project?	Yes	Residential / community and social land uses. No significant impacts are envisaged.	No

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

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

Stephen Rhys Thomas

Senior Planning Inspector

11 March 2022