



An
Bord
Pleanála

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

Inspector's Report ABP-312658-22

Strategic Housing Development

Demolition of existing buildings,
construction of 112 no. residential units
(72 no. houses and 40 no. apartments)
and all associated site works.

Location

Ballynaron, Glounthaune, County
Cork

Planning Authority

Cork County Council

Applicant

Ruden Homes Limited

Prescribed Bodies

1. Irish Water

Observer(s)

1. Conor O'Brien
2. Christine O'Connor – BKC
Solicitors on behalf of the Louth
Environmental Group

3. Bernard & Catriona Maguire
4. Ciaran & Catherine O’Riordan
5. Ciaran O’Leary
6. Claire Casey & Patrick Casey
7. Barry and Daphne O’Neill
8. David and Orla Casey
9. Deirdre Condon
10. Derry & Brenda Delany
11. Edmond & Breda Stack
12. Fiona & Martin Quinlan and Evonne
Quinlan
13. Hanne & Freddie Pedersen
14. Frederick & Deirdre Austin
15. Geraldine O’Leary
16. Glounthaune Community
Association c/o Brendan McGrath
17. Glounthaune Sustainable
Development Committee
18. Glounthaune Tidy Towns
19. Jesper Pedersen
20. Joe O’Brien
21. John & Maria O’Halloran
22. Kathleen Twomey & John Herbert
23. K. M. Springall
24. Máire & Felim Keegan
25. Mark Lyons & Una Lawlor
26. Michael & Rosario Power
27. Niall & Maura Murphy
28. Norma O’Brien
29. Patrick & Gillian Bradley

- 30. Patrick & Fiona Gallagher
- 31. Richard and Kate Cuddy
- 32. Ruaidhri O'Hare C/O John
MacCarthy
- 33. Cllr. Sheila O' Callaghan
- 34. William & Mary Walsh

Date of Site Inspection

16th May 2022

Inspector

Paul O'Brien

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1.0 Introduction

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.

2.0 Site Location and Description

2.1. The subject site with a stated area of 5.522 hectares, comprises an irregular shaped area of land located to the western side of Glounthaune, County Cork. The site is located in the townland of Ballynaroan. Glounthaune is located approximately 10 km to the east of Cork City and is a similar distance to Midleton to the east.

2.2. The site is located to the north of the L-2970-6 local road, from which vehicular access will be provided, and to the east of a local access road. To the south east is Scoil Náisiúnta an Chroí Naofa – a national level school. To the north west of the site are a farmhouse and a number of agricultural buildings. The site is under grass and was in agricultural use.

2.3. To the west/ north west of the site are a number of detached houses on individual sites. To the east is the residential development of Cois Chuain, which consists of large two-storey, detached houses. To the south of the site/ L-2970-6 are detached houses on their own sites.

2.4. The site slopes on a south east to north west axis from a point at 73 m OD to 98.5 m OD in the north west corner. This is a rise of 25.5 m over a distance of circa 300 m.

2.5. The site is approximately 1.25 km from Glounthaune station and 1.14 km from Little Island station, though access to Little Island is not as convenient and it can be assumed that Glounthaune would be the more relevant station.

2.6. The site is located on the edge of the urban part of Glounthaune and is approximately 365 m to the west of the Dry Bridge and the road which connects to Johnstown Close and beyond that is the Cork to Cobh/ Midleton railway line. Beyond that to the south are mudflats associated with a river tributary which flows into to the River Lee. The N25 Cork to Waterford road is located south of the tributary/ mudflats associated with the River Lee. The N25 is the main road serving

east Cork, but it by-passes the subject site. Interchanges between the local road network and the N25 are available to the east and west of Glounthaune at Little Island and Carrigtwohill.

2.7. Glounthaune station is located on the junction of the Cork to Cobh/ Cork to Midleton lines. It was formerly called Cobh Junction but was named Glounthaune in 1994. Off-peak services are one train an hour between Cork and each of Cobh/ Midleton, thereby providing two trains an hour between Glounthaune and Cork Kent and vice versa. Peak hour services are two to each location, thereby providing for four trains an hour between Glounthaune and Cork Kent and vice versa. The journey time between Glounthaune and Cork is given as 11 minutes.

2.8. The train service provides the primary form of public transport in the area with bus services at present being more limited. The following table details the bus routes that serve Glounthaune:

Route no.	Route	Frequency
240	Cork to Cloyne/ Ballycotton	Three serve Glounthaune, out of four per weekday. Three from Cork and two to Cork, serve Glounthaune out of three services on a Saturday. No Sunday services.
241	Cork to Midleton and Trabolgan	Timetable only shows three inbound to Cork City, Monday to Friday. One from Cork and two to Cork on a Saturday. No Sunday services.
260	Cork to Midleton/ Youghal/ Ardmore	Six from Cork and five to Cork on a weekday. Five each way on a Saturday. Four from Cork and three to Cork on a Sunday.
261	Cork to Midleton/ Ballincurra.	One from Cork and two to Cork on a weekday. None on a Saturday.

		One, only from Cork on a Sunday.
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3.0 Proposed Strategic Housing Development

3.1. The proposal, as per the submitted public notices, comprises the demolition of existing buildings and the provision of 112 residential units in the form of houses and apartment units, and all associated site works.

3.2. The following tables set out some key elements of the proposed development:

Table 1: Key Figures

Site Area	5.522 hectares gross 3.638 hectares net
Demolition	1 farmhouse and associated farm outbuildings and walls.
No. of Houses	72
No. of Apartments	40
Total	112
Density – Total Site Area	30.8 units per hectare.
Public Open Space Provision (Does not include grassland meadow to south east).	16.4% of the site
Car Parking –	
In-Curtilage	130
Communal	40
Visitor Parking	29
Total	199
Bicycle Parking -	

Residential	78
Total	78

Table 2: Breakdown of Apartments

Unit Type	1 Bedroom – 2 Person	2 Bedroom – 3 Person	2 Bedroom – 4 Person	Total
Number of units	17	2	21	40
% Of Apartments	42.5%	5%	52.5%	100%

Table 3: Breakdown of Houses

Unit Type	Detached		Semi-detached		Terraced			Total
	2 Bed	4 Bed	3 Bed	4 Bed	2 Bed	3 Bed	4 Bed	
Bedrooms	2 Bed	4 Bed	3 Bed	4 Bed	2 Bed	3 Bed	4 Bed	
Number of Persons per Unit	4	6/ 7	5	6/7	4	4/5	4	
Number of units	1	9	14	10	14	22	2	72
% of Houses	1.4%	12.5%	19.4%	13.9%	19.4%	30.5%	2.8%	100%

The proposed development provides for:

15 x 2 Bed Houses

36 x 3 Bed Houses

21 x 4 Bed Houses

The proposed development includes:

- The demolition of an existing house and outhouses, sheds with a stated floor area of 463.88 sq m.
- Vehicular access to be provided from the L-2970-6, Ballynaron Road.
- All associated site works, infrastructure provision and amenity lands.

3.3. The application was accompanied by various technical reports and drawings, including the following:

- Statement of Consistency - McCutcheon Halley Chartered Planning Consultants
- Material Contravention Statement – McCutcheon Halley Chartered Planning Consultants
- Response to An Bord Pleanála Pre-Application Consultation Opinion - McCutcheon Halley Chartered Planning Consultants
- Statement pursuant to Section 299B of the Planning and Development Regulations 2001 (as amended) - McCutcheon Halley Chartered Planning Consultants
- Planning Report – McCutcheon Halley Chartered Planning Consultants
- Architectural Design Statement – Kieran J Barry & Associates in conjunction with McCutcheon Halley Chartered Planning Consultants, & BSM Landscape Architects
- Photomontages - BSM
- Universal Design Statement – Kieran J Barry & Associates
- Schedule of Areas & Accommodation – Kieran J Barry & Associates
- Letters of Consent from Diocese of Cork and Ross, Cork County Council and the landowners of the Ballyhennick site to the west of the subject site.
- Part V Proposal - McCutcheon Halley Chartered Planning Consultants
- Childcare Provision Assessment - McCutcheon Halley Chartered Planning Consultants
- Tree Survey Report – South of Ireland Tree Surveys
- Landscape Design Report - BSM
- Operational Waste Management Plan - Kieran J Barry & Associates
- Preliminary Construction and Demolition Waste Management Plan – Kieran J Barry & Associates

- Preliminary Construction Environmental Management Plan – Kieran J Barry & Associates
- Road Safety Audit – Stage 1 – M.H.L. & Associates Ltd. Consulting Engineers
- DMURS Statement of Consistency – M.H.L. & Associates Ltd. Consulting Engineers
- Engineering Services Assessment Report - Kieran J Barry & Associates
- Traffic & Transport Assessment - M.H.L. & Associates Ltd. Consulting Engineers
- Preliminary Mobility Management Plan - M.H.L. & Associates Ltd. Consulting Engineers
- Wastewater Drainage Assessment Report - Kieran J Barry & Associates
- Storm Water Drainage Assessment Report - Kieran J Barry & Associates
- Archaeological Assessment – Lane Purcell Archaeology
- Summary on Utilities – Horizon Engineering Consultants Ltd.
- Public Lighting Design Report -Rev 1 – Lighting Reality
- Public Lighting Design Report - Horizon Engineering Consultants Ltd.
- Building Lifecycle Report – Kieran J Barry & Associates
- EIA Screening Report - McCutcheon Halley Chartered Planning Consultants
- Appropriate Assessment Screening Report - BSM
- Ecological Appraisal – BSM and includes:
 - A Bat Assessment of the Lands at Glounthaune, Co. Cork – Brian Keeley

4.0 Planning History

Subject site.

P.A. Ref. 18/6310 / ABP Ref. 303912 refers to a January 2020 decision to refuse permission for 70 houses on this site in Glounthaune. The reasons for refusal included:

1. Having regard to the infrastructural improvements required to provide safe connectivity for pedestrians, cyclists and motorists, to the village centre and to the railway station, it is considered that development of the kind proposed would be premature pending the determination by the planning authority of a road improvement works scheme for the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the likelihood that the proposed development would be predominantly car based for transport purposes and to the uncertainty that the traffic and transport assessment is sufficiently robust in identifying relevant peak traffic conditions in Glounthaune, the Board is not satisfied that the proposed development would not give rise to serious traffic congestion. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

3. The Board considers that the density of the proposed development is contrary to the provisions of the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009), issued to planning authorities under Section 28 of the Planning and Development Act 2000. The site of the proposed development is on serviceable lands, within the development boundary of Glounthaune, which is designated as a Key Village within the Metropolitan Cork area where the objective of the Cobh Municipal District Local Area Plan 2017 is to secure a significant increase in the population of the settlement. Having regard to the proposed density of development, it is considered that the proposed development would not be developed at a sufficiently high density to provide for an acceptable efficiency in serviceable land usage. In addition, the proposed development does not have an adequate mix of dwelling types, being predominantly semi-detached and detached housing. It is considered that the low density proposed would be contrary to these aforementioned Ministerial Guidelines, which indicate that net densities less than 30 dwellings per hectare should generally be discouraged in the interest of land

efficiency. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Site to the west – same applicant:

P.A. Ref. 18/6684 refers to a July 2019 decision to refuse permission for 40 houses. Reasons for refusal included in summary: prematurity in the absence of a decision on ABP Ref. 303912 in relation to the matter of securing safe and convenient pedestrian and cycle connectivity to Glounthaune Village; and failure to provide a creche facility when considered in combination with ABP Ref. 303912

The following are other applications in the Glounthaune area:

ABP Ref. 312222 refers to an April 2022 decision to refuse permission for 289 residential units (201 no. houses, 88 no. apartments), creche and associated site works. Two reasons for refusal were issued as follows:

1. Having regard to the existing local road network which is substandard in terms of suitable pedestrian and cyclist facilities, it is considered that the increased demand generated by this development would result in future residents walking and cycling along the local roads and would lead to conflict between vehicular traffic, pedestrians, and cyclists. The proposed development would, therefore, endanger public safety by reason of traffic hazard.
2. Having regard to the topography of the site, and in particular the steeply sloping nature of the site, it is considered that the provision of suitable and useable pedestrian/ cyclist facilities cannot be achieved to an acceptable level and that consequently, the proposed development would be dominated by car use for most journeys, including local trips to Glounthaune village, schools, and the railway station. The development would therefore generate a significant volume of traffic which the road network in the vicinity of the site is not capable of accommodating safely due to the restricted width and capacity of the L-2968 Local Road in the vicinity of the site and the restricted capacity of its junction at the 'Dry Bridge' with the L-2970 Local Road. The proposed

development would, therefore, give rise to traffic congestion and would endanger public safety by reason of traffic hazard.

P.A. Ref. 07/9457/ ABP Ref. PL04.225634 refers to a March 2008 decision to refuse permission for the construction of 29 houses with 29 outhouses, ESB substation, ancillary landscaping including a local play area and associated site works.

A single reason for refusal was issued as follows:

‘The appeal site is located in an area zoned O-01 for which the zoning objective is for ‘open space, sports, recreation and amenity’ use as set out in the Blarney Electoral Area Local Area Plan, September 2005. This zoning objective is considered reasonable. Notwithstanding the low density of housing proposed, it is considered that the proposed development consisting of a residential estate would contravene materially the zoning objective for the site and would, therefore, be contrary to the proper planning and sustainable development of the area’.

P.A. Ref. 08/10104/ ABP Ref. PL04.233576 refers to a May 2009 decision to refuse permission for the demolition of 2 habitable houses and 2 outbuildings and to construct 10 houses, ancillary landscaping, and all associated site works.

A single reason for refusal was issued as follows:

‘The proposed development provides two access points onto a narrow road at a point where there are no footpaths, cycle paths or public lighting and where it has not been demonstrated that safe sight distances are available for vehicles entering or exiting the site. The development as proposed would give rise to additional traffic turning movements on this substandard road and generate conflicts with pedestrians and cyclists and would, therefore, by itself and the precedent it would set along this unimproved road, endanger public safety by reason of traffic hazard’.

P.A. Ref. 17/5699/ ABP Ref. 300128-17 refers to a May 2018 decision to grant permission for a residential development of 31 no. 2 storey dwellinghouses and all ancillary site development works. A total of 40 units were applied for and 9 were

omitted by condition, with replacement dwellings to be single storey and to be applied for under a separate application.

P.A. Ref. 18/6312 refers to a December 2018 decision to grant permission for the construction of 7 no. single storey dwellings and all ancillary site development works. The proposed dwellings will be accessed via the entrance and access road of the residential development permitted by An Bord Pleanála reference 300128-17 and Cork County Council reference 17/5699.

P.A. Ref. 19/5659/ ABP Ref. 305398-19 refers to a March 2020 decision to refuse permission for the construction of 55 no. dwelling houses and all ancillary site development works. Change of plan from that permitted under 17/5699 and amended by reference 18/6312.

Two reasons for refusal were issued as follows:

‘1. Having regard to the infrastructural improvements required to provide safe connectivity for pedestrians, cyclists and motorists, to the village centre and to the railway station, it is considered that the proposed development would be premature pending the determination by the planning authority of a road improvement works scheme for the area.

2. Having regard to density, it is considered that the proposed development would be contrary to the provisions of the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009), issued to planning authorities under Section 28 of the Planning and Development Act, 2000, and to the provisions of the National Planning Framework (2018). The site of the proposed development is on serviceable lands, within the development boundary of Glounthaune, which is designated as a Key Village within the Metropolitan Cork area, where the objective of the Cobh Municipal District Local Area Plan 2017-2023 is to secure a significant increase in the population of the settlement. It is considered that the proposed development would not be of a sufficiently high density to provide for an acceptable efficiency in serviceable land usage, and that the low density proposed would be

contrary to the Ministerial Guidelines, which indicate that net densities less than 30 dwellings per hectare should generally be discouraged in the interest of land efficiency. Furthermore, it is considered that the proposed development would be contrary to the National Planning Framework which aims to achieve compact growth through effective density and consolidation rather than more sprawl of urban development. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board considered that the additional traffic associated with the proposed development would endanger public safety by reason of traffic hazard and would lead to conflict between road users, that is, vehicular traffic, pedestrians and cyclists. Furthermore, it is considered that the proposed development would be contrary to the national planning policy which aims to achieve compact growth through effective density and consolidation rather than more sprawl of urban development'.

Ref. ABP-301197-18 refers to a May 2018 decision to grant permission for 174 no. residential units, crèche, doctor's surgery, provision of landscaping and amenity areas, provision of pedestrian/cyclist facilities lanes along L3004 public road connecting to Glounthaune rail station/village centre, new link/distributor road connecting L3004 with adjoining lands to north-west and associated works to the south eastern side of Glounthaune.

P.A. Ref. 07/8354 refers to a January 2008 decision to refuse permission for a residential development of 28 no. apartments comprising of 24 no. two bed apartments and 4 no. three bed apartments, bin storage and associated site works and services.

P.A. Ref. 08/7900 refers to a November 2008 decision to refuse permission for a five-storey building containing 28 no. apartments, site entrance, car park, children's play area, bin store, and revisions to a currently disused access road.

Total Units granted since 2017 – Adoption of Cobh Municipal District Plan:

File Number	Date of Grant	Number of Units
P.A. Ref. 17/5699/ ABP Ref. 300128-17	May 2018	31
ABP-301197-18	May 2018	174
P.A. Ref. 18/6312	December 2018	7
Total Granted:		212

5.0 Section 5 Pre-Application Consultation

5.1. A Section 5 Pre-Application Consultation took place on the 4th of March 2021; Reference ABP-309195-21 refers. Representatives of the prospective applicant, the Planning Authority – Cork County Council and An Bord Pleanála attended the meeting. The scheme as described was for the development of 109 residential units (73 houses and 36 apartments) and all associated site works at Ballynaroan, Glounthaune, Co. Cork.

5.2. An Bord Pleanála was of the opinion having regard to the consultation meeting and the submission of the Planning Authority, that the documents submitted with the request to enter into consultation would require further consideration and amendment to constitute a reasonable basis for an application for a strategic housing development. Furthermore, pursuant to article 285(5)(b) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant was notified that, in addition to the requirements as specified in articles 297 and 298 of the Planning and Development (Strategic Housing Development) Regulations 2017, the following specific information should be submitted with any application for permission:

1. Policy: Further consideration and/or justification of the documents as they relate to local objectives contained in the Cobh Municipal District Local Area Plan 2017-2023.
 - the consideration of objectives GO-01 and DB-01
 - consideration of the specific objective C-01 and how the proposed development of a car park on said lands ties in with the proposed residential development and complies with the requirements of objective C-01.
 - the use and management of woodland area located outside the identified development boundary of Glounthaune as amenity area associated with the proposed development.
2. Movement and Transportation: Further consideration and/or justification of the documents as they relate to the provision of access for the proposed development having regard to the need to provide safe and convenient pedestrian and cycle connections to the railway station and other services in Glounthaune and the nature and extent of works to public roads and relevant consents where required. This should include cross sections showing details of proposed works. Specifications for all works proposed should also be included.

Pursuant to article 285(5)(b)(i) and (ii) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant is hereby notified that the following specific information should be submitted with any application for permission:

1. A detailed/comprehensive response to the reasons for refusal cited in ABP 303912-19 relating to the application site.
2. Detailed rationale/justification regarding the suitability of the proposed site to accommodate the proposed height particularly in the context of the site within a highly sensitive landscape identified in the Development Plan and Local Area Plan. The response should include a Landscape Impact Assessment and a Visual Impact Assessment including CGIs and details of proposed materials and finishes that would address the impact of the proposed development on Ballynaron Road (designated scenic route) and neighbouring residential areas, as well as the environment provided within the

scheme. The assessment should include long views of the site from all approaches given the location of the site in Character Area CT1 – City Harbour & Estuary.

3. Detailed rationale/justification for the proposed residential density and housing mix with regard to the provisions of the Cork County Development Plan 2014-2020 and the Cobh Municipal District Local Area Plan 2017-2023 and relevant national and regional planning policy including the ‘Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas’ (including the associated ‘Urban Design Manual’); The ‘Design Standards for New Apartments – Guidelines for Planning Authorities’ (2020) and the ‘Urban Development and Building Heights – Guidelines for Planning Authorities’ (2018).
4. A housing quality assessment which provides the specific information regarding the proposed apartments required by the 2020 Guidelines on Design Standards for New Apartments. The assessment should also demonstrate how the proposed apartments comply with the various requirements of those guidelines, including its specific planning policy requirements. A building lifecycle report for the proposed apartments in accordance with section 6.13 of the 2018 guidelines should also be submitted.
5. 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 nearby residential properties should be submitted.
6. Masterplan showing the relationship between the Ballynaroon site and the potential development of the Ballyhennick site to the west.
7. (a) Traffic and Transport Impact Assessment (TTIA) of the development, the scope of which is to be discussed in advance with Cork County Council.

(b) A report demonstrating compliance with the principles and specifications set out in DMURS and the National Cycle Manual in relation to the proposed housing and the works along public roads.

(c) A Carparking Strategy and Mobility Management Plan.

8. An Ecological Impact Assessment.
9. An Archaeological Impact Assessment.
10. A Tree survey and Arboricultural Assessment.
11. A draft Construction Waste Management Plan, draft Construction and Environmental Management Plan and a draft Operational Waste Management Plan.
12. Address issues raised in the Irish Water Submission dated 16th January 2021.
13. Respond to issues raised in the Planning Authority Opinion received by An Bord Pleanála on the 1st of February 2021.
14. Where the prospective applicant considers that the proposed strategic housing development would materially contravene the relevant development plan or local area plan, other than in relation to the zoning of the land, a statement indicating the plan objective (s) concerned and why permission should, nonetheless, be granted for the proposed development, having regard to a consideration specified in section 37(2)(b) of the Planning and Development Act 2000. Notices published pursuant to Section 8(1)(a) of the Act of 2016 and Article 292 (1) of the Regulations of 2017, shall refer to any such statement in the prescribed format.

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

1. Irish Water
2. Department of Housing, Local Government and Heritage
3. The Heritage Council
4. An Taisce
5. Cork County Childcare Committee

5.4. **Applicant's Statement**

5.4.1. A document titled 'Response to An Bord Pleanála Pre-Application Consultation Opinion' prepared by McCutcheon Halley, was submitted with the application as provided for under articles 297 and 298 of the Planning and Development (Strategic Housing Development) Regulations 2017.

The following information was provided in response to the opinion:

1. Policy: Further consideration and/or justification of the documents as they relate to local objectives contained in the Cobh Municipal District Local Area Plan 2017-2023.

