



An
Bord
Pleanála

Inspector's Report R312440-22.

Development	Outline permission to construct 56 number build to rent residential terraced dwelling houses
Location	Rose Lodge, Main Street Ringaskiddy, Co. Cork.
Planning Authority	Cork County Council
Planning Authority Reg. Ref.	216748
Applicants	Community & College Housing Partnership
Type of Application	Outline permission
Planning Authority Decision	Refuse permission
Type of Appeal	First Party
Appellants	Community & College Housing Partnership
Observers	(1) National Maritime College of Ireland (2) Frank Joyce (3) Ringaskiddy Residents' Group

(4) Fallon Architects

Date of Site Inspection

13/4/2022

Inspector

Siobhan Carroll

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1.0 Site Location and Description

- 1.1. The appeal site is situated in Ringaskiddy. Ringaskiddy is situated circa 15km to the south-east of Cork City on Cork Harbour. The port at Ringaskiddy provides passenger and freight services. The National Primary Route the N28 links Ringaskiddy to the N40 (South Ring Road). The naval base at Haulbowline Island lies to the east of the ferry port. The National Maritime College of Ireland is situated to the east of the port and south of Haulbowline Island.
- 1.2. Ringaskiddy is the site of much industry specifically multinational pharmaceutical companies including Pfizer Ireland Pharmaceuticals, Biomartin Shanbally, Janssen Sciences Ireland, Novartis Ringaskiddy Ltd, Johnson & Johnson, DePuy Synthes, Hovione Cork and Thermo Fisher Scientific Cork.
- 1.3. The site has a stated area of 1.1hectares. It has frontage of 11m onto the Main Street which is a section of loop road immediately to the south of the N28. This comprises the gate entrance which served the former property on the site Rose Lodge. To the east of the site entrance is there is a pair of semi-detached dormer dwellings and to the east of those properties is a row of two-storey terraced dwellings at Palmer's Terrace. These properties back onto the appeal site.
- 1.4. To the west of the site entrance there is a single storey convenience shop, and the Ferry Boat Inn is situated on the corner of Post Office Lane. These properties address a grassed area situated between the loop road and the N28. There is a bus stop with a shelter and seating immediately to the north of the grassed area. On the opposite side of the N28 there is a linear park which contains a playground and park benches.
- 1.5. The site which is roughly rectangular extends back for circa 150m. The width of the site east to west is circa 80m at the central section and it has a narrower width of circa 58m at the southern end. On inspection of the site, I observed that the majority of its area was overgrown. The western site boundary adjoins properties with frontage onto Post Office Lane. There is a mature treeline along this boundary. The eastern boundary is defined by mature trees. The area to the east of the site comprises grassed field which are bounded by residential properties on St. Joseph's Terrace and Palmer's Terrace. Located to further to the south-east of the site lies Ringport Business Park.

2.0 Proposed Development

- 2.1. Outline permission is sought to construct 56 number residential units. Comprising 28 no. Student accommodation units and 28 no. build to rent residential terraced dwelling houses.

3.0 Planning Authority Decision

3.1. Decision

Permission was refused for 4 no. reasons.

1. Having regard to the characteristics of the proposed site and based on the information submitted, the Planning Authority is not satisfied that the proposed development would, having regard to its density, design, overall height, scale and mass, contribute positively to a sense of place making, would not be overbearing and would not visually dominate and seriously injure the visual character of the area. The proposed layout fails to adequately respond to the site context resulting in a visually discordant development that would be detrimental to the character of this area, would be contrary to policy objectives GI 6-1 and G-2 for development in High Value Landscapes and would, therefore, contravene the provisions of the Development Plan and be contrary to the proper planning and sustainable development of the area.
2. Notwithstanding the location of the site within the development boundary of Ringaskiddy, as delineated in the current Ballincollig Carrigaline Municipal District Local Area Plan 2017, it is considered that given the infrastructural, scenic landscape and siting constraints that the proposed development would be premature in the absence of comprehensive and detailed plan/proposals for layout and design, road and access arrangements, car parking, surface water drainage. It is also considered that the proposed layout fails to adequately incorporate measures to mitigate for impacts on the visual character, ecology, bio-diversity, archaeology, built heritage and environment of the site and surrounding area and as such constitutes disorderly and haphazard development. The proposed development would therefore be

considered contrary to the proper planning and sustainable development of the area.

3. Notwithstanding the location of the site within the development boundary of Ringaskiddy, as delineated in the current Ballincollig Carrigaline Municipal District Local Area Plan 2017, it is considered that the proposed development is contrary to settlement boundary policy objectives which requires any future development to reflect the scale and character of the surrounding existing built up residential area and which requires that no one proposal for residential development be larger than 30 units. It is also considered that the application has failed to provide adequate rationale for the proposed build to rent accommodation at this particular location having regard to the limited connectivity to different modes of public transport and the number of educational facilities in the immediate area. It is considered that the proposed scheme having regard to layout, siting, design, scale, mass, height of the proposed development in the context of its surroundings, would not successfully integrate with the existing built environment, would be overbearing when viewed from adjacent residential properties and would seriously injure the residential amenities of these properties through overlooking, overshadowing, undue overbearing visual impact and failure to provide a transition in scale with existing development. The proposed development would therefore detract from the existing residential and visual character of the area, be seriously injurious to the residential amenity of adjoining residential properties and would therefore be contrary to the proper planning and sustainable development of the area.
4. Based on the information submitted, the Planning Authority is not satisfied that the access arrangement, on and off road parking, and general parking facilities are adequate to serve the proposed development and that the traffic movements likely to be generated by the proposed development would not interfere with the free flow of traffic and thus endanger public safety by reason of obstruction of road users. Furthermore, it is considered that the proposed layout could lead to unsafe parking practices and could contribute to a serious traffic hazard. The proposed development would therefore be considered contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- In relation to the overall proposal, it was considered that the principle of the proposed development was unacceptable as the layout and siting was contrary to the proper planning and sustainable development of the area. In relation to vehicular access arrangements, it was stated in the report that the Area Engineer was not satisfied with the proposal and considered that the proposed public realm works at this location will reduce road width to 3.5m which would be wholly inadequate for a proposed development of this magnitude. In relation to the location of the proposed four storey buildings on site it is stated that it is unclear where they are proposed to be located. It is noted that the site is not flat and that there is potential for significant negative impacts on the existing properties to the north and west in terms of overlooking, overshadowing and overbearing. A refusal of permission was recommended.

3.2.2. Other Technical Reports

Area Engineer – Refusal recommended. It should be noted that the only entrance to this development is via an existing one way system of road. The proposed public realm works at this location will reduce the road width to 3.5m which is wholly inadequate for a proposed development of this magnitude. The applicant also suggests that a further 5 acre development would access this same entrance.

Estates Engineer – No objection

Environment Department – A deferral of decision is recommended subject to the seeking of further information including the provision of a conceptual noise impact assessment to demonstrate Port activities will not have an adverse impact on development at the proposed location with maximum development elevations informed by the risk of noise disturbance with mitigation measures incorporated into design. Surface water management plan for the construction phase and a construction and demolition waste management plan were also sought.

Public Lighting – A deferral of decision is recommended.

