



An
Coimisiún
Pleanála

Inspector's Report

ACP-323382-25

Development	Construction of 2 dwellings with all associated site works
Location	No 1 The Gardens Rope Walk, fronting onto Orchard Mews, Convent Avenue Blackrock, Cork, Co. Cork
Planning Authority	Cork City Council
Planning Authority Reg. Ref.	2443316
Applicant(s)	Anna Coakley
Type of Application	Permission
Planning Authority Decision	Grant permission
Type of Appeal	Third Party
Appellant(s)	Orchard Mews Residents Association Connor O'Sullivan
Observer(s)	Kellie Hurley Marie and Eddie Walsh Catriona Mac Naeidhe Elaine Spillane Trish O'Donovan & Steve Baker

Date of Site Inspection

13 October 2025

Inspector

Natalie de Róiste

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1.0 Site Location and Description

- 1.1. The site is the rear garden of an existing semi-detached bungalow on Rope Walk in Blackrock, Cork.
- 1.2. The site backs onto the small housing estate of Orchard Mews, which is a development of 10 houses, with surface parking and a small green, accessed from Convent Avenue to the north. The site is bordered to the north by the rear garden of The Cottage, Convent Avenue, a single-storey house. A pedestrian gate leads from the rear garden of the subject site to fallow ground to the rear of The Cottage, which gives access to Convent Avenue to the north. This pedestrian route is indicated by a wayleave on the map. To the south, the site is bordered by the rear garden of 2 The Gardens, a vacant house due to be demolished by the City Council and replaced with 3 universally accessible units.
- 1.3. The site and the surrounding lands are relatively flat, but there is a two-metre level difference between the site and the adjoining public open space and car parking of Orchard Mews.
- 1.4. To the front of the bungalow, Rope Walk is broad, straight, and has no parking restrictions. Convent Avenue is narrow, with some footpaths (also narrow), and evidence of pavement parking on the day of the site visit. There are no markings for car parking in Orchard Mews, although there is sufficient space for at least 18 cars, more if parked efficiently. Eight to nine cars were parked there on the day of the site visit, with no irregular or antisocial parking.
- 1.5. The site is c. 5 km from Cork city centre; c. 2.5 km from Mahon Point Shopping Centre; and c. 300 metres from Blackrock Pier.

2.0 Proposed Development

- 2.1. The development as submitted included the construction of a pair of semi-detached two-storey houses, each with three bedrooms and measuring c. 122 sqm, each with rear garden of 42 sqm, facilitated by the demolition of a garden shed. The houses

face onto Orchard Mews, and two parking spaces are provided to the front. Excavation is proposed to step the site down to the level of Orchard Mews.

- 2.2. Following a request for further information, revised designs were submitted, for two detached houses, each two-storey with dormer attic, each with three bedrooms and measuring c. 125 sqm. One rear garden of 41 sqm, one rear garden of 56 sqm, and the retained rear garden to the parent property was 63 sqm (not including the shed there).

3.0 Planning Authority Decision

3.1. Decision

Grant permission.

3.2. Planning Authority Reports

3.2.1. Planning Reports

Two reports, the first recommending a request for further information, the second recommending a grant of permission.

- Report dated 4/12/24 noted the site context, planning history and policy, third party submissions and technical reports on file, and noted concerns regarding the feasibility of the car parking spaces, the proximity of the houses to the site boundaries and the degree of cut required on the site, and the inclusion of lands within the red line boundary that did not belong to the applicant.
- Report dated 16/07/25 noted satisfaction with the submitted response, and recommended a grant of permission.

3.2.2. Other Technical Reports

- Contributions report dated 18/11/2024– no objection subject to contributions.
- Drainage report dated 30/10/2024 – Further Information requested, including Confirmation of Feasibility from Uisce Éireann, and on storm water drainage
- Environment report dated 11/11/2024 – no objection subject to conditions

- Urban Roads & Street Design report dated 06/11/2024 – Further Information required on access to car parking spaces, number of car parking spaces, and taking in charge.
- Conservation – no comments

Following submission of Further Information:

- Drainage report dated 26/06/2025 – no objection subject to conditions
- Contributions report dated 11/07/2025 – no objection subject to contributions.
- Urban Roads & Street Design report dated 15/07/2025 – no objection subject to conditions.

