



An
Coimisiún
Pleanála

Inspector's Report ABP-322471-25

Development	Construction of 17 dwellings and all associated site works
Location	Dripsey Model Village, Deeshart, Dripsey, Co Cork
Planning Authority	Cork County Council
Planning Authority Reg. Ref.	244633
Applicant(s)	Hunol Developments Limited
Type of Application	Permission
Planning Authority Decision	Refuse
Type of Appeal	First Party
Appellant(s)	Hunol Developments Limited
Observer(s)	Click here to enter text.
Date of Site Inspection	24 th July 2025
Inspector	Clare Clancy

Contents

1.0 Site Location and Description	4
2.0 Proposed Development	4
3.0 Planning Authority Decision	6
3.1. Decision	6
3.2. Planning Authority Reports	6
3.3. Prescribed Bodies	10
3.4. Third Party Observations	10
4.0 Planning History	10
5.0 Policy Context	11
5.1. National Planning Policy	11
5.3. Regional Policy	12
5.4. Development Plan	12
5.7. Natural Heritage Designations	16
6.0 The Appeal	16
6.1. Grounds of Appeal	16
6.2. Planning Authority Response	19
6.3. Observations	19
7.0 Assessment	19
7.2. Principle of Development	19
7.3. Ecology	20
7.4. Design & Layout	24
7.5. Material Contravention	25
7.6. Other Matters	27

8.0 EIA Screening.....	28
9.0 AA Screening.....	28
10.0 Water Framework Directive	30
11.0 Recommendation	30
12.0 Reasons and Considerations.....	31
13.0 Conditions	31
Form 1 - EIA Pre-Screening	40
Form 2 - EIA Preliminary Examination	42
WFD – Stage 1 Screening.....	45

1.0 Site Location and Description

- 1.1. The appeal site is located within the settlement boundary of Model Village Co. Cork which is located approx. 1.4 km to the north of Dripsey, 3.55 km to the northeast of Coachford and 10.5 km to the north east of Ballincollig (as the crow flies).
- 1.2. The appeal site forms part of an overall landholding (as per the blue line). The site is irregular in shape and has a stated area of 0.81 ha. The ground levels within the site fall steeply in a south / south-westerly direction with the northern part of the site being the more elevated area of the overall site. The adjoining parcel of land to the south is situated at a lower relative to the appeal site.
- 1.3. At time of site inspection it was observed that the appeal site, and the adjoining lands, are an active construction site. Grounds works have taken place on the site and the site is cleared of vegetation for the most part. Gravel hardstanding areas facilitating internal access roads and construction materials have been laid. There are number of portacabins located on the northern area of the site.
- 1.4. Construction has commenced on the site to the south which was permitted under ABP. Ref. 314235-22. Vehicular access to the site is currently available from the L-6808 to the east. The area in which it is proposed to facilitate the vehicular access to serve the proposed development is from O'Callaghan Place to the south off the L-6809 road. This was noted to be under construction at time of site inspection.
- 1.5. The site is elevated relative to its surrounds. The northwestern boundary of the site is elevated on an earth bank due to the ground levels within the site, and is defined by a line of mature trees and hedgerow. Heras fencing is in place along the boundary. It is bounded to the northwest, north and northeast by farmland. The surrounding area to the south / southeast is characterised by residential development in Model Village.

2.0 Proposed Development

- 2.1. The proposed development comprises the construction of 17 no. dwelling houses, Minor amendments are proposed to the permitted public open space areas and represents an extension of the residential development permitted by P.A. Ref. 21/7466, ABP Ref. 314235-22. Access to the development is proposed from

O'Callaghan Place to the south via the internal road network of that permitted by P.A.
Ref. 21/7466, ABP Ref. 314235-22.

Site Area	0.81 ha, (0.62 ha developable area minus steep slope landscaped embankments)	
No. of Residential Units	17	
Gross Floor Area	2,162.4 m ²	
Density	27.4 units per ha (stated)	
Housing Mix	Unit Type	No. of Units
	4 bed semi-detached two storey	12
	3 bed semi-detached two storey	2
	3 bed end townhouse bungalow	2
	2 bed mid-townhouse two storey 1	1
Finishes	Black slate tile, off white render, selected stone finish, pressed metal canopy	
Parking	Total 34 2 per dwelling No EV charging points	
Public Open Space	0.08 ha (greater than minimum required 0.085 ha) c.12% of the overall developable area.	
Access	Proposed via O'Callaghan Place to the south off the L-6809 road	
Surface Water Drainage	Public sewer 1 no. attenuation tank (ABP Ref. 314235-22)	
Water Supply	Public mains	
Foul Drainage	Connect to public sewer (existing foul pipe sewer at Dysart Woods Housing Estate)	
Part V	2 units (1 & 2)	

3.0 Planning Authority Decision

3.1. Decision

By Order dated 10th April 2025 Cork County Council decided to refuse permission for the proposed development for the following reason:

- 1. There is insufficient information on the file at present to allow the planning authority to complete a robust assessment of the potential ecological implications arising from the works undertaken and those proposed. Therefore, the granting of permission for this development at this time would contravene materially a development objective indicated in the development plan, namely objectives BE 15-2 and BE 15-6(f), for the protection of sites, habitats, species and biodiversity in general.*

- 3.1.1. Following a request by the applicant seeking and extension of time to respond to the FI request under Article 33(3) of the Planning and Development Act 2000, as amended, the PA extended the date for submission to 18th March 2025.

3.2. Planning Authority Reports

- 3.2.1. Two planning reports form the basis of the assessment and recommendation and generally reflect the decision of the Planning Authority (PA). The following is noted:

First Planning Report

The site's planning history, the policy context and reports received were noted. No third party observations were received. Concerns were raised in regard to the principle of the proposed development with specific reference to the scale proposed and the density, having regard to the adjoining extant permission P.A. Ref 21/7466 and ABP Ref. 314235-24 for 30 units, which would exceed the 30 unit forecast for Model Village and would limit future development within the settlement boundary, given the lifetime of the current development plan. Further concern raised regarding the adjoining site with an extant permission which had not commenced and which the subject development relies on access from.

- The density of the proposed development 27.4 units per ha based on 0.62 ha, the development area exceeded the guidance of table 4.1. of the CDP, but

cumulatively, when considered in tandem with the permitted phase 1 development, would amount to 35 units per ha with an overall site area of 1.72 ha.

- The overall design, layout and housing mix was broadly acceptable, however the levels of the site are higher to the north than that of the adjoining site to the south / southeast, and the proposed dwellings were noted to be two storey in scale.
- Concerns were raised in regard to the traffic impact arising from both the proposed development and the adjoining permitted development to the south/southeast, on the public road network and a Traffic Impact Assessment was required.
- A more comprehensive landscaping scheme was required to include details of trees proposed to be removed with further enhancement of the northeastern boundary of the site, and to demonstrate the overall biodiversity net gain to the subject site.
- An Ecological Impact Assessment (EclA) report was required given that the site appeared to comprise of woodland/scrub which may be of ecological value, supporting protected species.
- It was concluded that the proposed development was not of a type that would require mandatory EIAR as set out in Part 1 and Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended. The site is not located within a designated AA Screening Zone as per the development plan mapping system. The proposal was not likely to give rise to significant impacts on any such sites.