Housing Officer – No objection

NRDO – No objection

3.3. Prescribed Bodies

Irish Water – None received

TII – Recommendation of Planning Authority will be relied upon

HSA – No observations

Inland Fisheries Ireland – No objection if there is sufficient capacity

3.4. Third Party Observations

- 3.4.1. The Planning Authority received four submissions/observation in relation to the application the main issues raised are similar to the those set out in the observations to the appeal.

4.0 Planning History

There are a number of history cases which relate to the site. The most recent relevant planning history refers to the following;

Reg. Ref. 13/4983 – Permission was granted for an extension of duration of the Demolition of 2 no. ruined dwellinghouses and construction of residential development of 23 no. student apartments, 1 no. disabled person's apartment and 1 no. caretakers/managers apartment, internal roads, surface and basement car parking, bicycle shed, laundry, seminar room, lavatories, playing pitches and sewage treatment plant, extension of duration to permission granted under An Bórd Pleanála Ref. No. PL 04.227267 (pl.reg.no. 07/10337).

Reg. Ref. 07/10337 & PL04.227267 – Permission was granted for demolition of 2 no. houses, construct 24 no. student apartments, a manager's apartment, associated ancillary and site works.

5.0 Policy Context

5.1. Project Ireland 2040 - National Planning Framework

- 5.1.1. The NPF includes a Chapter, No. 6 entitled 'People, Homes and Communities'. It sets out that place is intrinsic to achieving good quality of life. 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".
- 5.1.2. National Policy Objective 35 seeks "to increase residential density in settlements, through a range of measures including restrictions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration and increased building heights".

5.2. Section 28 Ministerial Guidelines

- 5.2.1. The following is a list of section 28 Ministerial Guidelines considered of relevance to the proposed development. Specific policies and objectives are referenced within the assessment where appropriate.
- 'Urban Development and Building Heights' Guidelines for Planning Authorities
 - 'Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas' (including the associated 'Urban Design Manual')
 - 'Design Manual for Urban Roads and Streets' (DMURS)
 - 'The Planning System and Flood Risk Management' (including the associated 'Technical Appendices')
 - 'Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities'

5.3. Cork County Development Plan 2014 – 2022 (As varied)

- 5.3.1. Chapter 3 refers to Housing
- 5.3.2. Appendix A refers to Ministerial Guidelines

5.4. Ballincollig Carrigaline Municipal District Local Area Plan 2017

Ringaskiddy

- 5.4.1. The site is located within the town centre area. There is a Specific Development Objective for the town centre applicable to a land area of 18 hectares including the site, namely:

Objective RY-T-02

- 5.4.2. This area demotes the existing built footprint of Ringaskiddy and any proposals for development within this core area should comply with the overall uses acceptable in town centre areas. Any future development should reflect the scale and character of the surrounding existing built up residential area.

5.5. Natural Heritage Designations

- 5.5.1. Cork Harbour SPA (Site Code 004030) lies to the north, south, east and west of the appeal site at the closest point it is located circa 722m from the site.

5.6. EIA Screening

- 5.6.1. The proposed development comprises 56 residential units on a 1.1 hectare site.
- 5.6.2. The development subject of this application falls within the class of development described in 10(b) Part 2, Schedule 5 of the Planning and Development Regulations, 2001, as amended. EIA is mandatory for developments comprising over 500 dwelling units or over 10 hectares in size or 2 hectares if the site is regarded as being within a business district.
- 5.6.3. The number of dwelling units proposed at 56 is well below the threshold of 500 dwelling units noted above. Whilst within the town of Ringaskiddy it is not in a business district. The site is, therefore, materially below the applicable threshold of 10 hectares.
- 5.6.4. The proposal for 56 residential units is located within the development boundary of Ringaskiddy on lands zoned town centre in the current Ballincollig Carrigaline Municipal District Local Area Plan 2017. The site comprises the curtilage of Rose

Lodge. It is noted that the site is not designated for the protection of the landscape or of natural or cultural heritage. The proposed development will not have an adverse impact in environmental terms on surrounding land uses. The proposed development would not give rise to waste, pollution or nuisances that differ from that arising from other housing in the neighbourhood. It would not give rise to a risk of major accidents or risks to human health. The site is not within a European site. The issues arising from the proximity/connectivity to a European Site can be adequately dealt with under the Habitats Directive. The application is accompanied by an Urban Design Assessment with a Traffic and Transport Assessment submitted with the appeal. These address the issues arising in terms of the sensitivities in the area.

5.6.5. Having regard to

- the nature and scale of the proposed development, which is below the threshold in respect of Class 10(iv) of Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended,
- the location of the site on lands within the development boundary of Ringaskiddy on lands zoned town centre under the provisions of the Ballincollig Carrigaline Municipal District Local Area Plan 2017 as extended and the results of the strategic environmental assessment of the Ballincollig Carrigaline Municipal District Local Area Plan, undertaken in accordance with the SEA Directive (2001/42/EC).
- the location of the site within the existing built-up urban area, which is served by public infrastructure, and the existing pattern of residential development in the area.
- the location of the site outside of any sensitive location specified in article 109 of the Planning and Development Regulations 2001 (as amended),
- The guidance set out in the “Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development”, issued by the Department of the Environment, Heritage and Local Government (2003),
- The criteria set out in Schedule 7 of the Planning and Development Regulations 2001 (as amended),

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

6.0 The Appeal

6.1. Grounds of Appeal

A first party appeal has been submitted Arrol Byrne & Co. on behalf of the applicant Community & College Housing Partnership. The issues raised are as follows;

- The planning history in the site is noted. Under Reg. Ref. 07/10337 & PL04.227267 permission was granted for a scheme containing a single block in the centre of the site.
- In May/June 2016 the applicant had pre-planning discussions with the Council.
- The current scheme provides for 28 no. six bedroom student houses and 28 no. built to rent 5 bed space houses. It is considered that the BTR housing would convert to student housing over a 15-20 year time frame as the student numbers in the NMCI expand.
- This outline permission takes its design lead from the Section 28 Ministerial Guidelines issued since the current Cork County Development Plan 2014-2022 and the Ballincollig Carrigaline Local Area Plan 2017.
- It is stated that the provisions of the Section 28 Guidelines concerning density, design, overall height and scale have superseded many of the density and height objectives of the County Development Plan and the Local Area Plan.
- In relation to the first reason for refusal which states, "Having regard to the characteristics of the proposed site and based on the information submitted, the Planning Authority is not satisfied that the proposed development would, having regard to its density, design, overall height, scale and mass, contribute positively to a sense of place making, would not be overbearing and would not

visually dominate and seriously injure the visual character of the area. The proposed layout fails to adequately respond to the site context resulting in a visually discordant development that would be detrimental to the character of this area, would be contrary to policy objectives GI 6-1 and G-2 for development in High Value Landscapes and would, therefore, contravene the provisions of the Development Plan and be contrary to the proper planning and sustainable development of the area.”

