



An  
Coimisiún  
Pleanála

## Inspector's Report ACP-323669-25

<b>Development</b>	Outline permission for demolition of dwelling, construction of 88 residential dwellings and associated site works.
<b>Location</b>	Blackstone Bridge, Upper Fairhill, Lower Killeens, Cork
<b>Planning Authority</b>	Cork City Council
<b>Planning Authority Reg. Ref.</b>	2443442
<b>Applicant(s)</b>	Donal Cox.
<b>Type of Application</b>	Outline Permission.
<b>Planning Authority Decision</b>	Grant
<b>Type of Appeal</b>	Third Party
<b>Appellant(s)</b>	James Meaney. Philip Meaney. David Ahern.
<b>Observer(s)</b>	None.
<b>Date of Site Inspection</b>	1 <sup>st</sup> December 2025
<b>Inspector</b>	Jennifer McQuaid

# Contents

1.0 Site Location and Description .....	4
2.0 Proposed Development .....	4
3.0 Planning Authority Decision .....	5
3.1. Decision .....	5
3.2. Planning Authority Reports .....	5
3.3. Prescribed Bodies .....	9
3.4. Third Party Observations .....	9
4.0 Planning History.....	11
5.0 Policy Context.....	11
5.1. Development Plan.....	11
5.2. National and Regional Policies .....	18
5.3. Natural Heritage Designations .....	18
5.4. EIA Screening .....	19
6.0 The Appeal .....	20
6.1. Grounds of Appeal .....	20
6.2. Applicant Response .....	21
6.3. Planning Authority Response.....	23
6.4. Observations.....	23
6.5. Further Responses .....	23
7.0 Assessment.....	23
8.0 AA Screening.....	35
9.0 Water Framework Directive .....	36
10.0 Recommendation .....	37

11.0 Reasons and Considerations..... 37

Appendix A: Form 1 - EIA Pre-Screening ..... 38

Appendix A: Form 2 - EIA Preliminary Examination..... 40

Appendix B: Water Framework Directive Screening ..... 42

## 1.0 Site Location and Description

- 1.1. The subject site (2.76ha) is located adjacent to Blackstone Bridge in Upper Fairhill, Lower Killeens, Co. Cork. There is an existing residential dwelling with associated garage, 2no. large steel sheds with a large open yard area. Access to the site is via an existing entrance off Upper Fairhill.
- 1.2. The subject site is steeply sloping from its highest point in the eastern corner to the northern and western sides. The existing lawns are stepped along the southwestern boundary, existing vehicle access is located at the northern part of the site, with the internal access road serving the existing dwelling running through the site up to a higher level. There is a separate existing pedestrian gate onto the public footpath on Upper Fairhill.
- 1.3. There are existing hedgerows and planting along the eastern and western boundaries comprising of a variety of species. Lands on the northern side of the site, running down to Bride River and the Lower Killeens Road are also within the applicant's ownership. These areas are overgrown and generally comprise of low-level vegetation and scrub.
- 1.4. The site is bound by undeveloped land to the south, west and north and by Upper Fairhill to the east. There is established housing in the surrounding area (on and off Upper Fairhill) and to the north in Lower Killeens.

## 2.0 Proposed Development

- 2.1. The proposed development consists of outline permission for:
  - The demolition of a habitable dwelling, ancillary garage storage shed, 2no. manufacturing sheds,
  - Construction of 88no. residential dwelling consists of 32no. 2 storey houses, (13no. 2bed dwellings, 10no. 3bed dwellings and 9no. 4bed dwellings), 16no. 1 bed apartment units arranged in 3no. 3 storey apartment blocks and 40no. duplex dwellings (20no. 2bed dwellings and 20no. 3bed dwellings) arranged in 10no. 3 storey blocks.

- Revisions to existing site entrance to create new vehicular and pedestrian access a separate pedestrian access at the southern side onto upper Fairhill and internal estate roads and pathways.
- 133no. car parking spaces and 55no. cycle spaces
- All associated site works

Further Information Request altered the proposed development. The revised proposal consists of:

- The demolition of a habitable dwelling, ancillary garage storage shed, 2no. manufacturing sheds,
- Construction of 55no. residential dwelling consisting of 7no. 1 bed unit, 21no. 2 bed unit, 20no. 3 bed unit and 7no. 4 bed unit.
- Revisions to existing site entrance to create new vehicular and pedestrian access a separate pedestrian access at the southern side onto upper Fairhill and internal estate roads and pathways.
- 76no. car parking spaces and 55no. cycle spaces
- All associated site works

## 3.0 Planning Authority Decision

### 3.1. Decision

Outline permission granted subject to 2 conditions.

### 3.2. Planning Authority Reports

#### 3.2.1. Planning Reports

- The site is located within an area zoned for residential, however the principle of the development cannot be supported as part of the proposed development lies within the 100m route corridor for CNDMR. Further information is required to address this conflict and a revised layout submitted.

- A revised site layout is required to provide better connectivity with the Cork Northern Multi-modal Distributor Road and back towards Fairhill with the new residential buildings addressing the revised street layout. The layout must respect a 100 metres corridor for the CNDMR.
- Environment requested further information in relation to construction and operational waste, however as the application is for outline permission, it is considered more appropriate to consider this request at detailed permission consequent stage.
- Area Engineer requested further information on a number of points but some of the matters (public lighting, traffic management plans, bicycle access and exit, upgrade for carriageway) will be dealt with at permission consequent stage.
- Further information required in relation to drainage.
- An Ecological Impact Assessment is required as part of further information.

#### Further Information Report

- The further information received was deemed significant and was readvertised.
- The applicant revised the site layout plan and reduced the proposal to 55 no. residential units. The revised layout incorporates the proposed new collector road; it was discussed with the Area Engineer of CCC and will be subject to further road tie in works when the preferred route of the Northern Distributor Road is progressed to more detailed design stage. The new internal estate road has been developed in coordination with the recommendations of CCC which will serve both the proposed residential dwellings in the remainder of the site and to allow for the future tie in of the road with the Northern Distributor Road. A new site access has been created, which avoids the 100m Route Corridor for the CNDMR. As the proposal now omits development from within the 100m route corridor for the CNDMR and the principle of development can be supported.
- The density is stated as 35 units per hectare and is below the minimum standard of 40 uph as set out in the Sustainable Residential Development &

Compact Settlement Guidelines for Planning Authorities (2024). It is considered a relaxation is reasonable having regard to the site constraints (topography) and the scale of the proposal which generally responds to the existing pattern of development in the area.

- The proposed unit mix is in accordance with Table 11.8 of the CDP.
- An Ecological Impact Assessment was carried out, and a condition shall be attached requiring the mitigation measures set out to be implemented in full.
- Clarification of information was requested in relation to Drainage, however, as the 6-month further information response period has now lapsed, there is no scope to seek clarification of further information. As the application is for outline permission, the drainage design can be finalised at permission consequent stage.
- A Confirmation of Feasibility from Uisce Eireann was submitted and confirms connection possible for 75no. units (proposal reduced to 55no. units). In order to facilitate a wastewater connection, the Uisce Eireann sewer network will have to be extended by approximately 50m.
- A new site entrance is proposed, and a Stage 1/2 Road Safety Audit was submitted, the applicant notes that the proposal is for outline permission, and the proposed access, internal estate road and other road tie-in arrangements will be subject to more detailed assessment with recommendations of the RSA being incorporated as part of any future permission consequent application.