3.2.2. Further Information was sought as part of the decision-making process. In this regard, the following points were requested to be addressed:

1. The principle of the development vis a vis the scale and density of the proposed development having regard to the settlement strategy, in particular objective DB-01 and Section 4.9.2 of the development plan.

2. The proposed means of access to serve the development which was replying on P.A. Ref 21/7466 and ABP Ref. 314235-24 which had not commenced construction.
3. Layout and design.
4. Sectional drawings vis a vis the adjoining permitted development P.A. Ref 21/7466 and ACP Ref. 314235-24 refers.
5. Traffic Impact Assessment on roads leading to the village.
6. Amendments to the proposed footpath from unit no. 17.
7. Uisce Éireann pre-connection enquiry confirmation.
8. Ecological Impact Assessment (EclA) report in regard to the quality extent of habitats occurring within the site boundary and adjoining habitats of high ecological value.
9. Revised landscaping plan.
10. Revised public lighting scheme details.

Second Planning Report

FI response – the following key points are noted:

- The scheme was modified to replace 3 no. townhouse units with 2 no. accessible bungalow units as step-down housing for older people resulting in a total of 16 no. residential units and the density was acceptable.
- Construction was noted to have commenced on phase 1 of the adjoining permitted development and was satisfied that subject to all necessary estate roads and serving infrastructure being put in place, was acceptable.
- The TIA assessment was considered to be acceptable on the basis that the scale of the proposed development was appropriate to the scale of development envisaged for the village.
- The report of council's ecologist was noted.

3.2.3. Overall, the PA was satisfied that the matters raised in the FI request were addressed, however it was noted that no measures were provided to address biodiversity loss due to site clearance works carried out, and a revised EclA would be required to address

same. Due to the extension of time already obtained, there was insufficient time within the statutory time framework to seek clarification of further information (CFI). Refusal was therefore recommended.

3.2.4. Other Technical Reports

- Area Engineer First Report (30th May 2024) – FI recommended in relation to, inter alia, Traffic Impact Assessment, revisions to the proposed footpath from unit 17 to make it fully accessible, calculations for the sizing of the stormwater attenuation tank.
- Area Engineer Second Report (08th April 2025) – No objection raised to the Traffic Impact Assessment, it was not possible to achieve a universal access from unit 17 due to ground levels. A special development contribution was to be included in a grant to contribute towards CCCs plan to resurface the village in 2026.
- Estates Primary Report (28th May 2024) – No objection raised subject to conditions.
- Environment (07th June 2024) – No objection subject to conditions.
- Housing Officer (20th May 2024) – No objection.
- Water Services Report (27th August 2024) – No objection subject to conditions.
- Public Lighting First Report (13th May 2024) – FI recommended regarding design and illumination.
- Public Lighting Second Report (02nd April 2025) – No objection subject to conditions.
- Ecology First Report (05th June 2024) – FI recommended to submit an Ecological Impact Assessment (EclA) Report to assess impact on ecology, a revised landscaping plan.
- Ecology Second Report (07th April 2025) – Recommended CFI to account for habitats removed, and the submission of a biodiversity led landscape plan.
- Supplementary Ecology Report (07th April 2025) – Recommends refusal on the basis that works undertaken may have had a significant impact to habits of high ecological value and species associated with same, and no measures were provided to offset biodiversity loss at the site due to site clearance. Notes that

there is insufficient time remaining on application to address the issues and recommends refusal.

3.3. Prescribed Bodies

- Inland Fisheries Ireland – requests that Uisce Éireann indicates that there is sufficient capacity to accommodate the proposed development, so that no overload on existing treatment facilities would occur.

The application was referred to Uisce Éireann, Fáilte Ireland, An Taisce, The Arts Council and Bus Éireann. No responses were received.

3.4. Third Party Observations

None.

4.0 Planning History

Lands Including the Appeal Site within Blue Line Boundary of the Site

- P.A. Ref. 99/5728, ABP Ref. 04.122947 – Permission granted for 45 units (26th July 2001).
- P.A. Ref. 04/6019 – Permission granted for 70 no. dwellinghouses, realignment of entrance to cater for sight lines, construction of 1 no. new entrance, ESB sub-station, bored water well, 2 no. underground calor gas LPG storage tanks and associated site works (31st March 2010).
- P.A. Ref. 21/7466, ABP Ref. 314235-22 – Permission granted for 18 no. residential units (20th October 2023).

Relevant Condition:

20. The developer shall pay to the planning authority a financial contribution as a special contribution under section 48(2) (c) of the Planning and Development Act 2000. The amount of the contribution 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 for determination. The contribution shall be paid prior to commencement of development or in such phased payments as the

planning authority may facilitate and shall be updated at the time of payment in accordance with changes in the Wholesale Price Index – Building and Construction (Capital Goods), published by the Central Statistics Office.

Reason: It is considered reasonable that the developer should contribute towards the specific exceptional costs which are incurred by the planning authority which are not covered in the Development Contribution Scheme and which will benefit the proposed development.

5.0 Policy Context

5.1. National Planning Policy

5.1.1. Project Ireland 2040 – National Planning Framework (2018) and National Development Plan 2021 – 2030

5.1.2. Climate Action Plan (CAP 2025 / CAP 2024)

- The Climate Action Plan 2025 updates measures and actions required to deliver carbon budgets and sectoral emissions ceilings, to be read in conjunction with Climate Action Plan 2024.

Ireland's 4th National Biodiversity Action Plan (NBAP) 2023-2030

- Includes 5 key strategic objectives aimed at addressing existing challenges and new and emerging issues associated with biodiversity loss.
- Section 59B(1) of the Wildlife (Amendment) Act 2000 (as amended) requires the Commission, as a public body, to have regard to the objectives and targets of the NBAP in the performance of its functions, to the extent that they may affect or relate to the functions of the Commission. The impact of development on biodiversity, including species and habitats, can be assessed at a European, National and Local level and is taken into account in decision-making, having regard to the Habitats and Birds Directives, Environmental Impact Assessment Directive, Water Framework Directive and Marine Strategy Framework Directive, and other relevant legislation, strategy and policy where applicable.

5.2. Section 28 Ministerial Guidelines

- Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024).
- Development Management Guidelines for Planning Authorities (2007).

5.3. **Regional Policy**

- Regional Spatial and Economic Strategy for the Southern Region.

5.4. **Development Plan**

5.5. Cork County Development Plan 2022-2028

➤ **Volume 1 Written Statement**

Chapter 2 Core Strategy

- Section 2.13.1

(6) This plan does not zone residential development within the boundaries of villages less than 1,500 population or villages that are due to grow in excess of 1,500 during the lifetime of the plan. Rather, each village is assigned an 'Overall Scale of New Development'. It is not intended that this figure is seen as a target, or an absolute maximum limit on development, but as an indication of the number of additional dwellings which could reasonably be accommodated within a settlement over the lifetime of this plan subject to other considerations of proper planning and sustainable development.

- Appendix B Core Strategy Table – Dripsey Model Village is defined as a 'Village' within the 'County Metropolitan Cork Strategic Planning Area'.
- Designates 30 units to 'Compact Residential Zoning/Infill/Brownfield' (reflected in objective DB-01).
- Chapter 18 Zoning and Land Use

Objective ZU 18-3 Development Boundaries

For any settlement, it is a general objective to locate new development within the development boundary, identified in this Plan that defines the extent to which the settlement may grow during the lifetime of the Plan.

