



An
Bord
Pleanála

Inspector's Report

ABP-318431-23

Development

Construction of a 2-storey and basement level, 4 no. bedroom detached dwelling, including solar panels on the rooftop, with off street parking for 2 no. cars and all associated site works.

Location

Roger Casement Park, Glasheen, Cork City.

Planning Authority

Cork City Council.

Planning Authority Reg. Ref.

2342074.

Applicant(s)

Kevin Neiland.

Type of Application

Planning Permission.

Planning Authority Decision

Grant with conditions.

Type of Appeal

Third Party.

Appellant(s)

Glasheen Residents Association.

Observer(s)

None.

Date of Site Inspection

22nd day of May, 2024.

Inspector

Patricia-Marie Young.

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1.0 Site Location and Description

- 1.1. The appeal site forms part of the curtilage of No. 1 Roger Casement Park, a two-storey end-of-terrace dwelling with later single storey rear addition. Its subject terrace group is located at the north easternmost end of a cul-de-sac of once highly uniform in their design, built form and layout residential scheme consisting mainly of groups of two-storey terraces.
- 1.2. The site has an irregular L-shaped 0.051ha area with the main site area forming part of the rear garden area of No. 1 Roger Casement Park. With this area excluding a separate single storey flat roofed shed structure that bounds part of the southern rear boundary that appears to be shared with No. 2 Roger Casement Park and with the main western boundary, not demarcated but indicated in the accompanying drawings as being set back c14.45m from the rear extension of No. 1 Roger Casement Park.
- 1.3. The site backs onto the rear garden area of No. 17A Sheare's Park at its easternmost end and its southernmost boundary adjoins part of the rear garden area of No. 2 Roger Casement Park. Like the host dwelling these are also two storey terrace dwellings.
- 1.4. This site also consists of a linear strip of not demarcated land that extends along the northern boundary of No. 1 Roger Casement Park to where it meets the public domain of Roger Casement Park. This linear strip of land relates to the setback area between the northern elevation of the existing dwelling on site and the northern boundary including this portion of the front garden area of No. 1 Roger Casement Park. At the time of inspection, it accommodated off-street parking.
- 1.5. The northern boundary contains *ad hoc* natural planting and a palisade fence. This boundary runs alongside the Presentation Brothers College Sports Grounds. There is a mixed concrete block, timber fence and hedging located along the rear boundary with No. 17A Sheare's Park. The main southern boundary of the site consists of a mixture of treatment including planting, post, and rail. There is an opening at the easternmost end with an agricultural style gate. This provides access onto a restricted in width service lane that has an L-shaped alignment and that runs alongside the rear boundaries of No.s 1 to No. 16 Roger Casement Park, No.s 17 to 24 Glasheen Road, No.s 17A to 30A Sheare's Park.

- 1.6. The site is located c163m to the north of Roger Casement Parks junction with Glasheen Road (R849) and just over 3km to the south west of Cork's city centre. The surrounding area has a mature residential character. The site is also located c200m to the east of Cork University Hospital; c430m to the north east of Wilton Shopping Centre and c985m to the north of Junction 4 of the N40, as the bird would fly. The site is also accessible to Bus Stop 212061 which is located c160m by foot to the south west of the site on Glasheen Road. Bus route 261 is served by this stop with a frequency of every half hour and provides access to Mount Oval and the City Centre.

2.0 Proposed Development

- 2.1. Planning permission is sought for the construction of a 2-storey with basement level 4-bedroom detached dwelling with solar panels on the rooftop, off-street parking for 2 no. cars and all associated site works. The given gross floor area of the proposed dwelling is 213.32m², with this figure is indicated to include the basement level.

3.0 Planning Authority Decision

3.1. Decision

On the 19th day of October, 2023, the Planning Authority issued a notification of their decision to GRANT permission subject to 16 number mainly standard conditions. Conditions of note include:

C2: Restricts the use to a single dwelling.

C6(a): Requires retention of all trees and hedgerows on the south western boundary of the site.

C12 & 13: Relates to drainage.

The Planning Authority's grant of permission was subsequent to a request for further information which was responded to by the applicant on the 22nd day of September, 2023. I note that the further information sought the following revisions and clarification:

- 1) Cross section drawings showing the relationship of the proposed development to the garden area of No. 2 Roger Casement Park were sought.
- 2) Landscaping Plan sought.

- 3) Privacy Measures sought.
- 4) & 5) Servicing details sought.
- 4) Surface water drainage measures sought.
- 5) Modifications to vehicular access sought and clarity of its use.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Senior Executive Planners report dated 19.10.2023 is the basis of the Planning Authority's decision and concludes with a grant of permission subject to conditions.

The initial Planning Officer's report dated 03.08.2023 considered the general principle of the proposed development to be acceptable. It also considered that the proposed development would not give rise to any significant residential and/or visual amenity concerns subject to safeguards including requiring that the first-floor windows on the southeast and northeast elevations to be obscure glazing through to restricting use of the flat roof on the south eastern elevation as a balcony. This report concluded with a request for further information.

3.2.2. Other Technical Reports

Community, Culture & Placemaking (09.10.2023): S48 contribution applicable.

Drainage (28.09.2023): Final report raised no objection, subject to safeguards.

Urban Roads & Street Design (27.09.2023): No objection, subject to safeguards.

3.3. Prescribed Bodies/Other

- 3.3.1. Cork City Airport: No comment.

3.4. Third Party Observations

- 3.4.1. 2 No. Third Party observations were received during the course of the Planning Authority's determination of this application. I note that one of the observers gives an address of No. 2 Roger Casement Park, the adjoining property to the south. The main

issues raised correlate with those raised by the Third-Party appellant which I have summarised under Section 6 of this report below.

4.0 Planning History

4.1. Site

ABP-303771-19 (P.A. Ref. No. 18/37978): On the 1st day of July, 2019, the Board **granted** permission for the construction of a 2 storey over basement, 4-bedroom detached residence with a gross floor area of 260m² (Note: 46m² related to basement storage area).

The Board in their given reasons and consideration for granting permission considered that the proposed dwelling to the rear of No. 1 Roger Casement Park would accord with the land-use zoning of the site as well as the existing pattern of development, subject to the safeguard. The Board considered that it would not give rise to a traffic hazard, be injurious to visual amenity of the area or injure residential amenity of property in the vicinity.

I note that the conditions attached to the grant of permission included omitting the vehicular entrance serving 1 Roger Casement Park (Note: 6m in width) and sought a revised site layout plan for the written agreement of the planning authority in the interest of traffic safety (Note: Condition No. 2). Additionally, Condition No. 3(a) required the provision of obscure glazing on the south-western elevation and north eastern elevation.

Board Decision date: **09/07/2019**.