### 3.2.2. Other Technical Reports

- Drainage: Further information requested in relation to compliance with the CDP, the proposed drainage strategy has not demonstrated that SuDs/NBS features have been fully considered or utilised within the development. Any soakaway shall be designed in accordance with BRE Digest 365, permeable paving is not permitted in public areas to be taken in charge. Where a development is to be taken in charge, and attenuation tanks are justified and permitted by the Council, all attenuation tanks must be concrete tanks, provide a full CCTV and condition survey of the existing sewer from the

proposed connection point to the outfall location. The further information submitted lacked details, and clarification was required on the discharge rate and the proposed attenuation tanks.

- Housing: Part V condition shall be attached.
- Area Engineer: Further information required in relation to a Road Safety Audit, public lighting report, proposals for people using bicycles to access and exit the site, upgrade of existing carriageway due to connection of services, traffic management plans to minimise disruptions during construction phase, surface water disposal shall be clarified as per objection concerning an existing watercourse and how this is to be achieved and dispersed as per SuDS. Further information received, no objection subject to conditions.
- Infrastructure Development: Further information requested in relation to the Cork Northern Distributor Multi-Modal Route (CNDMR), the subject site is partially within the preferred route corridor of 100m, any development is premature until such time as the alignment for the CNDMR is confirmed. The applicant is requested to submit a revised plan omitting development from the 100-metre corridor. Further Information received, no objection to the proposed development subject to conditions.
- Traffic: Regulations & Safety Report: Further information requested in relation to a revised site layout taking into account the recommended alternative street network to include the new local collector between Upper Fairhill and the Cork Northern Multi-modal Distributor Road and the upgrade to Upper Fairhill in the vicinity of the proposed development. The revised site layout will need to respect the 100m corridor for CNDMR. Further information received, no objection subject to final geometric layout for the entrance onto Upper Fairhill.
- Contributions: Contributions apply.

### 3.2.3. Conditions

- Condition 1: Outline permission is hereby granted for 55no. dwellings and the overall layout of the development as detailed on the further information plans and particulars submitted to the Planning Authority on 25/07/2025.

Reason: To clarify the extent to which the parameters of the development have been determined in this outline planning permission.

- Condition 2: Full details of the following shall be submitted with any application for planning permission consequent on the grant of this outline permission: (i) Siting, height, design and external appearance of the proposed dwellings and apartments, (ii) services (incl. water supply, wastewater and surface water drainage), (iii) vehicular access/entrance, (iv) car and cycle parking, (v) and landscaping and open space.

Reason: To define the terms of the permission and regulate/control the design in the interest of proper planning and sustainable development of the area.

### 3.3. Prescribed Bodies

- Uisce Eireann: A pre-connection enquiry was submitted. This is currently being assessed. The outcome of the PCE shall be submitted to the Planning Authority as a response to further information request. Further information submitted stating capacity available for up to 75no. units.
- Inland Fisheries Ireland: IFI would ask that Irish Water signifies that there is sufficient capacity in existence to that it does not a) overload either hydraulically or organically existing treatment facilities b) result in polluting matter entering waters or c) cause or contribute to non-compliance with existing legislative requirements. IFI would ask that should permission be granted a condition require there be no interference with, bridging, drainage, cleaning, maintaining or culverting of the adjacent river, its bank or bankside vegetation to facilitate this development without the prior approval of IFI. Additional, IFI would ask that planning conditions ensure there is no loss of flood plain as a result of the proposed development.

### 3.4. Third Party Observations

A number of observations were received. The concerns raised were:

- Located close to potential flood storage area, some dwellings are less than 50m from the watercourse. Flooding concerns.

- Impacts on the River Bride and biodiversity. Otters observed at the river bridge. Full ecological impact assessment required. Impact on hedgerows and trees.
- Scale and density, out of character with the area.
- Traffic and access concerns
- Japanese Knotweed on site, an invasive species management plan should be prepared.
- Deficiencies in wastewater infrastructure.
- Surface water run-off & increased hardstanding.
- Visual impact and break the skyline
- Construction impacts in terms of noise, dust and vibration due to rock removal.
- Street lighting disturbance to existing residents.
- Daily rubbish collection and will increase. Waste management.
- Possible anti-social behaviour.
- Development is excessive
- Reference to primary employment hub is nonsense.
- Insufficient public transport to cater for influx of persons.
- Not enough services/facilities for local population. No South Doc in the north side. No local creche.
- Lack of investment in services such as water and can the area take additional load without impacts downstream with the likes of Blackpool flooding.

7 further observations were submitted as part of the further information submitted.

The following concerns were raised:

- Excessive scale and density
- Traffic and road safety concerns, impact on Cork Northern Multi-Modal Distributor Road, no integration of CNMDR and proposed local collector road between Upper Fairhill and the CNDMR. Development not in accordance with

DMURS. Road Safety Audit ends on page 35 and no information in relation to Road Safety Assessment.

- Residential amenity impacts
- Flood risk and surface water concerns
- Environmental and biodiversity impacts. Ecological Impact Assessment is not comprehensive.
- Precedent and planning policy conflict
- Impact on infrastructure and services
- Uisce Eireann state only capacity for 75 units, not the 88 sought.
- Application is not complete and should not proceed to a determination until a full compliant response is received.

## 4.0 Planning History

**PA Reg: 04/7514:** Permission granted for the construction of detached domestic garage.

**PA Reg: 03/3540:** Permission granted for the construction of an extension to dwelling and detached garage/gymnasium.

## 5.0 Policy Context

### 5.1. Development Plan

Cork County Development Plan 2022-2028

The site is zoned Sustainable Residential Neighbourhoods

ZO 1: Sustainable Residential Neighbourhoods

To protect and provide for residential uses and amenities, local services and community, institutional, educational and civic uses.

ZO 1.1:

The provision and protection of residential uses and residential amenity is a central objective of this zoning. This zone covers large areas of Cork City's built-up area, including inner-city and outer suburban neighbourhoods. While they are predominantly residential in character these areas are not homogeneous in terms of land uses and include a mix of uses. The vision for sustainable residential development in Cork City is one of sustainable residential neighbourhoods where a range of residential accommodation, open space, local services and community facilities are available within easy reach of residents.

#### ZO 1.2

Development in this zone should generally respect the character and scale of the neighbourhood in which it is situated. Development that does not support the primary objective of this zone will be resisted.

#### ZO 1.3

Primary uses in this zone include residential uses, creches, schools, home-based economic activity, open space and places of public worship.

#### ZO 1.4

Uses that contribute to sustainable residential neighbourhoods are also acceptable in principle in this zone provided they do not detract from the primary objective of protecting residential amenity and do not conflict with other objectives of this Development Plan. Such uses include but are not limited to small-scale local services including local convenience shops; community facilities; cultural facilities; hotels and hostels; live-work units; service stations (petrol filling stations); local medical services; third level education institutes; community-based enterprise or social enterprises, health facilities including hospitals.

#### ZO 1.5

Where it can be suitable, the expansion of zoned Neighbourhood and Local Centres is open for consideration in this zone provided they meet the criteria for such centres set out in Chapter 7 Economy and Employment.

#### ZO 1.6

The employment policies in Chapter Economy and Employment designate particular locations for offices, office-based industry and major retailing development, and

these uses are not generally permitted in this zone, unless they are community-based enterprises or social enterprises.