General Objectives

BE 15-2 Protected Sites, Habitats and Species

- a) Protect all natural heritage sites which are designated or proposed for designation under European legislation, National legislation and International Agreements. Maintain and where possible enhance appropriate ecological linkages between these. This includes Special Areas of Conservation, Special Protection Areas, Marine Protected Areas, Natural Heritage Areas, proposed Natural Heritage Areas, Statutory Nature Reserves, Refuges for Fauna and Ramsar Sites. These sites are listed in Volume 2 of the Plan.
- b) Provide protection to species listed in the Flora Protection Order 2015, to Annexes of the Habitats and Birds Directives, and to animal species protected under the Wildlife Acts in accordance with relevant legal requirements. These species are listed in Volume 2 of the Plan.
- c) Protect and where possible enhance areas of local biodiversity value, ecological corridors and habitats that are features of the County's ecological network. This includes rivers, lakes, streams and ponds, peatland and other wetland habitats, woodlands, hedgerows, tree lines, veteran trees, natural and semi-natural grasslands as well as coastal and marine habitats. It particularly includes habitats of special conservation significance in Cork as listed in Volume 2 of the Plan.
- d) Recognise the value of protecting geological heritage sites of local and national interest, as they become notified to the local authority, and protect them from inappropriate development
- e) Encourage, pursuant to Article 10 of the Habitats Directive, the protection and enhancement of features of the landscape, such as traditional field boundaries, important for the ecological coherence of the Natura 2000 network and essential for the migration, dispersal and genetic exchange of wild species.

BE 15-6 Biodiversity and New Development

Provide for the protection and enhancement of biodiversity in the development management process and when licensing or permitting other activities by:

- a) Providing ongoing support and guidance to developers on incorporating biodiversity considerations into new development through preplanning communications and the

Council's guidance document 'Biodiversity and the Planning Process – guidance for developments on the management of biodiversity issues during the planning process' and any updated versions of this advice;

b) Encouraging the retention and integration of existing trees, hedgerows and other features of high natural value within new developments;

c) Requiring the incorporation of primarily native tree and other plant species, particularly pollinator friendly species in the landscaping of new developments;

d) Fulfilling Appropriate Assessment and Environmental Impact Assessment obligations and carrying out Ecological Impact Assessment in relation to development and activities, as appropriate;

e) Ensuring that an appropriate level of assessment is completed in relation to wetland habitats subject to proposals which would involve drainage or reclamation. This includes lakes and ponds, watercourses, springs and swamps, marshes, heath, peatlands, some woodlands as well as some coastal and marine habitats;

f) Ensuring that the implementation of appropriate mitigation (including habitat enhancement, new planting or other habitat creation initiatives) is incorporated into new development, where the implementation of such development would result in unavoidable impacts on biodiversity - supporting the principle of biodiversity net gain.

BE 15-8 Trees and Woodlands – Provides for the protection of trees and woodlands by Tree Preservation Orders.

➤ **Volume 4 South Cork**

Section 4.10 Villages of the Macroom Municipal District

Zoning

Appeal site is located within the settlement boundary of Model Village, however there is no specific land use zoning attached to the site.

- Subsection 4.10.3

Given the challenges facing some villages in relation to infrastructure, in particular water services and whether any deficits can be overcome in the lifetime of the plan the Council will consider the reallocation of the overall level of units for a specific Village from Villages with current infrastructure constraints that are taking longer than

expected to be resolved to a Village or Villages within the same Municipal District which has no such constraints subject to adequate capacity been shown to be available, in compliance with the requirements of Chapter 11 Water Management and any ecological considerations. The transfer of housing units from a specific settlement cannot exceed 50% of that settlements allocation as set out in the table below

Section 4.21 Model Village Dripsey

- Dripsey is made up of three nodes of development, Model Village, Upper Dripsey and Lower Dripsey. Upper Dripsey and Model Village are established villages with Model Village forming the residential core of the area.
- The vision for Dripsey is to promote sympathetic development in tandem with the provision of infrastructure and services, primarily at the Model Village and Upper Dripsey development nodes/established villages, and to enhance the village cores.

General Objectives

DB-01 Within the development boundary encourage the development of up to 30 additional dwelling

DB-02 Development in Model Village and within the core of the village must be designed to a high standard to reinforce the existing pattern of growth and character of the area.

DB-03 New development should be sensitively designed and planned to provide for the protection of green infrastructure assets of the village and will only be permitted where it is shown that it is compatible with the requirements of nature conservation directives and with environmental, biodiversity and landscape protection policies as set out in Volume One Main Policy Material and Volume Two Heritage and Amenity.

5.6. Cork County Council Adopted Development Contribution Scheme (2004)

This scheme was adopted by the Council on 23rd February 2004. The general and supplementary development contribution rates were updated on 01st January 2014.

Page 9 provides information on special contributions in respect of any development where specific exceptional costs not covered by the Cork County Council

Development Contribution Scheme are incurred by an Local Authority in respect of public infrastructure and facilities which benefit the proposed development.

5.7. Natural Heritage Designations

The nearest designated sites are the following:

- pNHA: 001055 - Glashgarriiff River – approx. 5.75 km to the west.
- pNHA: 000094 - Lee Valley – approx. 6.3 km to the southeast.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. The First Party grounds of appeal which relates to the reason for refusal, may be summarised as follows:

- PA did not fully assessed the development history of the site or the response to the FI request which included an Ecological Impact Assessment (EclA) which concluded that the proposed development will only impact existing habitats of low value.
- The PA assessment and conclusion relied on outdated aerial photography to incorrectly concluded that the site had/has the potential to support important habitats and is of biodiversity value.
- In the landscaping plan, 59 no. new native trees within the development are proposed and other enhancement measures are recommended.
- The appeal site forms part of an overall landholding and a phased masterplan is to be adopted for the area. Phase 1 relates to 18 units permitted by ABP Ref. 314235-22, phase 2 relates to the appeal site, and phase 3 relates to other undeveloped lands to the north.
- The planning history of the site P.A. Ref. 21/7466, ABP Ref. 314235-22 and the internal report of the PA indicate that the site was cleared of scrub vegetation in advance of submission of P.A. Ref. 21/7466 December 2021. No concerns were raised at that time regarding the potential loss of high value habitats.

- Construction works have commenced re P.A. Ref. 21/7466 and only maintenance of vegetation regrowth on the lands has been undertaken.
- The councils ecologist based the assessment on aerial imagery taken between 2021-2023 (source Bluesky) noting that it appeared to show that the site comprised of scrub or woodland habitats which may be of ecological value.
- The EclA and Landscape Masterplan submitted in response to the FI request was not reviewed by the councils ecologist which was acknowledged in the report dated 07th April 2025, and recommended refusal on the basis that the removal of the recolonised site which supported important habitats and species may have led to impacts to an area of high ecological habitat, particularly as it was the last remaining section of habitat after P.A. Ref. 21/7466 was approved.
- The ecologist incorrectly concluded that the site remained as uncleared scrubland until as recently after P.A. Ref. 21/7466 was granted by the ABP October 2023. The initial assessment of the area planner of P.A. Ref. 21/7466 indicated that scrub clearance works had already been carried out at the lands, following a site inspection on 02nd February 2022. It was concluded by the PA and ABP that the development of the subject lands would not result in any negative ecological impacts. Figure 1 shows a photo taken by the area planner on 23rd February 2022 in the planning report of the site at that time.