- The design of the scheme has taken its lead from the Section 28 Ministerial Guidelines including ‘Urban Development and Building Heights Guidelines’ 2018 and the Sustainable Urban Housing, Design Standards for New Apartments: Guidelines for Planning Authorities DHPLG (2020). The proposal provides for placemaking within its own site confines and does not attempt placemaking for Ringaskiddy town at large. The proposal makes future provision for integration with the adjoining site and connectivity with roads, pedestrians and cycle ways.
- The site is an infill ‘Town Centre’ zoned site. The layout provides for perimeter terraced housing overlooking a central square and two pocket parks. The proposal also recognises that there may be future development of the adjoining site to the east. New housing would be back to back with the Rose Lodge Scheme. There are town centre zoned lands to the west where Rose Lodge house may also form back to back terraces with the adjoining properties. The proposed scheme also includes a new proposal for the public realm on Main Street.
- In relation to the refusal reason referring to High Value landscape it is noted that the whole of Cork City and most of Cork metropolitan area and the entire Cork Harbour located in the ‘High Value Landscape’. Ringaskiddy is situated in the High Value Landscape of Cork Harbour. This landscape includes substantial industrial landscapes. It is contended that virtually all development in Ringaskiddy contravenes the policy objective G1 G-1 and G-2 for development in High Value Landscape.
- The first party contend that it is not correct to consider that 3-4 storey residential buildings located 40m behind the Main Street would visually

dominate or be perceived to 'seriously injure the visual character of the area'. The trees along the southern, eastern and western site boundaries will screen the development from existing dwellings along Main Street, Old Post Office Road and St. Joseph's Terrace.

- The highest part of the Rose Lodge development will approximately 10.5m in height. Some proposed houses within the scheme would back onto Palmer's Terrace. These houses are 8.1m in height and 12m from Palmer's Terrace site boundary. It is stated that they will have a overall separation distance of 25m. It is stated that due to its topography and plant screening that the proposed houses will not cause any over shadowing of any of the houses on Main Street or be visible from the Main Street dwellings and would not appear overbearing.
- Refusal reason no. 2 states, "Notwithstanding the location of the site within the development boundary of Ringaskiddy, as delineated in the current Ballincollig Carrigaline Municipal District Local Area Plan 2017, it is considered that given the infrastructural, scenic landscape and siting constraints that the proposed development would be premature in the absence of comprehensive and detailed plan/proposals for layout and design, road and access arrangements, car parking, surface water drainage. It is also considered that the proposed layout fails to adequately incorporate measures to mitigate for impacts on the visual character, ecology, bio-diversity, archaeology, built heritage and environment of the site and surrounding area and as such constitutes disorderly and haphazard development. The proposed development would therefore be considered contrary to the proper planning and sustainable development of the area."
- The planning application is for outline permission. It is stated that the outline permission is not required to be a comprehensive and detailed proposal for layout and building design, road design, car parking and drainage design.
- The outline permission has not included measures to mitigate for impacts on the visual character, ecology, bio-diversity, archaeology, built heritage and environment of the site as these issues are reserved matters of the detail design stage for the subsequent 'Approval', of the planning authority.

- It is stated that considerable thought, time and design effort has been given to the layout of the proposed scheme. The design and layout provides a 28m wide square/quadrangle and two pocket parks with a concept of peripheral back-to-back housing to Main Street. It will also form back to back future development forms along Old Post Office Lane and to the town centre zones lands to the west of Rose Lodge. There is a lane link on to the agricultural zoned lands that in the future could link at Joseph's Terrace and Shamrock Place to Rose Lodge forming a pedestrian/cycle route to Old Post Office Road.
- It is submitted that the proposed scheme is compatible with the sustainable development objectives and principles as envisaged by Urban Development and Building Heights Guidelines-2018 and Sustainable Urban Housing: Design Standards for New Apartments.
- Refusal reason no. 3 states, "Notwithstanding the location of the site within the development boundary of Ringaskiddy, as delineated in the current Ballincollig Carrigaline Municipal District Local Area Plan 2017, it is considered that the proposed development is contrary to settlement boundary policy objectives which requires any future development to reflect the scale and character of the surrounding existing built up residential area and which requires that no one proposal for residential development be larger than 30 units. It is also considered that the application has failed to provide adequate rationale for the proposed build to rent accommodation at this particular location having regard to the limited connectivity to different modes of public transport and the number of educational facilities in the immediate area. It is considered that the proposed scheme having regard to layout, siting, design, scale, mass, height of the proposed development in the context of its surroundings, would not successfully integrate with the existing built environment, would be overbearing when viewed from adjacent residential properties and would seriously injure the residential amenities of these properties through overlooking, overshadowing, undue overbearing visual impact and failure to provide a transition in scale with existing development. The proposed development would therefore detract from the existing residential and visual character of the area, be seriously injurious to the

residential amenity of adjoining residential properties and would therefore be contrary to the proper planning and sustainable development of the area.”

- It is stated that the density, height and scale objectives of the current Ballincollig Carrigaline Municipal District Local Area Plan 2017 have been superseded by the sustainable requirements of ‘Urban Development and Building Heights – Guidelines for Planning Authorities and the density requirements of the ‘Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities issued under Section 28 of the Planning and Development 2000 (Act as amended).
- Ballincollig Carrigaline Municipal District Local Area Plan 2017 requires no one proposal for residential development be larger than 30 units. It is stated that this an unsustainable benchmark against ‘Urban Development & Building Heights Guidelines and the Sustainable Urban Housing: Design Standards and also that it does not accord with the density, height and scale objectives in the Draft Carrigaline Municipal District Local Area Plan 2022-2028 and new Draft Cork County Development Plan 2022-2028 which will both come into force during 2022.
- In relation to the proposed BTR accommodation it is stated that it would not be dependent upon different modes of public transport. It is envisaged that the existing public service will be adequate to serve the scheme.
- The first party consider that there is adequate rationale for the proposed scheme which would service the existing educational facilities of Ringaskiddy Maritime University with its three constituent institutional partners MTU, UCC and the Naval Service of Ireland.
- It is stated that the proposed BTR accommodation complies with SPPR7 and SPPR8 as set out with the Design standards for New Apartments 2020.
- The proposed BTR will be in compliance with the guidelines and proposals including
 - the proposed ownership and operation by an institutional entity for a minimum period of not less than 15 years and no individual residential units can be sold or rented separately for that period.

- A covenant or legal agreement shall be submitted to the Planning Authority at 'Approval' and entered into this regard.
- Each proposed residential dwelling will include its own laundry facilities and have the support concierge and management facilities, maintenance/repair services and waste management facilities.
- The BTR accommodation will comply with all housing and/or apartment standards. All units will provide for private open space in the form of a balcony/roof terrace or patio as appropriate. There are no BTR apartments proposed and each BTR unit will be adequately sized 5 person, 3 bedroom dwelling houses with all necessary private open space, car parking, cycle storage, general storage, e-car charging and bin storage. Car parking will comply with the requirements set out in Table 3 of the CDP. The development will be served by two local bus routes one to Cork and one to Carrigaline.
- It is highlighted that Ringaskiddy is the location where the following multinational pharmaceutical companies are located;
 - Novartis Ringaskiddy Ltd
 - Pfizer Ireland Pharmaceuticals
 - Hovine Cork
 - Eli Lilly & Co.
 - Johnson & Johnson
 - Jansen
 - MSD
 - Merck KGaA
 - BioMartin Pharmaceuticals
- Ringaskiddy is the HQ of the Irish Naval Service with a permanent staff of 1,500. It is stated the Irish Naval Service require local rental accommodation as single personal are not permitted to reside with partners on the Naval base.