#### ZO 1.7

Many green areas of open space in residential estates in Cork City are included in this 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 3.1: Planning for Sustainable Neighbourhoods

Cork City Council will seek to:

- (a) Utilise the urban towns, hinterland villages and city neighbourhoods as spatial units to develop sustainable neighbourhoods, employing the 15-Minute concept.
- (b) Require development proposals to put placemaking at the heart of their design concept and clearly demonstrate how neighbourhood integration, health and wellbeing and enhancement is central to this;
- (c) Plan for communities in accordance with the aims, objectives and principles “Sustainable Residential Development in Urban Areas” and the accompanying “Urban Design Manual – A Best Practice Guide”, Universal Design principles and any updates;
- (d) Ensure that an appropriate level of supporting neighbourhood infrastructure is provided in conjunction with, and as an integral component of, residential development in New Sustainable Neighbourhoods;
- (e) Undertake a Cork City Neighbourhoods Strategy during the lifetime of the Plan to identify strategic gaps in the provision of services/infrastructure/resources within existing and proposed neighbourhoods;
- (f) Create healthy and attractive places to live consistent with NPO 4 of the NPF and Goal 3: Sustainable Place Framework of the RSES.

### Objective 3.5: Residential Density

Cork City Council will seek to:

- a. Promote compact urban growth by encouraging higher densities throughout Cork City according to the Cork City Density Strategy, Building Height and Tall Building Study and resultant standards set out in Chapter 11: Placemaking and Managing Development and Mapped Objectives; and
- b. Ensure that urban density is achieved by development proposals providing for high quality sustainable residential development, ensure a balance between the protection of quality sustainable residential development, ensure a balance between the protection of the established character of the surrounding area and existing residential amenities.
- c. Ensure that urban density is closely linked to creating successful neighbourhoods and ensuring that neighbourhoods are integrated and permeable to ensure short trips are possible to urban centres, local services and amenities.
- d. Ensuring high-quality architectural, urban and public realm design. Guidance is set out in Chapter 11: Placemaking and Managing Development.

Chapter 4 refers to Transport and Mobility,

Section 4.119 refers to Northern Distributor Road. The Cork Northern Distributor Road is a short-term objective and considered to be a “critical enabler” for Cork Metropolitan Area Transport Strategy (CMATS) as it: Creates opportunities for sustainable development of existing land banks in the North City Cork Metropolitan area including the Ballyvolane Urban Expansion Area, facilitates the rollout of sustainable transport measures including public transport services for the North City area, facilitates the introduction of a HGV ban within the City Centre, serves the requirements of local traffic demand in the northern CMA; and allows for the downgrading of national routes entering Cork City, which can therefore allow for the prioritisation of sustainable modes on these routes.

Objective 4.1 CMATS: Cork City Council will work in cooperation with the NTA, TII and Cork County Council to fully implement the Cork Metropolitan Area Transport Strategy subject to detailed engineering design and environmental considerations,

including the projects and programmes in relation to walking, cycling, public transport, BusConnects, suburban rail, light rail, park and rides and roads infrastructure, including the Northern Distributor Road and Southern Distributor Link Road.

Chapter 11 refers to Placemaking and Managing Development.

#### Objective 11.1: Sustainable Residential Development

- a. Residential developments shall be sustainable and create high quality places which a. contribute to placemaking and to the 15-minute city and walkable neighbourhood concepts by planning for vibrant communities, with active streets, urban greening, versatile and creative use of spaces avoiding “dead” spaces.
- b. Prioritise walking, cycling and public transport, and minimise the need to use cars;
- c. Deliver a quality of life which residents and visitors are entitled to expect, in terms of amenity, safety and convenience;
- d. Provide a good range of community and support facilities, where and when they are needed and that are easily accessible;
- e. Present an attractive, well-maintained appearance, with a distinct sense of place and a quality public realm that is easily maintained;
- f. Are easy to access for all and to find one’s way around, with a focus on permeability within sites and integration and connectivity into the surrounding urban environment to enable short trips by walking and cycling;
- g. Promote the efficient use of land and of energy, and minimise greenhouse gas emissions;
- h. Provide a mix of land uses to minimise transport demand;
- i. Promote social integration and provide accommodation for a diverse range of household types and age groups;
- j. Enhance and protect green and blue infrastructure and biodiversity;
- k. Enhance and protect the built and natural heritage.

Section 11.61 refers to Residential Development

Section 11.69 refers to Density

Section 11.74 refers to Residential Mix

Objective 11.2: Dwelling Size Mix

All planning applications for residential developments or mixed-use developments comprising more than 50 dwellings will be required to comply with the target dwelling mix specified in Tables 11.3-11.9, apart from in exceptional circumstances.

Applications for 10-50 dwellings will need to provide a dwelling size mix that benefits from the flexibility provided by the dwelling size target ranges provided for the respective sub-area.

Purpose-Built Student Accommodation schemes will be exempt from dwelling mix targets. Where there is a target for student accommodation, and it can be demonstrated that this demand has been provided for within the area, then this demand can be reassigned to other dwelling sizes according to the relative target proportions.

Where a clear justification can be provided on the basis of market evidence that demand/need for a specific dwelling size is lower than the target then flexibility will be provided according to the ranges specified.

Section 11.80

Evidence to justify provision at a lower rate than the target specified on the basis of demand/need will be provided, including market evidence and the housing authority that they (or an approved AHB) have declined the option to acquire the units.

Applicants will need to fund an independent peer review of market data to ensure validation of the evidence presented. In the event that the Planning Authority accepts this evidence then development proposals must include an alternative dwelling size mix that assists in achieving a balanced community.

Table 11.8 sets out the size mix for Housing Developments.

Section 11.87 & 11.88 refers to Housing Quality and Standards.

Section 11.90 refers to Apartment Design

Section 11.91 refers to Qualitative Standards.

Section 11.92 refers to Qualitative Considerations in the Design of Apartment Schemes

Section 11.93 & 11.94 refers to Planning Applications for Apartment Schemes.

Objective 11.4: Daylight, Sunlight and Overshadowing (DSO)

All habitable rooms within new residential units shall have access to appropriate levels of natural/daylight and ventilation. Planning applications should be supported by a daylight and sunlight design strategy that sets out design objectives for the scheme itself and its context that should be included in the Design Statement.

The potential impacts of the proposed development on the amenities enjoyed by adjoining properties will need to be assessed in relation to all major schemes and where separation distances are reduced below those stipulated. Cumulative impacts of committed schemes will also need to be assessed.

Daylight, Sunlight and Overshadowing (DSO) assessment, utilising best practice tools, should be scoped and agreed with the Planning Authority prior to application and should take into account the amenities of the proposed development, its relevant context, planning commitments, and in major development areas the likely impact on adjacent sites.

Section 11.100 refers to Separation, Overlooking and Overbearance

Objective 11.5 refers to Private Amenity Space for Houses.

Section 11.112 refers to Public Open Space in Housing Developments.

Section 11.234 refers to Car and Bicycle Parking

#### Cork Metropolitan Area Transport Strategy (CMATS) 2040

Cork Metropolitan Area Transport Strategy (CMATS) 2040 has been developed by the National Transport Authority (NTA) in collaboration with Transport Infrastructure Ireland (TII) Cork City Council and Cork County Council. CMATS proposes a coordinated land use and transport strategy to cover the period up to 2040. CMATS requires additional road network infrastructure on the north side of Cork City to cater for access to planned development lands, provide walking and cycling linkages, access to radial public transport routes, orbital public transport provision, and the removal of some strategic traffic from Cork City Centre. This new road will be in the

form of a distributor road referred to as the Cork Northern Distributor Multi-Modal Route (CNDMR). The CNDMR is a short-term objective of CMATS and considered to be a “critical enabler” for sustainable development of existing land banks in the Northern Cork Metropolitan Area including the Ballyvollane Urban Expansion Area. The CNDMR will provide for orbital movement for bus, pedestrian, cycle and some strategic and general traffic and reduce reliance on radial routes through the city centre. An indicative route for CNDMR was shown in CMATS. Cork City Council are currently concluding an optioneering process for the selection of a “preferred route corridor”. The preferred corridor is 100m wide and indicates the space within which the scheme could potentially be developed. The actual route (or road), when constructed will be circa 30m wide. Public Consultation was carried out on Cork Northern Distributor Multi-Modal Road on 27<sup>th</sup> February 2025 to 10<sup>th</sup> April 2025 for 14km of road that stretches from Carrigrohane Road on the western side of the city to Glanmore on the eastern side, traversing around the northern part of Cork City. The “Emerging Preferred Route” has been identified, and submissions were welcomed during this time.