5.0 Policy Context

5.1. Development Plan

- 5.1.1. The Cork City Development Plan, 2022-2028, is applicable. The site forms part of a larger area of suburban land zoned '*ZO-01 Sustainable Residential Neighbourhoods*'. The stated objective for such lands is: "*to protect and provide for residential uses and amenities, local services and community, institutional, educational and civic uses*". The stated vision for this land use zone is: "*one of sustainable residential*"

neighbourhoods where a range of residential accommodation, open space, local services and community facilities are available within easy reach of residents.”

- 5.1.2. Section ZO 1.2 of the Development Plan indicates that development in this zone should generally respect the character and scale of the neighbourhood in which it is situated and development that does not support the primary objective of this zone will be resisted.
- 5.1.3. Section 11.12 of the Development Plan states: *“all new development should enrich the urban qualities of the city and its towns, villages and suburbs. A high standard of design is essential to this process, as well as the fostering socially and economically viable communities. Creating a distinctive sense of place which takes into account context, character and setting is essential. Development proposals will be assessed on the visual characteristics of the built form and related elements”*.
- 5.1.4. Section 3.46 of the Development Plan states that: *“Cork City Council will support infill development to optimise the role that small sites in the City can play in providing new homes for Cork’s expanding population”*. This is further provided for under Strategic Objective 2 - Delivering Homes & Sustainable Neighbourhoods and Objective 3.4 of the Development Plan. With Objective 3.4 setting out that the Council will seek to provide at least 66% of all new homes will be provided within the existing footprint of Cork and that the Council will seek to ensure that at least 33% of all new homes will be provided within brownfield sites.
- 5.1.5. Section 11.139 of the Development Plan on states that: *“infill development shall enhance the physical character of the area by employing similar or complementary architectural language and adopting typical features (e.g., boundary walls, pillars, gates / gateways, trees, landscaping, fencing, or railings)”*.
- 5.1.6. Strategic Objective 9 of the Development Plan states: *“to develop a compact, sustainable City by ensuring the creation of attractive, liveable, diverse, safe, secure and welcoming and well-designed urban places, communities and neighbourhoods that enjoy a high quality of life and well-being. Proposals for new development will follow a design-led approach with sustainable, high-quality, climate resilient placemaking at its core. Development should have a positive contribution to its receiving environment...”*.
- 5.1.7. Objective 11.3 of the Development Plan sets out the Housing Quality and Standards.

5.2. Natural Heritage Designations

- 5.2.1. The site is located c4.6km to the west of Cork Harbour SPA (Site Code: 004030) at its nearest point as the bird would fly.
- 5.2.2. I also note that the site is located c1.1km to the west of the pNHA Cork Lough (Site Code: 001081) and 1.5km to the south east of pNHA Lee Valley (Site Code: 000094).

6.0 The Appeal

6.1. Grounds of Appeal

- 6.1.1. The Third Party's grounds of appeal can be summarised as follows:
- Excavation of the basement level will result in structural risks to nearby dwellings.
 - This development will result in overloading of a substandard public sewer.
 - This development will cause the loss of car parking for the host dwelling and result in the overspilling of car parking where there is already an issue with car parking.
 - The further information response on drainage and access matters is not adequate.
 - This development is contrary to the zoning objectives of the site on the basis it would give rise to visual and residential adverse impacts.
 - The balcony is intrusive, would overlook the adjoining pitches and would reduce the privacy of this facility for its users.
 - The Board is requested to overturn the Planning Authority's decision.

6.2. Applicant Response

- 6.2.1. The First Party's response can be summarised as follows:
- A previous similar development was granted on appeal to the Board.
 - This proposal includes upgrading and replacement of the existing sewer line with new drains and will improve the existing drainage system.
 - The car parking provision accords with the Development Plan requirements.

- This development will result in a minimal increase in traffic movements to and from the site.
- The Planning Authority have accepted their further information response.

6.3. Planning Authority Response

6.3.1. None received.

6.4. Observations

6.4.1. None received.

7.0 Assessment

7.1. Introduction

- 7.1.1. I have read through the file documentation, the relevant provisions of the City Development Plan, have had regard to relevant local through to national policies and guidance. I have also carried out an inspection of the site and its setting. It is my considered opinion that the main issues in this appeal case relate to those raised by the Third-Party Appellant in their grounds of appeal submission. I consider that the final Planning Authority's technical reports on file do not raise any substantive issues and all of the Planning Authority's outstanding concerns having had regard to the First Party's further information response were dealt with by suitably worded conditions. It was also considered that the site services, connections to existing public infrastructure through to its capacity to cater for the additional demands the proposed development would place upon gave rise to no capacity or other substantive concerns. Overall, the Planning Authority considered subject to safeguards that the principle of the proposed development was acceptable on residentially zoned lands. The Third-Party appellant does not concur with the Planning Authority's determination and seeks that the Board overturn it.
- 7.1.2. I therefore propose to examine this appeal under the following broad headings:
- Principle of Development
 - Amenity Impact

- Access and Car Parking
- Drainage

7.1.3. I consider the matter of 'Appropriate Assessment' also requires examination.

7.1.4. For clarity I note that my assessment below is based on the proposed development as revised by the applicant's further information response received by the Board on the 22nd day of September, 2023. This is on the basis of that this response included improved landscaping and surface water drainage measures for the proposed development. I also consider that the use of obscure glazing on the upper floor ensuite and hallway reduces the potential of the proposed dwelling to give rise to undue overlooking of adjoining and neighbouring properties. Particularly in this case the adjoining property to the south, No. 2 Roger Casement Park.

7.1.5. Additionally, this response is accompanied by a Pre-Connection Enquiry to Irish Water and the response clarifies that the vehicle entrance which would be no wider than 3m indicates in the submitted plans would serve the proposed dwelling only.

7.1.6. As such it is my view that the applicant's further information response includes some qualitative improvements but also provides needed clarity on a number of substantive planning issues that arise from the proposed development sought and therefore provides more adequate detail to allow a final determination to be made.

7.2. Principle of the Proposed Development

7.2.1. Permission is sought under this application for the construction of a 2-storey with basement level four-bedroom dwelling house to the rear of No. 1 Roger Casement Park. A similar proposed development was permitted by the Board under appeal case ABP-303771-19 (P.A. Ref. No. 18/37978).

7.2.2. Since the Board determined the previous application, I am cognisant that the local through to national planning policy provisions as well as guidance have evolved. Notwithstanding, the site and its setting have maintained their residential zoning under the Cork City Development Plan, 2022-2028, which in a consistent manner with the previous plan seeks to balance the protection and provision of residential uses on 'ZO-01 Sustainable Residential Neighbourhoods' zoned lands. Alongside this I am cognisant that local planning provisions in encourages compact growth, densification, and climate resilient sustainable residential development on serviced accessible land

at suitable locations within the built-up area of Cork city. This I have set out under Section 5 of this report above and I consider that these local planning provisions are consistent with regional through to national planning provisions and guidance on such matters.