As part of the appeal, the following is appended:

- Copies of the Cork County Council Ecologist reports dated 05th June 2024 and 07th April 2025.
- Copies of A/SEP planners report P.A. Ref. 21/7466 dated 23rd February 2022.
- Copy of Ecological Impact Assessment report prepared by Dixon Brosnan Ecology (April 2025) submitted as part of the appeal.

Ecological Impact Assessment report prepared by Dixon Brosnan Environmental Consultants

- The site was surveyed in October 2024 and the appeal site, with the exception of the northern boundary, had been cleared of vegetation and was classified as spoil and bare ground. The EclA assessment appraised the value of the

habitats post clearance as the proposed site was permitted for residential development. It was determined that the baseline habitats would be the habitat extant in 2024 and not habitat present prior to site clearance.

- The removal of the vegetation was carried out late 2021 in advance of submission of the application under phase 1, and in which part of the appeal site is overlaps.
- The site was purchased in 2020 by the applicant when scrubland habitat had already been established. Its previous use was farmland and overtime in the absence of development the site was fallow, and scrub developed over approximately a 15 year period.
- At the time of the assessment of P.A. Ref. 24/4633 ABP Ref. 314235-22, no ecological issues were raised.
- The historical mapping editions between 1829-1834 indicated coniferous woodland at the southwestern corner of the site. The 2nd edition 25" maps (1863-1924) indicated that the site appeared to support rough grassland, and a review of historical aerial photography indicate that mature trees were absent from the interior of the site, which likely would have had the presence of scrub habitat, prior to clearance.
- Additional photos of the site prior to vegetation clearance are included (plate 5 and 6 taken c.2019) which show that scrub was present with some semi-natural grassland. Such vegetation is described as an ephemeral habitat, patchily distributed, and develops rapidly on disused ground, with low to moderate ecological value habitat for birds and other fauna at local level.
- It is unlikely that the site supported any rare or uncommon flora and fauna species, due to the habitat having been developed on existing tillage farm land. The habitats within the site were of relatively recent origin supporting local flora and fauna, and were unlikely of value at a regional or national level.
- Aerial photos (source Google Earth/Maps 2012-2020) are included showing that the site underwent a process of regrowth during this period.

6.2. Planning Authority Response

A late response was received from the Planning Authority to the grounds appeal.

6.3. Observations

None.

7.0 Assessment

7.1.1. Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, the reports of the local authority, and having inspected the site, and having regard to the relevant local, regional and national policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:

- Principle of Development
- Ecology
- Design & Layout
- Material Contravention
- Other Matters

7.2. Principle of Development

7.2.1. This is a first party appeal against the decision of the PA to refuse permission for the proposed development. This subject development relates to a second phase of development within the overall landholding.

7.2.2. The appeal site is located within the 'development boundary' of Dripsey Model Village. Although there are no designated land use zoning objectives for Dripsey Model Village, the appeal site is located within the 'development boundary' of the village. There are several policies and objectives in the development plan that support residential development within existing settlement boundaries on such sites. Model Village Dripsey is identified as a 'Village' in Volume 4 of the development plan.

Objective ZU18-3 of the development plan seeks to locate new developments within such development boundaries.

- 7.2.3. The matter of density was raised by the PA having regard to Objective DB-01 of the development plan which designates 30 units to 'Compact Residential Zoning/Infill/Brownfield'. Cumulatively, the proposed development in conjunction with that permitted would exceed 30 units providing 34 units in total. The plan envisages the development of up to 30 residential units during the plan period under objective DB-01 and I note that Section 2.13.1 of the development plan in chapter 2, supports this marginal increase over the target of 30 no. units.
- 7.2.4. The PA is of the opinion that this proposal can be considered in principle. I note that there is no upper threshold applicable to individual developments. I note the provisions of Section 4.10.3 of Volume 4 of the development plan which gives scope to the council to reallocate the overall level of housing units to other villages which have infrastructural services constraints. In this case, the PA noted that no other proposals for residential development had come forward for Model Village since the current development plan was adopted. I note that a new wastewater treatment plant with capacity for Model Village Dripsey was recently completed. Having regard to the scale of the proposed development which is a phase 2 development within the overall landholding, and to the scale of the adjoining phase 1 development that is under construction, I consider a density of 25.8 units per ha is appropriate in this context and agree with the PA that it can be considered and is appropriate in principle. While it provides for a marginal exceedance of additional units, it generally aligns with objective DB-01 of the development plan. I note for the Commission that due to the site's constraints in terms of levels at the northern side of the site, that the stated developable site area is 0.62 ha providing a density of 25.8 units per ha.

7.3. Ecology

- 7.3.1. The reason for refusal relates specifically to the impacts on the ecological environment of the subject site. I note for the Commission that the reason for refusal and the concerns raised by the PA are at a local level only and do not relate to the matter of Appropriate Assessment or any impacts on designated sites. Specifically I note that the report of the council's ecologist required additional information in the form of a

revised EcIA to account for habitats that were removed, and a biodiversity led landscape plan to incorporate native species. The main concern raised is that the EcIA did not assess the impacts to local biodiversity and ecology arising from site clearance works.

- 7.3.2. An Ecological Impact Assessment Report (EcIA) and a Tree Protection Survey was submitted in response to the FI request. A site walkover was carried out on 25th October 2024 and it was observed that the site was cleared of vegetation. I have reviewed the assessment and carried out a site inspection whereby I noted that the site was cleared for the most part. Some vegetation/scrub was evident in some parts of the site. Hardcore gravel has been laid and the north/ northwestern boundary of the site is defined by mature trees and hedgerow.
- 7.3.3. It is stated that the applicant purchased the site in 2006. It is indicated that prior to purchase, the land was farmed. Since purchase, it was left fallow and scrub developed over time from a period of 15 years. Scrub was cleared in 2021 during site investigations for phase 1 development. Some minor regrowth of vegetation occurred.
- 7.3.4. No Annex I habitats or rare species were recorded. The habitats within the appeal site are identified as spoil, bare ground including the treeline along the north / northwestern boundary. No rare floral species were recorded. The existing treeline is dominated by non-native sycamore. The presence of species such as sycamore, hawthorn, oak, elder, ash is also documented. No bats were recorded on any trees, no known roosts were recorded especially for Lesser Horseshoe bats. The treeline along the northern boundary is likely to provide foraging/commuting value for bats. A number of mature trees were identified as potential roost features, but were deemed to be of negligible value for bat roosts. However the trees are proposed to be retained in the event that they may be used.
- 7.3.5. No otters were recorded within 150 m of the site boundary and there was no evidence of other mammals such as badger, Irish hare, red squirrel, sika deer, pygmy shrew, pine marten, no small mammals or invertebrates were found during the survey, but it is plausible that mammals such as hedgehog, stoat may forage in the hedgerow/earth bank. No rare or uncommon birds were recorded.
- 7.3.6. It is acknowledged that recolonised scrub habitat that formed part of the territories of mammals such as hedgehogs, pygmy, shrew and typical common bird species was

recorded within the site, and which provided foraging ground was removed. The assessment concludes that the habitat was largely of low value and did not provide critical resources.