## 5.2. National and Regional Policies

- National Planning Framework 2040
- Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities (2023)
- Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2023)

## 5.3. Natural Heritage Designations

The site is not located within a designated site. The nearest are:

- Blarney Bog pNHA (site code: 001857) is located approximately 2.3km northwest of the subject site.
- Lee Valley pNHA (site code: 000094) is located approximately 3km west of the subject site.
- Cork Lough pNHA (site code: 001081) is located approximately 3.5km south of the subject site.

- Ardamadane Wood pNHA (site code: 001799) is located approximately 4.5km northwest of the subject site.
- Blarney Castle Woods pNHA (site code: 001039) is located approximately 4.6km northwest of the subject site.
- Blarney Lake pNHA (site code: 001798) is located approximately 4.7km northwest of the subject site.
- Shournagh Valley pNHA (site code: 000103) is located approximately 5.2km west of the subject site.
- Douglas River Estuary pNHA (site code: 001046) is located approximately 6km southeast of the subject site.
- Cork Harbour SPA (site code: 004030) is located approximately 6km southeast of the subject site.
- Glanmire Wood pNHA (site code: 001054) is located approximately 6.7km southeast of the subject site.
- Dunkettle Shore pNHA (site code: 001082) is located approximately 7km southeast of the subject site.
- Ballincollig Cave pNHA (site code: 001249) is located approximately 8.2km west of the subject site.

#### 5.4. EIA Screening

- 5.4.1. 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.

## 6.0 The Appeal

### 6.1. Grounds of Appeal

Three number third party appeals have been made. The following concerns were raised:

- Transport & Road Safety: Site lies within the 100m protected corridor for the planned Cork Northern Distributor Multi-Modular (CNDMR). Development is premature until the final alignment is confirmed.

The revised layout has resulted in the principal entrance dependent on a local collector road that itself is unplanned and unfunded, cannot exist until the CNDMR alignment is finalised.

No Road Safety Audit carried out. Numerous road accident in the area due to the road gradient, narrowness of the road and the uneven and pitted road surface. The road is not suitable for construction traffic.

- Flood risk and surface water management: Increased flooding risk at Blackstone Bridge and Lower Killeens and downstream areas including The Commons and Blackpool, which are already flood prone.
- Ecology: Negative impact on Ecology and Protected Species. No Ecological Impact Assessment submitted.
- Visual impact: 55 no. dwelling will not enhance the character and appearance of an area. The proposal will scar the landscape and affect the natural scenery and add to the over development of the area. The proposed unit types are not in keeping with the surrounding area. The proposed North West City Park amenity is planned for the surrounding lands and will consist of a local amenity park consisting of 116 hectares of parkland, the proposal will take from the natural landscaping of the park and will have a negative effect on the proposed North West City Park development.
- Construction: Noise, dust and vibration and impact on residential amenity.
- No local amenities to cater for the magnitude of increase of population or transport

- Public lighting will impact residents to the south facing hill from Lower Killeens which would illuminate bedrooms in several houses in the area.

## 6.2. Applicant Response

The applicant has made the following response:

- Road Safety Audit (RSA) was submitted in accordance with TII Guidelines. The RSA confirmed that the proposed access arrangements and internal road layout are safe and fit for purpose, subject to standard design refinements which were addressed in the design response report. The Planning Authority and Area Engineer raised no concerns. The proposal has been designed to account for the 100m route protection corridor of the CNDMR. The proposal enhances the future function of the CNDMR as active street frontage is provided, a connected street network which facilitates permeability and avoids cul-de-sac isolation, integration with planning infrastructure in a way that supports the long-term strategic growth of the area, as envisioned in CMATS and the CDP.
- In relation to pedestrian and cyclist safety, the scheme will help in delivering high-quality pedestrian and cycling infrastructure, both within the site and in its connections to the surrounding network. Key features include footpaths and shared surfaces designed in accordance with DMURS, direct links to future CNDMR pedestrian and cycle routes, a layout that promotes walkability and reduces car dependency, in line with sustainable transport principles.
- A Confirmation of Feasibility was received from Uisce Eireann and confirmed wastewater capacity of up to 75no. units and there is sufficient capacity for public water. The proposed foul network will consist of a gravity sewer consisting of a 225mm diameter PVC SN8 pipe in accordance with Uisce Eireann specifications. The proposed gravity sewer will discharge to a pump station location at the entrance of the development. It is proposed to pump the foul water to an existing Uisce Eireann foul water sewer located within Parklands Drive. Uisce Eireann have confirmed that an extension of the foul mains is required to facilitate the development. The applicant shall enter into

an agreement with Uisce Eireann to extend the foul sewer prior to commencement of works.

- A new surface water network will be provided which will be separated from the foul water sewer network. All surface water run-off from roof areas including roads, and paths will discharge to attenuation. Hardstanding areas shall be collected in the gravity pipe network. The surface water from roads and pavements shall be collected via a series of gullies and aco drains. This will subsequently discharge to the proposed attenuation tank. The Planning Authority sought clarification but also highlighted the drainage design can be finalised at permission consequent stage. The applicant is happy to accept a standard condition which will set out the proposed development will be subject to the drainage requirements from the Planning Authority. No potential downstream flood risks.
- An Ecological Impact Assessment (EclA) was submitted and includes a comprehensive site surveys and desktop review to assess habitats, species and potential ecological sensitivities. The assessment identified no significant residual impacts that would arise from the proposed development subject to mitigation measures. No concerns were raised by the Planning Authority in relation to ecology, landscape or visual impacts. The application is for outline permission and detail drawings designs and layouts will be subject to permission consequent.
- All construction issues will be dealt with as part of permission consequent, and at this stage a Construction and Environmental Management Plan and an Operational Waste Management Plan and relevant Demolition Plans will be submitted. Any rock on site will likely be reused to reduce the amount of waste carried off site in line with best practice.
- Public lighting will be developed in accordance with the requirements of Planning Authority's Public Lighting department.

### 6.3. **Planning Authority Response**

- The Planning Authority is of the opinion that all the relevant issues have been covered in the technical reports already forwarded to the Board as part of the appeal documentation, and has no further comment to make in this matter.

### 6.4. **Observations**

- None

### 6.5. **Further Responses**

Cork City Childcare made a submission to An Coimisiún Pleanála stating there are currently no Early Learning and Care (ELG) or School Aged Services located in the Killeens area. It is recommended that the impact of the proposed development should be considered in relation to adequate childcare facilities, regardless if the development is below the minimum 75 residential units required to provide a creche facility.

