



An
Bord
Pleanála

Inspector's Addendum Report ABP-316858-23

Development	Construction of 10 houses and all associated site works. A Natura Impact Statement (NIS) was submitted to the planning authority with the application.
Location	Johnstown, Glounthaune, Co. Cork
Planning Authority	Cork County Council
Planning Authority Reg. Ref.	22/5899
Applicant(s)	Glounthaune
Type of Application	Permission
Planning Authority Decision	Grant subject to conditions.
Type of Appeal	Third Party
Appellant(s)	Bluescape Limited
Observer(s)	None
Date of Site Inspection	23 May 2024

Inspector

Cáit Ryan

- 1.1. This is an addendum report to the Inspector's original report in respect of ABP-316858-23, dated 20 November 2024.
- 1.2. On 29 January 2025, the Board decided to defer consideration of this case and to issue a Section 137 notice. On 7 February 2025, the following Section 137 notice was issued:

The Board proposes to take into account the following with reference to ABP-316858-23:

- (i) Density: the density of the proposed development and how it accords with HOU 4-7: Housing Density on Residentially Zoned Land and Table 4.1: Settlement Density Location Guide Table under Section 4.9 of the Cork County Development Plan 2021-2027 and specifically the recommended density for residential developments in Glounthaune.
 - (ii) The quality of residential amenity having regard to
 - a) the quantum and quality of private open space proposed, particularly for house nos. 3 and 5, and how it accords with the Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities, 2024¹
 - b) the lack of detail in the drawings to show finished floor levels within house sites and other design features to demonstrate accessibility for all users and compliance with Universal Design Guidelines having regard to the site topography and the nature of the proposed scheme as purpose-built housing for older people.
 - (iii) Drainage: the provision of soakpits to manage surface water run-off for proposed Houses Numbers 3, 5, 7 and 9 within the curtilage of adjoining properties as indicated on drawing Drg No. DR 03A received by the Planning Authority on 07 February 2023.
- 1.3. Responses were received from the applicant (Glounthaune Homes Trust) and from the third party (Bluescape Limited) on 27 February 2025. These were circulated under section 131 on 6 March 2025.

¹ Hereafter referred to in this report as Compact Settlement Guidelines

1.4. Responses to the section 131 notice were received from

- Cork County Council on 25 March 2025
- Glounthaune Homes Trust on 26 March 2025
- Bluescape Limited on 26 March 2025

2.0 Applicant Response to Section 137 Notice

A response by the applicant was submitted to the Board on 26 February 2025 and may be summarised as follows:

Density

- Section 4.9 of County Development Plan 2022-2028 addresses density. Glounthaune is 'Town with proposed high quality Public Transport Corridor Potential'. Appendix H and Table 11.3 identify it as a Key Village, expected to exceed 1,500 population during lifetime of Development Plan.
- Objective HOU 4-7 Housing Density on Residentially Zoned Land recommends Medium B thresholds (20-35uph) for centrally located sites and Medium C (5-20uph) on other greenfield lands. Medium C is appropriate, aligning with low density for edge of town locations, outlined in Section 4.8.13.
- Higher density would not be appropriate or sustainable at this location. The nature and challenges of the site, diversion of stream to the east, steep topography, retention of category A and B trees, requirement for attenuation tank at south and open space at north reduce net developable area of site.
- Population of Glounthaune and its hinterland increased by 509 persons from 1,769 to 2,309 based on Census data 2011-2022. Projecting forward using exponential growth modelling, population is expected to increase by 346 by 2028. This places Glounthaune in a small to medium sized town in Compact Settlement Guidelines 2024 (Section 3.3.4).
- Approach aligns with National Planning Framework which promotes compact growth while recognizing that development must be proportionate to scale, and National Policy Objective 18b supports provision of appropriate housing

options for older people. Southern Regional and Spatial Strategy (SRSES) emphasises need to support sustainable development of Key Villages.

- Compact Settlement Guidelines states where very small infill sites are not of scale to define their own character and density, the need to respond to scale and form of surrounding development, protect amenities and safeguard biodiversity may take precedence over achieving higher densities
- If open space at north is removed, results in 0.93ha and 10.75uph net density.
- Proposed independent living scheme for older persons is supported by Objective HOU 4-3: Housing for Older People.
- Modest population growth in Glounthaune does not justify high-density development at this location. Despite proximity to rail line, Glounthaune remains modest in size. Its services and amenities cannot support high-density development at present.