- **the consideration of objectives GO-01 and DB-01**
- **consideration of the specific objective C-01 and how the proposed development of a car park on said lands ties in with the proposed residential development and complies with the requirements of objective C-01.**
- **the use and management of woodland area located outside the identified development boundary of Glounthaune as amenity area associated with the proposed development.**
- **Objectives GO-01 and DB-01:** The Planning Report, Statement of Consistency and Material Contravention Statement prepared by McCutcheon Halley considers in full Objectives GO-01 and DB-01. Objective DB-01 seeks to provide an additional 400 units in Glounthaune up to the end year of the local plan in 2023. Objective GO-01 seeks to encourage housing development in accordance with the information provided in Table 4.2.1 of the Cobh Municipal District Local Area Plan 2017 – 2023. These seeks to provide for 400 units up to 2023 in applications with individual schemes of 40 units. Larger applications may be considered if they can demonstrate that a proposed scheme can reinforce the existing character of the settlement and that the layout does not reflect a residential estate that is more suited to a large settlement.
- Cork County Council have raised concerns about the number of units proposed in this application and that the target of 400 units up to 2023 may be exceeded. This raises concern regarding compliance with Objective DB-01.

- The applicant considers that the development of 112 units can be provided as although there have been other applications permitted/ proposed in the area, there is no certainty that they will all be delivered within the lifetime of the LAP. The proposed development in conjunction with the already permitted 234 units would result in a total of 346 units for Glounthaune. The proposed development would be provided over four phases, and this will ensure that the target of 400 units is not exceeded before 2023. It is considered that the proposed development is compliant with the objectives of the local area plan.
- The footnote at Table 4.2.1 of the Cobh Municipal District Local Area Plan 2017 – 2023 allows for development in excess of 40 units per application. In addition, each phase will not exceed 40 units.
- **Objective C-01 and car park:** The lands to the south east of the site are zoned C-01 and are to provide for an extension to the school and also recreational facilities. A MUGA is proposed on the lands to the north west of the C-01 zoning and combined with existing amenity lands, this will create an active recreational area. Access will be available to the south east corner of the site for pedestrians and cyclists.
- Full consideration has been had to the issues raised by An Bord Pleanála at the tri-partite meeting regarding the proposed car park/ set down area. This would only serve the local school and the not the proposed SHD site. The car park and set down area have now been removed from the SHD application and will be submitted to Cork County Council under Section 34 of the Planning and Development Act 2000. The lands zoned for community use have been included in the application to facilitate the provision of infrastructure and following the provision of such services it will be developed/ managed as a temporary grassland meadow. As this grassland meadow is only for temporary use, it will not be included in the open space calculations.
- **Use and management of woodland area outside the identified development boundary:** Following the tri-partite meeting, the area of the woodland to the northern section of the site has been reduced and a woodland has now been proposed for the north-eastern section of the site. Native hedgerow and fencing

are to be provided along the northern boundary of this woodland area. The woodlands are to be protected and managed by a Management Company.

2. Movement and Transportation: Further consideration and/or justification of the documents as they relate to the provision of access for the proposed development having regard to the need to provide safe and convenient pedestrian and cycle connections to the railway station and other services in Glounthaune and the nature and extent of works to public roads and relevant consents where required. This should include cross sections showing details of proposed works. Specifications for all works proposed should also be included.

- Connectivity is addressed later in this report and also through the submitted Preliminary Management Plan and the Traffic and Transport Assessment, prepared by MHL. Supporting drawings and letters of consent have been provided by the applicant.

Additional information requested under Article 285(5)(b)

1. A detailed/comprehensive response to the reasons for refusal cited in ABP 303912-19 relating to the application site.

Refusal Reason 1- Premature pending road improvements: Cork County Council have determined that the upgrade of the Dry Bridge Junction is not feasible. The applicant has agreed to provide an upgrade to existing pedestrian/ cycle route between the Crossroads Junction and the subject site. A footpath with a width of 3 m will be provided for a length of 450 m through the Highlands Estate and the rest of the route to the school will be provided with a width of 1.8 m to 2.4 m. These works include public lighting upgrades. These works will support a number of improvements works been undertaken by Cork County Council in the Glounthaune area.

Refusal Reason 2 – The development is car orientated and would give rise to traffic congestion: The revised TTA has utilised traffic counts recorded between 07:00 – 19:00 on Thursday 23rd May 2019. The use of TRICS to determine the traffic generation from the proposed site was to ensure that a robust assessment of the

surrounding junctions would be carried out. The proximity of the school and the train station were not accounted for in the assessment. Additional traffic figures from other residential developments in the area have been included in the TTA.

Refusal Reason 3 – Density is contrary to the Sustainable Residential Development in Urban Areas (2009) guidelines: The guidelines encourage development in the range of 35 – 50 units per hectare. The proposed development provides for a net density of 30.8 units per hectare. The site topography restricts the development potential of this site. The Planning Report and Material Contravention Statement, prepared by McCutcheon Halley Planning Consultants addresses the issue of density in greater detail.

Notwithstanding the Board's refusal reasons under ABP Ref. 303912-19, the Planning Authority have expressed concerns regarding high density development on the application site as they consider it is a relatively peripheral site at the edge of the settlement and has challenges in regard to gradient and connectivity. The application site can be defined as an 'edge of centre site' as it immediately adjoins Glounthaune Primary School and is located less than 1 km from the local services in the village which include a church, shop, pub, and restaurant and is within walking distance of Glounthaune station. The village of Glounthaune is a well-established settlement and is strategically located, being approximately 10 km east of Cork City, parallel to the N25 Cork to Midleton Road, and in close proximity to the strategic employment centres of Little Island and Carrigtwohill, which are proposed for further growth.

The proposed density is therefore considered to be acceptable and appropriate in this location and is in accordance with national guidance.

2. Detailed rationale/justification regarding the suitability of the proposed site to accommodate the proposed height particularly in the context of the site within a highly sensitive landscape identified in the Development Plan and Local Area Plan. The response should include a Landscape Impact Assessment and a Visual Impact Assessment including CGIs and details of proposed materials and finishes that would address the impact of the proposed development on Ballynaroan Road (designated scenic route) and neighbouring residential areas, as well as the environment provided within the

scheme. The assessment should include long views of the site from all approaches given the location of the site in Character Area CT1 – City Harbour & Estuary.

A Landscape and Visual Impact Assessment (LVIA) and Photomontages have been prepared by Brady Shipman Martin in support of the application. The LVIA indicates that the development will be softened/ screened by the proposed landscaping at it establishes and that the development will integrate with the existing form of development in Glounthaune. Section 7.1 of the submitted Architectural Design Statement, prepared by Kieran J. Barry & Associates Ltd, provides a justification in respect of the proposed height for apartment blocks 1 and 2. The Landscape Design Report also demonstrates how the development will integrate with its surroundings.

The proposed apartment blocks have been modified following the comments made at the tri-partite meeting. Heights, massing and reduction in the number of storeys have all been used in the revised design. A detailed landscaping scheme has also been prepared for the site.

3. Detailed rationale/justification for the proposed residential density and housing mix with regard to the provisions of the Cork County Development Plan 2014- 2020 and the Cobh Municipal District Local Area Plan 2017-2023 and relevant national and regional planning policy including the ‘Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas’ (including the associated ‘Urban Design Manual’); The ‘Design Standards for New Apartments – Guidelines for Planning Authorities’ (2020) and the ‘Urban Development and Building Heights – Guidelines for Planning Authorities’ (2018).

Sections 7.5 and 7.6 of the Planning Report, prepared by McCutcheon Halley Planning Consultants, address the issues of density and housing mix in detail. The Material Contravention Statement also considers the issue of density in depth.

4. A housing quality assessment which provides the specific information regarding the proposed apartments required by the 2020 Guidelines on Design Standards for New Apartments. The assessment should also demonstrate how the proposed apartments comply with the various requirements of those guidelines, including its specific planning policy requirements. A building

lifecycle report for the proposed apartments in accordance with section 6.13 of the 2018 guidelines should also be submitted.

The Housing Quality Audit Assessment, prepared by Kieran J. Barry & Associates Ltd provides a quality audit and assessment of the proposed houses and apartments having regard to relevant guidance. A Building Life Cycle Report, prepared by Kieran J. Barry & Associates Ltd. provides an assessment of the long-term running and maintenance costs of the units.

5. 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 nearby residential properties should be submitted.

Section 6 of the Planning Report prepared by McCutcheon Halley Planning Consultants provides details on residential amenity. The Architectural Design Statement prepared by Kieran J. Barry & Associates Ltd, provides details on site and boundary sections under Section 7.1 and privacy & amenity under Section 9.10. The Landscape Design Report by BSM includes detailed site and boundary sections further illustrating the relationship with the proposed dwellings and adjacent existing dwellings to the east, south and west as well as detailing boundary treatments.

6. Masterplan showing the relationship between the Ballynaroon site and the potential development of the Ballyhennick site to the west.

The Proposed Site Masterplan (586-PP-005), prepared by Kieran J. Barry & Associates Ltd. provides a layout for the subject site and an indicative layout for the Ballyhennick site to the west. The Ballyhennick site will be the subject of a separate application. The masterplan illustrates the relationship between the two sites and informs the Board of the future built development, amenities and services for the site. Additional works are required to develop the Ballyhennick site. The applicant does not own these lands but has a legal interest in them.

7. (a) Traffic and Transport Impact Assessment (TTIA) of the development, the scope of which is to be discussed in advance with Cork County Council.

(b) A report demonstrating compliance with the principles and specifications set out in DMURS and the National Cycle Manual in relation to the proposed housing and the works along public roads.

(c) A Carparking Strategy and Mobility Management Plan.

a) TTIA: A Traffic and Transport Assessment (TTA), which has been prepared by MHL Consulting Engineers, has been submitted in support of this SHD application and which concludes that there are no traffic and transportation reasons that would prevent permission from being granted.

b) DMURS and National Cycle Manual: A DMURS Statement of Consistency has been prepared by MHL Consulting Engineers and this statement demonstrates compliance with the principles and specifications set out in DMURS and also demonstrates the development complies with the guidance set out in the National Cycle Manual.

c) Carparking and mobility management plan: A Preliminary Mobility Management Plan has been prepared by MHL Consulting Engineers. As the car park and set down area have been removed from this SHD application, following comments made at the tri-partite meeting, the 'Carparking Strategy' is no longer required.

8. An Ecological Impact Assessment.

An Ecological Appraisal has been prepared by Brady Shipman Martin. A Bat Survey Report has been prepared by Brian Keeley and is appended to the Ecological Appraisal at Appendix I.

The submitted Ecological Appraisal concludes that the development will result in the removal of habitats of no more than local ecological value. As part of the development, associated public open space and landscaped areas will be provided, including areas of ecologically sensitive planting and bat boxes. The woodland management, biodiversity-focussed planting and other mitigation measures proposed will ensure that there will be no long-term residual impact on any ecological receptors, either within or in the vicinity of the site. The submitted Bat Survey Report states that subject to appropriate mitigation measures there will be no direct risk to bats once all tree felling and building demolition is accompanied by a suitable bat assessment.

9. An Archaeological Impact Assessment.

An Archaeological Assessment has been prepared by Lane Purcell Archaeology. This assessment states that there are no recorded archaeological sites within the application site and that the nearest recorded monument is a ringfort (CO075-010) which lies 20 m outside the north-western site boundary and a second ringfort (CO075-009) is located 95 m north of the subject site boundary. The report states that the north-western site boundary, 20 m southeast of the ringfort (CO075-010), will provide an exclusion/ buffer zone around the monument. Suitable fencing will be provided in advance of construction commencing and no development or construction will be undertaken within this area and the buffer zone will be maintained for the duration of construction.

The report states that the development will require largescale topsoil stripping/ ground reduction across the southern part of the site, and also the demolition of upstanding buildings. It sets out that previously unrecorded sub-surface archaeological features/ finds may exist in this area and they may be revealed during the earth works/ removal stage of the development. Pre-construction archaeological investigations of the southern field are therefore recommended in advance of development to include geophysical survey and archaeological testing. The report also recommends that archaeological inspection of the northern part of the proposed development site should be undertaken to include the woodlands and the existing dwelling house and associated buildings and grounds.

The upstanding buildings should be assessed and recorded in advance of any development in this section of the site. It is proposed to establish the northwest site boundary as an exclusion area or buffer zone to the ringfort (CO075-010) 20 m to the northwest. Prior to the commencement of development this will be securely fenced with post and wire fencing and will incorporate clear signage prohibiting construction access and it will be retained for the duration of construction. No machinery will access the exclusion zone, no materials etc. will be stored within it and no works will be undertaken within this area.

10. A Tree survey and Arboricultural Assessment.

A Tree Survey Report has been prepared by South of Ireland Tree Surveys and addresses all relevant issues.

11. A draft Construction Waste Management Plan, draft Construction and Environmental Management Plan and a draft Operational Waste Management Plan.

A Preliminary Construction & Demolition Waste Management Plan, Preliminary Construction Environmental Management Plan and Operational Waste Management Plan, have been prepared by Kieran J. Barry & Associates Ltd and which address all relevant issues.

12. Address issues raised in the Irish Water Submission dated 16th January 2021.

Irish Water issues are addressed by way of the amended pre-connection enquiry response from Irish Water, which is dated 29th of April 2021, and which is attached at Appendix C of the Engineering Services Assessment Report prepared by Kieran J. Barry & Associates Ltd.

13. Respond to issues raised in the Planning Authority Opinion received by An Bord Pleanála on the 1st of February 2021.

Section 3 of this report addresses in full the issues raised by the Planning Authority Opinion.

The following are the issues considered under Section 3. Statement of Response to Planning Authority Opinion.

Compliance with Core Strategy and Local Area Plan: The applicant refers to the Statement of Consistency, Planning Report and Material Contravention Report, prepared by McCutcheon Halley Planning Consultants in relation to policy compliance.

Quantum of Development and Density: The applicant refers to refer to Sections 7.3 and 7.5 of the Planning Report, prepared by McCutcheon Halley Planning Consultants, which addresses the Council's concern in greater detail. Density is also considered in the Material Contravention Statement, prepared by McCutcheon Halley Planning Consultants.

Housing Mix: The Architectural Design Statement, prepared by Kieran J. Barry & Associates Ltd, addresses housing mix and adaptability and a Housing Quality Audit Assessment, prepared by Kieran J. Barry & Associates Ltd, provides a quality audit

and assessment of the proposed residential houses and apartments in terms of compliance with the 2020 Guidelines on Design Standards for New Apartments. Additional 4-bedroom units have been provided.

Visual Impact and Quality of Layout: A Landscape and Visual Impact Assessment (LVIA) and Photomontages, have been prepared by Brady Shipman Martin in support of the application. An Architectural Design Statement and architectural drawings have been prepared by Kieran J. Barry & Associates Ltd in support of the proposed development.

Irish Water Infrastructure: An Engineering Services Assessment Report has been prepared by Kieran J. Barry & Associates Ltd in support of the development. There is sufficient capacity in the public system to serve this development.

Surface Water: The Engineering Services Assessment Report, prepared by Kieran J. Barry & Associates Ltd provides support details.

Air Quality: A Preliminary Construction and Demolition Waste Management Plan, has been prepared by Kieran J. Barry & Associates Ltd. This report addresses the concerns raised by Cork County Council in respect of the sensitivity of the adjoining primary school from surface water run-off, noise, dust, and air quality, and demonstrates that adequate protection measures will be implemented to protect this sensitive receptor/ site.

Traffic/ Transport/ Connectivity: These issues have been addressed already in this report and the submitted TTA provides further details.

Schools/ Creche: The proposed development provides for 112 units, which is far below the threshold of 200 units to assess the impact of demand on school places in an area. An assessment of childcare places in the area found that there were 79 places available within a 10-minute/ 6 km drive of the site and this is adequate to serve the proposed development.

Residential Amenity: This issue has already been addressed in this report.

Ecology: An Ecological Appraisal has been prepared by Brady Shipman Martin and this includes a Bat Survey Report, which has been prepared by Brian Keeley. No issues of concern were raised in this assessment.

Trees and Hedgerows: A Tree Survey Report has been prepared by South of Ireland Tree Surveys and has informed the landscaping strategy for the subject application site. The majority of tree will be retained on site and tree removal will be due to the health of the tree and/ or their impact on existing structures. The existing trees will be protected as per BS 5837:2012 'Trees in relation to design, demolition and construction'.

Biodiversity Enhancement: In addition to the Tree Survey Report, a Landscape Design report and a Landscape Plan and Boundary Treatment drawings for the proposed development, prepared by Brady Shipman Martin have been provided in support of the proposed development. It is proposed to provide high quality usable open space, which will include an increase in site biodiversity through the use of native/ non-invasive, adaptive planting, including wildflower meadow planting and shade-tolerant planting.

Invasive Species: The site surveys found no invasive species within the site area. In terms of potential impacts of the proposed development, the Ecological Appraisal by BSM notes that there will be no transfer of invasive plant material during the construction phase that could potentially lead to such species becoming established in the area. No invasive species will be introduced, either deliberately or inadvertently, to the subject site.

Other Issues: A Preliminary Construction Environmental Management Plan has been prepared by Kieran J. Barry & Associates Ltd and an Ecological Appraisal by BSM.

Appropriate Assessment: An Appropriate Assessment Screening Report prepared by Brady Shipman Martin has been submitted in support of the development. It is considered that the AA Screening Report provides sufficient relevant information to allow the Competent Authority (An Bord Pleanála) to carry out an AA Screening, and reach a determination that the proposed development will not have any likely significant effects on European sites under Article 6 of the Habitats Directive in light of their conservation objectives.

Archaeology: An Archaeological Assessment has been prepared by Lane Purcell Archaeology in support of the proposed development. These issues have been addressed already in this report.

Part V: 11 units are to be provided and supporting details are provided by the applicant.

14. Where the prospective applicant considers that the proposed strategic housing development would materially contravene the relevant development plan or local area plan, other than in relation to the zoning of the land, a statement indicating the plan objective (s) concerned and why permission should, nonetheless, be granted for the proposed development, having regard to a consideration specified in section 37(2)(b) of the Planning and Development Act 2000. Notices published pursuant to Section 8(1)(a) of the Act of 2016 and Article 292 (1) of the Regulations of 2017, shall refer to any such statement in the prescribed format.

A Material Contravention Statement, prepared by McCutcheon Halley Planning Consultants is provided to address this issue. The proposed development is a material contravention of the Cork County Development Plan 2014 and the Cobh Municipal District Local Area Plan 2017 in relation to density standards. Justification for this element of the development is provided and the development seeks to increase delivery of housing from its current under-supply as set out in Rebuilding Ireland Action Plan for Housing and Homelessness 2016, and also seeks to facilitate the achievement of greater residential density in areas close to public transport, strategic employment locations, and local services including its immediate proximity to the Glounthaune Primary School.

The applicant considers that in accordance with Section 37(2)(b)(iii), the density standards set out in the Cork County Development Plan 2014 (CCDP 2014) and the Cobh Municipal District Local Area Plan 2017 (LAP 2017) are contrary to the Ministerial Guidelines on Sustainable Residential Development in Urban Areas 2009 (SRDUA), published by the Department of Housing, Planning and Local Government. Therefore, the development should be granted permission as the proposed development is consistent with the relevant national and regional planning policies and Section 28 Ministerial Guidelines.

6.0 Relevant Planning Policy

6.1. National Policy

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

Chapter 4 of the National Planning Framework (NPF) is entitled ‘Making Stronger Urban Places’ and it sets out to enhance the experience of people who live, work and visit the urban places of Ireland.

A number of key policy objectives are noted as follows:

- National Policy Objective 4 seeks to ‘Ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being’.
- National Planning Objective 11 provides that ‘In meeting urban development requirements, there be a presumption in favour of development that can encourage more people and generate more jobs and activity within existing cities, towns and villages, subject to development meeting appropriate planning standards and achieving targeted growth’.
- National Planning Objective 13 provides that “In urban areas, planning and related standards, including, in particular, 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”.

Chapter 6 of the NPF is entitled ‘People, Homes and Communities’ and it sets out that place is intrinsic to achieving a good quality of life.

A number of key policy objectives are noted as follows:

- 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’.
- 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’.

6.1.2. **Section 28 Ministerial Guidelines**

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 – (DoHPLG, 2018).
- Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (DoHPLG, 2020).
- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (including the associated Urban Design Manual) (DoEHLG, 2009).
- Quality Housing for Sustainable Communities (DoEHLG, 2007).
- The Planning System and Flood Risk Management including the associated Technical Appendices (DEHLG/ OPW, 2009).
- Childcare Facilities Guidelines for Planning Authorities (2001).
- Regulation of Commercial Institutional Investment in Housing – Guidelines for Planning Authorities (2021).

Other Relevant Policy Documents include

- Smarter Travel – A Sustainable Transport Future: A New Transport Policy for Ireland 2009 – 2020.
- Design Manual for Urban Roads and Streets (2013).

- Permeability Best Practice Guide – National Transport Authority.

6.2. Regional Policy

6.2.1. Regional Spatial and Economic Strategy for the Southern Region

The Regional Spatial and Economic Strategy (RSES) for the Southern Region provides for the development of nine counties (The Six Munster Counties plus Wexford, Carlow, and Kilkenny) including the Cork County area, and supports the implementation of the National Development Plan (NDP). Cork City and suburbs is the largest settlement in the Region with a population of over 208,000. Cork City is one of three cities categorised as Metropolitan Areas. Glounthaune is located within the designated metropolitan area. The only specific reference to Glounthaune is under section 6.3.6.3 – ‘Transport Priorities for the Cork Metropolitan Area’ and reference to the improvement of the commuter rail network in the area to include upgrades to existing stations such as Glounthaune.

6.2.2. Cork Metropolitan Area Transport Strategy (CMATS) 2040

The Cork Metropolitan Area Transport Strategy 2040 proposes a number of enhanced public transport services to be created over the next two decades, including a light rail system between Ballincollig and Mahon Point via Cork City Centre; eight new railway stations, upgrades to the railway network and 100 km of bus lanes. A key principle for CMATS is to reduce dependency on the private car within the Cork Metropolitan Area, while encouraging the use of sustainable transport options.

6.3. Local/ County Policy

Cork County Development Plan 2014 - 2020

6.3.1. The Cork County Development Plan 2014 - 2020 is the current statutory plan for the Cork County area, and which includes the subject site. Chapter 2 sets out the Core Strategy for the development of County Cork.

Note: A new Cork County Development Plan 2022 – 2028 comes into force on the 6th of June 2022, following the adoption of the plan by the Council on the 25th of April 2022.