## 7.0 **Assessment**

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

- Transport & Road Safety
- Flood Risk and Surface Water Management
- Ecology
- Visual Impact
- Other Issues – Construction, Public Lighting & Local Services.
- Water Framework Directive
- Appropriate Assessment

## 7.2. **Transport and Road Safety**

- 7.3. The subject site is currently accessed off the Upper Fairhill road, this is a local road. The local road steeply climbs from the junction with Lower Killeens Road and Upper Fairhill road towards the east. There is a sharp right-hand bend along Upper Fairhill road which bounds the subject site. The proposal proposes a site access directly on this sharp bend. There is an existing narrow footpath along the local road along with crash barriers on the southern side of the road. The northern side is overgrown with vegetation which currently restricts sightlines along the local road.
- 7.4. Cork Metropolitan Area Transport Strategy (CMATS) 2040 proposes a new road and this will be in the form of a distributor road referred to as the Cork Northern Distributor Multi-Modal Route (CNDMR). The CNDMR is a short-term objective of CMATS and considered to be a “critical enabler” for sustainable development of existing land banks in the Northern Cork Metropolitan Area including the Ballyvollane Urban Expansion Area. An indicative route for CNDMR was shown in CMATS. The preferred corridor is 100m wide and part of the proposed site is located within the 100 metres corridor.
- 7.5. Objective 4.1 CMATS of the CDP states Cork City Council will work in cooperation with the NTA, TII and Cork County Council to fully implement the Cork Metropolitan Area Transport Strategy including the Northern Distributor Road and Southern Distributor Link Road.
- 7.6. The grounds of appeal state the site lies within the 100m protected corridor for the planned CNDMR. Development is premature until the final alignment is confirmed. No Road Safety Audit carried out. Numerous road accident in the area due to the road gradient, narrowness of the road and the uneven and pitted road surface. The road is not suitable for construction traffic. The revised layout has resulted in the principal entrance dependent on a local collector road that itself is unplanned and unfunded, cannot exist until the CNDMR alignment is finalised.
- 7.7. The applicant has stated that a Road Safety Audit was carried out and didn't highlight any issues. The proposed site entrance and location of the 100-metre corridor for the CNDMR was agreed with the engineers from Cork City Council

(CCC). Any further detail design will be implemented at permission consequent stage.

7.8. I note that the proposed development is directly adjacent to proposed CNDMR route and partly within the applicant's ownership, the remainder is outside the applicant's ownership. Infrastructure Development of CCC noted part of the planning application is within the 100m route corridor and that any development within this proposed route corridor is premature until such time as the alignment for the CNDMR is confirmed. At further information stage, the applicant was requested to submit a revised site layout and to consult with Infrastructure Development department. Following this request, the applicant revised the site layout and reduced the number of residential units proposed from 88 to 55 and provided a 100m corridor along the CNDMR route. Infrastructure Development of CCC have no objection to the revised layout. I have reviewed the revised site layout submitted as part of the further information request and I consider that the applicant has taken into account the proposed CNDMR route and provided the required 100m corridor as part of the revised site layout. Therefore, I do not consider that the proposed development will prohibit the development of the CNDMR route.

7.9. In regard to the Road Safety Audit (RSA), I note this was submitted as part of the further information response, the grounds of appeal state this document is not available, however I note it is scanned on the Planning Authority website for viewing by the public. The RSA examines the road safety implications associated with the proposed junction access to the site and includes an overview of the internal road layout within the site. I have reviewed the RSA, and I note a number of serious concerns are outlined in the assessment and a number of recommendations are included. The main concerns highlighted are as follows.

- No available Road Safety Authority online collision database, the final layout should take into account any existing risks and collision evidence.
- The speed limit on Upper Fairhill Road is default urban speed limit of 50km/hr, and there is currently no traffic calming measures on this road and no speed survey data. Inappropriate speeds on approaches to the new junction may lead to increased risks of sudden braking, rear shunt collision, right angled

collisions, and an increased risk of conflict with Vulnerable Road Users (VRUs, including cyclists and pedestrians).

- There is no separation distance for pedestrians at present on the narrow footpath along the western and southern sides of Upper Fairhill, along the site boundary.
- No provision for reduced speed limit signage within the proposed development and no provision for traffic calming measures to encourage low speeds, particularly on relatively long, straight internal links.
- There is a non-compliant safety barrier at the proposed site entrance. No details regarding the replacement of this barrier. Due to the horizontal curvature and steep gradients, it is likely that traffic will encroach into the mouth of the proposed access junction on the outside of the bend, leading to increased risks to vehicles waiting to turn out of the site.
- There is limited visibility around the sharp bend on the offside due to vegetation (outside the ownership of the applicant).
- It is not known if there are any other features within the site which would present a hazard to road users and require vehicle restraint to prevent serious or fatal collisions, including significant level differences or steep embankment slopes, but it was noted that the existing terrain within the site is on a significant slope at present, so ongoing containment of vehicles at this location may be necessary, depending on final slopes and earthworks design within the site.
- The geometry of Upper Fairhill is restrictive at the proposed site access, including substandard curvature and excessive gradients. There was no alignment details provided showing current gradients and curvature on Upper Fairhill, a gradient of 1:8 (13%) to the east of the proposed site access, which is not appropriate for the approach to a junction.
- No warning signs on the Upper Fairhill road. The proposed entrance may lead to misinterpretation regarding the proposed layout and existing curvature, with some motorists from the east, particularly those unfamiliar with the current

layout, likely to proceed straight ahead into the site on the downhill gradient, rather than following the right-hand bend around the curve on Upper Fairhill.

- The alignment is also likely to lead to an increased risk of excessive speeds and failure to stop at the stop line, for vehicles wishing to egress the site and travel east.
- The mouth of the junction is very wide, particularly the width of the egress lane, and it is likely that two cars may attempt to egress simultaneously (one turning left, the other turning right) side by side, which will lead to an increased risk of right angled collisions and pulling out type incidents, due to the visibility obstruction arising from the adjacent vehicle, which will mask clear visibility towards oncoming vehicles from each direction on the major road.
- Swept path analysis was provided for the site access, however it shows car movements only and not for large vehicles for the right turning manoeuvre into the site, and does not include for worst case scenario design vehicle or emergency vehicle access to/from the site in all directions, i.e. left and right turns in and out at the proposed site access junction.
- Reduced DMURS visibility splays, sightlines have not been taken from the centreline of the proposed access/egress. There is also a crest curve located a short distance east of the proposed site access, which when combined with the sharp horizontal curvature, further reduces visibility towards the proposed access point on a significant downhill gradient, where stopping sight distance (SSD) can increase significantly in wet and icy conditions.
- Pedestrian safety crossing the access/entrance point.
- Internal roads were assessed and no swept path analysis, no turning circles, sharp internal curves proposed, and no widening proposed, lack of internal sightlines, footpath abrupt suddenly, gradient at 8% is too high for safe VRU access. No parking provision requirements submitted.
- No details for connection of the internal access road to the proposed new distributor/ring road to the west, no long or cross sections and

gradients/earthworks, particularly as the terrain is on a steep slope at this location.

- 7.10. The RSA overall recommends that provision should be made for an alternative safe access junction to be provided to/from the site due to the steep gradients at the entrance, the sharp bend and curvature of the local road, lack of pedestrian and cyclist safety. I note that both Infrastructure Development Section and the Area Engineer of CCC did not raise any objections to the revised site entrance or any queries in relation to the RSA.
- 7.11. Having reviewed the RSA, I have serious concerns regarding the proposed site entrance located at a sharp bend on a substandard local road with a steep decline north-westwards. The RSA highlights numerous serious risks associated with the proposed entrance as outlined above including gradients, road width, curvature, sightlines pedestrian and vehicle safety. I have carried out a site visit, and I note the local road at this location is substandard in terms of width, gradient and sightlines, traffic has to significantly slow on approach to this bend both coming from the east and northwest due to the inadequate sightlines and narrowness of the road, large vehicles struggle to pass each other. In addition, I have reviewed the sightlines provided by the applicant on drawing C010 dated 25<sup>th</sup> July 2025 and I have serious concerns, the sightlines are not taken from the near side road edge, and I would query if 45 metre sightlines can be achieved at the proposed site entrance location. The applicant has not proposed any upgrades or alterations to the existing road in order to provide a safe left and or right turning into the subject site, sightlines are extremely poor and inadequate on the northern side of the local road due to overgrown vegetation and works will be required in order to provide a safe left and right turn into the site which are outside the ownership of the applicant. I further note a crash barrier is provided along the southern side of the local road along the site boundary, if removal of the barrier is required to provide a site entrance, no provision or details have been provided as to how traffic be prevented from unintentionally entering the proposed site either from collision, overturning, loss of control of vehicles due to the gradient (icy or wet conditions). The entrance at this location is extremely steep and a steep gradient exists into the site, extensive cut and fill will be required to ensure appropriate gradient levels are achieved at this location, however, no details have been provided.