Quantum and Quality of Private Open Space

- Private open space for No.s 3 and 5 align with Section 5.3.2 of Compact Growth Guidelines. SPPR 2 establishes min. 30sqm private open space for 2-bed houses. House 3 has approx. 50.5sqm and House 5 has approx. 35sqm. 22.1sqm patios are accessible from living areas.
- Sloping topography has influenced the positioning of houses. Each dwelling is designed to respond to natural contours. This minimizes excessive cut and fill. Approx. 1m of space along side of each dwelling provides practical access to gardens. All gardens are designed with level surfaces and minimal vegetation, reducing maintenance and supporting ease of movement.
- Communal landscaped areas enhance residential amenity.

Finished Floor Levels and Accessibility

- Finished Floor Levels (FFLs) respond to the natural topography, ensuring each dwelling has level access to private open space.
- FFL from Units 1 to 10 are: 15.26, 16.62, 19.063, 20.48, 22.50, 24.64, 23.99, 26.53, 27.55 and 29.99.

- External concrete pathways provide durable, slip-resistant surfaces that support safe and comfortable movement throughout the development. Scheme aligns with Universal Design principles offering accessible and safe living environments that support well-being and independence of older people. Consulting engineers' submission dated 24 February 2025 is enclosed.

Drainage

- Consulting engineers' correspondence confirms that due to Building Regulation (cl. 1.5.8.1(a) of Technical Guidance Document H 2016) soakaways should not be within 5m of a building. This determined location of soakaways.
- Development as a whole will be managed by a residents association /management company. Such soakaway design approach is considered acceptable.
- Nature-based surface water measures could be incorporated into the design and could be addressed by An Bord Pleanála by conditions.

3.0 Appellant Response to Section 137 Notice

3.1. The appellant's response submitted on 27 February 2025 makes the following main points:

- Appellants are owners of lands to west of site.
- Site is within 400m of Glounthaune rail station, which has 15 minute train service to Cork city, and rail link to urban and employment centres in Little Island, Carrigtwohill and Midleton.
- No objection in principle, but proposal does not comply with density recommendations of County Development Plan or Compact Settlement Guidelines (2024). This is in addition to previous observations regarding access, pedestrian and cycling connectivity and permeability, will potentially hinder Glounthaune's future sustainable growth.
- Glounthaune is a Key Village in Development Plan. Table 4-7 indicates that 5-20uph will be acceptable but highlights it is generally applicable on edge of

centre sites, that up to 30uph will be considered in Key Villages, and within Key Villages and Village Centres higher densities will be considered.

- Regarding Compact Settlement Guidelines (2024)
 - Considers Glounthaune could be defined as Metropolitan Area – Village (<1,5000 population)
 - Based on 400m/6 minute walk to 15-minute commuter rail service, and Table 3.8, the subject lands would be considered a High Capacity Public Transport Node or Interchange where highest densities should be applied.
- Proposed 8.5uph is contrary to Development Plan policies and objectives and Compact Settlement Guidelines (2024). Proposal represents an unsustainable use of zoned land located within 6 minute walking distance of train station.
- Proposal will establish an undesirable precedent unsustainable and low density development and makes no contribution to improving connectivity within the settlement.

4.0 Planning Authority Response to Section 137 Notice

4.1.1. None

5.0 Applicant Response to Section 131 Notice

5.1.1. The applicant's response to the section 131 notice includes:

- Applicant's cover letter (from chairperson of Glounthaune Homes Trust CLG)
- Memorandum of telephone discussion with appellant
- Proposed legal agreement with appellant
- Appellant's counter proposed agreement with applicant
- Email correspondence between applicant and other parties.

5.1.2. The main planning issues raised in the cover letter are summarised as follows:

- Proposed development and density is appropriate for the site

- Assurances being sought regarding provision of a revised footpath and cycleway design through applicant's site to also serve the appellant's unzoned lands further north would require detailed assessment, which unfortunately cannot be accommodated as part of current application and appeal.
- Applicant endeavours to resolve appellant's concerns through submission of a subsequent application to Cork County Council, provided a positive determination is issued by the Board.