Cobh Municipal District Local Area Plan 2017

6.3.2. Glounthaune is listed as a Key Village in this Local Area Plan (LAP). In 2015 there were 506 houses in Glounthaune. Glounthaune is located on the Cork to Cobh/ Middleton railway lines. The Wastewater Treatment Plant at Carrigrennan, Little Island serves the Glounthaune area.

6.3.3. The Role of Key Villages is set out in Section 4.2 of the LAP. Key Villages are to be the ‘primary focus for development in rural areas in the lower order settlement network and allows for the provision of local services, by encouraging and facilitating population growth at a scale, layout and design that reflects the character of each village, where water services and waste water infrastructure is available’. A list of facilities that would normally be found in Key Villages is provided in Section 4.2.4. Section 4.2.7 states the following:

‘There is scope for development within the Key Villages, however, it is important that each village’s rural character, architectural heritage and its other heritage and natural amenities are maintained, enhanced and not compromised’.

6.3.4. Under Section 4.2.10 it is stated that ‘It is an aim to ensure that the scale of new residential development in the key villages will be in proportion to the pattern and grain of existing development’. Table 4.2.1 provides the ‘Appropriate Scale of Development for Key Villages’ and an additional 400 houses could be provided in Glounthaune at the ‘Normal Recommended Scale of Any Individual Scheme’ of 40 units. The following is also stated in relation to table 4.2.1:

‘The normal recommended scale of any individual scheme is set out in the above table. Individual schemes in excess of the recommended scale set out in the above table may be considered where it is demonstrated that the overall scheme layout reinforces the existing character of the village and the scheme is laid out, phased, and delivered so as not to reflect a residential housing estate more suited to a larger settlement’. General Objectives for Key Villages are provided under Objective GO-01 of the LAP.

6.3.5. Full details on the development of Glounthaune are provided in Section 4.5 of the LAP. The vision seeks to secure a significant increase in the population up to 2023, ensuring that a balance is provided between maximising the benefits of the railway service with development that is appropriate to the character, setting and the scale of the existing village. The topography of Glounthaune is recognised as a significant feature and ‘most of the undeveloped lands within the boundary are very visually sensitive’. Section 4.5.8 states, ‘It is considered that new development in Glounthaune over the next ten years should not exceed 400 units in total’ and ‘It is considered that any new individual housing schemes should not normally exceed 40 units (see footnote of Table 4.2.1).

6.3.6. The subject lands are located on lands within the ‘Settlement Boundary’. Part of the south eastern corner of the site is zoned C-01 – ‘Community’. This 1.2-hectare site is zoned in order to make ‘Provision for extension to school and recreational facilities’.

6.3.7. Two general objectives apply to Glounthaune:

‘DB-01: a) To encourage the development of up to 400 additional dwelling units up to 2023;

b) To implement traffic calming measures in the village which include the proper demarcation of the road edge and car parking spaces;

c) To achieve the development of a car park in close proximity to the railway station.

DB-02: Glounthaune is located adjacent to the Great Island Channel Special Area of Conservation and the Cork Harbour Special Protection Area. Development in this settlement will only be permitted where it is shown that it is compatible with the requirements of the Habitats Directive and the protection of these sites’.

7.0 Third Party Observations

7.1. A total of 34 submissions were received.

A submission was made by the Glounthaune Community Association, Glounthaune Sustainable Development Committee, Glounthaune Tidy Towns, Councillor Sheila

O'Callaghan, the Louth Environmental Group, and other submissions were from individual members of the public.

The submissions from residents/ members of the public, grouped under appropriate headings, can be summarised as follows.

7.1.1. Proposed Development:

- The reasons for refusal under ABP ref. 303912 have not been addressed in this application.
- The slope of the site, with a height increase from 9 m OD to 110 m OD over a distance of 770 m, is not suitable for pedestrians and cyclists on a direct path to the church and railway station. Similar to walking up 25 flights of stairs.
- The development materially contravenes the housing mix requirements/ provisions provided in the Development Plan and Local Area Plan.
- The developer has failed to demonstrate that this development is of national importance.
- The development contravenes the County Development Plan – reference to the cap on unit numbers and number of units per individual application.
- There are more appropriate sites for development in the area than this site.
- The development does not consider the needs/ requirements of the elderly.
- The proposed development and the topography exceed the 10 minute principle.

7.1.2. Traffic/ Car Parking:

- The existing road infrastructure in the area is not suitable for the scale/ type of development that is proposed.
- The road network has not changed over the centuries and cannot cope with modern traffic.

- The road network in the area gets congested at school set-down and pick-up times.
- There are no proposals to upgrade the road network.
- Query over the acceptability of traffic counts been undertaken during one of the Covid lockdown periods.
- The proposal to upgrade the footpaths through 'The Highlands' does not address the issues in relation to the safety issues at The Dry Bridge and the L-2970 – The Terrace, where there is a lack of footpaths, poor drainage and no lighting.
- The development materially contravenes the car parking requirements/ provisions provided in the Development Plan and Local Area Plan.
- Traffic has increased under the Dry Bridge due to existing development in the area and this proposal will only add to this issue.
- Proposed improvements to the footpaths and the road network may give rise to increased traffic speeds and potential traffic safety issues.
- Concern about access to the Highlands and the main Glounthaune-Carrigtwohill road with the increased volume of traffic that the development may generate.
- The car park at Glounthaune station is at capacity.

7.1.3. **Sustainable Transport Issues:**

- Residents will not use the train due to the long walk and the fact that the proposed pedestrian route is very steep.
- The railway station is approximately 1.6 km from the subject site.
- The railway station is not suitable for all residents in the area, specific infrastructure issues are identified.
- The station is not fully accessible.
- The car will continue to be the primary form of transport here.
- This is a car dependent development.

- The proposed cycle/ pedestrian provision is not compliant with TII requirements.
- Poor quality bus service in the area.
- Object to the dual use of the path through The Highlands for cycle and pedestrian use.

7.1.4. **Density, Design and Height:**

- The development materially contravenes the density requirements/ provisions provided in the Development Plan and Local Area Plan.
- The development materially contravenes the building height and visual impact requirements/ provisions provided in the Development Plan and Local Area Plan.
- The development is out of character with the existing form of development in the area with particular reference to the proposed apartments.
- The scale and mass of the two apartment blocks are completely out of scale and mass for the existing built environment in the area.

7.1.5. **Drainage/ Flooding:**

- There is a concern that the proposed development may give rise to increases in runoff water and which in turn could give rise to flooding/ water damage in the area.
- Concern about increased flooding during the construction phase of the development.
- The stormwater network cannot cope with the additional development in the area.
- Potential Appropriate Assessment issues in that surface water may enter the Great Island SAC and Cork Harbour SPA.
- There is a concern about water supply capacity in the area.

7.1.6. **Lack of Facilities:**

- The development materially contravenes the public open space requirements/ provisions provided in the Development Plan and Local Area Plan.

- The development materially contravenes childcare provision requirements provided in the Development Plan and Local Area Plan.
- There is already a shortage of school places in the area and the proposed development will add to traffic congestion at the existing school, thereby adding to a potential traffic issue.
- The development will not allow for the expansion of the school and community facilities in the area.
- There is a lack of childcare facilities in the area.
- There are very limited services in Glounthaune which consists of a School, Church, a single shop, one pub and a post office at present.
- Glounthaune lacks a strong urban core.

7.1.7. Impact on Residential Amenity:

- Concern about loss of privacy due to the proposed development. Potential for overlooking with particular reference to no. 44 in the proposed development.
- No. 44 is overbearing on the existing houses in Cois Chuain.
- Potential for overshadowing.
- There is no need for no. 44 to be orientated in the direction as proposed for the reasons of passive surveillance, as the existing houses in Cois Chuain can provide this.
- Request that a single-storey house be provided in the location of no. 44 and that attic conversions not be permitted.
- Request that a fence not be provided on the existing boundary wall as this is of poor condition. A revised fence is proposed that may allow the growing of a hedgerow.
- Loss of amenity through the development of the laneway.
- Potential for noise pollution.
- Negative impact on existing accesses to properties.

7.1.8. Impact on the Character of the Area:

- The Dry Bridge is an important feature of Glounthaune.

- Negative impact on the visual amenity of the area and the high visual amenity character of the area.
- Concern about the potential impact on existing wildlife in the area.
- The proposed development provides a very suburban character.
- Negative impact to the ditch and hedgerow that forms the southern boundary of the site.
- The proposed development will destroy an existing bat habitat on site.

7.1.9. **Other Comments:**

- The development should be refused as it is in accordance with guidelines that are unconstitutional and are contrary to the SEA directive.
 - The development materially contravenes the Development Plan and Local Area Plan in respect of Architectural Conservation Area.
 - The development materially contravenes the Development Plan and Local Area Plan in respect of non-compliance with Policy Objectives SS02a and PM17.
 - Submitted documentation and drawings are insufficient.
 - Concern about the time of lodging of this application and is it an attempt to get the development in before the adoption of the new county development plan.
 - The proposed development may be project splitting as there is another development proposed by the applicant in the area.
 - Legal issues over the inclusion of lands within the control of Cork County Council.
- Supporting information has been provided in the form of plans, photographs, photomontages, etc.

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 11th of April 2022. The report states the nature of the proposed development, background details including preplanning, site description, planning history, details of submissions/

observations, the Chief Executive's views on the proposed development, a Chief Executive's recommendation and an appendix that includes the reports from internal departments of Cork County Council.

8.2. The Chief Executive's report includes a summary of the views of the elected members of the Municipal District Meeting held on the 14th of March 2022, and these are outlined as follows:

- 232 houses have been permitted since 2014 and the proposed 112 units would exceed the total of 400 allowed having regard to proposed development in the area.
- There is a lack of amenities for residents in Glounthaune. Social and community areas have to be allowed for.
- The proposal appears more suited to a larger area.
- The development doesn't qualify under the 40 units per scheme objective in the LAP.
- The current site zoning of CO-1 provides for the extension of the school. Query over whether this will still go ahead.
- The submitted maps accompanying the consent letter shows paths and carpark which do not appear to be on the application.
- The provision of a carpark is not an appropriate addition.
- Existing local amenities will be under pressure if this planning is granted.
- Concern that the submitted landscape plan includes non-native plants.
- There is no connectivity to Cois Cuain to the east of the site.
- There is no provision for a childcare facility on this site, a creche will be provided at Harper's Creek, but that will only facilitate existing residents.
- The route to the church through the dry bridge consists of a very narrow area with pinch points.
- Only 11 of the units will be for Part 5, which is a low amount and marginally under 10%. The Part V dwellings are indicated as being bunched together; they should be dispersed throughout the site.

- Under the new Cork County Development Plan, the subject site will be rezoned to Community usage.
- Concerns over the connectivity to the cycleway.
- The proposal to remove the right-hand turn at Glounthaune Church would not be a good idea for residents of the area.
- The gradient to the site itself is very steep. Query over whether there are guidelines regarding gradient for people pushing buggies etc.
- The narrowness of the dry bridge is an issue.
- Appreciates the need for housing but such housing has to be in the right place and should include facilities and amenities.
- Asked if meetings were held with residents.
- There are serious considerations regarding the proposed application.
- Suggested that An Bord Pleanála want increased densities, but it is considered that this is an excessive density for this site.
- The topography of the site is poor.
- Can never see this site being used as amenity due to the cost of purchasing it and the works necessary to lay it out.

8.3. A list of submission/ observation points is provided in Section 3.1.1 of the submitted CE report.

8.4. The key items identified in the CE report are summarised under the following headings:

EIAR:

- An EIAR screening has been submitted by the applicant, and which states that the proposed development does not require a mandatory EIA. The Planning Authority recognise that the Board is the competent authority in respect of EIA.

Principle of the development and compliance with the Cork County Development Plan and Local Area Plan:

- Glounthaune is designated as a 'Key Village' within the Metropolitan Cork area and under the Cobh Municipal District LAP. The site is located within the settlement of Glounthaune and is zoned existing built-up area. The vision for Glounthaune, within the Local Area Plan up to 2023, is for a significant increase in the population through maximising the benefit of the railway station whilst ensuring that development is appropriate to the character, setting and scale of the village, ensuring the retention/improvement of local services/ facilities and to strengthen infrastructure provision.
- The Local Area Plan seeks to encourage the development of up to 400 additional units, this is not a target to be reached or a maximum limit on development. The LAP also states that any single development should not normally exceed 40 units, though this figure may be exceeded where the development can successfully integrate with the existing form of development in place but should not reflect a housing estate that would be suited to a larger settlement. It is accepted though that consideration may be given to a development that is greater than 40 units, with reference to footnote that accompanies table 4.2.1.
- The LAP notes that in 2015 the number of residential units in Glounthaune was 506 and since the adoption of the LAP in August 2017, a further 232 units have been granted planning permission. Combined with the current proposal, a total of 344 would be permitted, though the Planning Authority refer to other applications in the system. The Planning Authority recognise the growth figure of 400 units in the LAP, but this is not an absolute limit.
- The Planning Authority also report that the site is to be zoned for Community Facilities in the new Cork County Development Plan 2022 – 2028.
- Glounthaune benefits from the Cobh/ Midleton to Cork train service which operates on a 15-minute frequency at peak times. The National Planning Framework and the Southern RSES promote compact growth led by integrated land use and transport planning, in appropriate locations. Glounthaune has the potential to deliver such sustainable compact growth, there are however, challenges in growing the settlement due to the current lack of suitable

community facilities, the topography of the area and an inadequate road network. The Planning Authority recognise that the proposed recreation/ amenity facilities, if made available to the wider community, would contribute to addressing the need for community facilities in the settlement. The Cork County Traffic and Transportation Engineer considers that the proposed development is acceptable in terms of impact on the road network subject to suitable mitigation measures which include the provision of improved pedestrian and cycle connectivity to the Glounthaune Crossroads junction and the provision of a special contribution towards the cost of the recently installed pedestrian crossing which will directly benefit the development and the installation of traffic signals at Glounthaune Crossroads (local roads - L3004/L2968/L29681).

Community Zoning – C-01:

- The south eastern corner of the subject site forms part of the community zoning - C-01. A section of the C-01 lands are outside of the red line boundary, and these lands are in use as playing fields for the adjacent school. The applicant proposes a grass amenity area, a Multi-Use Games Area (MUGA), a play area and a grass meadow within the C-01 lands inside the red line boundary of the site and these lands form part of the amenity space for the proposed development. The Planning Authority consider that these uses are consistent with the objectives of the site zoning, provided that they are available for use by the wider community in addition to the residents of the development. Prior to these areas being taken in charge, a condition should be applied that ensures that these facilities are available to the wider community and the residents of the development.
- The development provides for 35.8% open space provision; this excludes the grassland meadow within the C-01 zoned lands. The Planning Authority report includes a breakdown of the open space provision, and which is within the required range of the Local Authority. A set down area has been omitted from the C-01 lands and is now proposed as a grass meadow.

Woodlands and Glade:

A section of the lands within the red line boundary are located within the Metropolitan Greenbelt and which contain a woodland area. It is proposed to retain and protect this woodland and to provide a gravel trail through the woodland which will allow for safe access for residents and local users of these lands. These lands will also provide for recreation/ amenity space for residents of the development. The provision of these lands is not relied upon by the applicant to comply with the requirements of the Council's Interim recreation and amenity policy. The intended use of this part of the site as a woodland amenity and trail is considered appropriate for its location within the Metropolitan Greenbelt and which is consistent with Objective RC15-3 of the County Development Plan 2014 – 2020.

Density and Quantum of Development:

- The Local Area Plan states that residential development within the settlement should fall within the density of 12 to 25 units per hectare, which is described as Medium B density range. Densities of 25 to 35 (Table HOU 4-1 of the LAP) may be allowed where there is an exceptional market demand. Out of a total site area of 5.522 hectares, only 3.638 hectares is developable due to the omission of the C-01 zoned lands, works to the public road, the buffer on the eastern boundary, the woodland/ glade from the developable area.
- The proposed development of 112 units provides for a density of 30.8 units per hectare. The Planning Authority consider that the proposed density is acceptable. Reason no. 3 of ABP Ref. 303912-19 referred to the net density been less than 30 units per hectare. The development is acceptable in terms of the proposed density and is in compliance with National, Regional and Local Policies.

Quality of the Layout:

- The Planning Authority consider the density to be acceptable but note the concerns of the County Architect – provided in Appendix A of the CE report. The subject site is within lands zoned as existing built up area, but is on the periphery of the established settlement and immediately adjoins the Metropolitan Greenbelt. The subject lands are also designated as High Value Landscape and

the Planning Authority consider that the design and layout of the development could better reflect this context.

- The Cork County Architect considers that the submitted external imagery and the elevational treatment of the various housing typologies are overly detailed in most cases, too fussy and they are not reflective of the semi-rural character setting of the site. In addition, both apartment blocks contain multiple design approaches which are considered to be overly designed and which require simplification. It is recommended that a condition be included requiring the external design of the proposed dwellings and the apartment blocks to be revised to have a more considered and simplistic architectural style which is in keeping with the character and setting of the subject site. As detailed in the archaeology section of the CE report, it has been recommended that apartment Block 2 be removed from the development.
- The layout consists of houses which front onto a series of inner estate roadways where car parking dominates. It is considered that home zones should be introduced into the central part of the layout design to allow for a more integrated and safer layout. It is recommended that a condition be included to address these points.

Recreation and Amenity Policy:

No issues of concern are raised in relation to the open space and amenity provision on this site. Adequate passive surveillance is provided for.

Housing Mix:

The CE report outlines the proposed housing provision, and the mix is considered to be acceptable. The Housing Quality Assessment indicates that the proposed units demonstrate for good quality internal space provision.

Part V:

A total of 11 units are to be provided over four phases of the development. The Part V provision is acceptable to the Cork County Council Housing Officer.

Archaeology:

- The submitted application includes an archaeological assessment. The Cork County Council Archaeologist reports that there is no visible or known archaeology within this area and an adequate buffer is provided for the adjacent ringfort – CO075-010. Concern is expressed that a geophysical survey and archaeological testing was not carried out and a suitable condition should be included to ensure that topsoil removal be archaeologically monitored.
- In relation to 'The Highlands' and the attendant farm building, the applicant's archaeologist states that they were not accessible and recommends an archaeological inspection of this part of the site to include the woodland area to north. The Highlands dwelling house and associated buildings and grounds are Post medieval heritage buildings; two buildings are shown on the 1840's OS map. As buildings are indicated on the 1842 OS map, Section 12.3.11 of the County Development Plan states that they 'have the potential to contain earlier structures and features' and prior to development of these buildings an assessment should be carried to assess the heritage value of same. In addition, as outlined in Section 12.3.12 of the County Development Plan later buildings such as this are important elements of our heritage, though not specifically designated or protected they do make a valuable contribution to the local historic landscape, and they have the potential to add to our understanding of the past. Also stated in the Development Plan, Objective 2014 HE 3-4, these buildings shall be subjected to careful assessment. The assumption that they can be demolished without acknowledgement and due regard to their heritage value is unacceptable to Cork County Council and this element of the development should be omitted by condition pending the completion of the historic assessment of these buildings.
- The CE report recommends that an historic assessment of the building is carried out by a suitably qualified consultant with experience in recording heritage buildings. It is also recommended that the building is assessed by a suitably qualified conservation engineer to assess the structural integrity of the building

and the potential for renovation. The buildings are recommended to be retained until such time as it can be demonstrated that demolition is appropriate.

Ecology:

The Ecology Report is included in Appendix A of the CE report.

Ecological Impact Assessment:

- Welcome is made for the retention of the woodlands to the north of the site and the retention of boundary trees. The trees to be removed are noted and it is considered acceptable to remove these.
- The submitted Ecological Impact Assessment did not identify any rare or protected species on site. No evidence of badgers or other large protected mammals were recorded on site.
- A Bat survey was also carried out and a total of five bat species (common pipistrelle, soprano pipistrelle, Leisler's bat, brown long-eared bat and Myotis bat) were recorded foraging on site during the time of the surveys undertaken. No evidence of roosting bats were identified, associated with the buildings on site.
- No evidence of any other protected animal species including amphibians, reptiles or hedgehogs, were recorded during the surveys.
- Suitable mitigation measures are proposed in the EclA and these are considered to be acceptable.

Appropriate Assessment

- An AA Screening has been submitted with the application and the Planning Authority consider this to be acceptable. The Cork County Ecologist is generally satisfied with the conclusions of the AA. An Bord Pleanála are the competent authority in respect of AA.

Traffic, Transportation & Roads:

- Access to the site is from the L-2970-6 local road.
- The proposed development makes provision for a pedestrian/cycle link from the proposed development via 'The Highlands', to the south. This proposed link will comprise works along public roads L-2970-6, L-7086-1, L-7086-0 and L-2968-0 and the footpath within The Highlands estate connecting the L-2970-6 and L-

7086-1. Direct pedestrian connectivity from the main entrance of the proposed development along the L2970, through The Highlands to the junction with the L3004 to the south is substandard. There are proposals to improve the existing footpath network from the L3004 to the entrance to The Highlands and are at detailed design stage. A condition is recommended that, in the event that Cork County Council proceed to upgrade or construct any footpath infrastructure along L2970-6, L7086-1, L7086-0 and L2968-0 and the footpath within The Highlands estate before the developer, the developer will pay the equivalent costs in lieu of construction.

- The applicant proposes that the upgrade of the footpath infrastructure be carried out in the fourth and final phase. Cork County Council recommended that these works be part of Phase 1. This will ensure that the first residents of the development have direct access to walking and cycling facilities that connect to the cycleway, Glounthaune Station and the village centre including shops.
- The trip rates taken from the TRICS database are considered to be very low for the proposed development, trip rates from a traffic survey at a development 3 km from the proposed development were found to be considerably higher. The modal shift of 18.5% is considered to be high for a development 1.7 km from rail services and 950 m from bus services. The development site is 1.7 km on foot from Glounthaune Train station. The gradient of the proposed footway network from the L3004 to the proposed estate is steep rising 75m over 950m in elevation making the route less attractive for pedestrians and cyclists. The low level of trips and overestimating of modal shift results in a reduced predicted impact with no mitigation measures provided. Cork County Council are constructing a high-quality pedestrian and cycle route from Dunkettle to Carrigwohill along the L3004/ Old N25. Phase 1 of this scheme has been completed from Fitzpatrick's shop via Glounthaune Train Station to the Elm Tree and the next section from Fitzpatrick's east to Dunkettle has begun on site. As part of the development of this pedestrian/ cycle route, Cork County Council is currently going through the Section 38 process to close the right turn lanes on the L3004 to facilitate the

inter-urban cycleway and this may impact on the predicted traffic flows at the junction. It is recommended that traffic signals be installed at the Glounthaune crossroads in association with this development - the submitted TTA identifies the need to consider this infrastructure.