- 7.2.3. I am therefore satisfied, that the general principle of the development of a residential dwelling at this location would be acceptable and accord with the proper planning and sustainable of the area, subject to standard safeguards.

7.3. Amenity Impact

- 7.3.1. In terms of visual amenity, whilst I accept that the proposed dwelling on this backland site would give rise to a change of context to the pattern of development that characterises the pattern and layout of residential development of the residential schemes of Roger Casement Park and also Sheare's Park which the site backs onto. Notwithstanding, I am generally satisfied with the design approach put forward by the First Party in this instance. I do not consider the proposal for consideration under this application to be excessively dominant with this aided by the proposed dwellings low profile angular built form, its flat roof over with a height that does not exceed 5.9m at its maximum, it's the setback of its built form from the boundaries of adjoining residential properties particular at first-floor level and in relative to the adjoining properties of No. 2 Roger Casement Park and also No. 17A Sheare's Park which due to their proximity to the site are particularly sensitive to change. Through to I consider the contemporary design response including a palette of materials, treatments and finishes that are respectful of the muted palette of materials that characterise its immediate suburban setting to be an appropriate design response that is reflective of its time.
- 7.3.2. I am therefore of the opinion that the proposed dwelling massing, scale, height through to broken angular modulation of the proposed dwellings built form is generally acceptable though a departure from the once highly uniform and coherent residential schemes of Roger Casement Park and adjoining Sheare's Park. I also do not consider it to be a significant departure from the previous dwelling house permitted to the rear of No. 1 Roger Casement Park by the Board under ABP-303771-19 which was also designed to be of its time and was respectful of the sensitivities of its site setting to change.

- 7.3.3. I consider that the proposal does not represent overdevelopment of the subject site and having regard to the placement of the proposed dwelling, the orientation of the site, the relationship between existing buildings and spaces with the proposed dwelling house I do not consider that it would give rise to a level of overshadowing that would be exceptional in its context.
- 7.3.4. In terms of density proposed, I am satisfied that this proposal is appropriate for this underutilised and backland site of 0.051ha area. I note that its site area correlates with the previous subdivision scheme that was subject to an appeal to the Board under ABP-303771-19. It accords with the City Development Plan provisions for this type of residential development including it puts forward slightly more generous lateral separation distances between it and adjoining as well as neighbouring properties that would be sensitive to change in comparison to the previous dwelling permitted by the Board under the said appeal case. With the first-floor level setback from the southern boundary with No. 2 Roger Casement Park by 3.4m and 6.7m from the rear boundary of No. 17A Sheare's Park. Additionally, there is a lateral separation distance of 17.58m from the first-floor level's western elevation from the rear first floor level of No. 2 Roger Casement Park. With no windows on the western elevation that would address the rear elevation of the host dwelling and its subject terrace group (Note: No.s 1 to 5 Roger Casement Park). Also as revised the first-floor elevations southern elevation and eastern elevation is fitted with obscure glazing.
- 7.3.5. As such whilst there may be a perception of overlooking arising to the adjoining properties to the south, east and south east the permanent obscure glazing would limit actual overlooking so that no undue diminishment of existing residential properties privacy would arise. This I note is a suburban city site context where there is already an established level of overlooking arising from the nature, design, and layout of residential development that it contains.
- 7.3.6. On the first-floor level the northern elevation contains a 12.77m long by 1.317m deep balcony with substantial glazing associated with the four upstairs bedrooms and a more modest vertical window also present on the northernmost elevation serving the Master Bedroom. The balcony and the northern elevation would overlook the adjoining Presentation Brothers College Sports grounds/playing pitches as well as at more significant oblique separation distance the rear elevation of a considerable number of Wilton Road properties that back onto the said sports grounds.

Notwithstanding, there is already a high degree of overlooking arising from existing first-floor level properties backing onto these sports grounds. As such I do not consider the overlooking arising from the balcony and the design of the northern elevation of the proposed dwelling is such that it could be reasonably considered to give rise to any serious additional overlooking. It could also be considered as a counter consideration that the balcony and the glazing on the northern elevation would give rise to increased passive surveillance over the adjoining sports grounds increasing the sense of safety for its users.

- 7.3.7. Notwithstanding, the above considerations I note that Condition No. 5 of the Planning Authority's notification to grant permission required that the balcony screen be fitted with obscure glass. I consider that this amendment not unreasonable in the interests of visually screening and softening the balcony feature as viewed from its surrounding context. It would also in my view provide improved level of privacy for future occupants of this dwelling.
- 7.3.8. The drawings indicate the provision of a new 2m in height timber boundary between it and the adjoining property of No. 2 Roger Casement Park. I raise a concern that this is not a permanent boundary solution between the proposed subdivision on which the proposed dwelling would sit and the rear private amenity space of No. 2 Roger Casement Park. This boundary requires a suitable permanent boundary that provides a reasonable level of privacy between the adjoining property of No. 2 Roger Casement Park and the proposed dwelling. A more solid boundary could also attenuate noise and light overspilling raised as a concern by this adjoining property in their submission to the Planning Authority. In general, there is in my view a lack of clarity and robustness in the boundary solutions indicated for the proposed development.
- 7.3.9. I consider that views of the proposed development would be localised in its setting. In this regard it would not form a highly visible new insertion in the streetscape scene of the eastern side of Roger Casement Park. With views of it mainly observable from the adjoining and neighbouring properties of Casement Park as well as Sheare's Park to the south, east and south. In this context there also natural features and other additions that would obscure and soften views of it from these properties. From the adjoining sports grounds additional beech perimeter boundary planting is proposed. There are also *ad hoc* natural features present outside of the northern perimeter boundary of the site which the submitted plans indicate would be retained. These in

my view, like the other trees and hedging present along the perimeters of the site, would, notwithstanding, provide some visual screening and softening of the proposed dwelling sought under this application.

7.3.10. In terms of residential amenity for future occupiers, I am satisfied having examined the submitted drawings that the level of amenity being afforded to future occupants would be satisfactory and comply with local through to national standards.

7.3.11. Conclusion

The proposal is for an additional dwelling house in the back garden of well-established residential scheme of Roger Casement Park. For the reasons set out above it is considered that it would not be a bad neighbour in this context in terms of both residential and visual amenity impact.

I do not consider that to permit this development would lead to devaluation of property values in the vicinity or that it would give rise to an undesirable precedent given the locational attributes of the site which allows access to this large backland underutilised rear amenity space located at the end of a terrace group located at the end of a terrace fronted cul-de-sac.

I also consider any potential impacts to be reasonable, having regard to the need to provide additional accommodation within an urban area identified for residential development and to the overall scale of the development proposed. Further it is my view that the potential impact on existing residents is not significantly adverse and is mitigated insofar as is reasonable and practical with any outstanding concerns being such that they could be dealt with by suitably worded conditions.