6.0 Appellant Response to Section 131 Notice

6.1.1. The appellant's response submitted on 26 March 2025 reiterates a number of points made in the response to section 137 notice, and makes the following main points:

- No objection in principle, nor to provision of specific type accommodation such as independent living.
- Applicant have not provided justification for such a low density. 10no. dwellings on a 1.21ha site represents density of 8.2uph.
- Site is approx. 740m from Glounthaune rail station, an 8/9 minute walk. Glounthaune's location on the Cork suburban rail network, on the Cork-Cobh and Cork-Midleton rail lines results in a high frequency rail corridor and it benefits from the most frequent rail service in Metropolitan Cork.
- As a 'Town with proposed high quality Public Transport Corridor Potential' in Development Plan Table 4.1, Council detailed that Medium C should not be permitted in this settlement.
- Council decision is dated 5 April 2023. Development was assessed with reference to 2009 Sustainable Residential Design Guidelines. Compact Settlements Guidelines, adopted January 2024, superseded 2009 guidelines. Cites Policy and Objective 3.1 of Guidelines and Circular Letter: NRUP 02/2024. Where these new recommendations conflict with 2022 Development Plan, CDP must be varied to ensure consistency with Guidelines.

7.0 Planning Authority Response to Section 131 Notice

- 7.1. The planning authority is of the opinion that all relevant issues have been covered in technical reports previously forwarded to the Board, and has no further comment to make.

8.0 Policy Context

8.1. Cork County Development Plan 2022-2028

Vol. 1 Main Policy Material

Chapter 3: Settlements and Place-making

Objective PL 3-1: Building Design, Movement and Quality of the Public Realm

Support measures to improve building design quality, accessibility and movement including investment in quality public realm across the settlement network of the County linked to the following design criteria:

- I. Ensure universal design standards are achievable.

Chapter 4: Housing

The Plan supports the provision of a mix of house types that provide a choice for older people and encourages private developers to incorporate the principles of universal design into new residential properties through the application of the Universal Design Guidelines for Homes in Ireland (Section 4.6.5 refers)

Chapter 11: Water Management

Objective WM 11-10: Surface Water, SuDS and Water Sensitive Urban Design includes

- a) Require all new developments incorporate sustainable drainage systems (SuDS). Efforts should be taken to limit extent of hard surfacing and impermeable paving.
- b) Encourage application of Water Sensitive Urban Design approach in design of new development or other urban interventions. Opportunities to contribute to, protect or re-enforce existing green infrastructure corridors or assets should be maximised.
- c) Optimise and maximise application of SuDS to mitigate flood risk, enhance biodiversity, protect and enhance visual and recreational amenity in accordance with

best practices. Proposals should demonstrate that due consideration has been given to nature based solutions in first instance in arriving at the preferred SuDS solution.

d) Provide adequate stormwater infrastructure to accommodate planned growth

8.2. Two Year Progress Report on Cork County Development Plan 2022 (April 2024)

The 2-Year Progress Report on the current Development Plan includes the following at *Appendix Two: Details on the progress made in relation to each objective of Volume One of the Cork County Development Plan 2022*:

Item 138: WM 11-10: Surface Water, SuDS and Water Sensitive Urban Design

This is an ongoing objective being implemented throughout the lifetime of the Plan. Internal Practice Notes were developed for flooding and surface water management. An external advice note was also issued to advise the public on how to address surface water management and drainage impact assessment as part of a proposal. SuDS incorporated into all UEA Infrastructure Design.

Separately, County Development Plan 2022 Advice Note No. 1 Surface Water Management December 2022 (viewed on [surface-water-management-advice-note-13.12.2022.pdf](#)) includes Note 3 which states that all nature based solutions and SuDS drainage should be located within the red line boundary of the site.

9.0 Assessment

9.1. Preliminary

- 9.1.1. The assessment of the responses to the section 137 and section 131 notices in this Addendum report largely follows the format of the 3no. items in the section 137 notice.
- 9.1.2. The applicant's response to the section 137 notice refers to an enclosed submission from a consulting engineering firm, dated 24 February 2025. However, no enclosure is attached. (Appendix A is a copy of the Board's section 137 notice).
- 9.2. I note that this submission refers to Compact Growth Guidelines (2024). This would appear to be an erroneous reference to Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities, 2024. However, I do not consider that this materially impacts on the assessment of the relevant issues in this

Addendum report.