3.3. **Conditions**

- 3.3.1. Nineteen conditions were attached, the majority of which were standard conditions of a technical nature.
- 3.3.2. Condition 7 concerned construction waste. Conditions 8 and 10 concerned noise management. Condition 11 concerned construction management.

3.4. **Prescribed Bodies**

No reports on file.

3.5. **Third Party Observations**

Three submissions were received, from neighbouring residents and from the Orchard Mews Residents Association. These raised issues similar to those raised in the appeal and the observations.

A response to these submissions was made by the agent for the applicant, as a third party submission. This raised issues similar to the response to the third party appeal.

4.0 **Planning History**

No history files were provided.

The planner's report referred to the following:

- No 1 The Gardens, Rope Walk, Blackrock, Cork (constructed as 1a The Gardens).

PL28.300369 (Reg Ref 1737315) Construction of a part single storey, part two storey detached dwelling and all associated site development works.

Permission granted following a third party appeal.

- No 2 The Gardens, Rope Walk, Blackrock, Cork.
S.179A Notice (Part 8 Development) for proposed demolition of existing bungalow and construction of 3 single-storey 3-bedroom wheelchair accessible residential units. Not yet commenced.

5.0 Policy Context

5.1. Cork City Development Plan 2022-28

- 5.1.1. The site and the surrounding area is zoned ZO 01 Sustainable Residential Neighbourhoods with the objective *“to protect and provide for residential uses and amenities, local services and community, institutional, educational and civic uses.”*

- 5.1.2. The following sections of the plan are of relevance to the appeal:

Section ZO 1.7 states that many green areas of open space in residential estates in Cork City are included in this [Sustainable Residential Neighbourhoods] zone. There will be a presumption against development on all open space in residential estates including any green area or public amenity area that formed part of an executed planning permission for development and was identified for the purposes of recreation or amenity open space, including land which has been habitually used as public open space. Such lands shall be protected for recreation, open space and amenity purposes.

Objective 8.23 Development in Architectural Conservation Areas

Chapter 11 Placemaking and Managing Development

Objective 11.1 Sustainable Residential Development

Objective 11.3 Housing Quality and Standards

New Residential Development Sections 11.66-11.68

Quantitative Standards for Houses Sections 11.106-11.111

Table 11.13 Maximum Car Parking Standards – this sets out that for residential units with 3 or more bedrooms in *Zone 3 City Suburbs and Urban Towns*, a maximum of 2.25 spaces is permitted.

5.2. Cork City Heritage and Biodiversity Plan 2021-2026

5.3. National Policy and Guidance

5.3.1. *Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024).*

5.3.2. These guidelines reiterate the National Planning Framework and the RSES priority of ambitious growth targets for cities and metropolitan areas, including delivering brownfield and infill development at scale within the existing built-up footprint. There is an emphasis on compact growth, and the provision of more houses and denser development in cities and towns in proximity to existing services and public transport. Planning authorities are obliged to have regard to these Section 28 Guidelines, and obliged to implement any Specific Planning Policy Requirements (SPPRs) set out therein.

5.3.3. *SPPR 3 – Car Parking* sets out that in city centres and urban neighbourhoods of the five cities, car-parking provision should be minimised, substantially reduced, or wholly eliminated, with a maximum of 1 space per dwelling.

5.3.4. *Design Manual for Urban Roads and Streets (DMURS)*

5.3.5. This sets out statutory guidance and standards in relation to the design of individual streets to promote safer and more vibrant streets.

5.4. Natural Heritage Designations

The site is 700 m west of Cork Harbour SPA (004030).

5.5. EIA Screening

The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 and Form 2 in Appendices of 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.

5.6. Water Framework Directive Screening

- 5.6.1. The subject site is located in a built up area in Cork city, c. 170 metres south of the Lee Estuary (IE_SW_060_0900), within the Glasheen (Cork City)_010 sub basin (IE_SW_19G040700). The site is located on top of the ground water body Ballincollig (IE_SW_G_002).
- 5.6.2. The proposed development comprises the provision of two houses.
- 5.6.3. No water deterioration concerns were raised in the planning appeal.
- 5.6.4. I have assessed the 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. 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.
- 5.6.5. The reason for this conclusion is as follows:
- the small scale and nature of the development
 - the distance from the nearest water bodies and the lack of hydrological connections
- 5.6.6. 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.