Accordingly, I am satisfied that the site has the capacity to absorb a development of the nature and scale proposed, without detriment to the residential and/or visual amenities of the area, and in a manner that accords with the proper planning and sustainable development of the area.

7.4. Access and Car Parking

7.4.1. The proposed development seeks to widen the existing vehicular access to serve the proposed dwelling and the two car parking spaces that are proposed on the new subdivision this dwelling would be sited.

- 7.4.2. The further information drawings show that the new entrance would consist of a separate pedestrian and vehicle entrance onto the public domain of Roger Casement Park. The proposed footpath would run side the northern boundary of the L-shaped plot. With this having a width of 900mm and flanked by two piers. To the immediate south of the pedestrian access a 3000mm in width entrance is proposed. With this extending in an easterly direction to where it meets another vehicle entrance (with separate pedestrian access on its northern side) that is attached to the north eastern corner of the host dwelling.
- 7.4.3. It also shows that the side elevation of the host dwelling, which I observed contains a ground floor level transparent glazed window opening, would demarcate part of the entrance driveway serving the site. The remaining setback area to the front of the host dwelling forms part of the blue line area and it appears that it would not be accessible from the vehicle entrance or pedestrian access indicated in the red line area of the site and would be served by the existing modest in width pedestrian gate for access onto the public domain.
- 7.4.4. I also note that the applicant's further information response indicates that this revised vehicle and pedestrian treatment would serve the new dwelling only. With this being the case that the car parking requirements of the host dwelling should the proposed development be implemented being dependent upon the on-street car parking provision alongside dependent upon having a maintenance agreement for the side elevation. Which as said includes a window opening and with no independent access to it or the much-reduced rear garden area included in the design and layout of the proposed subdivision of No. 1 Roger Casement Park.
- 7.4.5. I consider that this aspect of the proposed development to be inconsistent with the pattern of development at this location. A mature suburban residential location where adjoining and neighbouring terrace groups benefit from access onto rear restricted in width service lanes running along the rear of the dwellings and with end-of-terrace properties benefitting from side access to the rear garden area as part of their original once highly uniform building to space layout. I also raise it as a concern that Section 11.142 of the Development Plan sets out that the design and layout of extensions to houses should have regard to the amenities of adjoining properties particularly with regards sunlight, daylight, and privacy potential impacts.

- 7.4.6. The lack of any side passage along the host dwelling of No. 1 Roger Casement Park in my view gives rise to residential amenity concerns for its occupants. The lack of an adequate separation distance between the side elevation of the host dwelling not only gives rise to privacy concerns given the transparent glazed window located on the side elevation of this property but also gives rise to undue nuisance concerns like overspilling of light into this window from for example vehicle headlights during evening and night time hours. The provision of a setback boundary could be achieved by removing the separate pedestrian pathway proposed to serve the proposed dwelling. This when regard is had to its pillars could be positioned 1m back from the side elevation and maintaining the maximum in general permitted vehicle entrance of 3m serving the proposed property.
- 7.4.7. Of concern this proposal fails to provide any solution for the overspill of car parking that would arise from the host dwelling given that it would no longer be served by a vehicle entrance. At present this dwelling has space to accommodate a number of cars part to the side and front of it on a gravelled surface area. With the area to the side of the dwelling in use for car parking by occupants of the host dwelling during the time of my site inspection and the dwelling appearing to be one that was accommodating multiple occupancy.
- 7.4.8. The reduced setback area arising to the host dwelling from the proposed development forms part of the blue lined area indicated in the submitted plans falls outside the proposed development sought under this application. Whereas the provision of two car parking spaces to meet the parking needs of the occupants of the proposed dwelling accord with the standards set out for this location under Table 11.13 of the Development Plan. This together with the restriction of use of the proposed dwelling to that of a single dwelling should ensure that no undue overspilling of car parking arises from the proposed development sought under this application.
- 7.4.9. Should the Board be minded to grant permission the lack of car parking for the host dwelling and the issues with overspilling of car parking at a location where public provided car parking spaces are under heavy demand.
- 7.4.10. In this regard consideration could be given to a suitably worded condition requiring a revised design and layout allowing for a shared vehicle access serving the existing and proposed dwelling through to demonstration of off-street car parking provision for

the host dwelling. This requirement in my view would align with the previously permitted dwelling house on the rear of the site which included shared access and alongside the provision two new off-street car parking spaces to serve the proposed dwelling.

7.4.11. In relation to the additional quantum of traffic the proposed dwelling house would generate I consider that it would not be such that it would give rise to any significant burdens on the adjoining cul-de-sac. With the entrance serving the site located at the very end of the cul-de-sac and there is no increase in vehicular access points proposed under this application. Further the existing boundary treatments to the front of No. 1 Roger Casement Park are low in their height. With new boundary treatments not indicated to exceed the low height of front and roadside boundaries of the host dwelling.

7.4.12. I also note to the Board that the Development Plan also seeks to limit car parking provision in favour of supporting alternatives to private car use and as such in Zone 3 areas of the city Section 11.237 of the said plan states that “*Bus Connects Cork is proposed to serve these areas of Cork City. It is envisaged that parking standards serving this zone will be reduced to reflect the level of public transport services over time*”.

7.4.13. Conclusion

I note that the Planning Authority raised no objection to the proposed development on the matter of access, traffic, and parking, subject to safeguards. I consider that subject to the amendments recommended above, recommendations which I note would provide an opportunity for off-street car parking to the front setback area of the host dwelling, a dwelling that would effectively have no off-street car parking provision under the design of the proposed development as submitted and as revised, I am satisfied that the proposed development would not give rise to traffic conflict, hazard, undue overspilling of car parking onto the limited publicly provided car parking provision in this area and is therefore considered acceptable. Alongside, I consider that in tandem with these requirements that it is in the interest of proper planning and development that the use of the proposed dwelling house is restricted to a single unit as this would limit the potential of the dwelling unit to place an undue burden on the

publicly provided limited on-street car parking in the vicinity of the site which are under significant demand.