- 9.3. Additional Policy Context with regard to Cork County Development Plan 2022-2028 is outlined at Section 8.0.

9.4. **Item (i) Density**

- 9.4.1. Item (i) outlines the following:

Density: the density of the proposed development and how it accords with HOU 4-7: Housing Density on Residentially Zoned Land and Table 4.1: Settlement Density Location Guide Table under Section 4.9 of the Cork County Development Plan 2021-2027 and specifically the recommended density for residential developments in Glounthaune.

Density

- 9.4.2. The applicant outlines that Glounthaune is categorised in the Development Plan as a 'Town with proposed high density quality Public Transport Corridor Potential', and is expected to exceed 1,500 population during the lifetime of the Development Plan.
- 9.4.3. With reference to Objective HOU 4-7, the applicant notes that Medium B thresholds (20-35uph) are recommended for centrally located sites and Medium C (5-20uph) on other greenfield lands. Given the site's location and characteristics, the applicant considers the Medium C range is the most appropriate. The submission outlines that higher density would not be appropriate, due to the nature and challenges of the site, stream diversion, steep topography, retention of trees, provision of attenuation tank at south and open space at north which reduce net developable area of site.
- 9.4.4. I note the appellant's response to the section 131 notice raises the matter of the Medium C density range not being appropriate in Glounthaune and that densities less than 20uph should not be permitted.
- 9.4.5. As Objective HOU 4-7 should be read with reference also to Table 4.1: Settlement Density Location Guide, I note that Glounthaune is categorised as 'Towns with proposed high quality Public Transport Corridor Potential'. It outlines that High (50+uph) density is applicable in locations close to existing/ future high quality public transport proposals of larger towns with a population >1500, Medium A (30-50uph) is generally applicable and Medium B (20-35uph) may be applicable in a limited

number of peripheral/ sensitive locations. Medium C (5-20uph) does not apply to this category.

- 9.4.6. In this regard therefore I consider that the Development Plan does not support the development of the site at the lowest (Medium C) density range at this location, and as such, the proposed 8.3uph density proposed in this case which would be within the Medium C range, should not be permitted.
- 9.4.7. I have noted the site context, including the sloping nature of the site and the existence of a stream (proposed to be diverted) represent challenges to achieving a higher density on the site. However, notwithstanding this, and having regard to all information received on the section 137 and section 131 notices, the nature and scale of the proposed development and the Development Plan criteria set out in Table 4.1 and Objective HOU 4-7, I consider that the provision of 10no. detached houses at a density of 8.3uph is excessively low at this location proximate to rail-based public transport, and would contravene these provisions of the Development Plan.
- 9.4.8. In the event the Board is minded to refuse permission, it is recommended that, as compared to my previous wording in recommended Reason 1 in the Reasons and Considerations, that Reason 1 is re-worded to include reference to Table 4.1.
- 9.4.9. For completeness, I note the applicant's view that the population of Glounthaune and its hinterland will increase by only 346 to 2655 by 2028, the proposed density is considered both appropriate and sustainable, and that Glounthaune remains modest in size. In this regard I note that Glounthaune is identified in the Development Plan as a Key Village (in the Metropolitan area), expected to grow to over 1,500 people during the lifetime of the Plan, and has a population target of 2,432 persons to 2028. Section 4.9.5 (Vol. 1) outlines that such villages will have a density approach similar to smaller towns, generally focus on the application of Medium B (20-35uph) density thresholds within centrally located sites and Medium C (5-20uph) for all other greenfield sites. I consider that the population of Glounthaune appears to have exceeded 1,500 population, based on the 2022 Census results, as discussed in Section 7.3.11 of my original report.
- 9.4.10. While noting the Section 4.9.5 Development Plan content, having regard also to Table 4.1 which specifically refers to Glounthaune, and to Objective HOU 4-7, it is

recommended as outlined above that permission for the proposed development be refused on grounds of insufficient density.

Services and Amenities

9.4.11. I note the applicant's view that despite proximity to the rail line, Glounthaune remains modest in size, and that its services and amenities cannot support high-density development at present. In this regard I note Development Plan Objective GN-GO-01 (Vol. 4 South Cork) is to plan for development to enable Glounthaune to achieve its target population of 2,432 persons, in tandem with development of community facilities and village centre enhancement. The Plan outlines (at Section 2.10.15) that given the level of recent growth and the additional growth provided for it is considered that the village needs additional community facilities to include a playing pitch, tennis/basketball court and community/sports hall. It states that zoning has been extended in this plan to allow for additional community facilities.