- 7.12. The applicant has not provided any details in relation to pedestrian or cyclist safety along the local road crossing the proposed site entrance, as I have mentioned above, there is a serious risk for vehicle unintentional entering the site and the presence of a crash barrier confirms this and I have serious concerns in relation to pedestrian and cyclist safety.
- 7.13. I note the applicant proposed to extend the internal access to tie in with the CNDMR route and an indicative site layout has been provided, however, no details have been provided as to how the proposed development will access the CNDMR route. I acknowledge that the CNDMR route is not finalised yet and the applicant cannot finalise an access to this route, however, it is my opinion that further details are required to ensure a safe and appropriate access can be provided onto the CNDMR given that the proposed site entrance poses serious traffic safety issues.
- 7.14. Although, the applicant has retained a 100m corridor and the proposed CNDMR route can be carried out without significant impact from the proposed development, I consider that the proposed development is premature until the proposed CNDMR route is finalised and a safe access point for the proposed development can be provided.
- 7.15. I acknowledge that the permission sought is for outline permission and the applicant has stated that any finer details can be addressed at permission consequent and this is further stated by the Area Engineer of CCC, however, the proposed entrance poses a serious traffic safety concern and will create a negative traffic impact, therefore, I do not consider that any amendments or improvement to this entrance can be addressed at permission consequent stage, a new site entrance must be considered and the recommendation of a RSA fully implemented.
- 7.16. Having regard to the proposed location of the site entrance to serve 55 no. residential units, I consider the proposed entrance will have a serious negative traffic impact for the current and future road users along Upper Fairhill. The existing road is substandard with a number of significant risks and hazards along this route, and this is evidence by the current crash barrier along the site boundary and at the proposed site entrance. The proposed site entrance located at a sharp 45-degree corner where sightlines are impeded will lead to further traffic safety issues along this route. The RSA has highlighted a number of significant defects along Upper Fairhill road

and has outlined a number of recommendations including the relocation of the proposed site entrance. In this regard, it is my opinion that the proposed development cannot be safely accessed at the proposed site entrance and therefore should be refused. The proposed development and proposed entrance should tie in with the proposed CNDMR route where a safe access can be provided along with pedestrian and cyclist safe routes.

#### **7.17. Flood Risk and Surface Water Management**

7.18. The subject site is not located within a flood risk area. The lands to the northwest are within a Flood Risk Zone, a Flood Risk Screening Assessment has been carried out by the applicant.

7.19. The grounds of appeal raised concerns in relation to flood risk and surface water management. There is a possibility of increased flooding risk at Blackstone Bridge and Lower Killeens and downstream areas including The Commons and Blackpool, which are already flood prone.

7.20. The applicant has outlined that a new surface water network will be provided which will be separated from the foul water sewer network. All surface water run-off from roof areas including roads, and paths will discharge to attenuation. Hardstanding areas shall be collected in the gravity pipe network. The surface from roads and pavements shall be collected via a series of gullies and aco drains. This will subsequently discharge to the proposed attenuation tank. The Planning Authority sought clarification but also highlighted the drainage design can be finalised at permission consequent stage. The applicant is happy to accept a standard condition which will set out the proposed development will be subject to the drainage requirements from the Planning Authority. No potential downstream flood risks.

7.21. The applicant has carried out a Flood Risk Screening Assessment, and I have reviewed this assessment. The site comprises predominantly greenfield (undeveloped land) with some brownfield areas, including existing hardstanding, a dwelling, and a warehouse. The subject site within the red line boundary is outside of a flood risk area, the area to the north within the blue line boundary lies within Flood Zone A. As the proposed development is outside the flood risk area I consider there is no reduction in available flood storage. At the northeastern corner of the site (within the blue line boundary), the maximum water level for a 0.1% AEP event is

25.74m. including a 500mm freeboard, the level is 26.24m OD. In comparison to the proposed lowest house finished floor level (FFL) = 31.8m OD and proposed lowest road level = 32.35m OD. Therefore, these levels are significantly above the maximum flood level, ensuring the development is not a risk of fluvial flooding and requires no additional flood protection measures.

In regard to the increase rate and volume of runoff to downstream areas, SuDs measures will be implemented, and surface water runoff will be collected, attenuated and discharged at the greenfield runoff rate to both the ground and existing surface water infrastructure. Therefore, I consider that these measures will ensure no increase in runoff rates or volumes, thereby minimizing downstream flood risks.

7.22. Drainage Section of CCC raised concerns in relation to disposal of surface water and further information was requested, however, further concerns were raised following the receipt of further information and clarification was required in relation to discharge rate and attenuation tanks.

7.23. I note the Planner of CCC has stated that as the application is for outline permission, and that the drainage design can be finalised at permission consequent stage. I consider that as the site is not located within a flood risk area, suitable SuDs drainage measures can be designed to address any surface water issues at detailed design stage at permission consequent. I do not consider that the issues raised by Drainage Section of CCC warrant a refusal and can be addressed through appropriate design and consultation with Drainage Section of CCC at permission consequent stage.

7.24. Having regard to the location of the subject site outside of a flood risk area and the proposed SuDs measures to be implemented, I do not consider the proposed development will negatively impact drainage in the area or increase flood risk to the surrounding areas.

7.25. **Ecology**

7.26. The subject site currently consists of one number residential dwelling, garage and storage shed with 2no. further sheds located at the southern corner of the site. The site steeply sloping from its highest point in the eastern corner to the northern and western ends, which includes 2no. large, stepped lawn areas along the southwestern boundary.

- 7.27. The grounds of appeal raised concerns in relation to ecology and protected species which may be impacted and highlighted that no Ecological Impact Assessment submitted.
- 7.28. The applicant has responded and stated an Ecological Impact Assessment (EclA) was submitted and includes a comprehensive site surveys and desktop review to assess habitats, species and potential ecological sensitivities. The assessment identified no significant residual impacts that would arise from the proposed development subject to mitigation measures. No concerns were raised by the Planning Authority in relation to ecology, landscape or visual impacts. The application is for outline permission and detail drawings designs and layouts will be subject to permission consequent.
- 7.29. I note that an Ecological Impact Assessment was undertaken and submitted as part of the further information response. Site surveys were carried out on 16<sup>th</sup> and 17<sup>th</sup> of July 2025. It is reported that no Annex 1 habitats were recorded within the proposed subject site, and no protected species were recorded during the site visits. There is no valuable habitat for Annex I bird species within the subject site. In regard to otters, there were no signs of otter recorded within 150m of the proposed site and no suitable habitats for otter within the subject site and it was noted that hedgehogs could potentially use the site. However, no significant impact is predicted.
- 7.30. In regard to bats, it was noted that there was bat activity over the site during the survey, no evidence of significant commuting i.e. from roost to preferred foraging habitat, was recorded. Bat activity levels were low throughout the survey period. The habitats onsite are of low value for foraging and commuting bats. The treelines at the site are isolated and small. The scrub habitat within the site is low growing and is of low value for foraging bats. No emergence from any of the buildings or trees with the site boundary was recorded. It is recommended that mitigation measures should be implemented during construction and operation phases, however no significant impact to the overall bat populations as there will be no loss of critical resources for bats. The impact on bats is predicted to be neutral, imperceptible and long-term at a local level.
- 7.31. Invasive species, Japanese Knotweed was recorded at one, small location with scrub habitat on site. There is potential during construction for the spread of invasive

species. Buddleia a medium impact invasive species, mitigation measures should be implemented to ensure no risk from the spread of these species during the construction phase.