7.5. Drainage

- 7.5.1. The Third-Party Appellant raises concerns that the proposed development if permitted would give rise to overloading of the existing foul drainage system that serves this cul-de-sac. With these concerns added to by their concerns that the proposed dwelling if permitted would be used for multiple occupancy and with the dwelling having a study at ground floor level that is also indicated as a bedroom. Thus, the proposed dwelling would have the capacity to be used as 5 double bedroom dwelling which would give rise to additional loading of the existing infrastructure.
- 7.5.2. According to the information provided with this application the proposed development would connect to the public foul drainage and water supply networks. Additional foul, surface water and water supply information were provided by the applicant as part of their further information response.
- 7.5.3. This additional information was provided on foot of the Planning Authority's further information request that required the applicant to address a number of concerns in relation to the original application. This included but was not limited to servicing and drainage concerns. In relation to the application as revised the applicant provided an Irish Water Pre-Connection Enquiry, it also included additional surface water drainage measures on site. The documents indicate permeable hard surfacing solutions, additional soft landscaping and a 1500L rainwater harvesting unit. Additionally, it indicates that the rainwater harvesting unit would provide recycled grey water to the toilets and for other uses such as gardening. It indicates that the only surface water discharge to the foul sewer would be the unharvested rainwater from the roof catchment.
- 7.5.4. The Planning Authority's final Drainage report raised no substantive concerns and concluded with no objection to the grant of permission subject to four conditions. These conditions I note are of a standard nature with the first condition requiring the drainage layouts and details to be in accordance with the further information modifications. The second condition required separation of drainage throughout and required all paved as well as roof areas to discharge into the proposed storm drainage system. The third condition required the applicant to enter into an agreement with Irish

Water in relation to water supply and foul drainage and finally the fourth condition reminded the applicant of their obligations under the Water Services Act, 2007, as amended as well as Part H of the Building Regulations, 2016, in terms of avoiding negative impacts upon the existing drains, sewers and the private common drain located on site.

7.5.5. I consider that these conditions give rise to further improvement to the level of surface water collected on site by way of including the roof area which was not included by the First Party in their revised measures. The Planning Authority's Drainage Division recommended conditions were included as part of the Planning Authority's notification to grant permission.

7.5.6. I note that it is standard practice to agree details for foul drainage, surface water drainage through to water supply by way of suitably worded conditions in the event of a grant of permission. Including it is standard practice for the management of stormwater during the construction stage to be addressed through a Construction Environmental Management Plan condition.

7.5.7. The site is not within Flood Zones A or B and has a low probability of flooding. I also note that the planning authority have not raised any substantive concerns in relation to flooding matters. The site does not contain or adjoin any waterbodies. The applicant does not indicate that this dwelling house would be used for multiple occupancy. There is no substantive evidence that would give rise to any doubt that the water supply and foul drainage network serving Roger Casement Park is substandard as well as unsuitable for the additional demands the proposed dwelling sought under this application would place upon it, subject to safeguards, or that the proposed development is one that has the potential to give rise to any public health risk or environmental contamination.

7.5.8. Conclusion

On the basis of the information before me I am satisfied that subject to standard conditions that the proposed development would not be prejudicial to public health and that there is capacity in the existing public water and foul drainage to accommodate the proposed development. I am also satisfied that the impacts of the proposed development on the private common drainage infrastructure running through this site can be dealt with by way of a suitably worded condition.

7.6. Other Issues Arising

7.6.1. Structural Integrity of Properties in the Vicinity

Concerns were raised by Third Parties during the course of the Planning Authority's determination of this application that the proposed dwelling which includes a basement level could give rise to structural integrity issues for properties in its vicinity. In this relation to this concern, it is contended that there is a history of such issues in this area.

I note that the proposed dwelling is setback c16.53m from the rear first floor elevation of No. 1 Roger Casement Park (and I note 14.45m from the rear elevation of the later single storey addition). With this property located at the northernmost end of a two-storey terrace group which maintains a coherent rear building line. It is also setback c6.7m from the rear boundary with No. 17A Sheare's Park and 17.58m from the rear of No. 2 Roger Casement Park.

It would be standard building practices to employ ground stabilising measures as part of the excavation process and I am of the view that the construction of the basement, subject to the application of best practice construction methodology would be unlikely to give rise to any structural damage to dwellings in its vicinity.

It could however give rise to some issues with the southern boundary given that the planting and *ad hoc* poorly constructed boundary provisions that are present between No.s 1 and 2 Roger Casement Park.

Notwithstanding, a new 2m timber post and panel fence is proposed along this boundary. Whilst I consider that this 2m timber post and panel fence is not a durable long term boundary solution. Particularly given the need of this boundary to provide permanent robust screening of the adjoining and neighbouring properties to the south. A matter I note that can be dealt by way of a suitably worded condition.

Conclusion

Issues of structural integrity diminishment, interference and/or encroachment occur of properties outside of the First Party's legal interest, are essentially a civil matter for resolution between the parties concerned and also give rise to building control issues that are outside of the Boards remit in its consideration of this appeal case. In relation to any encroachment, interference and/or oversailing arising from proposed

development and its associated construction works I refer to Section 34(13) of the Planning and Development Act, 2000, as amended, which states that '*A person shall not be entitled solely by reason of a permission under this section to carry out any development*' and, therefore, any grant of permission for the subject proposal would not in itself confer any right over private property. Should the Board be minded to grant permission this can be included as an advisory note to the applicant.

7.6.2. Restriction of Access to Roof

Given the substantial flat roof over the part single and part two storey dwelling house and the proximity of the private amenity space as well as rear elevation of adjoining and neighbouring Roger Casement Park and Sheare's Park properties I recommend that the Board, should it be minded to grant permission, to restrict access to the roof areas for maintenance works by way of suitably worded condition. Such a condition is in the interests of protecting the residential amenity of properties in its vicinity from undue additional overlooking.

7.6.3. Landscaping

Should the Board be minded to grant permission I recommend that it include an appropriately worded landscape condition that deals with the potential loss of trees and hedgerows on site, through to seeks qualitative site appropriate new planting as well as clarifies the planting treatment of the green roof indicated in the submitted plans. I also note that the existing natural features along the site boundaries not only would provide visual softening of the proposed development but also provide additional screening that would add to the privacy for future occupants of the dwelling but also existing properties in the immediate vicinity.

7.6.4. Contributions

The proposed development does not fall under the exemptions listed in the City Councils Section 48 Development Contribution Scheme and it is therefore recommended that should the Board be minded to grant permission that a suitably worded condition be attached requiring the payment of a Section 48 Development Contribution in accordance with the Planning and Development Act 2000, as amended.

7.6.5. **Precedence**

As mentioned above the appeal site is situated in an established residential estate where it is reasonable to expect developments of this nature. Any planning application would be subject to the full rigours of the development management process and would be considered from first principles. I do not therefore consider the matter of precedence to be material to the consideration of this appeal case.

7.6.6. **Procedural**

The Appellant raises procedural issues in regard to the Planning Authority's handling of the subject planning application. The Board does not have an ombudsman role and for clarity I note that the Boards remit by way of this Third-Party appeal is to assess the proposed development on an entirely *de novo* basis and decide on the appropriateness of this development having regard to the proper planning and sustainable development of the area.

8.0 **Appropriate Assessment Screening**

8.1. In accordance with Section 177U (4) of the Planning and Development Act 2000 (as amended) and on the basis of objective information, I conclude that that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. It is therefore determined that Appropriate Assessment (Stage 2) under Section 177V of the Planning and Development Act 2000 is not required.