- Regarding the existing multi-national companies located in Ringaskiddy it is stated that executives and research staff of these companies frequently move around between different locations for a periods of months and years and that there is demand for short term rental accommodation in the area. It is noted that the working population of Ringaskiddy is over 10 times the size of the residential population of circa 580 persons. Therefore, it is submitted that there is a need for rental accommodation.
- It is submitted that the proposed development would not overshadow any existing residential properties. The first party refer to the submitted site sections A-A, B-B and C-C. It is submitted that there will be no overlooking of existing neighbouring properties due to the separation distances provided.
- The site is an infill site the proposed layout is currently a cul de sac arrangement it is considered that there will eventually be permeability for pedestrians and cyclists through the properties to the east and west.
- The first party disagree with refusal reason no. 3 which states that the proposed development would detract from the existing residential and visual character of the area. It is submitted that the proposed development is visually screened from adjoining properties to the east and west and is sufficiently separated from the existing dwellings on Main Street and Old Post Office Road.
- Refusal reason no. 4 states, "Based on the information submitted, the Planning Authority is not satisfied that the access arrangement, on and off road parking, and general parking facilities are adequate to serve the proposed development and that the traffic movements likely to be generated by the proposed development would not interfere with the free flow of traffic and thus endanger public safety by reason of obstruction of road users. Furthermore, it is considered that the proposed layout could lead to unsafe parking practices and could contribute to a serious traffic hazard. The proposed development would therefore be considered contrary to the proper planning and sustainable development of the area."
- The current CDP 2014-2022 and the Draft CDP 2022-2028 do not contain any guidance on student car parking. It is submitted that the Planning Authority

assessment places a much higher standard for student car parking than Cork City Council requires.

- In terms of the proposed roads design, it provides for a combined pedestrian/vehicular surface of 6.1m with 6m manoeuvring space for egress from residential car parking spaces. The road joins the existing County Road at Ringaskiddy Main Street. The junction has sightlines of 70m to the east and west. It is considered that the Essex Road type 6 is the most suited to the scheme with a tabled entrance and potentially new gates.
- Car parking at rate of two spaces per dwelling is proposed this is in accordance with the provisions of the current CDP and the draft CDP.
- The current scheme provides for two car parking spaces per dwelling i.e., two car spaces per BTR housing unit and two car parking spaces per 6 bed student house. This is equivalent to 1 car space per 3 student spaces. The scheme includes 6 visitor spaces which is equivalent to 1 space per 15 dwellings.
- Each student dwelling and BTR general/needs/family dwelling provides undercover refuse bin storage, undercover storage for 5 bicycles, car parking and electric car recharging point, external accessed utility meters, external accessed postal/delivery boxes, roof located air-to-water heat exchangers and roof mounted solar panels.
- It is noted that the Engineering report makes reference to the Council's 'Public 'Realm' proposals for Main Street in front of the access to Rose Lodge. The first party state that they have had ongoing pre-planning consultations and particularly from early 2020 to date, however they were not made directly aware of the Council's 'Public 'Realm' proposals. Once they became aware of it, they contacted the Council and provided them with their own proposals.
- The first party state that the Council's 'Public 'Realm' proposals may render the proposed scheme at 'Rose Lodge' uneconomic to develop as it is detailed in the Engineering Report that the road in front of Rose Lodge has a new narrowed road width of 3.5m that renders the proposal "wholly inadequate for a proposal of this magnitude.

- The first party have provided their own proposals for the 'Public 'Realm' which would provide road improvements. It would reduce the number of road junctions with the N28 from two to one and provide a 7.8m wide junction with the N28. It provides for two courtyards in front of the Ferryview Inn & Laurelville and Palmers Terrace. It provides one car parking space for each house at Laurelville and Palmers Terrace with 6 car parking spaces opposite the Ferryview Inn. Their proposal also include outdoor amenity space/seating dining area and it would limit vehicle access to the southern end of Old Post Office Road shared pedestrian/vehicle surface.
- In conclusion the first party disagree with the decision of the Planning Authority to refuse permission. It is submitted that the outline permission for 56 no. dwellings does not conflict with the Section 28 Guidelines 'Urban Development & Building Heights Guidelines, the 'Sustainable Urban Housing Design Standards for New Apartments, the draft Cork County Development Plan 2022 and the Draft Carrigaline LAP 2022 in respect of the strategy for housing delivery assessing the development against the policies in the National Development Plan 2021 to 2028 and the National Planning Framework 2040. It is submitted that the benefits of the proposed development arising from the contribution made by the provision of up to 56 no. additional dwellings comprising 28 no. student houses and 28 no. family BTR houses would significantly and demonstrably outweigh any perceived adverse impacts.

6.2. Planning Authority Response

- Cork County Council respectfully advises that it has nothing further to add from that submitted apart from the fact that pre-planning advice to address policy, standards, environmental and amenity issues and discussions were exhaustive and yet the applicant has failed to develop a detailed design and vision for the site.
- Ringaskiddy has a modest growth population target (Core Strategy) as it is a designated Strategic Employment Area. Given its proximity to the Port and associated facilities and the cluster of pharmaceutical complexes in the area

and the associated challenges and impacts (such as volumes traffic including HGV's passing through). The subject site represents one of the few significant residential opportunities within the settlement, and it is considered that the speedy delivery of a residential scheme is key to ensure sustainable growth as opposed to stagnation or decline in the local population. An analysis/examination of design quality and its potential impact on the receiving environment and amenities of the existing community is seriously hampered by the nature (and ambiguity) of the application.

- Careful consideration has been given to the outline application as submitted, and Cork Council reiterates the findings of the assessment and decision made to refuse permission.

6.3. Observations

Observations to the appeal have been received from (1) National Maritime College of Ireland (2) Frank Joyce and (3) Ringaskiddy Residents' Group (4) Fallon Architects.

(1) National Maritime College of Ireland

- Munster Technological University (MTU) and the Irish Naval Service and partners in the National Maritime College of Ireland (NMCI). NMCI is a constituent College of MTU.
- It is stated that the type of accommodation most desired by NMCI students is purpose built accommodation and also proximity to NMCI. This would benefit both students and the NMCI. Well designed and bespoke accommodation would fit the requirements of students and would also provide advantage for the ongoing and successful operation of the college.
- The NMCI cannot provide any guarantees in relation to the level of take up of the proposed accommodation by its students. However, they state that they would be confident that there would be significant demand for them.
- NMCI is very busy with significant undergraduate student numbers and training delegates on-site throughout the year. NMCI regularly hosts research project activities that involve teams of researchers spending days or weeks working at NMCI and the college regularly holds conferences and other such

events. Participants of those projects and conferences would all benefit having access to local self-catering accommodation. With off-shore renewable energy projects set to commence at scale around the Irish coast in the years ahead NCMI expects to become ever busier.