6.0 The Appeal

6.1. Grounds of Appeal

Two received, from Conor O'Sullivan, and from the Orchard Mews Residents Association.

Both appeals raised similar concerns. Conor O'Sullivan's appeal is summarised as follows:

- The access via Orchard Mews is inappropriate, resulting in the loss of car parking. Cars will no longer be able to park where the new proposed entrance is planned. This will exacerbate existing parking and access difficulties, including access for emergency vehicles and delivery vehicles.
- The development will increase risks to pedestrians, including children playing on the communal green areas.
- The removal of 300-350 sqm of soil to lower the site levels will require numerous heavy goods vehicles, which are inappropriate through a narrow and congested route through Orchard Mews. Soil should be removed via the building site at no 2 The Gardens.
- Connection to existing drainage will necessitate road excavation with associated risks and inconvenience.
- Prior to the construction of 10 houses in Orchard Mews, planning permission was refused in 1999 for 12 dwellings on the site due to excessive density, inadequate road network, poor quality open space and traffic hazard. This current proposal disregards this precedent.
- The development will require removal of part of a rockery built and maintained by residents, with funding by Cork City Council. This is an invaluable outlet and amenity to the community.
- The proposal will impact privacy and security and property values.

6.1.1. The Orchard Mews Residents Association also noted the following:

- The residents have no objection to the existing fencing on the boundary, do not consider it unsightly, and appreciate the security it offers. Overgrown

plants are originating in the applicant's site, and not on the Orchard Mews side.

- There is no registration of the right of way from Convent Road. This area is currently overgrown, and supports wildlife. The removal of this space may contradict the Cork City Biodiversity Action Plan. The creation of an alleyway here will jeopardise security to Orchard Mews.
- An adequate letter of consent from the owner of The Cottage is required.
- The site should be developed with parking and access via the front of the house, in a similar fashion to the adjoining Part 8 development. There is no objection to the principle of development of two houses; only the access.
- The applicant's agent states they were unaware that a residents' association existed – receipts from the Council are appended to demonstrate its existence.
- The principle of the refusal for 12 houses in 1999 should be respected.

6.2. Applicant Response

A response was received from the applicant's agent which set out the planning history, site context, and policy, and responded to the third party appeals as follows:

- The applicant is happy with the permission as granted, including the attached conditions.
- The appeals are unfounded, referencing matters that have already been addressed by the Local Authority and have been satisfactorily responded to.
- There is considerable concern expressed regarding the car parking, which it has been demonstrated can be properly accessed, and are a very minor increase in existing parking, unlikely to create any negative impacts.
- The development is supported by national and Development Plan policies regarding high quality housing, infill development, compact settlement, and increasing population density and housing density on serviced zoned sites with access to public transport.

- This is not a speculative development, but sites for the applicant's adult children – letters from them setting out their housing need are appended.
- This inner urban area is characterised by high density terraced housing, with minimal private open space, and recent infill developments. The proposal is in keeping with this character.
- The dwellings have been designed to mitigate impacts on neighbouring properties, with stepped levels, adequate separation distances, and modest height. Daylight and sunlight are unaffected, and a report is appended to demonstrate same.
- The references to a refusal 25 years ago are irrelevant – this was a different development, assessed under a different Development Plan and different national guidelines.
- No loss of car parking occurs. Car parking and green areas in Orchard Mews are public, accessible and available to all. The Development Plan car parking standards are maximums, and the development is compliant.
- Traffic generated by two additional houses will be extremely low. Existing road speeds are low, and there is no evidence of road accidents. The development will not lead to any congestion or traffic hazard. Incidents of illegal parking are issues for the council; this proposal meets all relevant planning and design standards in an urban infill site.
- Several construction projects (including the Orchard Mews estate) have been carried out using the existing road network, with significantly more substantial housing developments in the recent past. The construction of 2 houses would not be prolonged, or lead to impacts any greater than typical works carried out every day. The removal of soil can be through the estate, via the existing right of way, or via the front of the site, or (with the agreement of the council) via the adjacent vacant site at 2 The Gardens. This can be finalised in the Construction Management Plan to be agreed with the Planning Authority.
- The applicant is happy to reinstate the rockery to the front boundary of the development site, and provide for supplementary planting.