8.2. This conclusion is based on:

- The serviced suburban location of the site and with no capacity issues identified.
- The modest nature and scale of the development sought on this brownfield site.
- The lateral separation distance between the subject site and the nearest European site, which is Cork Harbour SPA (Site Code: 004030) and the brownfield nature of the urbane in between.
- The limited zone of influence of potential impacts, restricted to the immediate vicinity of the proposed development.
- The absence of meaningful pathway to any European site.

- Standard pollution controls that would be employed regardless of proximity to a European site and effectiveness of same.
- Impacts predicted would not affect the conservation objectives.

9.0 Recommendation

9.1. I recommend that permission be GRANTED for the following reasons and considerations:

10.0 Reasons and Considerations

10.1. Having regard to the residential zoning for the site of the proposed development, the planning history of the site and the overall design and layout of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity, it would be acceptable in terms of traffic and convenience and would, therefore, be in accordance with the proper planning and sustainable development of the area.

11.0 Conditions

1. The development shall be carried out in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 22nd day of September, 2023, 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 and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The proposed development shall be amended as follows:

- a) The proposed pedestrian access shall be omitted. In its place the applicant shall provide a shared vehicle entrance with a maximum width of 3m and positioned on the northernmost side of the front boundary. A revised design and layout that provides potential vehicle access from the front setback area of No. 1 Roger Casement Park.
- b) The applicant shall provide a setback boundary wall positioned 1m back from the northern elevation of No. 1 Roger Casement Park along its entire length. This wall shall be a maximum of 2-metres in height above ground level or the height of top of the glazing unit of the ground floor northern side elevation window. It shall be constructed in concrete block, capped, and finished with painted dash on both sides to match the external finish of No. 1 Roger Casement Park. The space in between this screening boundary and the northern elevation of No. 1 Roger Casement Park shall be surfaced with permeable paving or other similar material with access to this passage restricted by a matching in height gate. The secondary vehicle access serving the proposed dwelling will be similarly setback by 1m to allow adequate external circulation space.
- c) The proposed 2m in height timber post and panel fence on the southern boundary shall be replaced by a 2m in height solid screen wall above the ground floor level of the site, constructed concrete block, capped, and rendered on both sides in a finish that matches the external finish of the existing and proposed dwelling on either side.
- d) A 2m solid screen boundary above ground level of the site constructed concrete block, capped, and rendered on both sides in a finish that matches the external finish of the existing and proposed dwelling on either side shall be provided between the setback parking space and the internal driveway to the front of the proposed dwelling and bounding the rear of No. 1 Roger Casement Park.
- e) The balcony screen shall be fitted with obscure glass.
- f) The windows on the southern and eastern first floor level elevations shall be permanently fitted with obscure glass.

g) A 2m solid screen and gated boundary adjoining the north eastern boundary of the site shall match the treatment of the new southern boundary treatment.

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 orderly development as well as in the interest of the visual and residential amenity of the area.

3. a) The permitted dwelling shall be used solely as a single dwelling unit. In this regard, it shall not be sold, let or conveyed save as a separate dwelling unit. The overall dwelling shall be used for domestic related purposes only and not for any trade, workshop, or other non-domestic use.

Reason: In the interests of clarity and to regulate the use of the development in the interest of the proper planning and sustainable development of the area.

4. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, as amended, and any statutory provision replacing or amending them, no development falling within Class 1 or Class 3 of Schedule 2, Part 1 of those Regulations shall take place within the curtilage of the house, without a prior grant of planning permission.

Reason: In order to ensure that a reasonable amount of rear garden space is retained for the benefit of the occupants of the permitted dwelling and in the interest of the amenities of the area.

5. Details of the materials, colours, and textures of all the external finishes to the proposed dwellings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

6. Access to non-amenity roof areas shall be restricted for the purpose of maintenance works only.

Reason: In the interest of residential amenity.

7. Water supply and drainage arrangements, including the attenuation, disposal of surface water and implementation of Sustainable Urban Drainage measures, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

8. The developer shall comply with all requirements of the planning authority in relation to any modifications of the adjoining public domain, including any amendments to the adjoining pedestrian footpath.

Reason: In the interest of pedestrian and traffic safety and the proper planning and development of the area.

9. The site shall be landscaped, using only indigenous deciduous trees and hedging species, in accordance with details which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This landscaping scheme shall take account of the amendments required under the conditions attached to this grant of permission and include the following:

- a) The retention of the trees and hedgerows on the southern boundary of the site. In this regard where trees and hedgerows are lost on this boundary compensatory planting shall be planted in their place within the first planting season following the completion of the proposed development.
- b) The treatment and planting of the green roof area.
- c) Any plants which die, are removed, or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In order to screen the development, assimilate it into the surrounding urbanscape and in the interest of visual as well as residential amenity.

10. Prior to the commencement the developer shall enter into water and wastewater connection agreements with Uisce Eireann.

Reason: In the interest of public health.

11. Site development and building works shall be carried out only between the hours of 0700 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays 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 amenities of property in the vicinity.

12. Prior to the commencement of any works associated with the development hereby permitted, the developer shall submit a detailed Construction Environmental Management Plan (CEMP) for the written agreement of the planning authority.

The CEMP shall include details for the collection and disposal of construction waste, surface water run-off from the site, on-site road construction, and environmental management measures during construction including working hours, noise control, dust and vibration control and monitoring of such measures.

A record of daily checks that the construction works are being undertaken in accordance with the CEMP shall be kept at the construction site office for inspection by the planning authority.

The agreed CEMP shall be implemented in full in the carrying out of the development.

Reason: In the interests of public health and safety and residential amenity.

13. 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, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, waste shall be managed in accordance with the agreed plan.

Reason: To provide for the appropriate management of waste in the interest of protecting the environment.

14. 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.

15. All necessary measures be taken by the contractor to prevent the spillage or deposit of clay, rubble, or other debris on adjoining roads during the course of the works.

Reason: To protect the amenities of the area.

16. The car parking area serving the proposed dwelling shall be provided with electrical connection point, to allow for functional electric vehicle charging. Details of how it is proposed to comply with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of sustainable transport.

17. 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.

Advisory Note 1:

Section 34(13) of the Planning and Development Act 2000 (as amended) states that 'a person shall not be entitled solely by reason of a permission under section 37(g) to carry out any development'.

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.

Patricia-Marie Young
Planning Inspector

31st day of May, 2024.