- 7.3.7. In response to the appeal, an EclA Technical note was prepared by Dixon Brosnan Ecology. This again notes that vegetation was removed in late 2021 in advance of the submission of the phase 1 planning application which has commenced development. It points out that it is difficult to carry out an appraisal of the ecological value of scrub based on aerial photographs and photos.
- 7.3.8. I have reviewed aerial photography (source OSI) and note that in 1996 the overall landholding appeared be active agricultural lands. In 2001, it appears that the western part of the site was cleared, and vegetation existed on the eastern part. In 2013 the site was covered by vegetation however, it is not possible to decipher the type of vegetation that was present at that time. In reviewing the aerial photography available from Google Earth/Maps from the period 2012-2020, it is evident that the subject site re-established itself due to inactivity. I have also reviewed the development permitted under ABP Ref. 314235-22 and I note that the area in question was described as being overgrown in appearance and not in any apparent use. I further note from the photos on the file that the ground was covered by overgrown vegetation including what appeared to be scrub, and which would be consistent with that described in the EclA. There was no evidence of mature trees present within the site at that time, other than along the north/northwestern boundary. This would also be consistent with the conclusions of the EclA Technical Note submitted in response to the appeal.
- 7.3.9. Pursuant to my site inspection, I noted that works have progressed on the site with hardcore gravel having been laid and a construction/welfare temporary compound is placed on the northeastern corner of the site. Having reviewed the EclA, I consider that the assessment is adequate and I am satisfied that the site does not support any habitats or species afforded protection under European legislation or national legislation. There is no evidence before me to demonstrate that the subject site supported high value habitats and species. Furthermore the appeal site does not appear to be a locally designated biodiversity area or is identified as a feature of the county's ecological network, having regard to the development plan. However I acknowledge that prior to its removal, it was likely to support habitat and foraging corridors for some locally common terrestrial mammals.

- 7.3.10. The landscaping plan submitted in response to the FI request has provided detailed proposals for the site. I note that this includes for the removal of a number of existing trees to facilitate development and a small number of diseased trees which will be offset by the plantation of 59 new native trees. The 'Tree Appraisal and Arboriculture Assessment' provides further detail on this and puts forward a tree protection plan. In reviewing same, I note that willow trees were not identified on the site. Retaining walls are proposed along the rear boundaries of a number of dwellings due to site levels. The landscaping plan proposes clusters of native trees throughout the site. In so far as is reasonably practicable for the proposed development, I am satisfied that the EclA, the landscaping plan and the Tree Appraisal and Arboriculture Assessment, have proposed measures that will contribute to habitat loss arising from site clearance works and other biodiversity enhancement measures.
- 7.3.11. Having regard to the foregoing, I am satisfied that the EclA submitted in response to the FI request provided an adequate assessment of the appeal site. Given the location and the scale of the proposed development within the 'development boundary' of Model Village and the fact that the habitats or species recorded within the site are not identified for conservation importance status, nor were the lands previously identified as being of ecological or biodiversity importance, having regard to Table 2.4.1 in Volume 2 of the development plan but however may have comprised a feature of local biodiversity value, on balance I am satisfied that the applicant has provided proposals that will positively contribute to the wider local ecological network in the site surrounds, once the development is completed. Furthermore, prior to removal of the vegetation, I am satisfied that the habitats would likely have been of relatively recent origin and of local value. I concur with the findings of the supporting EclA Technical Note which concluded that it is highly improbable that these habitats were of value at a regional or national level. This in my view would be consistent with Objective BE 15-6(f) of the development plan. In the event of a grant, I recommend that a condition is included to implement the mitigation measures outlined in Section 12 of the EclA and in Section 2.3 Tree Protection Plan as contained in the Tree Appraisal and Arboriculture Assessment.

7.4. Design & Layout

- 7.4.1. As previously noted, construction works have commenced on the adjoining site to the south which relates to P.A. Ref. 21/7466, ABP Ref. 314235-22. I note that the appeal application relies on vehicular access to serve the development. This is proposed to the south from O'Callaghan Place off the L-6809 road. This was one of the issues raised by the PA in the initial assessment. Following a request for FI relating to same and a site inspection by the planning officer, this matter was considered to be addressed and I confirmed from my site inspection that works had commenced at this location.
- 7.4.2. The proposed layout of the subject development will integrate with the adjoining development permitted under P.A. Ref. 21/7466 ABP Ref. 314235-22. In this regard the internal road network to the south, which is where it is proposed that the new development will achieve vehicular access and the application site boundary of the appeal site at this location, will amend/overlap with that already permitted. Overall, I am satisfied that the housing mix, the design of the units, the layout and the private amenity space afforded to each unit is acceptable and is consistent with the development plan and the Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities, in particular SPPR 2. Public open space provision is also acceptable having regard to Policy and Objective 5.1 of the Guidelines. Having regard to the foregoing, I consider that the proposed development adequately integrates with the adjoining development and responds positively to the character of the area, providing an acceptable standard of housing and will not give rise to impacts on third party adjoining residential amenities.
- 7.4.3. The proposed boundary treatment to the rear of the dwellings will comprise of 1.8 high post and timber panel fencing. A 1.2 m high fence with additional planting is proposed to the front. A 2.0 m height block wall is proposed on the northeastern boundary of unit 1 and a 1.2 m high fence is proposed at the southwestern boundary of unit 16 concluding at the rear building line of the proposed dwelling. I consider that the height of this boundary should be increased to 2.0 m as it an end dwelling, and 1.2 m would not be sufficient to secure the rear of the property. Should the Commission decided to grant permission, I recommend the inclusion of a condition to increase the height of the boundary at this location.

- 7.4.4. There is a 2.0 high weld mesh fence proposed at the eastern boundary of the site to close off the site from the adjoining lands. This in my view is not an appropriate boundary treatment at this location, and I note that the PA had referenced a lack of detailed landscaping also in this location. I note that the revised landscaping plan has not proposed further landscaping. I acknowledge that the proposed mesh fencing is possibly an interim boundary treatment as I note that the site layout indicates a possible phase 3 development to the northeast. However, I consider that the proposed mesh fence should be replaced with a more appropriate permanent boundary treatment and landscaping proposals and in this regard, should the Commission decide to grant permission, I recommend the inclusion of a pre-development condition to address this.
- 7.4.5. Similar fencing is proposed to the rear of the dwellings and along the northwestern boundary of the site with the existing boundary to be augmented with additional landscaping. The proposed fence will be erected on the proposed retaining walls to the rear of each unit. Due to the ground levels of the site, retaining walls will vary in height from 2.5 – 5.0 m. I note that the PA did not raise objection to same. Due to the site's terrain, retaining walls are necessary to the rear of the dwellings. I am satisfied that this will not unduly impact on surrounding visual amenities due to the height of the proposed dwellings, which will assist in screening the fencing.

7.5. Material Contravention

- 7.5.1. I note that the PA's reason for refusal states that the proposed development materially contravenes Objectives BE 15-2 and BE 15-6(f) of the development plan. Objective BE 15-2 relates to the protection of European designated sites, habitats and species and Objective BE 15-6 (f) relates to the protection and enhancement of biodiversity in the development management process.

Objective BE 15-2 Protected Sites, Habitats and Species

- 7.5.2. In consideration of part (a) and (b) of the objective, these provisions seek the achievement of the statutory regulatory framework for the environmental protection of all natural heritage sites designated or proposed for designation under European legislation, National legislation and International Agreements. This includes for Special Areas of Conservations, Special Protection Areas, Marine Protected Areas, Natural

Heritage Areas, proposed Natural Heritage Areas, Statutory Nature Reserves, Refuges for Fauna, Ramsar Sites and rare or threatened plants. These sites are listed in Volume 2 of the Plan. I have appraised the proposed development in the context of the Environmental Impact Assessment Directive (Section 8.0), the EU Habitats Directive and the Birds Directive (Section 9.0) and the Water Framework Direction (Section 10.0) and have concluded that the proposed development would not be likely to have a significant impact individually or in combination with other plans or projects on any designated sites.