- 7.32. Overall, the proposed development will impact on habitats of low local value and have no significant impact on wildlife. Mitigation measures are proposed to protect local water quality and reduce potential impacts on wildlife. Mitigation measures to remove a small area of Japanese Knotweed have been specified and there will be no impact from the spread of invasive species will occur. No likely significant effects on designated sites (SACs, SPAs or pNHAs) have been identified will occur.
- 7.33. Having regard to the location of the proposed development on a brownfield site with low habitat value and low ecological value of the subject site and the lack of presence of Annex I habitats or species, I do not consider that the proposed development will negatively impact the ecology of the area.
- 7.34. **Visual Impact**
- 7.35. The subject site is located on an elevated site overlooking Na Piarsaighs Club to the south. The subject site is not designated as a high value landscape. The adjacent site is noted as northwest 16 as per Chapter 6 Green and Blue Infrastructure, Open Space and Biodiversity, landscape assets to be protected.
- 7.36. The grounds of appeal state 55 no. dwelling will not enhance the character and appearance of an area. The proposal will scar the landscape and affect the natural scenery and add to the over development of the area. The proposed unit types are not in keeping with the surrounding area. The proposed Northwest City Park amenity is planned for the surrounding lands and will consist of a local amenity park consisting of 116 hectares of parkland, the proposal will take from the natural landscaping of the park and will have a negative effect on the proposed Northwest City Park development.
- 7.37. The subject site is zoned as ZO 01: Sustainable Residential Neighbourhoods and is currently a brownfield site with an existing residential dwelling and associated outbuildings on site. The proposal for 55no. residential dwelling is in accordance with the zoning objective for this area. The overall design, layout and house type will be subject to permission consequent and shall be developed in accordance with Chapter 11 Placemaking and Managing Development of the CDP. The subject site is

not designated as a high value landscape or within a scenic route or protected view. Therefore, I consider if the proposed development is designed with the sloping nature of the site in mind it will not negatively impact the visual amenity of the area.

7.38. In regard to Northwest City Park, this park is proposed to the south and west of the subject site and outside the development boundary of the subject site. I note the new park will fulfil an important function in providing a range of both passive and active recreation opportunities and will enhance biodiversity for this area of the city and will comprise of an area of approximately 116hectares. I do not consider that the proposed development will negatively impact the proposed City Park, the proposed City Park will benefit the existing and proposed residents of Northwest Cork City.

7.39. Having regard to the location of the subject site outside of a designated high value landscape and on lands zoned for residential neighbourhoods, it is my opinion that the proposed development will not negatively impact the visual amenity of the area. In addition, as this application is for outline permission, all details design, layout and house types will be subject to permission consequent where further visual assessment can be undertaken. I consider the proposed development will not have an impact on the future proposal for the Northwest City Park as the proposal is outside the site boundary.

7.40. **Other Issues – Construction, Public Lighting & Local Services.**

7.41. The grounds of appeal raised concerns in relation to potential impacts during construction including noise, dust and vibration and impacts on residential amenity. Concerns were also raised in relation to public lighting and how this will impact residents to the south facing hill from Lower Killeens which would illuminate bedrooms in several houses in the area.

7.42. The applicant has stated that all construction issues will be dealt with as part of permission consequent, and at this stage a Construction and Environmental Management Plan and an Operational Waste Management Plan and relevant Demolition Plans will be submitted. Any rock on site will likely be reused to reduce the amount of waste carried off site in line with best practice. Furthermore, all public lighting will be developed in accordance with the requirements of Planning Authority's Public Lighting department.

- 7.43. In my opinion, the potential impact of construction on the existing residents can be dealt with a permission consequent stage. The applicant shall submit a Construction and Environmental Management Plan outlining how residential amenity will be protected during the construction period. In regard to public lighting, all public lighting will be subject to assessment by the Public Lighting section of CCC at permission consequent stage.
- 7.44. The grounds of appeal stated there is a lack of amenities and transport in the area. I consider as the permission relates to outline permission, at permission consequent stage a Social Infrastructure Assessment shall be submitted with the planning application outlining local services, infrastructure and amenities available in the area. If a short fall is identified, the applicant shall address this issue. In addition, the applicant shall consult with Cork City Childcare in order to ensure adequate childcare facilities are provided in the area.

## 8.0 AA Screening

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

The proposed site is not located within a designated site, Cork Harbour SPA (site code: 004030) is located approximately 6km southeast of the subject site.

The proposed development comprises of outline permission for 55no. residential units and all associated site works. No nature conservation concerns were raised in the planning appeal.

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:

- Scale and size of the proposed development within an existing urban residential setting.
- Distance to the nearest European site, Cork Harbour SPA (site code: 004030) at 6km southeast of the subject site.

- The lack of pathways to the SAC.
- Connection to public water, public sewer and public drain.

I conclude, on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required.

## 9.0 Water Framework Directive

- 9.1. The subject site is located in the urban area of Lower Killeens area, northwest Cork City, Co. Cork. River Bride is located approximately 60 metres northwest of the subject site. The proposed development comprises outline permission for 55no. residential units with connections to public wastewater and water and surface water. No water deterioration concerns were raised in the planning appeal.

I have assessed the proposed development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seeks 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. The reason for this conclusion is as follows.

- Scale and size of the proposed development within an urban zoned land
- Distance to the nearest waterbody at 60 metres northwest of the subject site.
- Connection to public water and public wastewater.

Taking into account WFD screening report 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.

## 10.0 Recommendation

10.1. I recommend that planning permission should be refused for the reasons and considerations as set out below.

## 11.0 Reasons and Considerations

1. The subject site is located on a minor local road which is seriously substandard in terms of width, gradient and alignment. It is considered that the proposed site entrance location would endanger the public safety by reason of traffic hazard because of the additional traffic turning movements the development would be generated on a substandard road at a point where sightlines are restricted in a both direction, the gradient is too steep, the entrance on a sharp bend, the lack of safety measures for pedestrian and cyclists which in addition, are highlighted in the Road Safety Audit submitted with the Planning Application. Therefore, the proposed development would endanger public safety by reason of traffic hazard and obstruction of road users.
2. It is considered that the proposed development would be premature pending the final design and layout of the proposed CNDMR due to the substandard nature of the adjacent local road which poses a traffic hazard for any additional traffic movements.

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.