- The footpaths which are to be provided parallel to the spine road, from the entrance of the estate, are recommended for widening to 4.0m. Within the residential zone of the site there are shared streets which are narrow and suitable for such an environment where residents can safely navigate, and this should be secured by condition. The footpaths through the recreational area should also be widened to 4.0m to ensure free flow and this can be conditioned.

Car and Bicycle Parking:

- A total of 199 car parking spaces; the Cork County Development Plan 2014 – 2020 requires a total of 194 car parking spaces. Car parking for residential units are a minimum standard but reduced car parking can be considered in certain circumstances. The County Architect has a concern about the car parking provision dominating the layout and it is recommended that five spaces be omitted by condition.
- Adequate bicycle parking is provided to serve this development.

Residential Amenity:

- Existing residential development is located to the west, south and east of the site. Suitable screening is provided for and separation distances in excess of 22 m to the east and south are warranted to ensure that privacy is protected having regard to the topography of the site.
- If permission is granted a suitable Construction Management Plan and a Construction Environment Management Plan should be put in place.

Community and Social Infrastructure:

- In a submission on the Cork County Development Plan, the Department of Education stated: 'There is not any identified case for new school provision. Nevertheless, the reliance on utilizing or expanding the existing facilities further underscores the necessity to zone all existing facilities (including their full sites)

for educational use and where possible to have buffer zones around them to aid future expansion'. The draft Cork County Development Plan proposes to expand the existing community zoning to include capacity to allow for expansion of the school and the new zoning would cover the parts of the site within the development boundary.

- The Planning Authority recognise that the proposed facilities within the C-01 zoned land and the woodland amenity trail, will provide facilities which would be of benefit to the wider community. It is recommended that a condition be imposed requiring those facilities to be made available in perpetuity for public use. The applicant does not propose any buildings within the land zoned C-01 and therefore future expansion of the school within that zoning is not prevented by the proposed development.

Creche

- There is a requirement for 33.4 childcare spaces – Total number of units is 112 – One-bedroom units (17) = 95. Divide by 75 and multiply by 20 gives a total of 33.4 spaces. No facility has been provided on site. A Childcare Assessment has found there to be adequate capacity within 10 minutes/ 6 km drivetime of the site. The Planning Authority recommend that a childcare facility be conditioned to be provided on site.

Phasing:

- Four phases are proposed:
 - Phase 1: 32 dwelling units together with ancillary site works, roads, services and landscaping;
 - Phase 2: 13 dwelling units and 14 no. apartments together with ancillary site works, roads, services, landscaping and the C-01 recreation/ amenity area;
 - Phase 3: 27 dwelling units together with ancillary site works, roads, services and landscaping;
 - Phase 4: 26 apartments and associated nature trails/amenity paths, together with ancillary site works, roads, services and landscaping. Also includes

upgrading of existing footpath extending through the highlands estate to the village.

- The Planning Authority consider that the upgrading of the footpath through The Highlands should be undertaken in Phase 1. A creche should also be included in the phasing plan.

Environment:

- The applicant has submitted insufficient information with regards to the surface water plan for the construction phase and also the construction and demolition waste management plan. The Council's Environment Engineer has recommended a number of conditions to address this, which are detailed in Appendix A of the CE report. The submitted information with regards to noise and vibration is also insufficient and a number of conditions have been recommended to address this.
- The draft CEMP provides a settlement solution for removing sediment from surface water prior to discharge via settling ponds and Terram filtration. However, the subsoils in this area appear to have a high proportion of very fine silt/colloidal material. The CEMP should be able to demonstrate site specific removal efficiencies and an emission limit value for any suspended solids, to ensure no discharge of polluting material to waters. The use of Terram has been found to not work satisfactorily on a nearby site. All sediment management and control measures shall be in place prior to any other works commencing. The draft CEMP proposes a dust management plan, and a noise impact and management plan to ensure no dust or noise nuisance to Scoil Naisiunta an Chroi Naofa primary school. The Council's Environment Engineer considered the proposals satisfactory, although the proposed noise limits in the CEMP are inappropriate for a sensitive location like a school. A number of conditions have been recommended.

Public Lighting:

- The Cork County Council Public Lighting Engineer has provided recommendations for the provision of a suitable public lighting scheme.

Water:

- Irish Water have reported no objection to the development.

Wastewater:

- Irish Water have recommended conditions in the event that permission is granted.

Surface Water:

- The submitted development has had little regard to the principles of SuDS other than through attenuation and hydrocarbon interception. No attempt has been made to incorporate green/natural drainage infrastructure that might promote groundwater recharge and/or biodiversity opportunities. Given the location and proximity to transitional waters, on such a steeply sloping site, this is considered to be acceptable. Conditions with regards to surface water management are provided.

Naming of Development/ Internal Roads:

- A condition requiring the details of the proposed naming of the development including the internal roads is recommended.

Chief Executive Recommendation:

- Cork County Council support the proposed development of this site as submitted and it is considered to be in accordance with the objectives of the Cork County Development Plan 2014 – 2020 and the Cobh Municipal District Local Area Plan 2017.
- A list of conditions and development contributions are provided in the CE report in the event that permission is granted for the development.

9.0 Prescribed Bodies

9.1. The applicant was required to notify the following prescribed bodies prior to making the application:

- Irish Water

- Department of Housing, Local Government and Heritage
- The Heritage Council
- An Taisce

Irish Water made a submission.

9.2. The following is a brief summary of the issues raised.

9.2.1. Irish Water:

Water: A new connection to the existing network is feasible without upgrade.

Wastewater: Irish Water report that in order to accommodate the proposed connection to the public system, upgrade works are required to extend the length of the network by approximately 440m. Irish Water do not have any plans to extend its network in this area and advise that should the applicant wish to progress with the connection they will be required to fund this network extension. Third-party consents and or permissions required will be the responsibility of the applicant to obtain.

Design Acceptance: Irish Water advise that the design and construction of all water and/ or wastewater infrastructure within the redline boundary of the development site are entirely the responsibility of the applicant.

Irish Water has requested that in the event that permission is granted that conditions be included as follows:

- 'The applicant shall sign a connection agreement with Irish Water prior to the commencement of the development and adhere to the standards and conditions set out in that agreement'.
- 'Irish Water does not permit any build over of its assets and the separation distances as per Irish Waters Standards Codes and Practices which must be achieved.
 - (a) Any proposals by the applicant to build over or divert existing water or wastewater subsequently occurs the applicant submit details to Irish Water for assessment of feasibility and have written confirmation of feasibility of diversion(s) from Irish Water prior to connection agreement'.

- ‘All development is be carried out in compliance with Irish Water Standards Codes and Practices’.

10.0 Oral Hearing Request

No requests were made.

11.0 Assessment

11.1. 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. Having examined the application details and all other documentation on file, including the Chief Executive’s Report from the Planning Authority, and all of the submissions received in relation to the application, and having inspected the site, and having regard to the relevant local/regional/national policies and guidance, I consider that the main issues in this application are as follows:

- Principle of Development
- Density and Scale of Development
- Design and Layout
- Archaeology
- Visual Impact
- Residential Amenity – Future Occupants
- Residential Amenity – Existing/ Adjacent Residents
- Transportation, Traffic, Parking and Access
- Infrastructure and Flood Risk
- Ecological Impact Assessment
- Childcare
- Part V Social Housing Provision
- Comment on Submissions/ Observations of the Cobh Municipal District
- Other Matters
- Material Contravention
- Appropriate Assessment (AA)

- Environmental Impact Assessment (EIA)

Note: The current plan for County Cork is the Cork County Development Plan 2014 – 2020 and the relevant local area plan for Glounthaune is contained within the Cobh Municipal District Local Area Plan 2017. It is my understanding that the elected members of Cork County Council adopted the new plan on the 25th of April 2022 and this will come into effect on the 6th of June 2022.

11.2. Principle of Development

11.2.1. Having regard to the nature and scale of proposed development which is in the form of 112 residential units, consisting of 40 apartments and 72 houses on lands within the ‘Settlement Boundary’ of Glounthaune, I am of the opinion that the proposed development falls within the definition of Strategic Housing Development as set out in Section 3 of the Planning and Development (Housing) and Residential Tenancies Act 2016.

11.2.2. The site is located in Glounthaune some 9 km to the east of Cork City and is located within the Cork County area. The subject site is subject to the requirements relating to Glounthaune that are contained within the Cobh Municipal District Local Area Plan.

11.3. Density and Scale of Development

11.3.1. The gross site area is given as 5.522 hectares and the net site area is 3.68 hectares. The net area is got by omitting areas of land that include upgrades to footpaths that are within the public domain, the omission of the C-01 zoned lands to the south east of the site, woodlands to the north, and some other areas of land within the red line boundary of the subject site. The proposal for 112 residential units therefore provides for a net density of 30.8 units per hectare.

11.3.2. ‘Table HOU 4-1: Housing Density on Zoned Land in the Cork County Development Plan 2014 – 2020’ within Medium B density allows for a range of 12 to 25 dwellings per hectare in locations such as Glounthaune. Densities between 25 and 35 dwellings per hectare ‘will be considered where an exceptional market requirement has been identified’. The proposed development provides for a density

of 30.8 units per hectare. The applicant has referred to the previous application on this site which was refused permission due to density. The applicant also states that they have had regard to the Board's Opinion and the Planning Authority's Opinion and the proposal has been revised to provide a density which is more in keeping with the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas.

11.3.3. The applicant's Planning Report outlines that there is a requirement to provide for additional housing having regard to the National Planning Framework which makes provision for population growth of an additional 340,000 - 380,000 people in the Southern Region. The majority of this growth has been allocated to Cork City and County areas and which equates to an additional 226,620 people/ 60% of the Region's growth. The CMATS seeks to enhance public transport provision in the area and to achieve compact growth and more sustainable travel led developments. It is acknowledged in the CMATS that this plan will be a national driver of population and employment growth along the upgraded suburban rail network. The proposed development will contribute to meet the market requirement for housing along the railway line as demand grows.

11.3.4. The issue of density is further considered in the section on Material Contravention in this report.

11.3.5. As reported the site is within the defined Settlement Boundary of Glounthaune, and which allows for the provision of residential development. The Cobh Municipal District Local Area Plan, which includes the plan for Glounthaune, limits the number of units that can be provided at one time at 40 units as required under Objective GO-01 of the local area plan and in addition there is a target of providing 400 residential units by the end of the local plan period in 2023.

11.3.6. Approximately 234 units have been approved/ constructed in Glounthaune since the adoption of the local area plan in 2017 and the proposed development would increase this figure to 346 units, which is still within the target figure of 400 units. The proposed development is acceptable in terms of this target figure.

11.3.7. The proposed development of 112 units exceeds the limit of 40 units per application as per 'Table 1 Appropriate Scale of Development for Key Villages'

from the Cobh Municipal District Local Area Plan'. The attached footnote state that 'Individual schemes in excess of the recommended scale set out in this table may be considered where it is demonstrated that the overall scheme layout reinforces the existing character of the village and that the scheme is laid out, phased and delivered, so as not to reflect a residential housing estate more suited to a large settlement'. The submitted documentation and specifically the Architectural Design Statement demonstrate that the development integrates with the village and is designed to provide for suitable variety and mix of units as to not be a residential development more suited to a larger settlement than Glounthaune.

11.3.8. **CE Report comments:** The Planning Authority considered that the proposed density responds to the previously issued reason for refusal and also complies with national guidance. The availability of a train service with a 15 minute service at peak times is noted.

11.3.9. The number of units is noted and if granted it would bring the total permitted up to 344, however the Planning Authority also note that there are other applications that were under consideration at the time of writing their report. I may add at this point that an application for 289 units under ABP Ref. 312222-21 has since been refused permission and a recent decision under PA Ref. 21/5072 permitted 30 residential units. The total permitted units if this development were granted would be 374, still under the 400 units allocated to Glounthaune. The Planning Authority report that there is scope to consider residential developments in excess of 40 units subject to it performing satisfactorily in terms of the footnote attached to Table 4.2.1 of the Cork County Development Plan 2014 – 2020.

11.3.10. **Assessment:** Having regard to the submitted details, Table 4.2.1 and its associated footnote and the comments of the Planning Authority, I am therefore satisfied that the provision of 112 units is acceptable and can be justified to exceed the 40 units per application. I also refer to the applicant's proposal to develop the site over four separate phases and this ensures that the construction of the residential units does not exceed 40 units at a time.

11.3.11. The Planning Authority consider that some scope for providing additional units can be made and that development need not be limited to 40 units, the principle of this has been established through the granting of permission for

developments in excess of 40 units. The applicant has addressed these issues further in the Statement of Material Contravention that is provided in support of the application; Material Contravention is considered later in this report.

11.3.12. The density of development at 30.8 units per hectare and the scale of development that would provide for an additional 112 residential units in an area with good public transport, a range of services and is within an established settlement. The density falls within the range of 25 to 35 units where an exceptional market requirement has been identified through the NPF and CMATS promoting a significant population increase in the area.

11.3.13. The applicant has referred to national, regional and local guidance, all of which promote the development, consolidation at appropriate densities of existing urban areas, in support of the development and its density.

11.3.14. I therefore considered that the scale and density of development is acceptable having regard to relevant guidance, the established character of the area and the availability of public transport with a good frequency and capacity. I note also the proposals to further expand the public transport provision in the area as outlined in CMATS and Bus Connects Cork.

11.3.15. I have no reason to recommend a refusal of permission to the Board due to the proposed scale and density of development.

11.4. Design and Layout:

11.4.1. The critical issue, and perhaps the one that has the most impact on this development, is the site topography. The site rises on a south east to north west axis. The residential part of Glounthaune is defined by the hills that make up the area. Although the site is described as been on the western edge of Glounthaune, the subject lands are surrounded by detached houses to the east, west and south, in addition to the national school to the east. The proposed development will consolidate the existing urban development in this part of Glounthaune. The open space/ amenity areas are located such as to ensure that the development integrates with the current low-density character of the adjoining lands.

11.4.2. The layout consists of a single access onto the L-2970-6 Ballynaron Road in the south west corner. This connection leads to an access road along the western side of the site with a cul-de-sac to the south. This access road terminates

to the north at an apartment block. This provides for 26 units in a block with a mix of two to four storeys. A junction almost midway along the main access road provides a link into a number of cul-de-sacs leading off this access. A second apartment block is located to the south of the west to east access road providing for 14 apartments in a mix of two and three storeys. A mix of detached, semi-detached, and terraced houses are provided along the access routes and cul-de-sacs, with a good mix of unit types throughout the site.

11.4.3. A total of three Neighbourhood/ character areas are proposed and these are detailed in the Architectural Design Statement prepared by KJB.

Neighbourhood 1 is to the west/ south west and provides for houses and apartment block 1. Neighbourhood 2 is located to the north east which includes semi-detached and terraced houses and also includes the play/ open space areas to the south east of the site. Neighbourhood 3 is located to the north west of the site and includes apartment block 2 and the adjacent woodland areas.

11.4.4. The proposed layout includes a number of home zones/ shared surface areas. These will facilitate walking and cycle as well as provide for traffic calmed areas throughout the site. The development is designed to ensure that sustainable forms of transport in the form of walking/ cycling are actively encouraged. The national school will be easily accessible from all areas of this development.

11.4.5. An active open space and play area is provided to the south east of the site. Additional open space and play area is provided towards the north of the site. The lands to the south east, along the Ballynaroone Road, are to be reserved as a grassland meadow pending further development and do not form part of the open space calculations. A woodland area to the north of the site is to be managed and protected but will also allow for use as an amenity walk and nature trail. A ringfort to the north west/ outside of the site area is protected by a 20 m buffer zone with a security gate provided to control access.

11.4.6. **CE Report comments:** The Planning Authority raised no particular concerns in respect of the layout/ general design of the development.

11.4.7. **Conclusion on Section 11.3:** The proposed layout is considered to be acceptable and as already referenced, it allows for the consolidation of this part of Glounthaune. The internal layout allows for good accessibility to play and open

space areas. The layout of the residential units also allows for good surveillance of the open space and amenity lands provided as part of the development. The proposed neighbourhood areas demonstrate distinct character areas and the proposed phasing is also acceptable.

11.4.8. The layout is considered to be of a high quality and provides for a good quality residential development in this part of Glounthaune. I have no reason to recommend a refusal of permission due to the proposed layout of this development.

11.5. Archaeology

11.5.1. The applicant has engaged the service of Avril Purcell to prepare an Archaeological Assessment of the subject site. As reported, there are no archaeological sites within the proposed development site and a ringfort lies 20 m to the north west and a second ringfort is 95 m to the north of the site. Measures are proposed to ensure that the nearest ringfort, with the greatest potential for impact, is protected primarily through the provision of an exclusion/ buffer zone around it.

11.5.2. From the submitted assessment there are a number of archaeological sites in the Glounthaune and surrounding area. Archaeological investigations undertaken in the Ballynaroona area in the early 2000s found nothing of archaeological significance.

11.5.3. The existing house, 'Highlands' and associated buildings to the north west of the site are proposed for demolition. Parts of these structures may have been in place going back a number of centuries, though these have been significantly altered and extended to over time.

11.5.4. **CE Report Comments:** The CE report relies heavily on the comments of the Cork Archaeological Officer. In summary the Archaeological Officer notes the report submitted by the applicant, is satisfied that there are no visible or known archaeology within the area and that the proposed buffer to the north west of the site is suitable for the protection of the ringfort. The Archaeological Officer is not satisfied that a geophysical survey and archaeological testing was not undertaken in order to guide the layout and design of the proposed development and refers to National Monuments Service 'Frameworks and Principles for the Protection of the

Archaeological Heritage'. In the absence of such investigation, it is recommended that topsoil removal be archaeologically monitored.

11.5.5. The Archaeological Officer comments on the removal of The Highlands building and associated structures and recommends that this element of the proposed development be omitted at this time. It is recommended that an Historic Assessment be carried out by a suitably qualified person. The comments of the Conservation Officer should be sought in relation to this issue. No report was received from the Cork Conservation Officer.

11.5.6. The Planning Authority agreed with the comments of the Archaeological Officer and recommend that the Highlands and associated buildings be omitted from the development and be fully assessed by a suitably qualified person.

11.5.7. **Assessment of Section 11.5:** I note the comments and reports received from the applicant and the Planning Authority. The issues in relation to archaeology can be addressed by way of condition. The applicant can be conditioned to employ an archaeologist during the removal of topsoil to ensure that there is no potential impact to any archaeology on site.

11.5.8. I disagree in relation to the omission of the Highlands from the development and its proposed demolition. These buildings are not protected structures and are not listed on the National Inventory of Architectural Heritage. It is a function of the Local Authority to identify such structures worthy of protection, and this has not been done in this case. From the available information, submitted photographs and site visit, these buildings have been heavily modified over time with little remaining that is of importance. A survey of the buildings by a suitably qualified person and the preparation of a report on these structures for record purposes may be adequate.

11.5.9. In conclusion, I have no reason to recommend to the board that the development be refused permission due to impact on archaeology.

11.6. Visual Impact

11.6.1. The proposed houses and apartments will present a contemporary design and whilst there is a mix in the design/ material finishes, the overall scheme

provides for an integrated approach. The submitted Architectural Design Statement provides detail on the unit design and how they will integrate with their respective neighbourhood areas.

11.6.2. The submitted 'Landscape Design Report' demonstrates that the proposed site landscaping is of a good quality and will support the overall quality of the development. The landscaping is supported by the managed woodland to the north and the buffer areas/ landscaped strips along the perimeter of the site. The proposed MUGA, play area and public open space to the south east corner will visually integrate with the school pitch on the adjacent site. The view from the south east corner will be of open space and not of the proposed residential units.

11.6.3. The submitted photomontages and visual impact report, demonstrate what the proposed visual impact will be when viewed from distant locations south of the site.

11.6.4. I note that comment was made in the received submissions that the proposed development will appear suburban in character and would be out of character with the existing form of development in the area. Comment was also made about the negative impact of the building design with particular reference to the proposed apartments.

11.6.5. **CE Report Comments:** The Planning Authority rely on the comments of the Senior Executive Architect who expresses concern about the proposed design and layout of the development. Concern is expressed about the 'overly tight grained plan type' with blocks grouped close together with a lack of integration of open space. Car parking dominates, open space is placed in non-central areas, the unit types are overly fussy with multiple architectural designs in use and there is a lack of supporting infrastructure in the area to serve this development, which will be overly car dominated.

11.6.6. The CE report supports the proposed development subject to conditions that include the omission of Apartment Block 2, the block in the north west corner of the site.

11.6.7. **Assessment of Section 11.6:** In general, I consider that the proposed development is visually acceptable. From the site visit it was apparent that a significant proportion of the western side of Glounthaune is dominated by detached

houses on relatively large sites and which are provided with significant road infrastructure in the form of 5.5/ 6 m wide roads.

11.6.8. I would agree with the Cork Senior Executive Architect, that the design of the development is not in keeping with the existing form of development in the immediate area, however I would strongly disagree that this is a negative issue. The existing form of development is not sustainable in terms of land use, the sprawling nature of the western side of Glounthaune and is focused on the car. The proposed development provides for an increased density of 31 units per hectare, consolidates this part of the settlement and provides measures that will promote the use of walking/ cycling.

11.6.9. Whilst this site is near the edge of Glounthaune, it will not be the edge as there is a group of detached houses to the west and south of the site. The development will infill a field that is surrounded by detached houses and the national school. The topography of this site/ Glounthaune is difficult but the proposed landscaping plan allows for suitable planting that ensures that it will integrate with the character of the settlement. The existing development to the east in Cois Chuain relies on the planting of individual properties to screen these units. The proposed development is designed to provide landscaped areas along the perimeter of the site, and which will screen the development from view.

11.6.10. I consider that the proposed house and apartment designs to be acceptable. I would suggest that the existing form of house design in the area should not be replicated on this site and subject to the use of high-quality materials/ finishes, the proposed development will provide a suitable addition to Glounthaune.

11.6.11. In conclusion, I have no reason to recommend to the board that the development be refused permission due to impact on visual impact.

11.7. Residential Amenity – Future Occupants

11.7.1. **Unit Mix:** A total of 112 residential units in the form of houses and apartments is proposed and is summarised in the table below:

Unit Type	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom	Total
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Number of Apartments	17	23			40
Number of Houses		15	36	21	72
Total	17	38	36	21	112

As can be seen from the above table, there is a good mix of unit types, and a good mix within the apartment/ house types. The proposed unit mix demonstrates compliance with Specific Planning Policy Requirement 1 (SPPR 1) of the ‘Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities’.