- 7.5.3. With specific reference to part (c) of the objective, I note that this provision seeks to protect and enhance biodiversity and ecology at a local level. Having reviewed the EclA, the landscaping plan and the Tree Appraisal and Arboricultural Assessment for the site, and the provisions of the development plan, I have concluded that it is unlikely that the appeal site supported a locally designated biodiversity area, nor was it identified previously as being of ecological or biodiversity importance, and that through the mitigation measures proposed and the various landscaping features proposed in the aforementioned reports, that existing habitats within the site will be safeguarded and enhanced where possible.
- 7.5.4. In relation to parts (d) and (e) of the objective, I note that these refer to ongoing regularly management measures of the council with regard to the protection of geological heritage sites, the protection and enhancement of features of the landscape and field boundaries, and are therefore not considered to be relevant to the overall reason for refusal, or to the appeal site.
- 7.5.5. Having regard to the foregoing, I do not consider that the proposed development materially contravenes objective BE 15-2 of the Cork County Development Plan 2022-2028.

Objective BE 15-6 Biodiversity and New Development

- 7.5.6. In relation to Objective BE 15-6(f), it is my consideration that this objective refers to a general approach to development in terms of the protection and enhancement of biodiversity in the development management process, and is not, in my view, sufficiently specific so as to justify the use of the terms “materially contravene” in terms of normal planning practice. The Commission should not, therefore, considered itself

constrained by Section 37(2) of the Planning and Development Act 2000 (as amended).

7.6. Other Matters

Special Development Contribution

- 7.6.1. I note that it was a recommendation of the Area Engineer to seek a special development contribution for the proposed development. The basis for the contribution was that the council has plans to re-surface Model Village in 2026, as the existing surface within the village is showing signs of fatigue. The total cost for the project works for the village is stated as €629,200 and a 5% contribution was applied to the proposed development amounting to a total cost of €31,460 to be imposed, should the development be granted.
- 7.6.2. I note that a Special Development Contribution condition was imposed on the development permitted under ABP Ref. 314235-22 (condition 20). The basis for this condition related specifically to upgrade works to the road at the site entrance and the amount calculated was attributed to these described works.
- 7.6.3. Section 48(2)(c) of the Act states that a special contribution can only be levied in respect of a particular development where specific exceptional costs are not covered by a general development contribution scheme. Section 7.12 of the Development Management Guidelines 2007 state that circumstances which might warrant the attachment of a special contribution condition would include where the costs are incurred directly as a result of, or in order to facilitate the development in question.
- 7.6.4. I am not satisfied that the nature and the scope of the works relative to the proposed development are specifically defined. It has not been adequately demonstrated by the PA that specific exceptional costs arise in relation to the provision of the proposed development beyond the application site boundaries of the appeal site, as there is no specific element of the proposed development outlined by the PA that would give rise to such exceptional costs.
- 7.6.5. I have reviewed the relevant policy documents i.e. the Cork County Development Plan 2022-2028, in particular Chapter 12 Transport and Mobility, and Volume 4 South Cork to ascertain if there is a specific development plan objective or policy to support the

requirement of such a special contribution for the road re-surfacing works for Model Village, and which I note there does not appear to be.

7.6.6. I refer to Appendix 2 of the Cork County Council Adopted Development Contribution Schemes 2004 which sets out the different classes of infrastructure and facilitates and rates applicable to services provided which includes for road works.

7.6.7. I also note that Section 48(17) of the Act gives the meaning to “public infrastructure and facilities” which include the following:

(c) the provision of roads, car parks, car parking places, surface water sewers and flood relief work, and ancillary infrastructure,

(e) the refurbishment, upgrading, enlargement or replacement of roads, car parks, car parking places, surface water sewers, flood relief work and ancillary infrastructure,

7.6.8. I therefore conclude that the provision of the works described to re-surface the roads within Model Village is provided for under the current Cork County Council Adopted Development Contribution Scheme (2004) as there is no objective or policy set out in the relevant policy documents listed for the proposed project. Should the Commission decide to grant permission, I do not recommend the inclusion of a special development contribution in this regard.

8.0 EIA Screening

The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 and Form 2 appended to this report). Having regard to the characteristics and location of the proposed development and the types and characteristics of potential impacts, it is considered that there is no real likelihood of significant effects on the environment. The proposed development, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required.

9.0 AA Screening

9.1.1. I have considered the proposed development in light of the requirements S177U of the Planning and Development Act 2000 as amended.

- 9.1.2. The appeal site is located in Dripsey Model Village, Co. Cork. While the appeal site does not have a defined land use zoning objective, it is located within the development boundary of Dripsey Model Village.
- 9.1.3. The closest European site, relative to the appeal site SAC: 000108 – The Geragh SAC lies approximately 16.4 km to the southwest.
- 9.1.4. The proposed development comprises the construction of 17 no. residential units, revised to 16 no. units following the response to the FI request, and ancillary site development works. The proposed development is phase 2 of an adjoining development that is currently under construction, and is integrated with the site via internal access road network and public open space.
- 9.1.5. The planning authority considered that the proposed development should not exercise a significant effect on the conservation status of any SAC or SPA, and Appropriate Assessment is not necessary.
- 9.1.6. No watercourses are noted to be shown located at or in the immediate vicinity of the appeal site.
- 9.1.7. The proposed development will discharge wastewater via the public mains and surface water via SuDS and via attenuation tank. I note that there is capacity within the newly completed wastewater treatment plan in Model Village.
- 9.1.8. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site. The reason for this conclusion is as follows:
- The nature, scale and location of the development.
 - The absence of any hydrological connection to any European site.
 - To the location of the project and separation distance to any European Sites.
 - To the conclusion of the PA.

I consider that the proposed development, individually or in-combination with other plans or projects, would not be likely to have a significant effect on any European designated site(s). As appropriate assessment is therefore not required.

10.0 Water Framework Directive

- 10.1.1. The appeal site is located c. 317 m to the northeast of Dripsey River namely Dripsey_02 IE_SW_19D060400 (EPA name www.catchments.ie). It comprises a residential development of 16 no. units, to integrate with the adjoining permitted development to the south.
- 10.1.2. No water deterioration concerns were highlighted in the reports of the PA.
- 10.1.3. I have assessed the proposed development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration.
- 10.1.4. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.

The reason for this conclusion is as follows:

- The nature of the development which is located within the settlement boundary of Model Village, and
 - The location-distance from the nearest water bodies and lack of hydrological connections.
- 10.1.5. I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

11.0 Recommendation

I recommend that permission is granted, subject to conditions as set out below.