- The right of way has been used since Orchard Mews was built. Should permission be forthcoming, the area will be fenced off – assertions of potential anti-social behaviour are overstated. In any case, this is not a material planning consideration, the site is to be accessed from the public area in Orchard Mews.
- In conclusion, the proposal fulfils a housing need, complies with policy, and no convincing case has been made that there are any fundamental or meaningful grounds for refusal. Permission should be granted.

6.3. Planning Authority Response

None received.

6.4. Observations

Six observations were received. Issues raised are summarised below:

- Residents have no objection to the construction of housing, but the access should be via Rope Walk, not Orchard View. The local road network is not suitable for construction traffic.
- The proposal will exacerbate existing car parking and access difficulties, and put children playing at risk.
- The proposal will negatively impact biodiversity and the already limited greenery of Orchard View.
- Construction impacts will negatively and significantly impact residents.
- There is a risk of structural damage to older properties due to vibrations from works and HGVs.
- The proposed alleyway will risk antisocial behaviour.
- The development will put pressure on drainage infrastructure.
- The right of way is not maintained, and has not been registered with the Property Registration Authority.

- The shed adjacent to The Cottage is not shown on the drawings, giving a misleading impression of the scale of the right of way. This shed contains the sewerage connection and has already been damaged.
- No consent has been given by the owner of The Cottage for shoring of the boundary during excavations.
- The site is within the Blackrock Village ACA.

6.5. Further Responses

None received.

7.0 Assessment

7.1. I have examined the application details and all other documentation on file, including the submission received in relation to the appeal, the reports of the local authority, and the material submitted by the applicant. I have inspected the site, and I have had regard to relevant local/regional/national policies and guidance. I consider the substantive issues to be considered as follows:

- Principle of Development
- Residential Amenity
- Access, Traffic Hazard, and Car Parking
- Construction Impacts
- Impacts on Public Open Space

7.2. Principle of Development

7.2.1. The development of two houses on an infill site on zoned and serviced lands in the inner suburbs of Cork city complies with national and Development Plan policy for compact settlement and housing provision. The houses meet the national standards set out for floor areas, garden sizes, etc., and would provide new family homes in the built up area. I note the letters submitted from the future residents; this is zoned land in the city, and no 'local needs' requirement applies.

7.3. Residential amenity

- 7.3.1. A number of residents have expressed concerns regarding potential for anti-social behaviour from the creation of an alley between The Cottage and 1 Orchard Mews. This is not reflected in the plans submitted.
- 7.3.2. A wayleave is indicated between the public road and the pedestrian gate to the rear garden of the subject site, which reflects the existing situation as observed on the site visit. No new access is proposed from this area (either to Orchard Mews or to the appeal site) as part of this development. As noted above, the two new houses have access from Orchard Mews, and the proposed new fence secures both them and the Orchard Mews parking area from the site to the rear of The Cottage. I fail to see any potential for increase in security risks or antisocial development as a result of this development.
- 7.3.3. Regarding concerns regarding overlooking, the houses are over 30 metres from directly opposing properties, across the public realm, which is a more than adequate distance to protect privacy. As such, I consider concerns regarding privacy and devaluation of property to be unfounded.
- 7.3.4. I note the Daylight and Sunlight Assessment submitted demonstrates there will be negligible impacts on neighbouring properties. On the whole, other than the normal, temporary, impacts from construction (discussed further below), I consider there will be no impacts on residential amenity.

7.4. Access, Traffic Hazard, and Car Parking

- 7.4.1. Both appeals and a number of observers suggest that the site should be accessed from the front of the bungalow site, from Rope Walk. This, in my view, is not a reasonable proposal. No. 1 The Gardens has a two-metre wide side passage which permits pedestrian access, but would not allow access for vehicles, leaving the new houses inaccessible to emergency vehicles, and requiring pedestrian access through the rear garden of the parent property. It would be an unsatisfactory landlocked backland development. Access via Rope Walk to the new development at no 2 The Gardens is possible both due to the demolition of that derelict property, and the greater width of that site. It is not practical for this site, which contains a habitable and inhabited house.