---

Jennifer McQuaid  
Planning Inspector

8<sup>th</sup> December 2025

## Appendix A: Form 1 - EIA Pre-Screening

<b>Case Reference</b>	ABP-323669-25
<b>Proposed Development Summary</b>	Outline permission for demolition of dwelling, construction of 88 residential dwellings and associated site works. Reduced to 55no. residential dwellings following further information request.
<b>Development Address</b>	Blackstone Bridge, Upper Fairhill, Lower Killeens, Cork.
	<b>In all cases check box /or leave blank</b>
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b>  (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.
<b>2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?</b>	
<input type="checkbox"/> Yes, it is a Class specified in Part 1.  <b>EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.</b>	
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
<b>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?</b>	
<input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road	

<p>development under Article 8 of the Roads Regulations, 1994.</p> <p><b>No Screening required.</b></p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.</p> <p><b>EIA is Mandatory. No Screening Required</b></p>	
<p><input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p> <p><b>Preliminary examination required. (Form 2)</b></p> <p><b>OR</b></p> <p><b>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</b></p>	<p>Schedule 5, Part 2, Class 10b(i) Construction of more than 500 dwelling units.</p> <p>The subject site size is 2.76ha with a outline permission request for 55 no. dwellings.</p>

<p><b>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)?</b></p>	
<p>Yes <input type="checkbox"/></p>	<p><b>Screening Determination required (Complete Form 3)</b></p>
<p>No <input checked="" type="checkbox"/></p>	<p><b>Pre-screening determination conclusion remains as above (Q1 to Q3)</b></p>

Inspector: \_\_\_\_\_ Date: \_\_\_\_\_

## Appendix A: Form 2 - EIA Preliminary Examination

<b>Case Reference</b>	ABP-323669-25
<b>Proposed Development Summary</b>	Outline permission for demolition of dwelling, construction of 88 residential dwellings and associated site works. Reduced to 55no. residential dwellings following further information request.
<b>Development Address</b>	Blackstone Bridge, Upper Fairhill, Lower Killeens, Cork.
<b>This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.</b>	
<b>Characteristics of proposed development</b>  (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).	The proposed development consists of outline permission for 55no. residential dwellings. The development consists of typical construction and related activities and site works. The works proposed do not result in the production of significant waste, emissions or pollutants. Surface water will be discharged to a public drain. Wastewater will be discharged to public sewer. Public water connection is possible.
<b>Location of development</b>  (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 proposed site is located within an urban area; there are no significant sensitivities in the immediate area. The subject site is not located within a designated site, the nearest are as follows: <ul style="list-style-type: none"> <li>• Blarney Bog pNHA (site code: 001857) is located approximately 2.3km northwest of the subject site.</li> <li>• Lee Valley pNHA (site code: 000094) is located approximately 3km west of the subject site.</li> <li>• Cork Lough pNHA (site code: 001081) is located approximately 3.5km south of the subject site.</li> <li>• Ardamadane Wood pNHA (site code: 001799) is located approximately 4.5km northwest of the subject site.</li> <li>• Blarney Castle Woods pNHA (site code: 001039) is located approximately 4.6km northwest of the subject site.</li> <li>• Blarney Lake pNHA (site code: 001798) is located approximately 4.7km northwest of the subject site.</li> </ul>

	<ul style="list-style-type: none"> <li>• Shournagh Valley pNHA (site code: 000103) is located approximately 5.2km west of the subject site.</li> <li>• Douglas River Estuary pNHA (site code: 001046) is located approximately 6km southeast of the subject site.</li> <li>• Cork Harbour SPA (site code: 004030) is located approximately 6km southeast of the subject site.</li> <li>• Glanmire Wood pNHA (site code: 001054) is located approximately 6.7km southeast of the subject site.</li> <li>• Dunkettle Shore pNHA (site code: 001082) is located approximately 7km southeast of the subject site.</li> <li>• Ballincollig Cave pNHA (site code: 001249) is located approximately 8.2km west of the subject site.</li> </ul> <p>My appropriate assessment screening concludes that the proposed development would not likely have a significant effect on any European Site. The subject site is not located within a flood risk area.</p>
<p><b>Types and characteristics of potential impacts</b></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>The site size measures 2.76ha. The size of the development is not exceptional in the context of an urban environment.</p> <p>The proposed development is a relatively small development in the urban context. There is no real likelihood of significant cumulative effects within the existing and permitted projects in the area.</p>
<b>Conclusion</b>	
<b>Likelihood of Significant Effects</b>	<b>Conclusion in respect of EIA</b>
<b>There is no real likelihood of significant effects on the environment.</b>	<b>EIA is not required.</b>

Inspector: \_\_\_\_\_ Date: \_\_\_\_\_

DP/ADP: \_\_\_\_\_ Date: \_\_\_\_\_

(only where Schedule 7A information or EIAR required)

**Appendix B: Water Framework Directive Screening**

<b>WFD IMPACT ASSESSMENT STAGE 1: SCREENING</b>			
<b>Step 1: Nature of the Project, the Site and Locality</b>			
<b>An Bord Pleanála ref. no.</b>	<b>ABP-323669-25</b>	<b>Townland, address</b>	Blackstone Bridge, Upper Fairhill, Lower Killeens, Cork.
<b>Description of project</b>		Outline permission for demolition of dwelling, construction of 88 residential dwellings and associated site works. Reduced to 55no. residential dwellings following further information request	
<b>Brief site description, relevant to WFD Screening,</b>		The site is located within the urban area of Cork City; the site is a brownfield site of an existing detached dwelling on zoned lands for residential purposes. The proposed development will be connected to public water, public wastewater and public surface water. There are no water features on site or adjacent the subject site. The site is not in a flood risk area.	
<b>Proposed surface water details</b>		Surface water will be disposed via public surface water.	

<b>Proposed water supply source &amp; available capacity</b>	Public mains are available.
<b>Proposed wastewater treatment system &amp; available capacity, other issues</b>	Public wastewater connection is available.
<b>Others?</b>	

**Step 2: Identification of relevant water bodies and Step 3: S-P-R connection**

<b>Identified water body</b>	<b>Distance to (m)</b>	<b>Water body name(s) (code)</b>	<b>WFD Status</b>	<b>Risk of not achieving WFD Objective e.g.at risk, review, not at risk</b>	<b>Identified pressures on that water body.</b>	<b>Pathway linkage to water feature (e.g., surface run-off, drainage, groundwater)</b>
Groundwater	The site is on the	Ballinhassig East site code:	Groundwater status is described as	Groundwater is described as Not At Risk.	None identified.	Potential surface water run-off.

River	groundwater.  The site boundary is located 60m southeast from the River Bride	IE_SW_G_004 Poorly productive bedrock  Bride (Cork City) _010 Code IE_SW_19B140110	Good (period for GW 2019-2024)  River status is described as Moderate (period for GW 2019-2024)	River is described as At Risk.	Urban Runoff & hydromorphology pressures.	Potential surface water run-off.
<p><b>Step 4: Detailed description of any component of the development or activity that may cause a risk of not achieving the WFD Objectives having regard to the S-P-R linkage.</b></p>						
<p align="center"><b>CONSTRUCTION PHASE</b></p>						

No.	Component	Water body receptor (EPA Code)	Pathway (existing and new)	Potential for impact/ what is the possible impact	Screening Stage Mitigation Measure*	Residual Risk (yes/no) Detail	Determination** to proceed to Stage 2. Is there a risk to the water environment? (if 'screened' in or 'uncertain' proceed to Stage 2.
1.	Surface	Bride (Cork City) _010 Code IE_SW_19 B140110	The site boundary is located 60m southeast from the River Bride. The proposed development works are over 100 metres from the River. No notable drains or pathways to the river.	Spillages	Standard Construction practice	No due to separation distance	Screened Out
2.	Ground	Ballinhasling East site code:	Pathways exist through drainage underground	Spillages	Standard Construction	No	Screened Out

		IE_SW_G_004			ion practice		
<b>OPERATIONAL PHASE</b>							
3.	Surface	Bride (Cork City) _010 Code IE_SW_19 B140110	The site boundary is located 60m southeast from the River Bride. The proposed development works are over 100 metres from the River. No notable drains or pathways to the river.	Spillages	SuD features	No	Screened Out
4.	Ground	Ballinhassig East site code: IE_SW_G_004	Pathways exist through drainage underground & seepage.	Spillages/seepage	SuD Features and connection to public	No	Screened Out

					water and wastewater		
<b>DECOMMISSIONING PHASE</b>							
5.	N/A						