12.0 Reasons and Considerations

Having regard to the location of the site within the designated development boundary of Model Village Dripsey, the policies and objectives of the Cork County Development Plan 2022-2028 and in particular Objectives BE 15-2 and BE 15-6, the Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities (2024), the landscaping proposals for the site, the adjoining planning history ABP Ref. 314235-22, the pattern of existing development in the area, the nature, scale and design of the proposed development, and the availability of water services infrastructure including the availability of capacity in the new wastewater treatment plan in Dripsey Model Village, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual amenities of the area or the residential amenities of property in the vicinity, would be acceptable in terms of design, housing mix and density, and would not have no unacceptable impacts on the ecology of the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

13.0 Conditions

1.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 15th day of April 2024 and as amended by Further Information received on the 14th Day of March 2025, 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.</p> <p>Reason: In the interest of clarity.</p>
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2.	<p>(a) The mitigation measure contained in Section 12.0 of the “Ecological Impact Assessment” submitted to the Planning Authority on the 14th day of March 2025 shall be fully implemented.</p> <p>(b) The Tree Protection Plan contained in Section 2.3 of the “Tree Appraisal and Arboricultural Assessment at Model Village” submitted to the Planning Authority on the 14th day of March 2025 shall be fully implemented.</p> <p>Reason: In the interest of the proper planning and sustainable development of the area.</p>
3.	<p>The proposed development shall be amended as follows:</p> <p>(a) A 1.8 m high concrete block wall, suitably capped and rendered on both sides to the southwestern boundary of unit 16 from the front building line of the dwelling, shall be provided.</p> <p>(b) The proposed 2.0 m high weld mesh fence at the northeastern boundary of the site shall be replaced with a 2.0 m high concrete block wall, suitably capped and rendered on both sides. Additional landscaping shall be provided on the southwestern side of the boundary wall.</p> <p>Revised plans and elevations incorporating the above amendments including additional landscaping proposals, shall be submitted to the Planning Authority for written agreement, prior to commencement of development. In default of agreement, the matter(s) in dispute shall be referred to An Comisiún Pleanála for determination.</p> <p>Reason: In the interest of the protection of residential amenity.</p>
4.	<p>The external finishes to the proposed dwellings shall be as per the drawings received by the planning authority on the 14th day of March 2025, unless otherwise agreed in writing with the planning authority, prior to commencement of development .</p> <p>Reason: In the interest of visual amenity and to ensure an appropriate high standard of development.</p>

5.	<p>The disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.</p> <p>Reason: To prevent flooding and in the interests of sustainable drainage.</p>
6.	<p>Prior to the commencement of development the developer shall enter into a Connection Agreement (s) with Uisce Éireann (Irish Water) to provide for a service connection(s) to the public water supply and/or wastewater collection network.</p> <p>Reason: In the interest of public health and to ensure adequate water/wastewater facilities.</p>
7.	<p>(a) The internal road network serving the proposed development including turning bays, junctions, parking areas, footpaths, and kerbs shall comply with the detailed construction standards of the planning authority for such works and design standards outlined in Design Manual for Urban Roads and Streets (DMURS).</p> <p>(b) Footpaths shall be dished at road junctions in accordance with the requirements of the planning authority. Details of all locations and materials to be used shall be submitted to, and agreed in writing with the planning authority prior to the commencement of development.</p> <p>Reason: In the interest of amenity and of traffic and pedestrian safety.</p>
8.	<p>All rear gardens shall be bounded by timber panel fences, 1.8 metres in height, constructed with concrete uprights.</p> <p>Reason: In the interests of residential and visual amenity.</p>
9.	<p>Prior to commencement of development, the developer shall enter into water and wastewater connection agreements with Uisce Éireann.</p> <p>Reason: In the interest of public health.</p>

10.	<p>Drainage arrangements including the attenuation of disposal of surface water shall comply with the requirements of the Planning Authority for such works and services.</p> <p>Reason: In the interest of public health and surface water management.</p>
11.	<p>All the communal parking areas serving the residential units shall be provided with functional electric vehicle charging points, and all of the in-curtilage car parking spaces serving residential units shall be provided with electric connections to the exterior of the houses to allow for the provision of future electric vehicle charging points. 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.</p> <p>Reason: In the interest of sustainable transportation.</p>
12.	<p>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. All existing over ground cables shall be relocated underground as part of the site development works.</p> <p>Reason: In the interests of visual and amenity.</p>
13.	<p>The landscaping scheme shown on Drawing No. 24400-1-101 as submitted to the planning authority on the 14th day of March 2025 shall be carried out within the first planting season following substantial completion of external construction works.</p> <p>All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development or until the development is taken in charge by the local authority, whichever is the sooner, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.</p>

	Reason: In the interest of residential and visual amenity.
14.	<p>Public lighting shall be provided in accordance with a scheme which shall be submitted to, and agreed in writing with the planning authority, prior to the commencement of development. The scheme shall include lighting along pedestrian routes through open spaces and shall take account of trees within the drawing landscape plan drawing no. 24400-101. Such lighting shall be provided prior to the making available for occupation of any residential unit.</p> <p>Reason: In the interest of amenity and public safety.</p>
15.	<p>Proposals for naming and number of the proposed scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all estate and street signs, and house numbers, shall be provided in accordance with the agreed scheme. The proposed name(s) shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. No advertisements/marketing signage relating to the name(s) of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name(s).</p> <p>Reason: In the interest of urban legibility.</p>
16.	<p>The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with the Planning Authority, prior to commencement of development. This plan shall provide details of intended construction practice for the development, including:</p> <ul style="list-style-type: none"> (a) Location of the site and materials compound(s) including area(s) identified for the storage of construction refuse; (b) Location of areas for construction site offices and staff facilities; (c) Details of site security fencing and hoardings; (d) Details of on-site car parking facilities for site workers during the course of construction; (e) Details of the timing and routing of construction traffic to and from the

	<p>construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site;</p> <p>(f) Measures to obviate queuing of construction traffic on the adjoining road network;</p> <p>(g) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;</p> <p>(h) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;</p> <p>(k) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater;</p> <p>(l) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;</p> <p>(m) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.</p> <p>(n) A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be available for inspection by the planning authority;</p> <p>Reason: In the interest of amenities, public health and safety and environmental protection.</p>
17.	<p>Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Friday inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays.</p> <p>Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.</p> <p>Reason: In order to safeguard the residential amenities of property in the vicinity.</p>
18.	<p>The management and maintenance of the proposed development following its completion shall be the responsibility of a legally constituted management company. A management scheme providing adequate measures for the future maintenance of public open spaces, roads and</p>

	<p>communal areas shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: To provide for the satisfactory future maintenance of this development in the interest of residential amenity.</p>
19.	<p>The development hereby permitted shall be carried out and completed at least to the construction standards as set out in the planning authority's Taking In Charge Standards. In the absence of specific local standards, the standards as set out in the 'Recommendations for Site Development Works for Housing Areas' issued by the Department of the Environment and Local Government in November 1998. Following completion, the development shall be maintained by the developer, in compliance with these standards, until taken in charge by the planning authority.</p> <p>Reason: To ensure that the development is carried out and completed to an acceptable standard of construction.</p>
20.	<p>(a) Prior to the commencement of the development as permitted, the applicant or any person with an interest in the land shall enter into an agreement with the planning authority (such agreement must specify the number and location of each house or duplex unit), pursuant to Section 47 of the Planning and Development Act 2000, that restricts all relevant residential units permitted, to first occupation by individual purchasers i.e. those not being a corporate entity, and/or by those eligible for the occupation of social and/or affordable housing, including cost rental housing.</p> <p>(b) An agreement pursuant to Section 47 shall be applicable for the period of duration of the planning permission, except where after not less than two years from the date of completion of each specified housing unit, it is demonstrated to the satisfaction of the planning authority that it has not been possible to transact each of the residential units for use by individual purchasers and/or to those eligible for the occupation of social and/or</p>