- 7.4.2. Regarding the proposed access and car parking, I note at the outset that there is existing surface car parking in Orchard Mews. As such, I consider concerns regarding traffic accidents, pedestrian safety, and danger to children playing as a result of the proposed development, to be overstated. The existing environment within Orchard Mews is one with car traffic, with a number of observers noting that the car parking is used both by existing residents of the estate and by neighbouring residents. As such, there would be little to no impact on the existing character and environment of the estate by the addition of two new houses to the existing group of ten, and the addition of two car parking spaces alongside an existing parking area. The green area is not encroached upon, nor are the footpaths. The new residents can be assumed to have similar child safety concerns and driving habits as the existing residents.
- 7.4.3. One appellant noted that car parking would be lost due to the development. A number of observations and submissions have made reference to driveway access. However, the drawings show two new car parking spaces parallel to the existing row of car parking spaces, facilitated by expanding the existing courtyard parking area slightly into the rear garden of No 1 The Gardens and the area to the rear of The Cottage. No barrier is indicated between the existing and proposed spaces, and the roadway is to be extended with new tarmac to match the existing tarmac. The applicant notes in their original cover letter that the 2 new spaces will be public spaces, like the existing car parking in Orchard Mews which is under the control of the council.
- 7.4.4. The photographs submitted by all parties show cars parked as per the layout submitted with the application. The provision of two new car parking spaces at the end of this row of existing car parking spaces would not affect the accessibility of existing car parking, and the applicant submitted a 'swept path analysis' showing the proposed parking is useable without encroaching on neighbouring spaces (albeit with some manoeuvring), and this was acceptable to the Urban Roads and Street Design Division of the Local Authority.
- 7.4.5. As such, it is proposed to provide two new houses, with two new (flexible, on-street) spaces. This is in keeping with the standards set by DMURS. The Development Plan sets a maximum of 2.25 spaces per unit; SPPR 3 of the Compact Settlement Guidelines sets a maximum of 1 space per unit for sites such as this in Cork city,

which takes precedent over the Development Plan standard. In my view, the proposed parking provision is appropriate in this inner suburb of Cork, in the interests of prioritizing the use of zoned serviced land for housing, rather than for parking.

- 7.4.6. Both the appellants and a number of observers have noted existing parking pressures from existing residential uses and leisure uses in the area, with pavement parking, obstructive parking, and overspill parking from events. Wider parking management and enforcement in the area is an issue for regulation by the Local Authority and the Garda Síochána, and are outside the remit of this assessment. This is a relatively small development – two houses and two car parking spaces – in the context of wider parking pressures in the built-up area.
- 7.4.7. The proposed development is compliant with Development Plan policy, DMURS, and the Compact Settlement Guidelines having regard to parking and access.

7.5. Construction Impacts

- 7.6. A large number of issues regarding construction impacts and risks have been raised. I note that while any construction will naturally have impacts on neighbouring properties (noise, dust, vibrations, traffic, and other inconveniences) these are more appropriately addressed by attaching conditions on hours of work, noise levels, traffic management and waste management to mitigate the impacts, than by a refusal of permission.
- 7.7. Construction site safety is regulated by the Safety, Health and Welfare at Work (Construction) Regulations 2013 (as amended). Any road closures or traffic management (e.g., stop and go system) on the public road are an issue for licencing by the Transportation Department of the Local Authority.
- 7.8. The applicant has referred to a detailed construction management plan to be agreed with the Planning Authority, and has proposed a number of options for construction waste disposal and soil removal; through Orchard Mews, through the right of way adjacent to The Cottage, through the side passage of the existing bungalow, or via the site of the adjoining vacant property due for demolition. A construction management plan is the appropriate mechanism to address construction impacts on this backland site in a built-up residential area, and a condition should be attached in

the event of a grant. A construction transport management plan is also appropriate, given the location.