11.7.2. **Quality of Units – Floor Area:** A Housing Quality Assessment submitted with the application provides a detailed breakdown of each of the proposed apartment units. All units exceed the minimum required floor areas, and the majority of which providing for over 110% of the required minimum floor area. The proposed apartments are considered to be acceptable and demonstrate compliance with SPPR 3 of the ‘Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities’.

11.7.3. The proposed houses also exceed the required minimum standards as set out in the ‘Quality Housing for Sustainable Communities, 2007’ in terms of room sizes and the overall floor area provision.

11.7.4. Apartment Block 1 is a three-storey building providing for a total of 14 apartments in the form of 6 x One Bedroom units and 8 x Two Bedroom units. A central lift and stairwell provide access to the upper floors.

Apartment Block 2 is a mix of two, three and four storeys and provides for a total of 26 apartments in the form of 11 x One Bedroom units and 15 x Two Bedroom units. This block is also provided with a single lift and stairwell, and which provides good access to the upper floors of this apartment block.

11.7.5. The provision of a lift to serve the upper floors in each apartment block demonstrates compliance with SPPR 6 of the ‘Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities’. All apartments are provided with adequate storage space and which is easily accessible for future occupants of these units.

11.7.6. **CE Report comments:** No issues of concern were raised in relation to the proposed development in terms of the residential amenity for the future occupants.

11.7.7. **Conclusion on Section 11.6:** The proposed development provides for an adequate mix of unit types. The internal layout of these units is acceptable and complies with recommended requirements. There is no reason to recommend a refusal of permission to the Board in terms of the unit mix and internal floor area quality.

11.7.8. **Quality of Units – Amenity Space:** The apartment block units are provided with adequate private amenity space in the form of balconies for the upper floor units/ terraced areas for the ground floor units. This private open space is accessed from living room areas and can be used without impacting on adjoining bedrooms; this is an appropriate design that ensures the protection of residential amenity.

11.7.9. The proposed apartment blocks are provided with suitable and accessible areas of communal open space. This is in addition to the provision of public open space which is provided throughout the site.

11.7.10. The proposed houses are provided with adequate private amenity space; the submitted plans and private amenity space details indicate that a significant number of these units are provided with a significant excess of open space. The two-bedroom units are provided with open space in excess of 48 sq m and this is also considered to be acceptable for these unit types.

11.7.11. As already reported, the site is provided with extensive and high-quality areas of public open space, and which includes two play areas.

11.7.12. **CE Report comments:** No issues of concern were raised in relation to the proposed development in terms of the provision of suitable private and communal open space to serve the future residents.

11.7.13. **Assessment of Section 11.6:** The proposed development provides for adequate room sizes, storage areas, and suitable private and communal open space areas. Overall, the development will provide for a good standard of residential amenity.

11.7.14. I note the comments made by the Cork Senior Executive Architect in relation to the site layout and in particular in relation to the location of the public open space areas. I am satisfied that the proposed development provides for a suitable layout and areas of open space that are provided with adequate passive surveillance. For example, the end of terrace houses is provided with dual frontage units with the front door set in the side elevation. This ensures that there is activity to the side of the house, and which addresses public open space.

11.7.15. **Unit Aspect:** Nine out of Twelve units in Apartment Block 1 are dual aspect and those that are not dual aspect are south east facing units and would therefore be provided with a good aspect/ receive good daylight and sunlight. In Block 2, a total of fourteen out of twenty-six apartments are dual/ triple aspect units. The remaining units are either north east or south east facing units. I note the provision of north east facing units, these will get the benefit of good views over the woodland areas to the north east of the site and will be provided with good quality amenity.

11.7.16. **Daylight and Sunlight:**

11.7.17. The Cork County Development Plan 2014 - 2020 does not specifically refer to any requirements in relation to daylight and sunlight. The 'County Development Plan Objective HOU 3-1: Sustainable Residential Communities' states: 'a) Ensure that all new development within the County supports the achievement of sustainable residential communities. The Council will have regard to the provisions of the Guidelines on Sustainable Residential Development in Urban Areas and the accompanying Urban Design Manual, in development plan preparation and in assessing applications for development through the development management process'.

Under Section 3.3.7 it is stated:

'At the level of the individual house, the Guidelines outline design considerations regarding the home and its setting, including daylight, sunlight and energy efficiency; privacy and security; car and bicycle parking; private and communal open space; residential density; access for all and communal services. Developers and designs will be expected to have due regard to these issues in formulating their development proposals'.

11.7.18. No specific daylight and/ or sunlight study was provided with the application. I have had full regard to the Building Research Establishments (BRE) 'Site Layout Planning for Daylight and Sunlight – A guide to good practice' and which describe recommended values (e.g., ADF, VSC, APSH, etc) to measure daylight, sunlight and overshadowing impact. It should be noted that the standards described in the BRE guidelines are discretionary and not mandatory policy/criteria (para.1.6). The BRE guidelines also state in paragraph 1.6 that: 'Although it gives numerical guidelines, these should be interpreted flexibly since natural lighting is only one of many factors in site layout design.'

11.7.19. The BRE document notes that other factors that influence layout include considerations of privacy, security, access, enclosure, microclimate etc. in Section 5 of the standards. In addition, industry professionals would need to consider various factors in determining an acceptable layout, including orientation, efficient use of land and the arrangement of open space, and these factors will vary from urban locations to more suburban ones.

11.7.20. I am satisfied that the proposed layout and separation distances will ensure that proposed units will receive adequate daylight and sunlight. The proposed layout benefits from the topography of the site in a number of places. A separation of 22.49 m is indicated between the rear/ north west elevation of Apartment Block 1 and the house numbers 19 and 20 to the north west. There is almost a metre in the difference between the ground levels of the apartment block and these houses. The issue of topography and the orientation of units on site, ensures that units all units will receive adequate sunlight and daylight.

11.7.21. Overall, I am content that the receipt of daylight and sunlight will be of a high quality, for all houses and apartments.

11.7.22. **Conclusion on Residential Amenity:** Overall the proposed development will provide for a high quality of residential amenity in this part of Glounthaune. Room sizes, layout, and proposed amenity spaces, in terms of area, are of a good standard. Open space is adequately provided for and will be useable and accessible to the proposed residential units.

11.8. Residential Amenity – Existing/ Adjacent Residents

11.8.1. **Existing Site:** The development of a greenfield site within an area that contains existing residential development will give rise to a level of nuisance and disturbance to existing residents, especially during the construction phase. I note all of the comments made in the observations in this regard, however I am satisfied that any development of a site of this scale and located in such an area will give rise to some temporary nuisance and this has to be weighed up against the long-term impact of the development of this site.

11.8.2. No particular issues were raised by third parties in relation to daylight and sunlight. The Cork County Development Plan 2014 - 2020 does not specifically refer to any requirements in relation to daylight and sunlight. The 'County Development Plan Objective HOU 3-1: Sustainable Residential Communities' states: 'a) Ensure that all new development within the County supports the achievement of sustainable residential communities. The Council will have regard to the provisions of the Guidelines on Sustainable Residential Development in Urban Areas and the accompanying Urban Design Manual, in development plan preparation and in assessing applications for development through the development management process'.

Under Section 3.3.7 it is stated:

'At the level of the individual house, the Guidelines outline design considerations regarding the home and its setting, including daylight, sunlight and energy efficiency; privacy and security; car and bicycle parking; private and communal open space; residential density; access for all and communal services. Developers and designs will be expected to have due regard to these issues in formulating their development proposals'.

11.8.3. No specific daylight and/ or sunlight study was provided with the application. I have had full regard to the Building Research Establishments (BRE) 'Site Layout Planning for Daylight and Sunlight – A guide to good practice' and which describe recommended values (e.g., ADF, VSC, APSH, etc) to measure daylight, sunlight, and overshadowing impact. It should be noted that the standards described in the BRE guidelines are discretionary and not mandatory policy/criteria (para.1.6). The BRE guidelines also state in paragraph 1.6 that: 'Although it gives numerical

guidelines, these should be interpreted flexibly since natural lighting is only one of many factors in site layout design.”

11.8.4. The BRE document notes that other factors that influence layout include considerations of privacy, security, access, enclosure, microclimate etc. in Section 5 of the standards. In addition, industry professionals would need to consider various factors in determining an acceptable layout, including orientation, efficient use of land and the arrangement of open space, and these factors will vary from urban locations to more suburban ones. The BRE guidelines state that in relation to daylight to existing buildings:

11.8.5. The proposed 4 storey block located to the north west of the site is suitably located in relation to the houses to the south west as not to impact on daylight or sunlight levels. Therefore, no analysis of the impact of this proposed building on any existing properties is required, as the potential is negligible and can be ruled out without further testing as per para.2.2.4 of the BRE guidelines. As I have already commented, all other neighbouring properties are situated a sufficient distance away from the development and would not experience any, or significant loss of light and/ or increased overshadowing.

11.8.6. Overall, I am content that daylight, sunlight, and overshadowing impact from the proposed development upon existing properties will not be noticeable due to the topography of the site, layout and separation distances. I have applied the guidance within the BRE guidelines and associated BS 17037:2018 in my assessment of this issue, and I am satisfied that existing residential amenity will not be impacted upon.

11.8.7. **Potential overlooking:** Concern was raised in the third-party observations in relation to potential overlooking and a consequent loss of privacy. The proposed development provides for adequate separation distances between the rear of existing and proposed units. The four-storey apartment block to the north west is suitably located and designed to ensure that overlooking does not occur. The design of the block includes two, three and four storey elements and which have been carefully considered in relation to neighbouring units.

11.8.8. Specific comment was made in the submissions about the impact of proposed house no. 44 on existing property to the east in Cois Chuain. A separation

distance of 31.9m is proposed between the two units and even allowing for the topography of the site, this separation distance is adequate to ensure that residential amenity is protected. The eastern site boundary includes trees to be retained and these will ensure the continued protection of existing residential amenity.

11.8.9. **CE Report comment on residential amenity:** I note again the comments in the CE report and no issues of concern were raised in the submitted report in relation to the potential impact on existing residential amenity.

11.8.10. **Conclusion:** Overall I am satisfied that the development will not have a unduly negative impact on the existing residential amenity of the area. I have no reason, therefore, to recommend to the Board that permission be refused due to impact on the existing residential amenity of the area.

11.9. Transportation, Traffic, Parking and Access

11.9.1. **Traffic and Access:** A number of documents have been submitted in support of the application in relation to traffic and transportation as follows:

- Road Safety Audit – Stage 1 – M.H.L. & Associates Ltd. Consulting Engineers
- DMURS Statement of Consistency – M.H.L. & Associates Ltd. Consulting Engineers
- Engineering Services Assessment Report - Kieran J Barry & Associates
- Traffic & Transport Assessment - M.H.L. & Associates Ltd. Consulting Engineers
- Preliminary Mobility Management Plan - M.H.L. & Associates Ltd. Consulting Engineers

Full regard has been had to these documents.

11.9.2. The submitted Preliminary Mobility Management Plan considers that existing pedestrian facilities are adequate. A 3 m wide path is to be provided along the front of the site and which will connect to the proposed internal footpath layout within the site boundary. This path will connect into a 2 m wide footpath along the front of the national school site. A signalised crossing at the school (lights and infrastructure in place but not operational on the day of the site visit) provides a safe crossing point to the footpath on the opposite side of the road and from where

pedestrians can walk through 'The Highlands' south, then east towards the centre of Glounthaune and onto the station.

11.9.3. The Road Safety Audit identifies a number of issues with the design and provides recommendations as follows:

- Drainage: No details of gullies or other drainage measures are indicated along the kerb lines of the proposed pedestrian routes.

Recommendation: Provide for positive drainage including road gullies along the new kerb line.

- Public Lighting: No details of public lighting have been provided.

Recommendation: Provide for suitable public lighting.

- Tactile Paving and dropped kerbs at pedestrian crossing points: Should be provided in accordance with relevant design guidance.

Recommendation: Ensure appropriate provision is made.

- Advance warning signage at proposed Controlled Pedestrian Crossing: Need for suitable signage at approach to crossings.

- Recommendation: Should be provided in accordance with relevant design guidance.

Recommendation: Ensure appropriate provision is made.

- Visibility at proposed signalised pedestrian crossing: Should be provided in accordance with relevant design guidance.

Recommendation: Ensure appropriate provision is made.

- Visibility at proposed development access junction: Should be provided in accordance with relevant design guidance.

Recommendation: Ensure appropriate provision is made.

Suitable drainage, layout and public lighting details have been provided. I note that the Cork Public Lighting Engineer has provided a list of issues that require resolution. I am satisfied that these matters can be addressed in full by the applicant.

11.9.4. A large number of the observations referred to concern regarding traffic in terms of the increase in volume and the also the fact that the surrounding road

network presented a number of deficiencies. Concern was expressed about the impact of the increased traffic on the existing roads in the area around the Dry Bridge, which is not part of the site area but is a key junction on the local road network especially as most of the traffic from the site will pass through this area.

11.9.5. Concern was also expressed about the potential for walking and cycling when having regard to the distance to Glounthaune station and the topography of the site which includes steep climbs. The use of the existing footpaths through The Highlands was raised as an issue of concern.

11.9.6. **CE Report comment:** Much of the CE report is from the Cork Traffic and Transport Engineer's report. Concern was expressed about the low trip rates taken from the TRICS database and the modal shift of 18.5% seems high for a development that is 1.7 km on foot from Glounthaune station.

11.9.7. The report also noted that the Cork County Council is currently improving pedestrian and cycleway infrastructure in the area. In conclusion it is recommended that permission be granted for the development subject to conditions.

11.9.8. **Assessment of Section 11.9:** From the site visit it was apparent that the major issue is the topography of the site. Walking from the station to the start of the site via the dry bridge, a journey of circa 1.4 km, took approximately 15 minutes, though this could be expected to take 20 minutes on average. Generally, there is adequate footpath provision in the area. I returned via The Highlands and this was a somewhat easier walk. I note the improvements that the applicant is proposing and subject to agreement with the local authority, it should be possible to provide for a high quality pedestrian and cycle route to the centre of Glounthaune and on to the station. Just to add at this stage that over half the length of the route is from the section between the station and L3004 and Dry Bridge junction.

11.9.9. I note the previous reasons for refusal issued under P.A. Ref. 18/6310 / ABP Ref. 303912 and which included a need for pedestrian and cycle improvement works and concern that the development would be car dominated. Similar reasons for refusal were issued under ABP Ref. 312222 for a SHD development in Lackenroe. I have had full regard to these decisions and whilst I consider that the proposed development will generate additional car traffic, I consider it to be acceptable for a number of reasons as follows:

- The site will consolidate this part of the settlement, providing for a suitable density and is located within an area surrounded by houses. The scale of development and density is greater than the adjoining lands but provide for a more sustainable use of land.
- Footpaths and other pedestrian facilities are already in place along the length of the route. These serve existing residential development and the national school. The proposed development will provide for the upgrade of these existing facilities.
- Cork County Council have already upgraded part of the pedestrian/ cycle along the L-3004 road and further works have commenced.
- The local road network benefits from the N25 to the south as the vast majority of traffic is carried on this national road. The L-3004, former main Cork to Midleton Road, is adequate to serve local traffic needs. I noted on the day of the site visit that there was very little traffic on the Ballynaroon Road whilst I was there.
- The proposed development is for 112 units in the form of houses and apartments. The apartments are for one- and two-bedroom units and I don't foresee that they will generate any more traffic than the existing houses in the area, a number of which accommodated in excess of three cars on the day of the site visit.

11.9.10. As stated, I walked to the site via the Dry Bridge and footpath provision was very restricted here and made walking somewhat hazardous. I would consider the route via The Highlands to be more than adequate, and the site is therefore accessible by means of a safe and relatively direct route from the settlement centre/ Glounthaune station.

11.9.11. **Public Transport:** The existing public transport service is primarily in the form of the train service from Cork to Cobh/ Midleton with a service provision of two trains per hour off peak and four per hour in the peaks. The off-peak train service is unbalanced with two trains in a 15-minute period and then 45 minutes for the next service; peak services obviously provide a better spread with four per hour. Trains are operated in two coach sets with seating capacity for 130 people (from www.irishrail.ie) and a standing capacity far in excess of this. I note that significant improvements are proposed under the Cork Metropolitan Area Transport Strategy (CMATS) 2040, with increased service frequency and electrification of the railway

line. On the day of the site visit I returned to Cork on a four-coach train, which demonstrates that additional capacity can be provided here.

11.9.12. I note the comments made in the third-party submissions about the issue of accessibility in the station. The existing bridge over the train tracks is not accessible and this issue can only be addressed by means of a new bridge as an underpass would require significantly more works which would be below the water level of the adjacent Cork Harbour. I would assume that the issue of accessibility will be addressed with the upgrade of the railway network under CMATS.

11.9.13. Bus service provision is limited at present. Glounthaune is served by a number of bus routes that operate between East Cork and the city centre, but these operate on an infrequent basis. I note that the Cork Bus Connects Plan provides for a service every 30 minutes through Glounthaune.

11.9.14. In general, the public transport provision in Glounthaune is good, though it cannot be described as high frequency at present.

11.9.15. **Car Parking:** A total of 199 car parking spaces are proposed and the Cork County Development Plan 2014 – 2020 is for 194; car parking provision is therefore acceptable. Actual allocation of spaces in relation to units is less than the development plan requirements: 40 car parking spaces for the apartments, requirement is for 50 spaces and 130 in-curtilage spaces for the houses against the development plan requirement for 144. A total of 29 visitor car parking spaces are proposed throughout the development and this provides the total of 199 spaces.

11.9.16. The Planning Authority, in consideration of the Cork Senior Executive Architect consider that five spaces should be omitted from the overall development.

11.9.17. I note that four car parking spaces are provided in the area to the east of houses no. 62 to 64. I am unsure why they are provided here, and their omission would allow for the footpath along the eastern perimeter of the site to continue without a break at this point. This can be addressed by way of condition.

11.9.18. **Bicycle Parking:** The proposed development provides for a total of 78 bicycle parking spaces, and this is in accordance with the requirements of the Cork County Development Plan.

11.9.19. **Public Lighting:** I note the report of the Cork County Council public lighting section and I have no concerns regarding the provision of a suitable network to serve the subject site.

11.9.20. **Conclusion on Transportation, Traffic, Parking and Access:** The proposed development can be accessed in a safe manner from the station and the centre of the settlement. There are existing footpaths to and from the site via The Highlands and the applicant has proposed that these be upgraded according to the requirements of the Local Authority.

11.9.21. The development references the existing train service as a key justification for the proposed scheme. The train service provides for a good frequency and capacity of service, and which is proposed to be improved in the future.

11.9.22. I therefore have no reason to recommend a refusal of permission to the Board due to reasons of traffic and transportation provision.

11.10. Infrastructure and Flood Risk

11.10.1. **Water Supply and Foul Drainage:** Full details of water supply, foul drainage and surface water drainage are provided in the Engineering Report prepared by Kieran J Barry & Associates. In addition, a 'Wastewater Drainage Assessment Report' has been prepared by Kieran J Barry & Associates. I have had full regard to these reports and the associated drawings in relation to these aspects of the development.

11.10.2. Irish Water have reported no objection to this development in relation to the connection to public foul drainage and water supply systems. An additional 440 m of pipe will be required to connect into the existing foul drainage network. No upgrade works are required in relation to the connection to public water network. The applicant has engaged with Irish Water and has submitted design proposals. Irish Water has issued a Statement of Design Acceptance and conditions are recommended in the event that permission is granted.

11.10.3. **Surface Water Drainage:** Full details of the proposed surface water drainage design are provided in the Engineering Report prepared by Kieran J Barry & Associates and support with a 'Storm Water Drainage Assessment Report'. There

is an existing 300 mm diameter storm water public sewer located to the south-east of the subject site and which outfalls to the estuary/ Cork Harbour. There are no works required within any designated Natura 2000 site.

11.10.4. Standard controls will be taken during the construction phase of the development including the removal of excess excavated material to a licensed facility.

11.10.5. During the operation phase, it is considered that enhanced SuDS measures are not required to encourage groundwater recharge having regard to the proximity of the site to a transitional water body at Lough Mahon. It is considered that the proposed attenuation and hydrocarbon interceptors are sufficient for surface water protection. Surface water run-off from the residential units and associated hard standing areas will be controlled and collected by a proposed network of gravity storm sewers and collection chambers. These waters will pass through a grit chamber upstream of the proposed on-site attenuation tank and hydrocarbon interceptor and inspection sump prior to discharge to the existing public storm drainage network. These measures to comply with the requirements of Cork County Council.

11.10.6. **Flood Risk:** A 'Flood Risk Assessment' is included in the Engineering Services Report prepared by Kieran J Barry & Associates in support of the application. There are no waterbodies within, or which border the subject site. A sequential test is undertaken to identify the most suitable location for development having regard to its vulnerability to flooding.

11.10.7. The assessment considered all relevant types of flooding as follows:

- Coastal Flood Risk: There is not risk from coastal flooding as the site is between 71.5m OD and 98.5m OD, the lands therefore are much higher than any potential extreme coastal flood levels.
- Fluvial Flood Risk: There are no significant watercourses within or adjoining the subject site. The applicant has consulted the Myplan.ie website and the site is not at any threat from fluvial flooding.
- Pluvial Flood Risk: The applicant has consulted the OPW floodmaps.ie website and there is no record of any pluvial based flood events on this site.

- **Development Drainage:** The proposed surface water drainage system is designed to discharge at QBAR for all rainfall events up to and including a 1 in 100-year storm event plus an allowance for 20% climate change, as required by Cork County Council. This exceeds the climate change factor of 10% as required as part of the Greater Dublin Strategic Drainage Study (GDSDS).

11.10.8. In conclusion, the assessment has been undertaken having regard to all relevant guidance and in all assessed cases it was found that the proposed development is at a low risk of flooding and the proposed development is considered to be appropriate in this location.

11.10.9. **Assessment of Flood Risk:** The submitted report raises no issues of concern. I am satisfied that the applicant has considered all potential sources of flooding. I note that comments were made in third party observations that the site may be prone to flooding, however no detail of this was provided. I did not see any evidence of flooding on the day of the site visit, with heavy rain occurring during the site visit. I am satisfied that the development of this site, in full accordance with the submitted details, will not impact on existing adjacent houses/ or national school through flooding.

11.10.10. **CE Report Comments:** The CE report notes that no particular SuDS features are proposed, however this is acceptable having regard to the sloping nature of the site and the proximity of the site to the transitional waters in Harpers Island. Further details are required in relation to surface water and the Construction and Demolition Waste Management Plan. These issues can be addressed by way of condition and have to comply with the requirements of Cork County Council. The Planning Authority through the CE report do not raise any issues of concern in relation to drainage and water supply.