9.4.12. In this regard I consider that matters relating to Glounthaune's recent and future population growth vis-à-vis future provision of services and amenities are adequately addressed in the Development Plan.

9.5. Item (ii) – Residential Amenity

9.5.1. Item (ii) outlines the following

(ii) The quality of residential amenity having regard to

a) the quantum and quality of private open space proposed, particularly for house nos. 3 and 5, and how it accords with the Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities, 2024

b) the lack of detail in the drawings to show finished floor levels within house sites and other design features to demonstrate accessibility for all users and compliance with Universal Design Guidelines having regard to the site topography and the nature of the proposed scheme as purpose-built housing for older people.

Private Open Space

9.5.2. The applicant's response to the section 137 notice outlines that the approx. 50.5sqm

for House 3 and approx. 35sqm for House 5 complies with the minimum 30sqm required by SPPR 2 of the Compact Settlement Guidelines for a 2-bed house. It further states that 22.1sqm patios are accessible from living areas, and all gardens are designed with level surfaces, supporting ease of movement.

- 9.5.3. No drawings delineating the private amenity areas for No.s 3 and 5 have been submitted in the applicant's response to the section 137 notice. Based on the drawings on file, it is unclear as to whether there may be an error in the extent of the private amenity areas attributed to each of No.s 3 and 5. In this regard I note that the combined private amenity space to rear (south) and sides (west and east) of No. 3 would appear to be less than that of No. 5. However, in the absence of annotated drawings, this assessment of the private open space for No.s 3 and 5 is based on the quantum stated in the applicant's submission.
- 9.5.4. In terms of the approx. 50.5sqm of private open space stated to serve No. 3, I note that this would exceed the 30sqm minimum standard required by SPPR 2. The floor plan of House Type 3 (House No.s 3 and 5) would also comply with the criterion in Section 5.3.2 of the Compact Settlement Guidelines requiring that the open space must be directly accessible from the unit it serves and a principal area of open space should be directly accessible from a living space.
- 9.5.5. However, I consider that the configuration of the open space for No. 3 is largely a perimeter area set back from its site boundaries. It is unclear as to whether the narrow perimeter space between the dwelling and the proposed 2m high concrete post and timber panel roadside fence to east is included in the stated 50.5sqm open space area. Based on the drawings on file, I do not consider that the site layout would result in a useable open space area. Having regard to the site configuration and the lack of annotated dimensions for the private amenity area, I am not satisfied that it has been demonstrated that the site configuration is designed to provide a high standard of external amenity space in one or more usable areas, as set out in Section 5.3.2 of the Compact Settlement Guidelines, to serve this 140sqm dwelling house.
- 9.5.6. With regard to No. 5, I note that the stated approx. 35sqm private amenity space marginally exceeds the minimum quantitative requirement in SPPR 2. However, the exact area to which this calculation applies is not outlined, and I note that the eastern

(roadside) boundary similarly comprises a 2m high fence, resulting in a narrow space between the house and the boundary. Accordingly, while I note that the submission indicates that the quantitative standard for a 2-bed house has been achieved, having regard to the overall house site configuration and absence of annotated drawings, I am not satisfied that it has been demonstrated that a high standard of external amenity space would be achieved in this case.