- NMCI welcomes the proposal to develop student accommodation in Ringaskiddy and they would look forward to a mutually beneficial working relationship with the operators.

(2) Frank Joyce

- It is stated that the proposed development due to its nature and scale would be contrary to the provisions of the Development Plan.
- Concern is expressed in relation to the proposed roads layout with the scheme. It is considered that there is a lack of car parking and cycles lanes. It is considered that the traffic that the scheme would generate would cause a traffic hazard. Concern is raised in relation to access for fire service vehicles.
- It is submitted that the surface water drainage system in the area does not have capacity to accommodate the surface water the scheme would generate.
- The proposal for buildings for six storeys would be entirely out of character with the existing development in the area. Concern is expressed in relation to the difference in site level between the subject site and properties in Palmers terrace and also the observers property the store to the north of the site.
- The proposed open space layout is not considered appropriate. There is no provision for a playground or childcare within the scheme.

(3) Ringaskiddy Residents' Group

- No archaeological survey has been conducted on the Rose Lodge site to date. It is a requirement under Section 12.3.15 of the County Development Plan that any development site in excess of 0.5 hectares requires an archaeological survey be conducted.
- The potential impact on the existing built heritage of Ringaskiddy village from construction traffic, machinery and the development of the site is raised.

- Concern is raised in relation to the proposed student accommodation and the potential that anti-social behaviour which could arise. It is queried how potential anti-social behaviour would be policed in the future.
- The proposed density of the scheme would be contrary to the provisions of the relevant Development Plans. Development is limited to 50 no. units in Ringaskiddy village.
- The approval of the proposed development would exceed the total unit quota assigned under the Development Plans
- It is stated that the submitted plans do not include north-south contextual elevations. It is submitted that the foundation levels of the proposed student accommodation buildings would exceed roof heights of dwellings at Palmer's Terrace to the north.
- Concern is expressed regard the lack of storm water drainage details.
- In relation to the proposal to provide student accommodation, the observers question the stated requirement for student accommodation to serve the National Maritime College of Ireland (NMCI).
- It is submitted that the Merchant Navy student population accommodation needs have always gravity towards the large urban centres of Carrigaline, Douglas, Rochestown and the City. The night-life requirements of students is not available in Ringaskiddy. Ringaskiddy is served by one pub and one coffee shop/restaurant which closes at 6pm. The nearest village shop is located in Shanbally village. It is stated that public transport is limited.
- It is stated that all Navy accommodation is provided on-site at Haulbowline, and that Merchant Navy Mariners stay in local hotels and B&B's. Therefore, it is submitted that it is unlikely that either group would require Build-to-Rent self-catering accommodation even on a short term basis.
- It is submitted that the applicant/landowner never engaged with the local community in relation to the proposed scheme. The observers disagree with the applicant suggestion that there are accommodation requirements arising from the significant employment in the Pharma companies in Ringaskiddy.

The observers state that employees from the Pharma companies mainly reside in the surrounding urban areas particularly to the south of the city.

- Concern is expressed in relation to the removal of trees on site and particularly around the site boundaries.
- It is stated that drawings do not have compass points. The application does not include a Daylight and Sunlight Assessment report or Shadow Study. It is considered that the proposed development would negatively impact upon the privacy and the residential amenities of the neighbouring properties.
- The issue of flood risk is raised.
- The matter of retaining walls of the properties along the northern site boundary is raised.
- The observers endorse the decision of Cork County Council to refuse outline permission on the Rose Lodge site.

(4) Fallon Architects

- The observers state that they have similar proposals to develop a town centre vacant site in Ringaskiddy.
- In relation to the description of Ringaskiddy in the Draft County Development Plan it is listed as a Main town and in volume 4 South Cork it is referred to as a key village.
- It is stated that the land area in Ringaskiddy is the largest of any key town in Co. Cork and should be classified and treated as a large town. It has the highest amount of foreign direct investment in the county outside Dublin. It is the second most important port in the country after Dublin. Ringaskiddy is the location of the only all Ireland Maritime University which is the only English speaking university in the EU following Brexit. The area has the highest amount of existing industrial facilities in the county and the highest amount of zoned industrial/commercial space available for development in the county. It is the location of the most advanced high-tech pharmaceutical facilities of national and European importance.

- The observer estimated that the population number for workers and residents is between 7,000 and 8,000.
- It is stated that Ringaskiddy has possibly the worst worker in-flow ratio in the county. To meet the areas demands for workers many of the facilities will have to attract overseas workers. It is stated that such workers are generally more mobile and only require rental properties such as BTR housing.
- The response from the Planning Authority to the appeal states “Ringaskiddy has modest growth population target (Core Strategy) as it is a designated Strategic Employment Area.
- The observers state that the ‘town centre’ itself is not designated Strategic Employment Area and that the designated Strategic Employment Area is outside the town centre areas. They consider that residential or other town type development within the town centre would likely have zero bearing on the designated Strategic Employment Area.
- It is further stated that the Planning Authority response states that the subject site represents one of the few significant residential opportunities within the settlement and it is considered that the speedy delivery of a residential scheme is key to ensuring residential growth as opposed to stagnation or decline in the local population.
- The observers consider that the Planning Authority is seeking that a low density scheme be development on the site. They cite the provisions of the National Planning Framework which seeks a more compact and sustainable model of urban development. It is stated that the outline proposal would achieve appropriate density at modest height increases.
- The observers cites the National Student Accommodation Strategy (2017). It is stated that the strategy projects that by 2024 demand in Cork for student accommodation will comprise 7,391 students with an estimated supply of 5,490 bed spaces to mee this.
- The National Student Accommodation Strategy (2017) states that for every 4 no. purpose built student accommodation spaces developed it would result in the release of one family house changing from student rental back into family

rental market. The proposed scheme at Rose Lodge providing 168 student bed spaces in 28 no. houses equates to 42 family houses.

- The observers raised concern that the decision by Cork Co. Council to refuse outline permission for the 4 no. stated reasons would create a precedent for other outline permissions to be refused in a similar manner.
- The observers request that the Board over turn the Council's decision and grant outline permission.

7.0 Assessment

The main issues in this appeal are those raised in the grounds of appeal and it is considered that no other substantive issues arise. The issue of appropriate assessment screening also needs to be addressed. The issues can be dealt with under the following headings:

- Planning policy context
- Design and Layout
- Access, traffic
- Appropriate Assessment

7.1. Planning policy context

- 7.1.1. Outline planning permission is sought for the development of 56 number residential units. This comprises 28 no. six bedroom student houses and 28 no. built to rent 5 bed space houses. The site is situated to the southern side of the Main Street of Ringaskiddy and it is zoned 'town centre' under the provisions of the Ballincollig Carrigaline Municipal District Local Area Plan 2017.
- 7.1.2. The Planning Authority refused permission for four reasons. Refusal reason no.3 refers to the provisions of the Ballincollig Carrigaline Municipal District Local Area Plan 2017. It is stated in the refusal reason that the Planning Authority considered that the proposed development is contrary to settlement boundary policy objectives

which requires any future development to reflect the scale and character of the surrounding existing built up residential area and which requires that no one proposal for residential development be larger than 30 units. The Planning Authority also considered that the application failed to provide adequate rationale for the proposed build to rent accommodation at this particular location having regard to the limited connectivity to different modes of public transport and the number of educational facilities in the immediate area.