Appendix 1 - Form 1

EIA Pre-Screening

[EIAR not submitted]

An Bord Pleanála Case Reference	ABP-318431-23		
Proposed Development Summary	Construction of a 2-storey and basement level, 4 no. bedroom detached dwelling, including solar panels on the rooftop, with off street parking for 2 no. cars and all associated site works		
Development Address	Roger Casement Park, Glasheen, Cork City.		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	✓
		No	No further action required
2. Is the proposed development of a class specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) and does it equal or exceed any relevant quantity, area or limit where specified for that class?			
Yes			EIA Mandatory EIAR required
No	✓	Is of a class but does not exceed the relevant quantity, area, or limit. See Section 3 below.	Proceed to Q.3
3. Is the proposed development of a class specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) but does not equal or exceed a relevant quantity, area or other limit specified [sub-threshold development]?			
		Threshold	Comment (if relevant)
No			No EIAR or Preliminary Examination required
Yes	✓	The development subject of this application falls within the class of development described in 10(b) Part 2, Schedule 5 of the Planning and	Proceed to Q.4

		Development Regulations, 2001, as amended. EIA is mandatory for developments comprising over 500 dwelling units or over 10 hectares in size or 2 hectares if the site is regarded as being within a business district. This proposal relates to one dwelling unit on a site of 0.051ha area		
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4. Has Schedule 7A information been submitted?		
No	✓	Preliminary Examination required
Yes		Screening Determination required

Inspector: _____

Date: _____

Appendix 2 - EIA Preliminary Examination

Case Reference	ABP-318431-23	
A. Case Details		
Proposed Development	Construction of a 2-storey and basement level, 4 no. bedroom detached dwelling, including solar panels on the rooftop, with off street parking for 2 no. cars and all associated site works	
Development Address	Roger Casement Park, Cork.	
4. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)	Yes	
Overview	Yes/No/ NIA	Comment (if relevant)
1. Was a Screening Determination carried out by the PA?	Yes	
2. Has Schedule 7A information been submitted?	No	Significantly sub threshold class of development in terms of size and area (Note: Class 10(b) Part 2, Schedule 5 of the Planning and Development Regulations, 2001, as amended).
3. Has an AA screening report or NIS been submitted?	No	Not necessary on the basis of location, lateral separation distance between nearest European site and the nature of development which is significantly below the size and area associated with Class 10b Part 2, Schedule 5 of the Planning and Development Regulations, 2001, as amended.
4. Is an 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	
5. Have any other relevant assessments of	No.	Not necessary for the reasons given to Q2 and Q3 above.

the effects on the environment which have a significant bearing on the project been carried out pursuant to other relevant Directives – for example SEA			
B. EXAMINATION	Response: Yes/No/ Uncertain	Where relevant, briefly describe the characteristics of impacts (i.e., the nature and extent) and any Mitigation Measures proposed to avoid or prevent a significant effect (having regard to the probability, magnitude (including population size affected), complexity, duration, frequency, intensity, and reversibility of impact) Is this likely to result in significant effects on the environment? Yes/ No/ Uncertain	Where relevant, briefly describe the characteristics of impacts (i.e., the nature and extent) and any Mitigation Measures proposed to avoid or prevent a significant effect (having regard to the probability, magnitude (including population size affected), complexity, duration, frequency, intensity, and reversibility of impact) 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?	No	Though the proposed development would give rise to increased densification of its suburban setting, it is not a type of development that is at odds with the type of development that can arise in mature residential serviced suburban neighbourhoods at brownfield / infill sites and locations of sufficient size and where such residential densification developments are generally deemed permissible under the lands residential zoning subject to compliance with local	No

		through to national planning policy provisions and guidance.	
<p>1.2</p> <p>Will construction, operation, decommissioning, or demolition works causing physical changes to the locality (topography, land use, waterbodies)?</p>	Yes	<p>The proposed development will change the subject site from forming part of the private and semi-private amenity space of an existing serviced detached dwelling house (Note: No. 1 Roger Casement Park) with the demolition associated with the proposed development relating to a rear garden area as well as part of a side and front portion of No. 1 Roger Casement Park for access. The provision of a dwelling on the proposed subdivision which relates mainly to the rear garden area is consistent with the pattern of development, with the design including permeable paving solutions, surface water drainage measures and connection to the existing foul drainage network that has capacity to absorb the nature and scale of the development permitted. Further, there are no substantive waterbodies on site or adjacent to the site and no hydrological or other links to any European sites.</p>	No
<p>1.3</p> <p>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>	Yes	<p>Construction materials will be typical of the type of urban development proposed under this application. The operation of the proposed development will be a single dwelling unit which is consistent with the pattern of development in this predominantly residential area.</p>	No
<p>1.4</p> <p>Will the project involve the use, storage, transport, handling, or production of substance which would be harmful to human health or the environment?</p>	Yes	<p>Demolition and construction activities by their nature will require the use of potentially harmful materials, such as fuels and other such substances on site. Use of such materials would be typical for construction sites. Any impacts would be localised and temporary in nature. It is standard practice for such works to accord to the implementation of the standard measures outlined in a Construction Environmental Management Plan, Construction and Demolition Waste Management Plan, and other standard safeguards. I note that the Planning Authority' notification to grant permission include such safeguards. I have</p>	No

		recommended similar safeguards to be included as part of my recommendation to the Board. Such conditions as recommended would in my view satisfactorily mitigate potential impacts. No operational impacts in this regard are anticipated.	
1.5 Will the project produce solid waste, release pollutants or any hazardous / toxic / noxious substances?	Yes	Construction activities will require the use of potentially harmful materials, such as fuels and other similar substances, and will give rise to waste for disposal. The use of these materials would be typical for construction sites. Noise and dust emissions during construction are likely. Such construction impacts would be local and temporary in nature and with the implementation of standard measures outlined in a Construction Environment Management Plans, Construction and Demolition Waste Management Plans and Waste Management Plan would satisfactorily mitigate the potential impacts. Operational waste would be managed through a waste management plan to obviate potential environmental impacts and petrol interceptors would capture potential pollutant/contaminants from the site. Other significant operational impacts are not anticipated.	No
1.6 Will the project lead to risks of contamination of land or water from releases?	No	No significant risks are identified. Operation of standard measures outlined in Construction Environment Management Plans and Waste Management Plans will satisfactorily mitigate emissions from spillages during construction. The operational development will connect to public mains drainage and surface water drainage will be separate to foul drainage within the site and leaving the site as well as accord to best practice. Conditions attached to the grant of permission provide safeguards to adequately deal with this matter. They also include Sustainable Urban Drainage Measures.	No
1.7 Will the project cause noise and vibration or release of light, heat, energy, or electromagnetic radiation?	Yes	During the construction phases there is potential for noise, dust through to vibration emissions. Such emissions will be localised, short term in nature and their impacts would be suitably mitigated by the operation of standard measures listed in a	No