- 9.5.7. With regard to the quantum of private open space generally, I note that while FI Boundary Treatment drawing (Drawing No. 21772-2-102) shows a 2m high concrete post and timber panel fence set back to varying degrees from the internal roadside boundary to the east of most of the dwelling houses, this proposed fence is not discernible on FI Landscape Master Plan (Drawings No. 21772-2-101). With regard to No.s 3 and 5 in particular, having regard to their restricted house plots, and the absence of drawings showing delineated, quantified private open space, it is unclear as to whether the minimal space between the east elevation of these dwelling houses and their eastern boundary fence is included within the submitted quantum of private open space for these house sites.
- 9.5.8. The applicant's response to the section 137 notice outlines that the sloping topography has influenced the positioning of houses, that each dwelling is designed to respond to natural contours, which minimizes excessive cut and fill. It states that approx. 1m of space along the side of each dwelling provides practical access to the gardens, all of which are designed with level surfaces and minimal vegetation, reducing maintenance and supporting ease of movement.
- 9.5.9. The matter of finished floor levels (FFLs) is further discussed at (ii)(b). However, I consider it relevant to highlight also the absence of annotated levels within the house sites vis-à-vis the quality of private open space. For example, while the FFL is shown as 22.50 for No. 5 and 24.64 for No.6, adjoining ground levels are not shown. As such it is unclear as to what the difference in levels would be either side of the boundary between these two garden areas.
- 9.5.10. I note the applicant's response to the section 137 notice outlines that the communal open spaces within the development further enhance the residential amenity. However, for clarity, I do not consider that the 2no. communal open space areas can be considered to comprise compensatory semi-private open spaces, as set out in

SPPR 2.

- 9.5.11. For completeness, I note that the appellant's responses to the section 137 and 131 notices do not specifically refer to the matters raised relating to private open space.
- 9.5.12. Having regard to all information on file and in particular the information set out in the applicant's response to the section 137 notice, the site configuration and the lack of annotated ground levels within the house sites, and while noting that the stated private amenity spaces comply with the quantitative criterion of SPPR 2, I consider that it has not been demonstrated that the proposed development would comply with the requirement outlined at Section 5.3.2, which sets out that private open spaces must be designed to provide a high standard of external amenity space (in one or more usable areas).
- 9.5.13. In the event that the Board is minded to refuse permission, it is recommended that, as compared to my previous wording in recommended Reason 2 in the Reasons and Considerations, that Reason 2 is re-worded to include reference to the lack of detailed, annotated drawings delineating private open space areas and levels within garden areas.

Finished floor levels and accessibility.

- 9.5.14. The applicant's response to the section 137 notice states that Finished Floor Levels (FFLs) respond to the natural topography, ensuring each dwelling has level access to private open space while minimizing excessive cut and fill. It outlines that FFL from Units 1 to 10 are: 15.26, 16.62, 19.063, 20.48, 22.50, 24.64, 23.99, 26.53, 27.55 and 29.99.
- 9.5.15. However, I note that these FFLs are as per Further Information (FI) Drainage Layout (Drawing No. Dr 03A). No additional drawings or detailing of finished floor levels/ground levels within house sites have been submitted in the section 137 response. As such, no additional detailing of the relationship of the proposed levels within gardens to the FFL of their associated dwelling, or to levels in adjoining gardens, has been shown.
- 9.5.16. In addition, as outlined in my previous report (at Para. 7.5.8) I note that the FI Landscape Master Plan (Drawings No. 21772-2-101) includes guardrails and 'access to raised level'. This would suggest that there is some variation in levels within some

gardens requiring access to different levels. However, as outlined above, I do not consider that any differentiation in levels within garden areas has been clearly shown.

- 9.5.17. With regard to the matters raised in Item (ii) (b) of the Board's section 137 notice, I highlight **Development Plan Objective PL 3-1: Building Design, Movement and Quality of the Public Realm** which supports measures to improve building design quality, accessibility and movement including investment in quality public realm linked to design criteria including (I) Ensure universal design standards are achievable. In addition, the Plan (at Section 4.6.5) supports provision of a mix of house types that provide a choice for older people and encourages private developers to incorporate universal design principles into new residential properties through the application of the Universal Design Guidelines for Homes in Ireland.
- 9.5.18. I note that these Guidelines include for ramps and steps to be avoided (at Spaces for Living: Section 03), as viewed on www.universaldesign.ie.
- 9.5.19. The applicant's response to the section 137 notice states that external concrete pathways provide durable, slip-resistant surfaces that support safe and comfortable movement throughout the development, all dwellings have level thresholds at main entrances, private patios are directly accessible from living areas and the scheme aligns with Universal Design principles offering accessible and safe living environments that support independence of older people.
- 9.5.20. I would agree that the information outlined in this submission relating to the proposed level access would align with universal design principles, and I note in particular that slip-resistant external pathways are proposed to provide safe movement throughout the site. In addition, I highlight that the plans and particulars on file do not appear to show ramps or steps within garden areas. However, notwithstanding this, and having regard to the detail 'access to raised level' shown in the gardens, I am not satisfied, based on all information on file and having regard in particular to the absence of annotated finished floor/ground levels within gardens, that it has been adequately demonstrated that the proposed development would comply with Universal Design Guidelines for Homes in Ireland.
- 9.5.21. In the event the Board is minded to refuse permission, it is recommended that, as compared to my previous report, that Reason 2 be further amended to include that it

has not been demonstrated that the proposed development would comply with universal design guidelines with regard to access within house curtilages.