- 7.1.3. The first party in response to these matters have stated that the density, height and scale objectives of the current Ballincollig Carrigaline Municipal District Local Area Plan 2017 have been superseded by the sustainable requirements of 'Urban Development and Building Heights – Guidelines for Planning Authorities and the density requirements of the 'Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities issued under Section 28 of the Planning and Development 2000 (Act as amended).
- 7.1.4. Section 3.7.15 of the Ballincollig Carrigaline Municipal District Local Area Plan 2017 requires no one proposal for residential development be larger than 30 units. The first party consider that this an unsustainable benchmark against 'Urban Development & Building Heights Guidelines and the Sustainable Urban Housing: Design Standards. The first party stated in the appeal that also that it does not accord with the density, height and scale objectives in the new Draft Cork County Development Plan 2022-2028 which will come into force during 2022.
- 7.1.5. Volume no. 4 of the Draft Cork County Development Plan refers to South Cork. It is stated in relation to Population and Housing in Ringaskiddy that it has a target population to 2028 of 698. Ringaskiddy is classified as a key village and specialist employment area in the Draft Development Plan. In relation to housing it is set out in the Draft Cork County Development Plan that a target of 45 net new units is required for the Plan period. It stated in the Draft Development Plan that while this figure is not intended absolute maximum limit on development, it should be used as an indication of the number of additional dwellings which could reasonably be accommodated within a settlement over the lifetime of this plan subject to other considerations of proper planning and sustainable development. It is highlighted in the Draft Development Plan that development within villages has to be balanced in line with the overall strategy which seeks to establish an appropriate balance in the

spatial distribution of future population growth so that the towns can accelerate their rate of growth and achieve a critical mass of population.

- 7.1.6. Therefore, the scheme proposed under this application would exceed this target for future housing development within Ringaskiddy for the entire period of the Draft County Development which would not be in accordance with the overall Core Strategy for the County. The response to the appeal from the Planning Authority states that Ringaskiddy has a modest growth population target (Core Strategy) as it is a designated Strategic Employment Area. It is noted in the response that the site is in close proximity to the Port and associated facilities and the cluster of pharmaceutical complexes in the area and the associated challenges and impacts such as volumes traffic. While the Planning Authority noted in their response that the site represents one of the few significant residential opportunities within the settlement, they consider that the nature and ambiguity of the application was problematic in terms of their assessment of the potential impacts upon existing surrounding properties in terms of the matters including overlooking and overbearing.
- 7.1.7. In relation to the provisions of the existing Ballincollig Carrigaline Municipal District Local Area Plan 2017, Section 3.7.15 refers to population and housing and advises that the scale and form of development will be very much dependent on retaining the character of the villages. It further advises that while there may be opportunities for terraced and infill development in the village core area, most development will be in the form of clusters of dwellings and varying sizes and types and in this context no one proposal for residential development should be larger than 30 units. It is further advised in this section of the plan that as well as this student, staff and short term visitor accommodation with existing and future educational facilities located in the area will be deemed appropriate within the town centre zoning of Ringaskiddy village.
- 7.1.8. The subject proposal includes 28 no. built to rent dwelling units and 28 no. student accommodation units, while I note that the LAP does state that a town centre zoning such as the appeal site could be considered appropriate for student accommodation, I would consider that the proposal comprising the two types of residential accommodation would not be in accordance with the provisions of the LAP in terms of the relatively limited scope for future residential development.

- 7.1.9. Objective No: RY-T-02 of the LAP refers to the subject town centre zoned lands and states that any proposals for development within this core area should comply with the overall uses acceptable in the town centre area and any future development should reflect the scale and character of the surrounding existing built up residential area. Having regard to the density of development proposed of circa 51 units per hectare and the nature of the terrace units of 3-4 storeys, I would consider that the proposed scheme would not reflect the character and scale of the surrounding built up residential area and therefore would be contrary to the provisions of Objective No: RY-T-02.
- 7.1.10. In relation to the current policy context, I am cognisant of the fact that the provisions of the existing relevant plans will soon be superseded by the provisions of the Draft Cork County Development Plan 2022-2028 which includes Volume no. 4 which refers to South Cork and Chapter 1 which refers to Carrigaline Municipal District. Having reviewed the relevant provisions in terms of Ringaskiddy I am satisfied that the Planning Authority have not altered their approach in terms of providing for very limited residential development on the basis that Ringaskiddy is designated a key village and specialist employment area. Accordingly, in terms of the limited extent of future residential development which the existing LAP and the draft plan seeks to provide for Ringaskiddy I would consider that the proposed scheme would be contrary to the proper planning and sustainable development of the area.
- 7.1.11. The refusal issued by the Planning Authority also referred to the proposed build to rent accommodation within the scheme and considered that that the application has failed to provide adequate rationale for the proposed build to rent accommodation at this particular location having regard to the limited connectivity to different modes of public transport and the number of educational facilities in the immediate area. In relation to this matter, I would note that the Planning Authority would appear to favour the development of student accommodation on the site rather than a mix of both.
- 7.1.12. Should the Board decide that a residential development of this nature and scale is appropriate notwithstanding the provisions of the existing and draft Development Plans, I will examine design and layout of the subject scheme along with access, traffic and transport considerations in the subsequent sections of the report.

7.2. Design and Layout

- 7.2.1. Refusal reasons no. 1, and 3 refer to the design and layout of the proposed scheme. Refusal reason no. 1 refers to the design, overall height and scale of the development and states that the Planning Authority was not satisfied that the proposal would not be overbearing, visually dominant and that it would seriously injure the visual character of the area.
- 7.2.2. Refusal reason no. 3 also refers to the layout, siting, design, scale, mass and height of the proposed development and stated that it would not successfully integrate with the existing built environment. The refusal reason also stated that the proposed scheme would be overbearing when viewed from adjacent residential properties.
- 7.2.3. In response to the matter of the design of the scheme the first party state that the design of the scheme has taken its lead from the Section 28 Ministerial Guidelines including 'Urban Development and Building Heights Guidelines' 2018 and the Sustainable Urban Housing, Design Standards for New Apartments: Guidelines for Planning Authorities DHPLG (2020). They set out in the appeal that the proposal provides for placemaking within its own site confines and does not attempt placemaking for Ringaskiddy town at large. The proposal makes future provision for integration with the adjoining site and connectivity with roads, pedestrians and cycle ways.
- 7.2.4. The subject site is situated immediately to the south of the main street in Ringaskiddy. The dwellings at Palmer's Terrace back onto the site. There is a difference in height between the rear gardens of those properties and the appeal site. I note the reasons for refusal issued by the Planning Authority referred to specific concerns in relation to the overall layout, height, design, scale and mass of the proposed scheme relative to the existing surrounding development. Refusal reason no. 3 states that the Planning Authority considered that the proposed development would be overbearing when viewed from adjacent residential properties and would seriously injure the residential amenities of these properties through overlooking, overshadowing, undue overbearing visual impact and failure to provide a transition in scale with existing development.
- 7.2.5. In response to these issues the first party stated that the proposed highest part of the development at the Rose Lodge site will approximately 10.5m in height. In relation to

the proposed dwellings located to the northern end of the site adjacent to Palmer's Terrace, it is stated in the appeal that these proposed houses would be 8.1m in height and would be located 12m from Palmer's Terrace site boundary. The first party stated that there would be a separation distance of 25m. It is submitted in the appeal that due to the topography and plant screening that the proposed houses will not cause any over shadowing of any of the houses on Main Street or be visible from the Main Street dwellings and that the proposed scheme would not appear overbearing.