		Construction Environment Management Plans and other standard conditions including restricting hours of construction and the like. Management of the scheme in accordance with an agreed management plan will mitigate potential noise, vibration and like nuisance impacts.	
1.8 Will there be any risks to human health, for example due to water contamination or air pollution?	Yes	Demolition and construction activity is likely to give rise to dust and noise emissions. Such construction impacts would be temporary and localised in nature and the application of standard measures within a Construction Environment Management Plans and Construction and Demolition Waste Management Plans together with limiting construction hours to standard hours and days permitted would satisfactorily address potential risks on human health. No significant operational impacts are anticipated, with water supplies in the area provided via piped services. Of further note the grant of permission includes standard in nature conditions to deal with such matters. As such the risks to human health are not deemed exceptional or significant in nature.	No
1.9 Will there be any risk of major accidents that could affect human health or the environment?	No	No significant risk is predicted having regard to the nature and scale of development sought under this application. Any risk arising from demolition and construction will be localised and temporary in nature as well as best practices in relation to the same are required by way of standard conditions attached to the grant of permission. The site is also not located on Flood Zone A or B lands. The nature and function of the development when operational is as a single dwelling unit and this is a type of land use that is consistent with the nature and function of the surrounding urbane. Additionally, the site is outside the consultation / public safety zones for Seveso / COMAH sites.	No
1.10 Will the project affect the social environment (population, employment)	Yes	The proposed development would result in an increase in population of this suburban area by the addition of a dwelling unit. The provision of this additional dwelling unit meets an existing demand for dwelling units in this suburban locality and within the	No

		cityscape itself. With densification and compact development supported by local through to national planning policy provisions as well as guidance. Additionally, densification and compact development at accessible to public transport, services, and facilities like those present in this area that would be synergistic to the future occupants of the proposed dwelling permitted is consistent with climate resilient and sustainable development. Furthermore, there are a range of employment opportunities within easy reach of this locality include the city centre of Cork City. Thus, the proposed development would reinforce and add to the efficiencies of scale of this suburban serviced accessible locality. In turn this would positively contribute to the social environment of this locality.	
1.11 Is the project part of a wider large-scale change that could result in cumulative effects on the environment?	No	The proposed development relates to a pattern of densification and more compact development in a suburban area where similar developments have occurred on suitable brownfield sites. It would not result in adverse large scale cumulative effects on the environment. With the Development Plan seeking to encourage and support the more efficient use of serviced urban and suburban land at accessible locations.	No
2. Location of proposed development			
2.1 Is the proposed development located on, in, adjoining or have the potential to impact on any of the following: a) European site (SAC/ SPA/ pSAC/ pSPA) b) NHA/ pNHA c) Designated Nature Reserve d) Designated refuge for flora or fauna e) Place, site or feature of ecological interest, the preservation/conservation/ protection of which is an objective of a	No	<p>Sensitive ecological sites are not located on site or adjacent to the site.</p> <p>The nearest European site is located c4.6km to the west of Cork Harbour SPA (Site Code: 004030) at its nearest point as the bird would fly.</p> <p>Of further note the site is located c1.1km to the west of the pNHA Cork Lough (Site Code: 001081) and 1.5km to the south east of pNHA Lee Valley (Site Code: 000094) respectively, as the bird would fly.</p> <p>The proposed development would not result in significant impacts to any of these sites.</p>	No

development plan/ LAP/ draft plan or variation of a plan		Further, Annex II habitats or habitats suitable for protected species, including plants, are not present on the site.	
<p>2.2</p> <p>Could any protected, important, or sensitive species of flora or fauna which use areas on or around the site, for example: for breeding, nesting, foraging, resting, over-wintering, or migration, be significantly affected by the project?</p>	No	<p>This site is an existing urban brownfield site consisting of mainly gravelled area, maintained lawn and a mixture of natural and manmade boundary features.</p> <p>The proposed development would not result in significant impacts to protected, important or sensitive species.</p> <p>Biodiversity measures in the form of additional soft landscaping could potentially be achieved notwithstanding this would have limited localised improvement to the biodiversity of this area.</p>	No
<p>2.3</p> <p>Are there any other features of landscape, historic, archaeological, or cultural importance that could be affected?</p>	No	There is also no evidence to support the presence of any features of landscape, historic, archaeological, or cultural importance. The site forms part of a residential scheme of no architectural or other merit within a heavy developed suburban area of cork city.	No
<p>2.4</p> <p>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>	No	There are no such features in this urban location.	No
<p>2.5</p> <p>Are there any water resources including surface waters, for example: rivers, lakes/ponds, coastal or groundwater which could be affected by the project, particularly in terms of their volume and flood risk?</p>	No	The documentation submitted indicates that the proposed development will implement SUDS measures to control surface water run-off. I have considered the potential impacts arising from the discharge of surface waters to receiving waters are considered, however, no likely significant effects are anticipated to arise from the additional foul drainage discharge into the existing public infrastructure.	No

2.6			
Is the location susceptible to subsidence, landslides, or erosion?	No	This is a brownfield site in a relatively flat urban scape with no evidence of subsidence, landslides, or erosion.	No
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?	No	The proposed development would not give rise to any congestion, environmental problems of otherwise on any key transport route. The site is located at the end of modest cul-de-sac within a suburban setting setback from the Wilton Road and the R849.	No
2.8			
Are there existing sensitive land uses or community facilities (such as hospitals, schools etc) which could be significantly affected by the project?	No	The site forms part of an established residential suburban setting and therefore is adjoined by residential development to the east and south as well as neighbouring residential development on the opposite side of Roger Casement Road to the west. No significant demolition, construction or operational impacts would be anticipated from this proposed development. There is sufficient lateral separation distance between the site and Cork University Hospital to conclude that the proposed development would be unlikely to adversely impact it, nor would it result in any undue disamenity to the adjoining sports grounds.	No
3. Any other factors that should be considered which could lead to environmental impacts			
3.1			
Cumulative Effects: Could this project together with existing and/or approved development result in cumulative effects during the construction/operation phase?	No	No existing or permitted developments have been identified in the immediate vicinity of the site that would have the potential to give rise to significant cumulative environmental effects with the subject project. Any cumulative traffic impacts that may arise during demolition and construction would be subject to a project construction traffic management plan.	No
3.2			
Transboundary Effects:	No	No transboundary considerations arise.	No

Is the project likely to lead to transboundary effects?			
3.3 Are there any other relevant considerations?	No	None.	No
4. Conclusion			
No real likelihood of significant effects on the environment	✓		EIA Not Required.
Real likelihood of significant effects on the environment.	N/A		N/A
D. Main Reasons & Considerations			
<p>Having had regard to the nature, size, and location of the proposed development and to the criteria set out in Schedule 7 of the Regulations I have concluded at preliminary examination that there is no real likelihood of significant effects on the environment arising from the proposed development. EIA, therefore, is not required.</p>			

Inspector: _____

Date: _____