	<p>affordable housing, including cost rental housing.</p> <p>(c) The determination of the planning authority as required in (b) shall be subject to receipt by the planning and housing authority of satisfactory documentary evidence from the applicant or any person with an interest in the land regarding the sales and marketing of the specified housing units, in which case the planning authority shall confirm in writing to the applicant or any person with an interest in the land that the Section 47 agreement has been terminated and that the requirement of this planning condition has been discharged in respect of each specified housing unit.</p> <p>Reason: To restrict new housing development to use by persons of a particular class or description in order to ensure an adequate choice and supply of housing, including affordable housing, in the common good.</p>
21.	<p>Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or such other security as may be acceptable to the planning authority, to secure the reinstatement of public roads which may be damaged by the transport of materials to the site, coupled with an agreement empowering the planning authority to apply such security or part thereof to the satisfactory reinstatement of the public road. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Coimisiún Pleanála for determination.</p> <p>Reason: In the interest of traffic safety and the proper planning and sustainable development of the area.</p>
22.	<p>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</p>

	<p>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 Coimisiún Pleanála to determine the proper application of the terms of the Scheme.</p> <p>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.</p>
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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.

Clare Clancy
Planning Inspector

12th August 2025

Form 1 - EIA Pre-Screening

Case Reference	322471-25
Proposed Development Summary	Construction of 17, revised to 16 no. dwellings and ancillary site development works. Minor amendments to the permitted public open space areas and represents an extension of the residential development permitted under P.A. Ref. 21/7466, ABP Ref. 314235-22.
Development Address	Dripsey Model Village, Deeshart Dripsey Co. Cork
	In all cases check box /or leave blank
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.
	<input type="checkbox"/> No, No further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
<input type="checkbox"/> No, the development is not of a Class Specified in Part 2,	

<p>Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994.</p> <p>No Screening required.</p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.</p> <p>EIA is Mandatory. No Screening Required</p>	<p>State the Class and state the relevant threshold</p>
<p><input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p> <p>Preliminary examination required. (Form 2)</p> <p>OR</p> <p>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</p>	<p>Part 2:</p> <p>Class 10(b)(i) Construction of more than 500 dwelling units</p> <p>Class 10(b)(iv) Urban Development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere.</p> <p>Site area is 0.81 ha.</p>

<p>4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?</p>	
<p>Yes <input type="checkbox"/></p>	
<p>No <input checked="" type="checkbox"/></p>	<p>Pre-screening determination conclusion remains as above (Q1 to Q3)</p>

Inspector: _____ Date: _____

Form 2 - EIA Preliminary Examination

Case Reference	322471-25
Proposed Development Summary	Construction of 17, revised to 16 no. dwellings and ancillary site development works. Minor amendments to the permitted public open space areas and represents an extension of the residential development permitted under P.A. Ref. 21/7466, ABP Ref. 314235-22.
Development Address	Dripsey Model Village, Deeshart Dripsey Co. Cork
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	<p>The appeal site has a stated area of 0.81 ha and comprises the construction of 16 no. residential units and all associated site works, and amendments to the site boundary.</p> <p>The appeal site and the adjoining site immediately to the south is currently under construction in implementing permission ABP Ref. 314235-22. The site has been cleared and hardcore gravel has been laid providing hard-standing areas and internal access routes.</p> <p>At operational stage, the proposed development will connect to the existing wastewater and stormwater network. Water supply will be via the mains water network. No objection has been raised by Uisce Éireann in terms of capacity constraints in relation to wastewater treatment, and a pre connection inquiry has been obtained by the applicant as part of a response to item 7 of the FI request.</p> <p>The appeal site lies within the development boundary of Model Village, and the surrounding land uses are mainly residential to the south and southeast and agriculture to the north, northwest and northeast. It is not considered that any significant cumulative environmental impacts will result when considered in accumulation with existing developments.</p> <p>No demolition works are required and there are no identified risks of accidents or disasters, nor is there an obvious risk to human health that result from the proposed development.</p> <p>The proposed development will not give rise to the production of significant waste, emissions or pollutants.</p>
Location of development	The appeal site is located within an established residential area.

<p>(The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).</p>	<p>It is not located within any designated site, however the nearest designated sites are the following:</p> <ul style="list-style-type: none"> • pNHA: 001055 - Glashgarriiff River – approx. 5.75 km to the west. • pNHA: 000094 - Lee Valley – approx. 6.3 km to the southeast. <p>The appeal site is at a remove from European sites. The nearest European site SAC: 000108 - The Gearagh SAC is located 16.4 km to the southwest and can be excluded due to location and separation distances.</p> <p>While there will be some loss of trees and hedgerow, there is no evidence on file that the site is of particular ecological value, nor is there evidence that the site is of particular ecological value for any species and in particular protected species. I am satisfied that there will be no significant effects on biodiversity and the mitigation measures outlined in the Ecological Impact Assessment and the Tree Protection Plan will be sufficient to ensure that there will be no significant residual effects on wildlife resulting from the proposed development. The landscaping plan will provide additional tree and hedgerow planting.</p> <p>The site has not been identified as of particular historic, cultural or archaeological significance.</p>
<p>Types and characteristics of potential impacts</p> <p>(Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).</p>	<p>During construction phase, noise dust and vibration emissions are likely. However any impacts would be local and temporary in nature and the implementation of standard construction practice measures would satisfactorily mitigate potential impacts.</p> <p>No significant impacts on the surrounding road network are considered likely at operational stage.</p>
<p style="text-align: center;">Conclusion</p>	
<p>Likelihood of Significant Effects</p>	<p>Conclusion in respect of EIA</p>
<p>There is no real likelihood of significant effects on the environment.</p>	<p>EIA is not required.</p>

Inspector: _____ **Date:** _____

DP/ADP: _____ **Date:** _____

(only where Schedule 7A information or EIAR required)

WFD – Stage 1 Screening

WFD IMPACT ASSESSMENT STAGE 1: SCREENING			
Step 1: Nature of the Project, the Site and Locality			
An Bord Pleanála ref. no.	322471-25	Townland, address	Dripsey Model Village, Deeshart Dripsey Co. Cork
Description of project		Construction of 17 no. dwellings and ancillary site development works. Minor amendments to the permitted public open space areas and represents an extension of the residential development permitted under P.A. Ref. 21/7466, ABP Ref. 314235-22	
Brief site description, relevant to WFD Screening,		The site is located within the settlement boundary of Model Village. The Dripsey River is located c. 300 m to the southwest. The site is elevated relative to its surrounds.	
Proposed surface water details		Surface water from hardstanding areas will be directed to the proposed storm water drainage system which will be discharged to an existing attenuation tank permitted under PA Ref.21/7466 ABP Ref. 314235-22 which is then discharged to an existing storm sewer at Dysart Woods estate.	
Proposed water supply source & available capacity		The proposed development will be serviced by piped public water mains. A pre-connection enquiry submitted confirms by Uisce Éireann that the connection is feasible without infrastructure upgrade.	
Proposed wastewater treatment system & available capacity, other issues		The proposed development will be serviced by piped public wastewater connection. A pre-connection enquiry submitted confirms by Uisce Éireann that the connection is feasible without infrastructure upgrade.	
Others?		Not applicable	