- 7.2.6. In relation to these matters, I would note that there would be a height difference of circa over 4.5m between the finish floor level of the existing properties along Palmer's Terrace. I note that as indicated on the Site Section submitted with the appeal (Site Sections 4) that the dwelling units at this location would be three-storey. As indicated on the Site Layout Plan, I would note that the separation distance between the proposed dwellings and the rear of a number of the existing dwellings along Palmer's Terrace is circa 15m. While I note the first state planting will screen the development, having regard to the variation in height of 4.5m between the floor level of the proposed units and the existing properties and having regard to the relative proximity of the proposed development and in terms of its height, bulk and mass, I consider that there would be an overbearing impact.
- 7.2.7. In relation to the issue of overlooking having regard to the height difference and separation distances between the proposed and existing dwellings, I consider that the proposed development would negatively impact the adjoining residential properties to the north in terms of undue overlooking.
- 7.2.8. Regarding the matter of overshadowing, I note that the submitted Site Sections appear to indicate that the proposed development would not result in shadowing of the adjoining properties. In relation to the matter of overshadowing within the proposed new development itself, I note that no analysis has been provided in relation to level of overshadowing which the proposed three and four-storey buildings would have upon the areas of public open space proposed within the scheme.
- 7.2.9. In relation to the siting of the buildings within the scheme, layout, location of public open space and contribution to a sense of place making the Planning Authority did not consider that the layout of the scheme adequately responded to the site context.

In response to the matter the first party stated that considerable thought, time and design effort has been given to the layout of the proposed scheme. In relation to the design concept for the scheme they stated that the design and layout provides a 28m wide square/quadrangle and two pocket parks with a concept of peripheral back-to-back housing to Main Street. It will also form back to back future development forms along Old Post Office Lane and to the town centre zones lands to the west of Rose Lodge. There is a lane link on to the agricultural zoned lands that in the future could link at Joseph's Terrace and Shamrock Place to Rose Lodge forming a pedestrian/cycle route to Old Post Office Road.

7.2.10. In relation to the proposed layout while I would note the constraints of the site and its location behind the Main Street I would concur with the assessment of the Planning Authority that the proposed scheme does not satisfactorily contribute positively to a sense of place making. In this respect I would have concern that there is an absence of a centrally located open space area and that the provision of separated smaller areas of public open space does not provide for a suitable layout. I would agree with the Planning Authority that the scheme does not provide for transition in terms of building heights and that it fails to have any coherent connection in terms of the design or layout which would successfully integrate with the existing built environment.

7.2.11. Furthermore, I would concur with the assessment of the Planning Authority that the due to the overall height, scale and mass of the proposed development comprising three and four storey buildings that the scheme would be detrimental to the character of this area. In this respect I would consider that the proposed scheme would be contrary to Objective No: RY-T-02 of the Ballincollig Carrigaline Municipal District Local Area Plan 2017 which seeks that any future development should reflect the scale and character of the surrounding existing built up residential area.

7.3. Access, traffic and transport

7.3.1. Refusal reason no. 4 issued by the Planning Authority stated that based on the information submitted that they were not satisfied that the access arrangement, on and off road parking, and general parking facilities are adequate to serve the proposed development and that the traffic movements likely to be generated by the proposed development would not interfere with the free flow of traffic and thus

endanger public safety by reason of obstruction of road users. Furthermore, it is considered that the proposed layout could lead to unsafe parking practices and could contribute to a serious traffic hazard. The proposed development would therefore be considered contrary to the proper planning and sustainable development of the area.

- 7.3.2. In response to the matter the first party stated that in relation to the roads design the scheme would provide a combined pedestrian/vehicular surface of 6.1m with 6m manoeuvring space for egress from residential car parking spaces. In relation to the vehicular access to the scheme the first party state that the internal access road would join the County Road at Ringaskiddy Main Street. It is stated in the appeal that the junction has sightlines of 70m to the east and west and that it is considered that the Essex Road type 6 is the most suited to the scheme with a tabled entrance and potentially new gates.
- 7.3.3. The Area Engineer in their report on the proposal stated that it should be noted that the only entrance to this development is via an existing one way system of road. The proposed public realm works at this location will reduce the road width to 3.5m which is wholly inadequate for a proposed development of this magnitude. The applicant also suggests that a further 5 acre development would access this same entrance.
- 7.3.4. The site has frontage of circa 11m onto the Main Street and otherwise is not directly connected to any other roads. Accordingly, this provides the only point where vehicular access is available. I note the planning history on the site that under Reg. Ref. 07/10337 & PL04.227267 that the Board granted permission for a scheme of 24 no. student apartments with vehicular access onto the Main Street. The duration of that permission was extended under Reg. Ref. 13/4983. I note that permission is now expired. However, I would note that the Board in assessing the appeal under PL04.227267 were satisfied that vehicular access to that scheme of 24 no. student apartments would be onto the loop road. Therefore, while I would note that the Council has proposals for public realm works including the potential narrowing of the loop road to circa 3.5m. I would note that this would reduce traffic speed and could provide an improved environment for pedestrians, cyclists and motorists.
- 7.3.5. I note the point of concern of the Area Engineer that should the subject lands be developed with the proposed vehicular access that there is potential that the

development of the adjoining lands may seek access from the same entrance. The future development of the adjoining lands would be subject to a separate planning application and as such the access arrangements would be subject to assessment at that time and would be dependent upon the circumstance then.

7.3.6. The matter of car parking is referred to in the refusal reason no. 3 and was also raised in a number of observation to the appeal. The first party in response to the matter confirm that the current scheme provides for two car parking spaces per dwelling i.e., two car spaces per BTR housing unit and two car parking spaces per 6 bed student house. This is equivalent to 1 car space per 3 student spaces. The scheme includes 6 visitor spaces which is equivalent to 1 space per 15 dwellings. As set out in Table 1a of the Development Plan which refers to Car parking requirements for New Development 2 no. car parking spaces are required per dwelling house with 1.25 space required per apartment. The Plan does not specify car parking requirements for student accommodation. I note that the car parking standard for Colleges of Higher Education/Universities and Hostel Accommodation requires 1 space per 15 student/bed spaces. The applicant has confirmed that for the student accommodation 1 car space per 3 student spaces is proposed which is well in excess of the above standard. Accordingly, I am satisfied that an adequate level of car parking is proposed to serve both the student accommodation and the BTR housing units.