7.9. Impacts on Public Open Space

- 7.9.1. The proposed development would require the removal of a raised bed adjacent to the boundary, with a variety of attractive shrubs and plants located in it. This garden, referred to as the rockery, is located within the red line boundary, but is in the ownership of the City Council, and a letter of consent to make the application was provided by the Corporate Affairs and International Relations section. I note this letter permits the making of the application only, and does not confer any ownership rights or development rights. I also note that Section 34(13) of the Planning and Development Act sets out that a person shall not be entitled to carry out any development solely by reason of a grant of permission.
- 7.9.2. While this garden is owned by and funded by the Council, it is maintained by the residents of Orchard Mews and provides a communal gardening resource for them. The applicant has proposed (both as an observation on the planning application, and as a response to the appeals) that they might set back the front boundary of the proposed development site, and carefully relocate the planter and provide supplementary planting. No drawing has been provided to demonstrate this: drawing 2254-31B shows a planter in front of the house to the north set behind a steel railing, forming part of the private amenity space of that house. There is some potential to provide a forward-facing planter at this location, though it would be smaller than the existing. Hedging has recently been planted along the east boundary on the green area, and this part of the application site (in front of the house to the south) would not appear appropriate for the relocation of the rockery, as it would lie behind this new hedging.
- 7.9.3. In any case, in my view, the relocation or replacement of this rockery in a suitable location, or the provision of an alternative amenity for the residents, is an issue for the Local Authority to address, as it is part of the public realm, not the applicant's property. It is not reasonable to attach conditions to the permission to carry out works that are outside the control of the applicant.

7.9.4. Paragraph ZO 1.7 of the Development Plan notes a presumption against development on open space in residentially zoned areas. Given the very small area involved, both in absolute terms (a 1-metre by 10-metre strip) and as a fraction of the public realm in the estate, and given its marginal location, I consider that notwithstanding the presumption against development, the proposal is acceptable having regard to this text, and no material contravention issues apply.

7.10. **Other issues**

- 7.10.1. A number of issues (the status of the residents' committee, the status of the right of way through the garden of The Cottage, pre-existing structural issues with that property, the profession and role of the applicant's son) were raised in various submissions that are of limited or no relevance to the matter in hand. I note no objection was raised by the resident of The Cottage regarding the right of way or other matters, and a letter of consent to make the application was provided as part of the Further Information submission.
- 7.10.2. I note the development lies within Sub-Area C: Blackrock Village of the Blackrock Architectural Conservation Area. The Conservation Office had no comments on it. The development would have no negative impacts on this ACA.
- 7.10.3. Regarding the refusal of permission for 12 houses on the site in 1999, I do not consider this a persuasive precedent, given the changes to the area and to the policy context in the intervening 25 years.
- 7.10.4. Regarding the concerns expressed regarding the biodiversity of the right of way, there are no specific objectives for the area in the Cork City Heritage and Biodiversity Plan 2021-2026, nor are there any proposals for development of that area that would be damaging to biodiversity.
- 7.10.5. The council attached a number of conditions (requirement for a management company, requirement for a waste management company) that I consider excessive given the minimal number of houses involved, and I do not recommend their attachment.

8.0 Appropriate Assessment

- 8.1. Having regard to the nature and small scale of the proposed development and the distance from the nearest European site, no Appropriate Assessment issues arise, and it is not considered that the proposed development would be likely to have a significant effect, individually, or in combination with other plans or projects, on any European site.

9.0 Recommendation

I recommend a grant of permission.

10.0 Reasons and Considerations

Having regard to the nature and scale of the development, the location and context of the site, the policies, objectives, and standards of the Cork City Development Plan 2022-28, national policy to provide compact settlements, the standards and guidance set out in the Design Manual for Urban Roads and Streets, it is considered that, subject to the below conditions, the proposed development would not seriously injure the residential or visual amenities of the area, would not create traffic hazard, and is in accordance with the proper planning and sustainable development of the area.

11.0 Conditions

1. 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 11th day of October 2024, 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. Details of the materials, colours and textures of all the external finishes to the proposed dwelling shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity and to ensure an appropriate high standard of development.

3. The glazing to all bathroom and en-suite windows shall be manufactured opaque or frosted glass and shall be permanently maintained. The application of film to the surface of clear glass is not acceptable.

Reason: In the interest of residential amenity.

4. Prior to commencement of works, the developer shall submit to, and agree in writing with the planning authority, a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the development, including hours of working, noise and dust management measures and off-site disposal of construction/demolition waste.

Reason: In the interest of public safety and amenity.