9.6. Item (iii): Drainage

9.6.1. Item (iii) outlines the following:

Drainage: the provision of soakpits to manage surface water run-off for proposed Houses Numbers 3, 5, 7 and 9 within the curtilage of adjoining properties as indicated on drawing Drg No. DR 03A received by the Planning Authority on 07 February 2023.

Applicant's response to section 137 notice

- 9.6.2. The applicant's response to the section 137 notice refers to enclosed correspondence from the consulting engineering firm, confirming that due to Building Regulations provisions, soakaways should not be built within 5m of a building. The response outlines that the development as a whole will be managed by a residents association/management company, that this soakaway design is therefore considered adequate, and that additional nature-based surface water measures could be incorporated by condition by An Bord Pleanála.
- 9.6.3. As outlined in my original report (at Section 7.4.2) the submitted Planning Report on file outlines that able-bodied senior members of the community upon selling their dwelling would buy a private dwelling in the scheme, and this is refunded to them on sale of the dwelling at minimum loss. Given that each dwelling house would be purchased, I consider that soakaways serving an individual private dwelling house but located within the garden of a separate, privately-owned property would potentially be problematic in terms of any maintenance issues which may arise with these soakaways. I do not consider that it has been adequately demonstrated that a residents' association or a management company would address issues arising with the maintenance of soakaways on private property within the scheme, particularly where issues may arise with a soakaway located within a private garden which is separate to the house plot it serves. I do not consider that it would be acceptable in terms of orderly development nor in terms of surface water management to permit the provision of 4no. soakpits serving No.s 3, 5, 7 and 9 in the gardens of 4no. other separate houses.

- 9.6.4. For clarity, I note that Item 8 of the FI request, dated 10 October 2022, states *inter alia* that all properties shall have their own individual soakaways within their own private curtilage and not a combined system as proposed, and to submit a revised stormwater management plan for the overall site, taking account of Objective WM 11-10. The planning authority's Condition 18 requires that properties shall have soakaways separate to road and footpath system.
- 9.6.5. I consider that the provision of soakaways would be acceptable in principle, subject to the location of same within the house plot they serve and any other site requirements.
- 9.6.6. I note the applicant's rationale relating to Building Regulations requirements for soakaway provision, whereby a minimum 5m separation distance from a building is specified. No distances from the soakways to the nearest dwelling houses are annotated on the drawings on file. Notwithstanding the required separation distances, in the event that soakways cannot be accommodated within their house plots site due to space/distance constraints, I do not consider that to instead locate the soakaways within an adjoining property to be acceptable in terms of orderly development and surface water management, as set out above.
- 9.6.7. With regard to the applicant's suggestion in the response to the Section 137 notice that additional nature-based surface water measures could be incorporated into the scheme by way of condition by the Board, I highlight that no details relating to any specific proposed measures are outlined in the submission. I note the FI Drainage Layout (Drawing No. DR 03A) shows soakpits and Stormtech or similar attenuation with 1643m³ storage capacity. In the absence of detailed nature-based solutions in the applicant's response to the section 137 notice, and having regard to the limited information relating to surface water management proposals as shown on FI Drainage Layout drawing, I consider that in the event the Board was minded to grant, that comprehensive details for surface water management of the site would be required to be submitted for written agreement, whereby no soakpits are located within the garden areas of house plots they do not serve. It is considered that this matter could be addressed by way of condition.