7.3.7. In respect of bicycle spaces, the applicant states that each student dwelling and BTR general/needs/family dwelling provides storage for 5 bicycles. The bicycle standards are set out in Appendix D Table 2 of the Development Plan. In relation to student housing 1 cycle space is required per 4 students and in relation to residential apartments 0.5 spaces are required per 1-2 bed apartment and 1 space is required per unit for three bedroom or larger units. In terms of the proposed BTR general/needs/family dwelling it is proposed that the units would each have 5 bed spaces. Accordingly, 5 no. cycle spaces would be provided to serve each 5 bed space unit. In relation to the proposed student dwellings, each student dwelling would contain 6 no. bedrooms to accommodate circa 7 no. of students and 5 no. cycle spaces would be provided to serve each. Therefore, the proposed bicycle parking provision would be well in excess of the standards set out in the Development Plan.

7.3.8. In relation to public transport provision Ringaskiddy is served by the no. 223 Bus service operated by Bus Eireann. This bus route runs from Haulbowline to Cork City Centre and has a roughly hourly service. The bus stop serving the route towards Cork City is located circa 30m from the site and there are two bus stops within 200m of the site which serve the route toward Haulbowline. Accordingly, this route would service the needs of students both of the National Maritime College of Ireland and also students attending the other third level institutions in the city, UCC and MTU. I note that a bus connect service is planned which would service Ringaskiddy.

7.4. Appropriate Assessment

7.4.1. The appeal site is not in or immediately adjacent to any Natura 2000 site, so the proposed development would not have any direct effect on any Natura 2000 site. The European site Cork Harbour SPA (004030) is located circa 722m from the appeal at the closest point.

7.4.2. Cork Harbour is a large, sheltered bay system, with several river estuaries - principally those of the Rivers Lee, Douglas, Owenboy and Owennacurra. The SPA site comprises most of the main intertidal areas of Cork Harbour, including all of the North Channel, the Douglas River Estuary, inner Lough Mahon, Monkstown Creek, Lough Beg, the Owenboy River Estuary, Whitegate Bay, Ringabella Creek and the Rostellan and Poul nabibe inlets. It is an internationally important wetland site, regularly supporting in excess of 20,000 wintering waterfowl.

7.4.3. The qualifying interests/special conservation interests of the designated site, are summarised as follows:

Cork Harbour SPA
<p>Little Grebe (<i>Tachybaptus ruficollis</i>) [A004]</p> <p>Great Crested Grebe (<i>Podiceps cristatus</i>) [A005]</p> <p>Cormorant (<i>Phalacrocorax carbo</i>) [A017]</p> <p>Grey Heron (<i>Ardea cinerea</i>) [A028]</p> <p>Shelduck (<i>Tadorna tadorna</i>) [A048]</p> <p>Wigeon (<i>Anas penelope</i>) [A050]</p> <p>Teal (<i>Anas crecca</i>) [A052]</p> <p>Pintail (<i>Anas acuta</i>) [A054]</p>

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]

- 7.4.4. The Conservation Objective for Cork Harbour SPA (004030) is to maintain the favourable conservation condition of the bird species listed as Special Conservation Interests for the SPA and to maintain the favourable conservation condition of the wetland habitat in Cork Harbour SPA as a resource for the regularly-occurring migratory waterbirds that utilise it.
- 7.4.5. In terms of an assessment of Significance of Effects of the proposed development on qualifying features of Natura 2000 sites, having regard to the relevant conservation objectives, I would note that in order for an effect to occur, there must be a pathway between the source (the development site) and the receptor (designated sites). As the proposed development site lies outside the boundaries of the European Site, no direct effects are anticipated. In terms of indirect effects, and with regard to the consideration of a number of key indications to assess potential effects the following matters, habitat loss / alteration / fragmentation and disturbance and / or displacement of species and water quality should be considered.
- 7.4.6. In relation to the matter of habitat loss / alteration / fragmentation, the subject site lies at circa 722m from the closest point of the boundary of the designated site.

Accordingly, there would be no direct or indirect loss / alteration or fragmentation of protected habitats within any Natura 2000 site.

- 7.4.7. In relation to the matter of disturbance and / or displacement of species the site lies within the settlement boundaries of the Ringaskiddy, which includes a number of residential developments to the north, east and west of the site along with adjoining undeveloped lands and there are commercial/industrial development to the south. There is little physical development to the west of the site. The environs of the site, therefore, can be described as being a mix of urban and rural. No qualifying species or habitats of interest, for which the designated site is so designated, occur at the site. As the subject site is not located within or immediately adjacent to any Natura 2000 site and having regard to the nature of the construction works proposed, there is little or no potential for disturbance or displacement impacts to land based species or habitats for which the identified Natura 2000 site have been designated.
- 7.4.8. Regarding the issue of water quality, the proposed development relates to the construction of a residential scheme on lands within the settlement boundary of Ringaskiddy. The development will connect to existing public water services. I am generally satisfied that the principle of the proposed development is acceptable and that if permitted, is unlikely to impact on the overall water quality of any Natura 2000 site in proximity to the site due to connection to public services or during the operational phase of the development. The development site is not bound on any side by a water course / drainage ditch. It is proposed that surface water arising from the development will discharge to the existing storm water network in Ringaskiddy, and I note no objections from Cork County Council Engineering Departments in this regard.
- 7.4.9. Accordingly, I am satisfied that the potential for likely significant effects on the qualifying interests of the identified Natura 2000 site can be excluded having regard to the distance to the site, the nature and scale of the development and the lack of a hydrological connection.
- 7.4.10. In relation to the matter of in combination/cumulative effects, having regard to the nature of the proposed development, being the construction of a housing scheme, I consider that any potential for in-combination effects on water quality in Cork Harbour can be excluded. In addition, I would note that all other projects within the

wider area which may influence conditions in Cork Harbour SPA via surface water features are also subject to AA.

- 7.4.11. It is reasonable to conclude that on the basis of the information on the 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 European Site No. (004030), or any other European site, in view of the site's Conservation Objectives, and a Stage 2 Appropriate Assessment (and submission of a NIS) is not therefore required.

8.0 Recommendation

- 8.1. I recommend that permission be refused for the reasons and considerations set out below.

9.0 Reasons and Considerations

1. Having regard to the provisions of the Ballincollig Carrigaline Municipal District Local Area Plan 2017 and the Cork County Development Plan 2014 – 2022 and notwithstanding the town centre zoning that applies to the subject lands it is considered that the proposed residential development of this nature and scale would be contrary to the provisions of the LAP in terms of the limited extent of future residential development which the plan seeks to provide for Ringaskiddy and that the proposed development would be contrary to Objective No: RY-T-02 which seeks that any future development should reflect the scale and character of the surrounding existing built up residential area. Accordingly, the proposed development would be contrary to the proper planning and sustainable development of the area.
2. Having regard to the height, design, mass, scale and layout of the proposed development and difference in site levels between the scheme and the neighbouring dwellings and the proximity of adjoining residential properties to the north, the Board was not satisfied on the basis of the information before it that the subject scheme could be accommodated on the site without

adversely affecting the amenity of neighbouring dwellings by reason of overlooking and overbearing impact. The proposed development would therefore be seriously injurious to the residential amenities of the area and of properties in the vicinity and would not be in accordance with the proper planning and sustainable development of the area.

Siobhan Carroll
Planning Inspector

30th April 2022