11.10.11. **Conclusion on Infrastructure and Flood Risk:** The site can be served by a public water supply and the public foul drainage network, which are available adjacent to the subject site. No issues in relation to drainage were raised and the site benefits from the sloping nature of the area allowing for gravity-based discharge of surface water drainage to the public system. Similarly, no issues of flooding from all relevant sources were identified. No issues of capacity restrictions were raised by Irish Water and Cork County Council.

11.11. Ecological Impact Assessment (EclA)

11.11.1. The applicant has engaged the services of Brady Shipman Martin, to prepare an Ecological Appraisal for the subject site; the report is dated December 2021. I have had regard to the contents of same. The submitted report will be assessed as an Ecological Impact Assessment (EclA) and includes a Bat Assessment which was undertaken by Brian Keely.

11.11.2. The baseline environment is detailed in Section 3 of the EclA. The development site area of 4.6 hectares includes:

- Northern Mature Woodland – circa 0.4 hectares
- Arable Field (fallow) – circa 4.0 hectares
- Eastern Woodland Buffer – circa 0.2 hectares

The boundary to the southern edge of the site consists of a wall/ earth bank (a sod and stone wall) and an associated hedgerow. The western boundary is open and it is defined by a narrow grass strip and a low sod and stone wall, along a local access road. North of the school premises, on the eastern side of the site, is a double sod and stone ditch with a mature tree line. The northern part of the subject site/ development area consists of a small block of mixed deciduous woodland. This area is to be protected and retained as part of the proposed development and is separated from an arable field by another sod and stone wall and ditch. To the north/ north west of the site lies an unoccupied farm house and associated outbuildings. Within the red line boundary is included circa 800 m length of the existing public roadway and within which a new pedestrian and cycleway infrastructure is to be provided.

There are no watercourses present on the site, and none are indicated on the EPA water features database/ mapping system. The estuary which is approximately 400 m to the south of the site and south of the Cork to Cobh/ Midleton railway line is the nearest water feature in relation to the proposed development. Figure 1 of the EclA provides details of the proposed site layout.

11.11.3. There are no nature conservation sites designated on the subject site. A separate Appropriate Assessment Screening Report has been prepared and is considered later in this report. Only two designated sites, Great Island Channel Special Area of Conservation (site code 001058) and Cork Harbour Special Protection Area (site code 004030) are potentially linked to the proposed subject site; these are mapped on Figure 2a of the EclA. Potential pathways to these sites associated with the proposed development have been identified and include for example via surface water and waste water at both construction and operation phases of the development, and via disturbance during the construction and operation phases of the development.

11.11.4. The nearest Natural Heritage Area is at Great Island Channel, which is a proposed Natural Heritage Area (site code 001058). This is broadly contiguous with the Great Island Channel SAC. The EclA has identified a further four pNHAs within 5 km of the subject site as follows:

- Rockfarm Quarry, Little Island pNHA (site code 001074), 2.2 km to the south
- Dunkettle Shore pNHA (site code 001082), 2.6 km to the south east;
- Douglas River Estuary pNHA (site code 001046), 3.5 km to the south west;
- Glanmire Wood pNHA (site code 001054), 3.5 km to the east.

11.11.5. Plants: No rare and/ or protected plant species were identified on site during the field surveys undertaken in the preparation of the EclA. The development site comprises of a single agricultural field, which was planted with an arable crop in 2020 and was fallow in summer 2021. The woodland to the north of the site has been heavily modified and consists of sycamore, spruce and windthrow. Holly and elder were also found to be present on site. Details of the understorey are also provided in the EclA and this is found to be quite disturbed. Full details of the site boundaries are also provided.

11.11.6. It is reported that a number of the trees on site have been affected by storm damage including oak, ash and sycamore trees. Dutch elm disease is present on the elm trees and these will have to be removed.

11.11.7. No watercourses are present or connected to the site. A number of invasive alien plant species have been recorded within 5 km of the site but none are present on the subject site at the time of the site survey for the EclA.

11.11.8. Fauna: Bat activity was recorded on the site especially in the vicinity of the house and building but bats were not recorded returning to these buildings. The bat surveys undertaken in 2020 recorded a total of five bat species (common pipistrelle, soprano pipistrelle, Leisler's bat, brown long-eared bat and a Myotis bat) foraging on site. The surveys also found that bats were feeding and commuting around the houses and along the road towards the western field. Within the field and along the lane, common and soprano pipistrelles were recorded, as was some Leisler's bat activity, a Myotis bat and a single brown long-eared bat were also recorded.

11.11.9. Birds recorded on this site were typical of such a location, with blackcap, wren, pied wagtail, chaffinch, robin, blue tit, blackbird, woodpigeon, jackdaw, rook and hooded crow, all noted here. These are all species of least conservation concern – green listed on the list of Birds of Conservation Concern in Ireland (BoCCI) (2020 – 2026)⁸. Buzzard, another green-listed species, has frequently been recorded by the author of the EclA in the wider area. Two amber list species (of medium conservation concern), house sparrow and starling, were recorded on the site and no red list species, which have a high conservation concern or species listed on Annex I of the EU Birds Directive, were recorded on the site.

11.11.10. No signs of large mammals such as badger or otter were found during the site surveys. Otters would not be expected due to the lack of significant watercourses in the vicinity of the site. Similarly frogs, lizards and the smooth newt were recorded and the site would only have limited potential for these species.

11.11.11. The site therefore has no more than a local importance (Lower Value) in accordance with the ecological resource valuations presented in the National Roads Authority/Transport Infrastructure Ireland Guidelines for Assessment of Ecological Impacts of National Road Schemes (NRA/TII, 2009 (Rev. 2)).

11.11.12. Potential impact of the proposed development: There will be no impacts on any non-European designated site, such as the pNHAs within 5 km of the subject development site. This is due to the distance between the pNHAs and the

subject site, and the reasons for which these sites are designated. For example, no impacts on the nearest such site (Great Island Channel pNHA, which is contiguous with Great Island Channel SAC), are remotely likely as a result of the proposed development.

11.11.13. Habitat loss and disturbance within the site: The proposed development will involve the removal of a single fallow arable field, the loss of which is not considered to be significant in term of ecological impact. The proposed development will also result in the replacement of the southern boundary with a new stone-faced retaining wall and hedge planting. This boundary replacement is considered to be a permanent, moderate negative impact at a local level.

11.11.14. The proposed landscape design incorporates new ecologically sensitive planting including native hedgerow planting, areas of open and semi-shade wildflower meadow planting as well as native tree planting. The existing woodland is heavily dominated by sycamore and in order to increase the biodiversity value of the woodland it is proposed to remove a proportion of the self-seeded sycamore and ash, together with a proportion of the fallen trees. This will assist in increasing the wildlife value of this part of the site and will also increase light penetration in parts of the woodland. The retained woodland will be managed and protected and will include the reinstatement of old/ historic woodland tracks with 'no-dig' pathways – to protect the retained woodland trees. The proposed woodland remediation works will include the careful removal of undergrowth in appropriate areas, as well as some crown lifting and pruning along the path edges. The trees to be removed, including those required to allow construction to take place in the vicinity of the existing house and walls, are not of any significant biodiversity value. These measures will ensure that there will be no residual impact from the loss of habitat on the site. The proposed woodland management will ultimately result in a moderate, positive impact at the local level.

11.11.15. Disturbance to fauna within the site: There is potential for roost loss during building demolition and tree removal. As outlined in the accompanying bat survey report (Appendix I) there is no evidence from the August 2020 survey that the buildings or trees within the site are in use as bat roosts. However, bats move in and out of roosts on a regular basis and individuals may be present at times other than a specific survey without presenting any evidence. The proposed development will

result in a loss of trees, and some of these may have high roost potential. In the absence of suitable mitigation, this will potentially result in a long-term moderate negative impact on the local bat fauna.

11.11.16. The removal of grazing and of grass, hedgerow and trees will reduce the feeding value of the site for bats. On the night of survey, five species were noted, of which three were noted repeatedly. In the absence of mitigation this is a permanent moderate negative impact upon bats of the area. Lighting from the completed development, both street lighting and light from buildings at night, will increase the ambient light levels in the immediate area. In the absence of suitable mitigation this can cause disruption to the foraging patterns of some species of bats which tend to avoid street lighting. This would be, at worst, be a permanent moderately negative impact.

11.11.17. It is reported that there will be no impacts on badgers and other large mammals, amphibians, reptiles, lepidoptera or other species groups as a result of the proposed development. Invasive plant material will not be transferred during the construction phase, and which could potentially lead to such species becoming established in the area.

11.11.18. Water: There is potential for impacts on water quality, via contaminated run-off and sedimentation during both the construction and operational phases of the proposed development. However, all construction works will proceed in line with the recommendations and guidance provided in the Construction & Environmental Management Plan prepared by KJ Barry Consulting Engineers for the proposed development. The contained mitigation measures will prevent the localised contamination of water from foul water, hydrocarbons, silt or other pollutants. Subject to the correct design of facilities and that proper working procedures are strictly adhered to, no impacts on existing watercourses are expected, at either the construction or operation phases of the proposed development. As outlined in the Appropriate Assessment Screening Report, even without these measures in place there would be no impacts whatsoever on the European sites of Cork Harbour. The natural characteristics of the receiving waters ensure rapid mixing of water such that there is no appreciable effect on water quality in European sites in any event.

11.11.19. Mitigation Measures – Designated Sites: No designated conservation areas/ European sites will be impacted by the proposed development and therefore no specific mitigation measures are required for the protection of such sites.

11.11.20. Mitigation Measures – Habitats: The proposed development will impact on local ecological receptors as it is proposed to build on the site. However, there will be no significant loss of important habitats or key ecological receptors as a result of the proposed development. New screening will be incorporated into the landscape design and will incorporate plants that attract feeding invertebrates, including moths, butterflies and bees; full account will be taken of the All-Ireland Pollinator Plan 2021 – 2025. The woodland will be managed to maximise its biodiversity potential. The landscape plan will promote the use of native and non-invasive, adaptive planting. Trees to be retained will be treated in accordance with British Standard BS5837:2012 'Trees in Relation to Design, Demolition and Construction – Recommendations', with protective fencing being installed around all trees to be retained, prior to the commencement of development. Measures will be taken to ensure that invasive species are not introduced to the site.

11.11.21. Mitigation Measures – Fauna: Full account will be had to all legislation in relation to birds and animals. Development to take place outside of nesting season unless suitable mitigation measures are provided on site. No bat roosts have been found on site, though it is accepted that bats may be present and that suitable measures will be taken. It is proposed to provide a total of nine bat boxes throughout the site. Public lighting will be constructed in accordance with the recommendations of Bat Conservation Ireland (2010).

11.11.22. Water – Construction Phase: It is recognised that water may be impacted by surface/ ground water during the construction phase of development. Whilst there is no watercourses on the site, a theoretical potential surface water pathway, via the local surface water drainage network, exists between the proposed development site and the designated European sites associated with Cork Harbour (Cork Harbour SPA and Great Island Channel SAC). In addition there is also a potential groundwater pathway between the proposed development site and the European sites should indirect discharges (i.e. spillages to ground) occur, or should any contamination on the site enter the ground water. It is considered that the risk of contamination is very low and even if there was a potential pollution incident, its

impact would be imperceptible due to the separation distances with the designated sites, the temporary nature of such discharge sources and the relatively small volumes of such discharges. Suitable measures have been incorporated into the proposed design of the development. It is also reported that the natural characteristics of the receiving waters ensure rapid mixing of water such that there is no appreciable effect on water quality in European sites in any event. Waste water/ foul effluent will be managed and controlled on site during the construction phase of development

11.11.23. Water – Operational Phase: Surface water will be collected and attenuated on site and this will connect to an existing 300 m diameter storm water outfall. This existing storm water system connects to the estuary and it will not be necessary to construct a new outfall within Cork Harbour. This system will be provided in accordance with the requirements of Cork County Council.

11.11.24. Waste water /foul effluent from the proposed development will be collected via a new sewage system which includes a new 150 mm diameter public sewer and which will be connected to the existing 225 mm diameter public sewer, which is located to the south-east of the proposed development site. The waste water/ foul effluent arising at the site will then discharge to Carrigrennan Wastewater Treatment Plant (WwTP) at Little Island. As noted in the submitted Engineering Assessment Services Report, ambient monitoring of transitional and coastal waters in Cork Harbour indicates that the discharge from the WwTP does not have an observable negative impact on water quality status. Regardless of the status of the Cork Lower Harbour Main Drainage Project the Population Equivalent (PE Value) of the proposed development, including potential future development to the west, is approximately 750. The Irish Water Annual Environmental Report 2020 for Carrigrennan WwTP11 states that the Organic Capacity (PE) is 241,480. At 750, the PE of the proposed development is equivalent to 0.31% of the current organic loading of Carrigrennan WwTP. The treated effluent therefore from the proposed development, and future sequential development on nearby lands, as constructed dwellings, will only result in an increase of a fraction of a percent in the total nitrogen in Lough Mahon and will not significantly affect nutrient levels in the Cork Harbour SPA or the Great Island Channel SAC. Irish Water have confirmed that the

proposed wastewater connection from the proposed development can be accommodated provided that the existing network is extended by 150 m.

11.11.25. Monitoring: A suitably experienced ecologist will be appointed for the construction phase and regular monitoring of all construction works will take place to ensure that the correct and full implementation of the mitigation measures as set out in this report, are undertaken.

11.11.26. Cumulative Impacts: A list of permitted developments is provided in the EclA and to date a total of 234 houses have been granted permission. Neither these nor any other developments will give rise to any significant impacts on biodiversity. There are no predicted cumulative impacts in relation to biodiversity such as in terms of habitat loss or disturbance to protected species, as a result of the proposed development in combination with existing/ proposed plans or projects.

11.11.27. Conclusion on the EclA: The proposed development will result in the removal of habitats with no more than local ecological value. The development of the site will provide for biodiversity through planting etc. and there will be no long-term residual impact on any ecological receptors, either within or in the vicinity of the subject site.

11.11.28. **Assessment of the EclA:**

I have had full regard to the report submitted and I consider that it is thorough and has fully identified potential impacts and receptors that may be impacted by the development of this site. It is clear that the proposed development will result in a change, from the current use of the site as an agricultural field into a residential development of 112 units in the form of houses and apartments. The development does not impact on any protected plants, birds, mammals and bats. Bats do not roost on this site and although they use the site, measures will be taken to ensure that they are not disturbed. Bats etc. are protected under legislation outside of planning legislation. I note the comments made for potential impact to water, however I agree with the assessment that the impact is unlikely and if to occur would be minor in the context of the receiving waters as to not give rise to concern or any significant impacts.

11.11.29. I am satisfied that the EclA has fully considered the impacts from the development and includes cumulative impacts in the assessment. No issues of

concern are raised in this report and the supporting bat assessment of the subject lands. I note also the measures proposed in the Preliminary Construction Environment Management Plan and in the Preliminary Construction & Demolition Waste Management Plan.

11.12. Childcare

11.12.1. The requirement under the 'Planning Guidelines for Childcare Facilities (2001)' was for one childcare facility for every 75 units, able to accommodate 20 children. Section 4.7 of the 'Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities' states 'One-bedroom or studio type units should not generally be considered to contribute to a requirement for any childcare provision and subject to location, this may also apply in part or whole, to units with two or more bedrooms'.

11.12.2. The proposed development is for 112 units, consisting of a mix of apartments and houses and the applicant has not proposed any specific childcare facility to serve the residents of this development. 17 one-bedroom units are proposed and these can be omitted from the requirement for childcare; a total of 95 are to be included in the calculations for childcare provision. McCutcheon Halley have prepared a 'Childcare Provision Assessment' in support of this non-provision of a specific facility. Full regard is had to the Cork County Development Plan 2014 – 2020 and the childcare guidelines.

11.12.3. The submitted demographic details include Census data from 2016 that indicate that the percentage of children aged 0 – 4 at 7.6% in the Caherlag area and 11.8% in Carrigtwohill is greater than the National average at 7% and 7.5% for County Cork, though the difference is less than was the case for the 2011 Census.

11.12.4. An assessment of available childcare by the applicant has found a total of 17 facilities within 6 km/ 10 minutes drivetime of the site. Seven of these had capacity with a total of 79 spaces available. Two facilities were either adding or seeking to add capacity.

11.12.5. Under 'Section 4. Future Demand Generated by the Proposed Development' it is reported that the proposed development is unlikely to be able to provide for a commercially viable childcare facility. A facility with a floor area of 339 sq m, permitted under ABP Ref. 301197-18 was under construction at the time the

applicant prepared the childcare report. The development is likely to generate a demand for 20 – 22 childcare places and there is capacity for 79 places already in the area. No facility is proposed under this application and the proposed development of lands to the west will include a childcare facility.

11.12.6. **Comments of the Planning Authority:** The calculations find that the proposed development may generate a demand for 33.4 childcare places. The Planning Authority report that the scale of development and lack of available places in the area means that a condition should be included that an area of land within the development should be reserved for the development of a creche, which should be provided in one of the phases of development.

11.12.7. **Conclusion:** I note the report prepared by the applicant, which seeks to justify the non-provision of a childcare facility on this site. I also note the report of the Planning Authority and I agree with their recommendation that a facility should be provided for to serve this development. There is no certainty that a facility will be provided on the lands to the west and in any case this site is more suitable having regard to its relative proximity to the centre of Glounthaune and being adjacent to the national school.

11.12.8. I consider it is appropriate to condition that a housing unit be provided as a childcare facility until such time as a permanent replacement is provided for to the satisfaction of the Planning Authority.

11.13. Part V Social Housing Provision

11.13.1. Part V housing provision has been detailed in the form of a 'Part V Proposal' report by McCutcheon Halley. A total of 11 units are to be provided, in the form of 7 houses and 4 apartments. These will be transferred on a phased basis with 4 units in phase 1, 5 units in phase 2 and the remaining 2 units in phase 4.

11.13.2. The Planning Authority report refer to the Part V Proposal and the Housing Officer reports no objection to the provision of housing subject to condition.

11.13.3. I note the '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 decides to grant planning permission, 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.

11.13.4. **Conclusion:** I note the comments of the Planning Authority and the supporting report from the Housing Officer. I am satisfied that the applicant can provide for adequate Part V housing in accordance with the requirements for such housing and this may be agreed by way of condition in the event that permission is to be granted for this development.

11.14. **Comment on Submission/ Observations of the Cobh Municipal District**

11.14.1. The views of the elected members were submitted alongside and included in the CE report. They are generally similar to those raised by third parties and dealt with under the relevant headings above. However, having regard to their important role in plan and place making, I have considered the strategic points raised by them, as outlined below. I have also noted and considered all of the issues raised in the observations, therefore most of these varied issues have been addressed already in this report.

11.14.2. Comment was made that the proposed development may exceed the cap on no more than 400 units over the lifetime of the Cobh Municipal District Local Area Plan. I have addressed this issue throughout the report and the proposed development in conjunction with already permitted schemes would continue to be below 400 units.

11.14.3. The topography of the site was raised as an issue of concern. The proposed development will have a similar topography to that of neighbouring residential developments such as Cois Chuain and The Highlands.

11.14.4. The scale and density of development was raised as an issue. Glounthaune has been developed on a relatively low density over time and the proposed density of 30.8 units per hectare is considered to be appropriate having regard to the character of the area and the proposed layout of this scheme. The proposed layout benefits from extensive landscaped / private amenity areas and the density of the site will not negatively impact on the character of the area.

11.14.5. The local road and pedestrian network are not suitable for such a development. Concern was raised about the impact on the 'Dry Bridge'. These issues have been addressed in this report.

11.14.6. Concern was expressed that the local area did not have suitable commercial, social and community infrastructure to serve the proposed development. I note these concerns, however the site is zoned for development of the nature proposed, is located within the development boundary and is located adjacent to an existing national school. Glounthaune has shops, a post office, church, and a railway station, just to name some of the services available within walking distance of the site.

11.15. Other Matters

11.15.1. **Availability of Facilities in the Area:** Comment was made in the third-party submission and the elected members about the lack of facilities to serve this development. Glounthaune is a well-established settlement, and the subject site is located within 850 m of a range of services including the school, church, post office, shops, and community centre. Erin's Own GAA ground is approximately 1.4 km to the west of the subject site.

11.15.2. I note that Fitzpatrick's Food Store has expanded over time, and which took over the floor space of a public house in order to increase its own floor area. The proposed development at 112 units is unlikely to have a negative impact on the available services in the area. I note that there is no secondary level school in the immediate area.

11.15.3. **Grassland Meadow:** The original proposal for this site included the provision of a set down area/ car park towards the south east of the site on the CO-01 lands. Following the tri-partite meeting, the layout has been redesigned and this section of the site is to be reserved as a grassland meadow until a final decision on its design/ use is agreed with Cork County Council. The development of this section of the site will be subject to a planning application to Cork County Council. The proposed temporary/ undetermined time use of these section of land is acceptable and I note it does not form part of the calculations for open space to serve this development.

11.15.4. **Building Life Cycle Report:** This has been prepared by Kieran J. Barry & Associates in support of the application and having regard to the revised guidelines for Sustainable Urban Housing: Design Standards for New Apartments. A property management company will be set up to manage and maintain the subject site. Full details of measures to be taken to control and manage the maintenance costs of the constructed development are provided in Section 4.0 of the Building Life Cycle Report and are detailed, with supporting information, in Sections 4.1 to 4.8.

11.15.5. The submitted details are noted and are considered to be acceptable for this development.

11.16. Material Contravention

11.16.1. The applicant has submitted a 'Material Contravention Statement' of the Cork County Development Plan 2014 – 2020 and the Cobh Municipal District Local Area Plan 2017 with the application, prepared by McCutcheon Halley. The public notices make specific reference to a statement being submitted indicating why permission should be granted having regard to the provisions s.37(2)(b).

There are two issues raised in the applicant's Material Contravention statement:

- The density at 30.8 units per hectare is in excess of the Medium B density range of 12 – 25 units per hectare and contravenes Cork County Development Plan Objective HOU 4-1.
- The proposed development exceeds the recommended scale of no development to exceed 40 units and the overall scale of Glounthaune to only increase by 400 units.

The applicant provides a justification for the proposed development and refers to National, Regional and Local Guidance throughout this document.

11.16.2. **Density:** Objective HOU 4-1 of the Cork County Development Plan 2014 – 2020 defines smaller towns as settlements with a population of less than 5,000 people; Glounthaune has a population of circa 1,400 according to the 2016 Census. Small towns allow for a Medium density range of 12 – 25 units per hectare; the proposed development provides for a density of 30.8 units per hectare. The Cork County Development Plan further notes that densities of between 25 and 35 can be considered where an exceptional market requirement has been identified and

that developments must be able to connect to public water and waste-water services. The subject site is fully serviceable and full details have been provided in the supporting documentation.