County Development Plan 2022 Advice Note No. 1 Surface Water Management
December 2022

- 9.6.8. Having regard to the proposed provision of 4no. soakaways within separate, adjoining private gardens, as distinct from the house plot they serve, I consider it relevant to draw the Board's attention to County Development Plan 2022 Advice Note No. 1 Surface Water Management December 2022 (viewed on [surface-water-management-advice-note-13.12.2022.pdf](#)). Note 3 states that all Nature based solutions and SuDS drainage should be located within the red line boundary of the site. While I note that the appeal site's red line boundary relates to the overall 10-unit residential scheme, as distinct from an individual house plot, I consider it reasonable that the approach set out in the Advice Note relating to the location of SuDS drainage may nevertheless be applied to the house site it serves, rather than being located within an adjoining privately-owned plot.
- 9.6.9. In terms of detail, Advice Note No. 1 is dated December 2022, i.e., subsequent to the FI request being issued. I note its Table 3 Cork County Council SUDS Selection Hierarchy Sheet for Small-Scale Development (includes for 10 residential units) does not include soakaways, in contrast to Table 4 Cork County Council SUDS Selection Hierarchy Sheet for Large-Scale Development and Agricultural Development. However, as outlined in the previous section, I consider that the provision of soakaways would, in principle, be acceptable, subject to separation distances and any other site requirements.

9.7. Conclusion

- 9.7.1. Having regard to all information submitted by the applicant and the appellant in response to the section 137 and section 131 notices, I consider that the proposed development remains problematic in terms of comprising a low density scheme, having regard to the site's proximity to a rail station. Refusal of permission is recommended on this basis, whereby Reason 1 of my previous report is report is amended as set out in Section 11.0.
- 9.7.2. While noting that private amenity areas are stated to comply with SPPR's minimum quantitative standards, having regard to the lack of detailed, annotated drawings delineating private open space areas and levels within garden areas, I do not consider that it has been demonstrated that these spaces would comprise sufficient quality. In the absence of annotated levels within garden areas, I consider that it has not been adequately demonstrated that the proposed independent living scheme

would comply with Universal Design Guidelines with regard to access within dwelling house curtilages. Refusal of permission is recommended on this basis, whereby Reason 2 of my previous report is amended as set out in the following Section 11.0.

- 9.7.3. I, therefore, consider that the submissions made by the applicant do not fully address the reasons for refusal set out in my previous report.
- 9.7.4. With regard to drainage, I do not consider that it would be acceptable in terms of orderly development to permit the provision of 4no. soakpits serving No.s 3, 5, 7 and 9 to be located within the gardens of 4no. other separate private dwelling houses. In the event the Board was minded to grant permission for the proposed development, I consider that this matter could be addressed by way of condition, whereby revised surface water management proposals would be required to be submitted and agreed.

10.0 Recommendation

Having regard to the above assessment, I recommend that planning permission be refused for the reasons and considerations as set out below.

11.0 Reasons and Considerations

1. The proposed development is located on lands within the Glounthaune development boundary, which are zoned Objective ZU 18-9: Existing Residential/Mixed Residential and Other Uses in Cork County Development Plan 2022-2028. Having regard to the site's location in close proximity to existing public transportation and mobility infrastructure, and the proposed density of 8.3 units per hectare, the proposed development would give rise to an inefficient use of zoned residential land and of the infrastructure supporting it, and would be contrary to Objective HOU 4-7: Housing Density on Residentially Zoned Land and Table 4.1 Settlement Density Location Guide of the current Development Plan. Furthermore, the proposed development would not comply with Policy and Objective 3.1 of the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities

(Department of Housing, Local Government and Heritage, 2024) and would contravene Government policy to promote sustainable patterns of settlement and policy provisions in the National Planning Framework, 2040. The proposed development would, therefore, be contrary to national and local policy objectives and would be contrary to the proper planning and sustainable development of the area.

2. Having regard to the nature and scale of the proposed development comprising an independent living scheme, the gross floor area of the proposed dwelling houses which are disproportionately large relative to the very limited house plots and their associated private amenity spaces, and having regard also the lack of detailed, annotated drawings delineating private open space areas and levels within garden areas, the Board is not satisfied on the basis of all information on file that the proposed development would not produce a cramped and substandard form of development including lack of adequate private open space. Furthermore, the Board considers, in the absence of annotated levels within garden areas, that it has not been adequately demonstrated that the proposed independent living scheme would comply with Universal Design Guidelines with regard to access within dwelling house curtilages, and that accordingly, it has not been demonstrated that the proposed development complies with Section 4.6.5 of the Cork County Development Plan 2022-2028. The proposed development would, if permitted, thereby result in a substandard level of residential amenities for future occupiers. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Cáit Ryan

Senior Planning Inspector

22 April 2025