5. A detailed construction traffic management plan shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The plan shall include details of arrangements for routes for construction traffic, parking during the construction phase, the location of the compound for storage of plant and machinery and the location for storage of deliveries to the site.

Reason: In the interest of traffic safety and convenience.

6. During the construction and demolition phases, the proposed development shall comply with British Standard 5228 *"Noise Control on Construction and open sites Part 1. Code of practice for basic information and procedures for noise control."*

Reason: In the interests of neighbouring residential amenity.

7. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance until taken in charge by the local authority of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion or maintenance of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Coimisiún Pleanála for determination.

Reason: To ensure the satisfactory completion and maintenance of the development until taken in charge.

8. The attenuation and 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.

Reason: In the interest of flooding prevention.

9. Any tree felling and clearing of vegetation shall take place outside of the bird nesting season.

Reason: in the interests of preservation of wildlife.

10. Any damage to the existing road, footpath and services resulting from this development shall be repaired by the developer at his own expense, to the satisfaction of the Planning Authority.

Reason: in the interest of orderly development.

11. The applicant shall enter into a Connection Agreement with Uisce Éireann to provide for a service connection to the public water supply and/or wastewater collection network and adhere to the standards and conditions set out in that agreement. All development shall be carried out in compliance with Uisce

Éireann's Standard Details and Codes of Practice. Uisce Éireann does not permit Build Over of its assets. Where the applicant proposes to build over or divert existing water or wastewater services the applicant shall have received written Confirmation of Feasibility (COF) of Diversion(s) from Uisce Éireann prior to any works commencing.

Reason: To provide adequate water and wastewater facilities.

12. Site development and building works shall be carried out between the hours of 0800 to 1900 from Mondays to Fridays inclusive, between 0900 and 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

Reason: To safeguard the amenity of property in the vicinity.

13. 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.

14. Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in accordance with Section 94 and Section 96 of the Planning and Development Act 2000, unless an exemption certificate has been granted under section 97 of the Act, as amended. Where such an agreement cannot be reached between the parties, the matter in dispute (other than a matter to which section 96(7) applies) shall be referred by the planning authority or any other prospective party to the agreement, to An Bord Pleanála for determination.

Reason: To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan for the area.

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

Natalie de Róiste
Planning Inspector

3 November 2025

Form 1 - EIA Pre-Screening

Case Reference	ACP-323382-25
Proposed Development Summary	Two houses
Development Address	No 1 The Gardens, Rope Walk, fronting onto Orchard Mews, Convent Avenue, Blackrock, 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.	State the Class here
<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, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.	

<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	State the Class and state the relevant threshold
<input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	Class 10(b)(i) Construction of more than 500 dwelling units – Sub Threshold Class 10(b)(iv) [Urban Development – 10 hectares – sub threshold]

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)?	
Yes <input type="checkbox"/>	Screening Determination required (Complete Form 3) <i>[Delete if not relevant]</i>
No <input checked="" type="checkbox"/>	Pre-screening determination conclusion remains as above (Q1 to Q3) <i>[Delete if not relevant]</i>

Inspector: _____ Date: _____

Form 2 - EIA Preliminary Examination

Case Reference	ACP-323382-25
Proposed Development Summary	Two houses
Development Address	No 1 The Gardens, Rope Walk, fronting onto Orchard Mews, Convent Avenue, Blackrock, 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).	Construction of two houses in an urban area, connected to public services. The development would not result in the production of significant waste, emissions, or pollutants.
Location of development (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).	The development is in a built up area, and would not have the potential to significantly impact on an ecologically sensitive site or location. There is no hydrological connection present such as would give rise to significant impact on nearby water courses (whether linked to any European site or other sensitive receptors). The proposed development would not give rise to waste, pollution or nuisances that differ significantly from that arising from other urban developments.
Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).	The development would not result in the production of significant waste, emissions, or pollutants, and there is no potential for significant effects, either by itself or cumulatively with other developments.
Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA

There is no real likelihood of significant effects on the environment.	<p>EIA is not required.</p> <p>Include the following paragraph under EIA Screening (a separate heading) in the Inspectors report.</p>
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Inspector: _____ **Date:** _____
DP/ADP: _____ **Date:** _____
 (only where Schedule 7A information or EIAR required)