11.16.3. The applicant has not identified an exceptional market requirement, other than a demand for housing in this area, but the applicant does refer to national guidance on the need to provide for suitable scaled and density of development in established urban areas. Considering the vision to substantially increase the population of Glounthaune and the general demand for housing in the Cork City/ East Cork area, it is accepted that the proposed density of 30.8 units per hectare is appropriate within this range of 25 to 35 units per hectare. A previous application for 70 units on this site (under ABP Ref. 303912-19) was refused permission for a number of reasons including the low density at 20.89 units per hectare. The proposed development has attempted to overcome this reason for refusal.

11.16.4. The applicant justifies the stated density in terms of National and Regional guidance and refers to the Sustainable Residential Development in Urban Areas (SRDUA), which indicate that net densities of less than 30 dwellings per hectare should generally be discouraged in the interest of land efficiency.

11.16.5. Glounthaune has developed at a relatively low density as it is characterised by detached houses on their own large sites. Even the adjacent residential developments of Cois Chuain and The Highlands consist of detached houses, large sites and excessively wide roads for the volume of traffic that can be expected to use them. The proposed development is located on the edge of Glounthaune but will not form the edge of the settlement as there are existing houses to the west. The density of 30.8 units per hectare, whilst higher than adjacent sites is acceptable having regard to the site layout and extensive proposed landscaping of the site. The applicant has proposed a development with a suitable number of residential units, a suitable density and has regard to the existing character of the area.

11.16.6. I have considered the issue raised in the applicant's submitted Material Contravention Statement and I do not advise the Board to invoke the provisions of s.37(2)(b) of the 2000 Act (as amended) as I do not consider that the development contravenes the Cork County Development Plan 2014 – 2020 and the Cobh

Municipal District Local Area Plan, 2017 which includes Glounthaune. The density is in accordance with national guidance in the form of the Sustainable Residential Development in Urban Areas (2009) guidelines as issued under Section 28 of the Planning and Development.

11.16.7. **Excessive scale of development:** Development is to be limited to no more than 40 units per application and Glounthaune is to grow by 400 units over the life of the plan. I have calculated that 232 units have been permitted in Glounthaune since the adoption of the Cobh Municipal District Local Area Plan in 2017 and the proposed development of 112 units would combined with that figure, provide for a total of 344 units over the lifetime of the plan.

11.16.8. The applicant has outlined the permitted development in the area and notes that there is no certainty that all these units will be constructed within the period up to 2023. The proposed development will be delivered over four phases, as indicated in the phasing plan that accompanies this application. This phased approach, together with other existing permissions or current proposals will ensure that the target of 400 dwellings will not be exceeded by the expiry of the Local Area Plan in 2023. The proposed development, which is the subject of this application, represents 28% of this overall total of 400 units and there is still capacity within the LAP for additional units.

11.16.9. I have considered the issue raised in the applicant's submitted Material Contravention Statement and I do not advise the Board to invoke the provisions of s.37(2)(c) of the 2000 Act (as amended) as I do not consider that the development contravenes the Cork County Development Plan 2014 – 2020 or the Cobh Municipal District Local Area Plan, 2017.

11.16.10. The proposed development provides for a total of 112 units at a density of 30.8 unit per hectare. The LAP sets an indicative target of 400 units up to its expiration in 2023 and the proposed development combined with existing approved development would provide for circa 344 units and therefore does not exceed the 400 units.

11.16.11. It is also stated in the Cobh Municipal District Local Area Plan 2017 that any single development should not normally exceed 40 units, however, there is a footnote attached to table 4.2.1 (p.168) which states that individual schemes in

excess of the recommended scale may be considered where it is demonstrated that the overall scheme layout reinforces the existing character of the village and the scheme is laid out, phased and delivered, so as not to reflect a residential housing estate more suited to a larger settlement. The Planning Authority report that 'It is accepted that there is scope to consider a development of more than 40 units provided it performs satisfactorily in terms of the footnote accompanying table 4.2.1'.

11.16.12. I am satisfied that the provision of 112 units is therefore acceptable, as development of more than 40 units should not normally be exceeded, but this is not an absolute restriction and secondly the footnote attached to Table 4.2.1 allows for development in excess of 40 where it can be demonstrated that the development is acceptable under a number of criteria. The proposed development will be carried out in four phases, each less than 40 units per phase. By submitting a single application for 112 units, a suitable scale and integrated form of development can be provided, but which can be carried out on a phased basis that does not exceed 40 units per phase. I am therefore satisfied that it is acceptable to exceed the 40 units.

12.0 Appropriate Assessment (AA)

Stage 1 – Appropriate Assessment Screening

12.1. The applicant has engaged the services of Brady Shipman Martin., to carry out an appropriate assessment screening; the submitted report is dated December 2021.

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

The areas addressed are as follows:

- Compliance with Article 6(3) of the EU Habitats Directive
- Screening the need for appropriate assessment
- Appropriate assessment of implications of the proposed development on the integrity of each European site

12.3. Compliance with Article 6(3) of the EU Habitats Directive

12.3.1. 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.

12.3.2. The subject site with a stated area of 4.6 hectares is located to the north west edge of Glounthaune Village and is adjacent to Glounthaune national school. The subject lands consist of mature woodland (northern part of the site – circa 0.4 hectares), arable field (circa 4 hectares) and a woodland buffer (circa 0.2 hectares). The site area/ within the red line boundary, consists of circa 800 m length of public road, within which new pedestrian/ cycleway infrastructure is to be provided.

12.3.3. There are no watercourses on the site, and none are indicated on the EPA water features database. The nearest water feature is part of the estuary which is located to the south of the Cork to Cobh/ Middleton railway line, approximately 400 m to the south of the subject site.

12.3.4. Three European sites are located within 15 km of the subject site as follows:

Name/ Type	Site Code	Distance
Great Island Channel - SAC	001058	400 m to the south
Cork Harbour - SPA	004030	400 m to the south
Blackwater River – SAC	002170	14 km to the north

Also noted is Ballycotton Bay SPA (Site Code 004022) which is located 23 km to the east of the subject site. The location of these sites is provided on Figure 2 of the AA Screening Report.

12.3.5. The proposed development consists of a residential scheme of 112 residential units in the form of 72 houses and 40 apartment units. In addition, the development includes new road access, improvement works to public footpaths/ cycle paths, all associated site works and landscaping.

12.4. Potential impacts from the proposed development, including in-combination effects:

12.4.1. The subject site is not subject to any wildlife or conservation designation and there are no rare or protected plants known on the site. There was no evidence of badgers, or any other protected large mammals recorded on the site during any of the surveys undertaken on the site. One building, an unoccupied house and associated outbuildings, is located on the northern edge of the site. Bat surveys undertaken in August 2020 confirm that this house is not being used by roosting bats. There was no evidence recorded of any other protected animal species such as amphibians (smooth newt or common frog), reptiles (common lizard) or hedgehogs, during the surveys carried out in the preparation of this report.

12.4.2. Overall, with exception of the boundary tree lines and hedgerows, and the small block of mixed woodland on the northern boundary of the subject site, which are considered to be of Local Importance (higher value), the site is at best, considered to be of Local Importance (Lower Value), in accordance with the ecological resource valuations provided in the National Roads Authority/Transport Infrastructure Ireland Guidelines for Assessment of Ecological Impacts of National Road Schemes (NRA/TII, 2009 (Rev. 2)). There was no evidence recorded of any habitats or species with links to European sites during either the field surveys or desk study undertaken in 2020 and no 'reservoir' type habitats (habitats which have the potential to support Qualifying Interest/Special Conservation Interest species in any European site) are present.

12.5. Potential impacts during construction:

12.5.1. It is recognised that all site clearance and construction activities have the potential to pose a risk to surface/ ground water, through contamination of the water. Potential contaminants include suspended solids, hydrocarbons and concrete/ cement. In the absence of suitable management, such pollutants could

temporarily risk surface water quality in the local road network during the construction phase of development.

12.5.2. There are no ecological connections between the subject site and any of these Natura 2000 sites. There is a potential impact-receptor link between the subject lands and the SAC/ SPA through the local surface-water network and also a potential groundwater pathway between the subject site and the European sites should indirect discharges (i.e. spillages to ground) occur, or should any contamination on the site enter the ground water.

12.5.3. The risk of contamination of any watercourses or groundwater is considered to be extremely low, and even in the event of a pollution incident significant enough to impact upon surface water quality on the proposed development site this would not be perceptible to any of the designated European sites, for the following reasons:

- The distance to the European sites – the designated sites of Cork Harbour are circa 400m from the proposed development site and there are no direct pathways between the site and these European sites;
- There is no perceptible risk to any European site as contaminant loading is low and will be attenuated, diluted and dispersed to below statutory guideline limits (S.I. No. 272 of 2009 and S.I. No. 77 of 2019 amendment) before it reaches the designated European sites;
- Any potential pollution from the construction site would be minimal in quantity and if it entered any surface water network it would be so diluted as to be undetectable by the time the contaminated water enters the harbour;
- A significant level of dilution and mixing of surface and sea water would occur in any event of contamination. Upon reaching the estuary any pollutants would be even further diluted and dissipated by the waters in the harbour;
- The construction of the proposed development will take place over a comparatively short period and there is no possibility of long-term impacts arising as a result of the construction elements of the proposed development, given the nature and scale of the proposed development and its location at a remove from the designated European sites.

12.5.4. There is no possibility of any other potential direct, indirect or secondary impacts on any designated European site during the construction phase of the proposed development. There will be no land-take from any designated site and there will be no resource requirements such as water abstraction. There will be no emissions to air from construction vehicles that could potentially impact any European site. Dust, noise and vibration that occur during the construction phase will similarly be entirely remote from any European site. Demolition and construction-related impacts as a result of the proposed development, on European sites or otherwise, can therefore be excluded.

12.5.5. There will be no loss, fragmentation, disruption, disturbance or other change to any element of any designated site as a result of the construction of the proposed scheme, and no interference with the key relationships that define the structure or function of these sites. The subject site has very limited potential to attract water birds due to the nature of the habitats and also due to its distance from the water (some 400 m, and 2.25 km from Harper's Island). Given the distance and the fact that the site is not directly visible from the shoreline of Cork Harbour, it is not considered remotely likely that there will be any disturbance via noise or visual impacts. Furthermore, the sound of any construction on the site will be attenuated by the distance and will likewise not affect water birds on the shoreline of Cork Harbour.

12.6. Potential Impacts during Operation Phase of Development

12.6.1. Surface Water Drainage: Surface water run-off from the proposed development/ subject site, will be collected and attenuated on site. The proposed surface water drainage system will be connected to an existing 300 mm diameter storm water outfall pipe which is to be located in the south east corner of the site. An existing storm sewer, outfalls to the estuary and there is no requirement to provide a new outfall within Cork Harbour. The Engineering Assessment Services Report states that 'the proposed surface water drainage design proposes to discharge at QBAR for all rainfall events up to and including the 1 in 100-year storm event plus 20% climate change as per the requirements of Cork City Council. This exceeds the climate change factor of 10% required as part of GDSDS'. New developments are required to demonstrate compliance with SuDS, however, even in the absence of any such measures there would be no impacts on the European sites of Cork Harbour. The natural characteristics of the harbour ensure that there is rapid mixing

of water such that there is no appreciable effect on water quality in the designated sites as a result of the proposed development. The proposed surface water drainage system will be designed in accordance with the requirements of Cork County Council and Irish Water.

12.6.2. Flood Risk: KJ Barry Consulting Engineers have carried out 'A Flood Risk Assessment' which is in accordance with the OPW publication 'The Planning System and Flood Risk Assessment Guidelines for Planning Authorities'. This assessment is included in Section 6 of the Engineering Assessment Services Report. This report concluded that the proposed development is at low risk of flooding and 'is deemed appropriate at the proposed site location'. There will be no operational impacts related to surface water management or flooding, on European sites or otherwise, as a result of the proposed development.

12.6.3. Foul Drainage: During the operational phase, waste water/ foul effluent from the proposed development will be collected via new foul drainage infrastructure, including a new 150 mm diameter public sewer, and which will be connected to an existing 225 mm diameter public sewer, which is located to the south-east of the subject site. The waste water/ foul effluent arising at the subject site will then discharge to Carrigrennan Wastewater Treatment Plant (WwTP) at Little Island.

12.6.4. The Engineering Assessment Services Report notes that ambient monitoring of transitional and coastal waters in Cork Harbour indicates that the discharge from the Wastewater Treatment Plant (WWTP) does not have an observable negative impact on water quality status. The proposed development has a PE of 750. The Irish Water Annual Environmental Report 2020 for Carrigrennan states that the WWTP has an Organic Capacity (PE) of 241,480 and at 750, the PE of the proposed development is equivalent to 0.31% of the current organic loading of the WWTP. The treated effluent from the proposed development/ future sequential development will only result in an increase of a fraction of a percent in the total nitrogen in Lough Mahon and will not significantly affect nutrient levels in the Cork Harbour SPA or the Great Island Channel SAC. Irish Water has confirmed in a letter (dated 29th April 2021) that the proposed wastewater connection from the proposed development can be accommodated provided that the existing network is extended by 150 m.

12.6.5. In conclusion there will be no operational phase impacts as a result of waste water or foul effluent discharge from the proposed development in Cork Harbour SPA or Great Island Channel SAC.

12.6.6. The only access from the proposed development site to the shoreline of Cork Harbour will be limited to an entrance to Harper's Island, which is approximately 2.25 km to the east and has a locked security gate. Some disturbance to birds may occur from increased human activity associated with walking/ cycling etc. However, this would be limited, and it has been found that birds along the shoreline are habituated to such activity. The presence of the railway with its boundaries etc. would provide a barrier between the cycleway/ walkway and Cork Harbour.

12.6.7. In-Combinations Effects: It is a requirement of Section 177U, of the Planning and Development Act 2000 as amended, that when considering whether a plan or project will have a significant effect on a European site the assessment must consider in-combination effects with other relevant plans and projects. Such an assessment should consider plans and projects that are completed, approved but uncompleted, or proposed. If there are identified effects arising from the plan or project even if they are perceived as minor and not likely to have a significant effect on the integrity of a European site alone, then these effects must be considered 'in-combination' with the effects arising from other plans and projects.

12.6.8. The Cobh Municipal District Local Area Plan, which includes the subject site/ area, included a stated vision for Glounthaune, to secure a significant increase in the population of the settlement, to retain and improve local services and facilities and to strengthen infrastructure provision. The LAP when prepared was subject to Habitats Directive Screening, by Cork County Council. That screening concluded: 'On the basis of the screening assessments which were completed at each stage of the plan making process, and which are in this document, it is concluded that the Cobh MD Local Area Plan does not have the potential to give rise to significant negative impacts on any of the Natura 2000 sites listed in this document'.

12.6.9. It is concluded in this report that the proposed development of residential units and associated works will not have any significant effects on any

European sites. The AA Screening considered a number of other plans when assessing in-combination effects, but it was determined that there would be no in-combination effects with these:

- National Planning Framework;
- Regional Spatial and Economic Strategy;
- Climate Action and Mitigation Plan;
- National Biodiversity Plan.

As noted by Cork County Council in its Opinion, dated February 2021, 234 residential units have been granted permission in Glounthaune since the adoption of the LAP in August 2017. This includes a total of 174 units (ABP Reg. Ref.: 301197-18, granted permission by An Bord Pleanála in 2018 at Johnstown/ Killahora), and a total of 31 units (Reg. Ref 17/5699, ABP 300128-17), granted permission by An Bord Pleanála in 2018 at Lackenroe, Ballynaroon. Both of these developments were screened for Appropriate Assessment and significant effects on European sites were excluded. There are no elements of these developments, or any other development, that could act in-combination with any potential effects of the proposed development to give rise to significant effects to any designated site.

12.7. **Conclusion:** There is no possibility of any other potential direct, indirect or secondary impacts on any European site once the proposed development is operational. There will be no loss, fragmentation, disruption, disturbance or other change to any element of any European site as a result of the operation of the proposed development, and no interference with the key relationships that define the structure or function of any designated Natura 2000 site. Significant effects as a result of the operation of the proposed development, on European sites or otherwise, can therefore be excluded.

12.8. Screening Assessment

12.8.1. In determining the Natura 2000 sites to be considered, I have had regard to the nature and scale of the development, the distance from the site to the designated Natura 2000 sites, and any potential pathways which may exist from the development site to a Natura 2000 site. The site is not directly connected with, or

necessary to the management of a Natura 2000 sites. The impact area of the construction phase would be limited to the outline of the site.

12.8.2. In terms of the zone of influence, I would note that the site is not within or immediately adjacent to a European site and therefore there will be no loss or alteration of habitat, or habitat/ species fragmentation as a result of the proposed development. The Great Island Channel SAC and Cork Harbour SPA are the sites most relevant to the subject site. I will exclude the Blackwater SAC as it is 14 km to the north of the subject site and there are no connections between the site and this SAC. The AA Screening also refers to the Ballycotton Bay SPA and this can be excluded due to distance as it is 23 km to the east of the subject site.

12.8.3. The following are the qualifying interests and conservation objectives of the two sites. Note that these sites overlap each other:

Great Island Channel SAC (Site Code 00105) – 400 metres to the south of the subject site. This SAC extends from Little Island to Midleton.

CO - To maintain the favourable conservation condition of Mudflats and sandflats not covered by seawater at low tide in Great Island Channel SAC.

Qualifying Interests:

1140 Mudflats and sandflats not covered by seawater at low tide

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

Cork Harbour SPA (Site Code 004030) - 400 metres to the south of the subject site. Cork Harbour is of major ornithological significance, being of internal importance due to the numbers of wintering birds – more than 20,000. Several species are listed on the Annex I of the EU Birds Directive.

CO - To maintain the favourable conservation condition of Little Grebe in Cork Harbour SPA

Qualifying Interests:

A004 Little Grebe *Tachybaptus ruficollis*

A005 Great Crested Grebe *Podiceps cristatus*

A017 Cormorant *Phalacrocorax carbo*
A028 Grey Heron *Ardea cinerea*
A048 Shelduck *Tadorna tadorna*
A050 Wigeon *Anas penelope*
A052 Teal *Anas crecca*
A054 Pintail *Anas acuta*
A056 Shoveler *Anas clypeata*
A069 Red-breasted Merganser *Mergus serrator*
A130 Oystercatcher *Haematopus ostralegus*
A140 Golden Plover *Pluvialis apricaria*
A141 Grey Plover *Pluvialis squatarola*
A142 Lapwing *Vanellus vanellus*
A149 Dunlin *Calidris alpina alpina*
A156 Black-tailed Godwit *Limosa limosa*
A157 Bar-tailed Godwit *Limosa lapponica*
A160 Curlew *Numenius arquata*
A162 Redshank *Tringa totanus*
A179 Black-headed Gull *Chroicocephalus ridibundus*
A182 Common Gull *Larus canus*
A183 Lesser Black-backed Gull *Larus fuscus*
A193 Common Tern *Sterna hirundo*
A999 Wetlands

12.8.4. I am satisfied that there will be no significant effects arising from the development on designated sites due to foul drainage at construction/ operational phases; due to disturbance from noise, lighting, and loss of habitat at construction/ operational phases; and no loss of habitat during the construction/ operational phases.

12.8.5. There is potential at the construction phase, for surface water run-off impacts in relation to the Cork Harbour SPA and the Great Island Channel SAC. Having regard to the location of the site, the potential route from the subject site to

the designated sites, I am satisfied that there will be no significant effects arising from the development on these sites. If contaminated waters did enter Cork Harbour, the nature of the receiving waters is such that the contamination would be rapidly diluted and there would be no significant effects.

12.8.6. No in-combination effects are foreseen having regard to plans and projects that are relevant to the Glounthaune area. Impacts from increased use of areas adjacent to Cork Harbour can be considered to be insignificant having regard to the scale and nature of the proposed development and its distance from the designated site.

12.8.7. I note various measures proposed during the construction and operational phase of the development and I am satisfied that these are standard construction/ operational processes and cannot be considered as mitigation measures. These measures 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 am satisfied that the potential for likely significant effects on the qualifying interests of Natura 2000 sites in from surface water runoff, can be excluded given the distant and interrupted hydrological connection, the nature and scale of the development and the distance separating the application site from Natura 2000 sites in Cork Harbour (dilution factor).

12.9. Appropriate Assessment Screening Determination

12.9.1. It is reasonable to conclude that on the basis of the information provided 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 Great Island Channel SAC (Site Code 00105) and Cork Harbour SPA (Site Code 004030), or any European site, in view of these sites' Conservation Objectives, and having regard to the nature and scale of the proposed development and the location of the site in an established, serviced urban area and the separation distance to the nearest European site, no Appropriate Assessment issues arise. It is therefore not

considered that the development would be likely to give rise to a significant effect individually or in combination with other plans or projects on an European site.

12.10. There is no requirement therefore for a Stage 2 Appropriate Assessment (and submission of a NIS).

13.0 Environmental Impact Assessment

13.1. This application was submitted to the Board after the 1st of September 2018 and therefore after the commencement of the European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 which transpose the requirements of Directive 2014/52/EU into Irish planning law.

13.2. The applicant has addressed the issue of Environmental Impact Assessment (EIA) within the submitted EIA Screening Report, prepared by McCutcheon Halley Chartered Planning Consultants on behalf of Ruden Homes Ltd. The screening report considers that the development is below the thresholds for mandatory EIAR having regard to Schedule 5, Part 2 of the Planning and Development Regulations 2001, due to the size of the site area at 5.522 hectares and due to the number of residential units at 112, a formal EIAR is not required. In addition, detailed and comprehensive assessments have been undertaken to assess/ address all potential planning and environmental issues relating to the development.

13.3. Item 10(b) of Part 2 of Schedule 5 of the Planning and Development Regulations 2001 as amended, and section 172(1)(a) of the Planning and Development Act 2000 as amended provides that an EIA is required for infrastructure developments comprising of urban development which would exceed:

- 500 dwellings
- Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere. A business district is defined as 'a district within a city or town in which the predominant land use is retail or commercial use'.

13.4. Item (15)(b) of Schedule 5 Part 2 of the Planning and Development Regulations 2001 as amended provides that an EIA is required for: 'Any project listed in this part which does not exceed a quantity, area or other limit specified in this Part in respect of the relevant class of development but which would be likely to have significant effects on the environment, having regard to the criteria set out in Schedule 7'.

13.5. The proposed development is for a residential scheme of 112 units in the form of houses and apartment units, and which is not within a business district, on a stated site area of 5.522 hectares. It is sub-threshold in terms of EIA having regard to Schedule 5, Part 2, 10(b) (i) and (iv) of the Planning and Development Regulations 2001 as amended, in that it is less than 500 units and is below the 10 hectares (that would be the applicable threshold for this site, being outside a business district but within an urban area).

13.6. Environmental Impact Assessment is required for development proposals of a class specified in Part 1 or 2 of Schedule 5 that are sub-threshold where the Board determines that the proposed development is likely to have a significant effect on the environment. For all sub-threshold developments listed in Schedule 5 Part 2, where no EIAR is submitted or EIA determination requested, a screening determination is required to be undertaken by the competent authority unless, on preliminary examination it can be concluded that there is no real likelihood of significant effects on the environment.

13.7. The applicant submitted an EIA Screening with the application, and this document provides the information deemed necessary for the purposes of screening sub-threshold development for an Environmental Impact Assessment.

13.7.1. In support of the screening, the applicant has provided a 'Statement pursuant to Section 299B of the Planning and Development Regulations 2001 (as amended)' which has been prepared by McCutcheon Halley. This statement lists a number of documents that have been considered and include:

- Marine Strategy Framework Directive;
- Ambient Air Quality Directive and Heavy Metals in the Ambient Air Directive;
- Waste Framework Directive
- Industrial Emissions Directive; • Seveso Directive
- Trans-European networks: TEN-E, TEN-T and TEN-TEC Regulations;
- Aarhus and ESPOO conventions (including Directive 2003/4/EC and 2003/35/EC).

13.8. 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:

- An Appropriate Assessment (AA) Screening prepared by BMS
- Ecological Appraisal by BMS
- Preliminary Construction Environment Management Plan by BMS
- Preliminary Construction & Demolition Waste Management Plan by BMS
- Traffic & Transport Assessment by MHL Consulting Engineers
- Preliminary Mobility Management Plan by MHL Consulting Engineers
- Storm Water Drainage Assessment Report by KJB Consulting Engineers
- Wastewater Drainage Assessment Report by KJB Consulting Engineers
- Engineering Services Report by KJB Consulting Engineers
- Archaeological Assessment by Lane Purcell Archaeology

13.9. In addition, 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. A Site-Specific Flood Risk Assessment that addresses the potential for flooding was undertaken in response to the EU Floods Directive. An AA Screening Report in support of the Habitats Directive (92/43/EEC) and the Birds Directive (2009/147/EC) has been submitted with the application. An Outline Construction Management and Waste Management Plan has been submitted which was undertaken having regard to the EC Waste Directive Regulations 2011, European Union (Household Food Waste and Bio-waste) Regulation 2015, European Communities (Trans frontier Shipment of Waste) Regulations 1994 (SI 121 of 1994) and to European Union (Properties of

Waste which Render it Hazardous) Regulations 2015. I also note that the Cork County Development Plan 2014 - 2020 was subject to Strategic Environmental Assessment (SEA) and Appropriate Assessment (AA) Screening and I note the contents of same.

13.10. 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 other relevant assessments have been identified for the purposes of screening out EIAR.

13.11. I have completed an EIA screening assessment as set out in Appendix A of this report.

13.12. 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.

13.13. I am overall satisfied that the information required under Section 299B(1)(b)(ii)(II) of the Planning and Development Regulations 2001 (as amended) have been submitted.

13.14. A Screening Determination should be issued confirming that there is no requirement for an EIAR based on the above considerations.

14.0 Recommendation

Section 9(4) of the Act provides that the Board may decide to:

- (a) grant permission for the proposed development.
 - (b) grant permission for the proposed development subject to such modifications to the proposed development as it specifies in its decision,
 - (c) grant permission, in part only, for the proposed development, with or without any other modifications as it may specify in its decision, or
 - (d) refuse to grant permission for the proposed development,
- and may attach to a permission under paragraph (a), (b) or (c) such conditions it considers appropriate.

14.1. In conclusion, I consider the principle of development as proposed to be acceptable on this site. The site is suitably zoned for a mix of residential and open space development, is a serviced site, where public transport, social, educational and commercial services are available. The proposed development is of a suitably high quality and provides for a suitable mix of houses and apartment types which are served by high quality public open space and communal open space specifically for the apartment tenants.

14.2. I do not foresee that the development will negatively impact on the existing residential and/ or visual amenities of the area. Suitable pedestrian, cycling is available to serve the development and public transport is available within walking distance in the form of the railway service from Glounthaune. The development is generally in accordance with National Guidance and County Policy and is in accordance with the proper planning and sustainable development of the area.

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

15.0 Reasons and Considerations

Having regard to

- (i) the site's location on lands with a zoning objective primarily for residential development through its location within the Settlement Boundary and also for Open Space uses, and the policy and objective provisions in the Cork County Development Plan 2014 – 2020 and the Cobh Municipal District Local Area Plan 2017 in respect of residential development,
- (ii) the nature, scale and design of the proposed development which is consistent with the provisions of the Cork County Development Plan 2014 - 2020 and appendices contained therein,
- (iii) to the Rebuilding Ireland Action Plan for Housing and Homelessness 2016,
- (iv) the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, and the accompanying Urban Design Manual – A Best Practice Guide, issued by the Department of the Environment, Heritage and Local Government in May 2009,
- (v) the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, issued by the Department of the Housing and Planning and Local Government, December 2020,
- (vi) the availability in the area of a wide range of social and transport infrastructure,
- (vii) to the pattern of existing and permitted development in the area, and
- (viii) Chief Executive's Report and supporting technical reports of Cork County Council,
- (ix) the comments made at the Cobh Municipal District Committee meeting,
- (x) to the submissions and observations received,

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

16.0 Recommended Draft Order

16.1. 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 12th Day of January 2022 by KW PRS Fund 12.

16.2. Proposed Development:

- The provision of 112 residential units in the form of 72 houses and 40 apartment units in two separate blocks,
- Vehicular access is provided from the Ballynaroona Road/ L-2970-6 and pedestrian access is also provided to this road.
- Public open space is provided on the site and communal open space is available adjacent to the proposed apartment blocks.

16.3. The application contains a statement with addendum setting out how the proposal will be consistent with the objectives and policies of the Cork County Development Plan 2014 – 2020 and the Cobh Municipal District Local Area Plan 2017. It is submitted that the proposed apartments have been designed to fully accord with the Sustainable Urban Housing: Design Standards for New Apartments 2018 (these are superseded by the 2020 Guidelines). A full Housing Quality Assessment is submitted which provides details on compliance with all relevant standards including private open space, room sizes, storage and residential amenity areas.

16.4. The proposed development is accompanied with a Material Contravention Statement which sets out justification for the proposed development in term of Density and Excessive Scale of Development.

16.5. Decision

Grant permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

16.6. Matters Considered

16.6.1. 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.

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

- (i) the site's location on lands with a zoning objective primarily for residential development through its location within the Settlement Boundary and also for Open Space uses, and the policy and objective provisions in the Cork County Development Plan 2014 – 2020 and the Cobh Municipal District Local Area Plan in respect of residential development,
- (ii) the nature, scale and design of the proposed development which is consistent with the provisions of the Cork County Development Plan 2014 – 2020 and the Cobh Municipal District Local Area Plan and appendices contained therein,
- (iii) to the Rebuilding Ireland Action Plan for Housing and Homelessness 2016,
- (iv) the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, and the accompanying Urban Design Manual – A Best Practice Guide, issued by the Department of the Environment, Heritage and Local Government in May 2009,
- (v) the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, issued by the Department of the Housing and Planning and Local Government, December 2020,
- (vi) the availability in the area of a wide range of social and transport infrastructure,
- (vii) to the pattern of existing and permitted development in the area, and
- (viii) Chief Executive's Report and supporting technical reports of Cork County Council,

- (ix) the comments made at the Cobh Municipal District Local Area meeting,
- (x) to the submissions and observations received,
- (xi) the Inspectors report

16.7. Appropriate Assessment (AA)

16.7.1. The Board completed an Appropriate Assessment screening exercise in relation to the potential effects of the proposed development on designated European sites, taking into account the nature, scale and location of the proposed development within a suitably zoned and adequately serviced urban site, the information for the Screening Report for Appropriate Assessment submitted with the application, the Inspector's Report, and submissions on file.

16.7.2. It is considered reasonable to conclude that on the basis of the information submitted in the Appropriate Assessment Screening report, that the proposed development, individually or in combination with other plans or projects would not be likely to adversely affect the integrity of European sites.

16.8. Environmental Impact Assessment (EIA)

16.8.1. The Board completed an environmental impact assessment screening of the proposed development and considered that the Environmental Impact Assessment Screening Report submitted by the applicant, identifies, and describes adequately the direct, indirect, secondary, and cumulative effects of the proposed development on the environment.

16.8.2. Having regard to:

- The nature and scale of the proposed development, which is under the mandatory threshold in respect of Class 10 – Infrastructure Projects of the Planning and Development Regulations 2001 as amended,
- The location of the site on lands that are zoned for residential uses under the Cork County Development Plan 2014 – 2020 and the Cobh Municipal District Local Area Plan, and the results of the strategic environmental assessment of the Cork County Development Plan undertaken in accordance with the SEA Directive (2001/42/EC),

- The location of the site within an established urban area, which is served by public infrastructure and the existing pattern of residential development in the vicinity,
- The location of the site outside of any sensitive location specified in article 109(4)(a) of the Planning and Development Regulations 2001 (as amended) and the mitigation measures proposed to ensure no connectivity to any sensitive location,
- 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), and
- the criteria set out in Schedule 7 of the Planning and Development Regulations 2001 (as amended),
- the Schedule 7A of the Planning and Development Regulations 2001 as amended, information submitted with the application.

16.8.3. The Board 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. The Board decided, therefore, that an environmental impact assessment report for the proposed development was not necessary in this case.

16.9. Conclusions on Proper Planning and Sustainable Development:

16.9.1. The Board considered that the development was compliant with the Cork County Development Plan 2014 – 2020 and the Cobh Municipal District Local Area Plan which are the relevant statutory plans for the area.

16.9.2. It is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would be consistent with national and local planning policy and would be acceptable in terms in terms of urban design, height and quantum of development and of pedestrian and traffic safety. The

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

17.0 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) The four car parking spaces to the west of house numbers 62 to 64 shall be omitted and this area shall be revised to provide for a continuous path connecting the southern and northern sections of this route.
 - b) The proposed footpath upgrades outside of the development site shall be provided in advance of the completion of Phase 1 of the development, in accordance with the requirements of Cork County Council.

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 interests of sustainable transport provision and in the interest of clarity.

3. A childcare facility with the capacity to accommodate 20 children shall be provided in lieu of one of the proposed houses. Upon the provision of a suitable alternative, permanent facility in the immediate area, this unit may revert to its intended use as a house.

Reason: In order to provide for suitable childcare provision on site.

4. The number of residential units permitted by this grant of permission is 112 no. units in the form of 72 houses and 40 apartment units.

Reason: In the interests of clarity.

5. Details of the materials, colours and textures of all the external finishes to the proposed dwellings/buildings shall be as submitted with the application, unless otherwise agreed in writing with, the Planning Authority prior to commencement of development. In default of agreement the matter(s) in dispute shall be referred to An Bord Pleanála for determination.

Reason: In the interest of visual amenity.

6. No additional development shall take place above roof parapet level of the proposed apartment blocks, including lift motor enclosures, air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennas or equipment, unless authorised by a further grant of planning permission.

Reason: To protect the residential amenities of property in the vicinity and the visual amenities of the area.

7. Proposals for a development name, retail/ commercial unit identification and numbering scheme and associated signage shall be submitted to, and agreed in

writing with, the Planning Authority prior to commencement of development. Thereafter, all such names and numbering shall be provided in accordance with the agreed scheme.

Reason: In the interest of urban legibility.

8. Public lighting shall be provided in accordance with a scheme, which shall include lighting along pedestrian routes through the communal open spaces, details of which shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development/installation of lighting. Such lighting shall be provided prior to the making available for occupation of any apartment unit.

Reason: In the interests of amenity and public safety.

9. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. 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.

10. The internal vehicular access/ network serving the proposed development, including turning bays, connection with the existing internal road network, parking areas, footpaths and kerbs, and car parking shall be in accordance with the detailed construction standards of the Planning Authority for such works.

Reason: In the interest of amenity and of traffic and pedestrian safety.

11. A minimum of 10% of all 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. The car parking spaces for sole use of the car sharing club shall also be provided with functioning EV charging stations/ points.

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

12. Prior to the opening/occupation 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 carpooling by residents /occupants /staff employed in the 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 shall be agreed with the Planning Authority shall include the provision of centralised facilities within the commercial element of 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.

13. Drainage arrangements including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

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

14. The developer shall enter into water and/or waste water connection agreement(s) with Irish Water, prior to commencement of development.

Reason: In the interest of public health.

15. The site shall be landscaped (and earthworks carried out) in accordance with the detailed comprehensive scheme of landscaping, which accompanied the application submitted, unless otherwise agreed in writing with, the Planning Authority prior to commencement of development.

Reason: In the interest of residential and visual amenity.

16. (a) A plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials and for the ongoing operation of these facilities for each apartment unit shall be submitted to, and agreed in writing with, the Planning Authority not later than 6 months from the date of commencement of the development. Thereafter, the waste shall be managed in accordance with the agreed plan.

(b) This plan shall provide for screened communal bin stores, the locations and designs of which shall be included in the details to be submitted.

(c) This plan shall provide for screened bin stores, which shall accommodate not less than three standard sized wheeled bins within the curtilage of each house plot.

Reason: In the interest of residential amenity, and to ensure the provision of adequate refuse storage.

17. (a) The communal open spaces, including hard and soft landscaping, car parking areas and access ways, [communal refuse/bin storage] and all areas not intended to be taken in charge by the local authority, shall be maintained by a legally constituted management company

(b) Details of the management company contract, and drawings/particulars describing the parts of the development for which the company would have responsibility, shall be submitted to, and agreed in writing with, the planning authority before any of the residential units are made available for occupation.

Reason: To provide for the satisfactory future maintenance of this development in the interest of residential amenity.

18. 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.

19. 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 compound(s) including area(s) identified for the storage of construction refuse;
- b) Location of areas for construction site offices and staff facilities;
- c) Details of site security fencing and hoardings;
- d) Details of on-site car parking facilities for site workers during the course of construction;
- e) Details of 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;
- f) Measures to obviate queuing of construction traffic on the adjoining road network;
- g) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;
- h) Alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works;
- i) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;
- j) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater;
- k) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;
- l) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.

m) 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.

20. 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.

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

22. 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 -

(a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development,

(b) employ a suitably-qualified archaeologist who shall monitor all site investigations and other excavation works, and

(c) provide arrangements, acceptable to the planning authority, for the recording and for the removal of any archaeological material which the authority considers appropriate to remove.

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

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.

23. The developer shall engage the services of a suitably qualified person to undertake a full building survey and record of the house and associated outbuildings proposed for demolition to the north west of the site. Full details of the scope of this survey should be agreed in writing with the Planning Authority prior to the commencement of works on site.

Reason: In order to conserve the archaeological heritage of the site, it is considered reasonable that the developer should facilitate the preservation by record of any archaeological features or materials which may exist within it.

24. Detailed measures in relation to the protection of bats shall be submitted to and agreed in writing with the Planning Authority, prior to commencement of development. These measures shall be implemented as part of the

development. Bat boxes shall be provided throughout the site in accordance with the submitted details.

Reason: In the interest of wildlife protection.

25. 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.

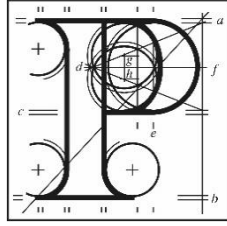
26. The developer shall pay to the Planning Authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the 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.

Paul O'Brien
Planning Inspector

18th of May 2022



An
Bord
Pleanála

EIA - Screening Determination for Strategic Housing Development Applications

A. CASE DETAILS		
An Bord Pleanála Case Reference		ABP-312658-22
Development Summary		The provision of 112 units in the form of 72 houses and 40 apartments and all associated site works.
	Yes / No / N/A	
1. Has an AA screening report or NIS been submitted?	Yes	An EIA Screening Report and a Stage 1 AA Screening Report was submitted with the application
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?	No	
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	Yes	SEA undertaken in respect of the Cork County Development Plan 2014 – 2020 and the Cobh Municipal District Local Area Plan 2017 and the results of the Strategic Environmental Assessment of these plans. See Inspector’s Report Section 13.8 and 13.9 for a list of additional relevant documentation.

B. EXAMINATION	Yes/ No/ Uncertain	Briefly describe the nature and extent and Mitigation Measures (where relevant) (having regard to the probability, magnitude (including population size affected), complexity, duration, frequency, intensity, and reversibility of impact) Mitigation measures – Where relevant specify features or measures proposed by the applicant to avoid or prevent a significant effect.	Is this likely to result in significant effects on the environment ? Yes/ No/ Uncertain
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?	<p style="text-align: center;">Yes</p>	<p>The development comprises the construction of residential units on suitably zoned lands.</p> <p>The development</p>	<p style="text-align: center;">No</p>

		<p>consists of a mix of houses and apartments. The apartments are in two blocks, Block 1 to the south is three storeys and Block 2 to the north west will be a mix of two, three and four storeys.</p>	
<p>1.2 Will construction, operation, decommissioning or demolition works cause physical changes to the locality (topography, land use, waterbodies)?</p>	<p>Yes</p>	<p>The proposed development is located on a greenfield site, surrounded by existing residential development, within the Cork County area.</p>	<p>No.</p>
<p>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?</p>	<p>Yes</p>	<p>Construction materials will be typical of such an urban development. The loss of natural resources or local biodiversity as a result of</p>	<p>No.</p>

		<p>the development of the site are not regarded as significant in nature.</p>	
<p>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?</p>	<p>Yes</p>	<p>Construction activities will require the use of potentially harmful materials, such as fuels, hydraulic oils and other such substances. Such use will be typical of construction sites. Any impacts would be local and temporary in nature and implementation of a Construction Management Plan will satisfactorily mitigate potential impacts. No</p>	<p>No.</p>

		operational impacts in this regard are anticipated.	
<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. Such construction impacts would be local and temporary in nature and implementation of a Construction Management</p>	<p>No.</p>

		<p>Plan will satisfactorily mitigate potential impacts. Operational waste will be managed via a Waste Management Plan. Significant operational impacts are not anticipated.</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. Operation of a Construction Management Plan will satisfactorily mitigate emissions from spillages during construction. The operational development will connect to mains services. Surface water drainage will be separate to foul services within</p>	<p>No.</p>

		the site. No significant emissions during operation are anticipated.	
<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. Such emissions will be localised, short term in nature and their impacts may be suitably mitigated by the operation of a Construction Management Plan. Management of the scheme in accordance with an agreed Management Plan will mitigate potential operational impacts.</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. Such construction impacts would be temporary and localised in nature and the application of a Construction Management Plan would satisfactorily address potential impacts on human health. No significant operational impacts 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. Any risk arising from construction will be localised and</p>	<p>No.</p>

		temporary in nature. The site is not at risk of flooding. There are no Seveso / COMAH sites in the vicinity of this location.	
1.10 Will the project affect the social environment (population, employment)	Yes	The development of this site as proposed will result in a change of use and an increased population at this location. This is not regarded as significant given the urban location of the site and surrounding pattern of land uses, primarily characterised by residential development.	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

<p>2.1 Is the proposed development located on, in, adjoining or have the potential to impact on any of the following:</p> <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 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 	No	No European sites located on the site. An AA Screening accompanied the application which concluded the proposed development, individually or in combination with other plans or projects would not adversely affect the integrity of European Site No. 001058 - Great Island Channel Special Area of Conservation and site no. 004030 - Cork Harbour Special Protection Area.	No.
<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, overwintering, or migration, be affected by the project?</p>	No	No such species use the site and no impacts on such species are anticipated.	No.
<p>2.3 Are there any other features of landscape, historic, archaeological, or cultural importance that could be affected?</p>	No	The site is not within or adjacent to any such sites.	No.

<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 such features arise in this urban location.</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>No.</p>	<p>There are no water courses on the site. The site is not at risk of flooding. Potential indirect impacts are considered with regard to surface water; however, no likely significant effects are anticipated.</p>	<p>No.</p>
<p>2.6 Is the location susceptible to subsidence, landslides or erosion?</p>	<p>No.</p>	<p>Site is located in a built-up urban location where such impacts are not foreseen.</p>	<p>No.</p>
<p>2.7 Are there any key transport routes (e.g. 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?</p>	<p>No.</p>	<p>None.</p>	<p>No.</p>
<p>2.8 Are there existing sensitive land uses or community facilities (such as hospitals, schools etc) which could be affected by the project?</p>	<p>Yes</p>	<p>There is a National School adjacent to the site and suitable measures will be required to control</p>	<p>No.</p>

		construction noise and associated nuisance.	
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3. Any other factors that should be considered which could lead to environmental impacts			
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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. Some cumulative traffic impacts may arise during construction. This would be subject to a construction traffic management plan.	No.
3.2 Transboundary Effects: Is the project likely to lead to transboundary effects?	No.	No trans-boundary effects arise.	No.
3.3 Are there any other relevant considerations?	No.	No.	No.

C. CONCLUSION			
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No real likelihood of significant effects on the environment.	Yes	EIAR Not Required	EIAR Not Required.
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Real likelihood of significant effects on the environment.		None.	
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D. MAIN REASONS AND CONSIDERATIONS

Having regard to: -

- a) the nature and scale of the proposed development, which is below the threshold in respect of Class 10(b)(iv) of Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended,
- b) Class 14 of Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended,
- c) the location of the site on lands within the existing ‘Settlement Boundary’ and which are on an ‘Existing Built Up Area’ and also a ‘Community Zoning’ in the Cork County Development Plan 2014 – 2020 and the Cobh Municipal District Local Area Plan 2017,
- d) The existing use on the site and pattern of development in surrounding area,
- e) The planning history relating to the site,
- f) The availability of mains water and wastewater services to serve the proposed development,
- g) 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),
- h) 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),
- i) The criteria set out in Schedule 7 of the Planning and Development Regulations 2001 as amended, and
- j) The features and measures proposed by applicant envisaged to avoid or prevent what might otherwise be significant effects on the environment, including measures identified in the proposed Outline Construction & Demolition Waste Management Plan (CDWMP) and Outline Construction Management Plan (CMP),

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

Inspector: _____

Date: _____

Paul O'Brien

18th of May 2022

17.1.