



An
Coimisiún
Pleanála

Inspector's Report

ACP-324262-26

Development	Large-Scale Residential Development (LRD) comprising the construction of 176 no. residential units, creche and associated works
Location	Maryborough Hill, Moneygurney, Douglas, Cork
Planning Authority	Cork City Council
Planning Authority Reg. Ref.	25/44429
Applicant	Bridgewater Homes (Maryborough) Ltd
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	1. Third-Party Appeal 2. First-Party Appeal against Condition

Appellants

1. Michael and Aoife Hackett
2. Brian Forde (on behalf of residents of Belview Wood)
3. Begum Genc McEvoy
4. Diarmuid Barrett
5. Shane Dineen
6. Bridgewater Homes (Maryborough) Ltd. (Applicant)

Observer

Amy Conway

Date of Site Inspection

13th July 2026

Inspector

Gary Farrelly

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Appendix 1: EIA Screening

Appendix 2: AA screening

Appendix 3: WFD Screening

1.0 Site Location and Description

- 1.1. The subject site has a stated area of 4.39 hectares and is located within the southeast suburbs of Cork City within the townland of Maryborough Hill, Moneygurney. Access to the site is via Maryborough Hill (L-6477) approximately 80 metres south of the Maryborough Hill/Maryborough Ride/Garryduff Road roundabout. The site is a greenfield site on the edge of the existing built-up environment. The topography of the site ranges from 101.80mAOD (FFL of Prospect Lodge to be demolished in northeast corner) to c.126mAOD (within the southern boundary). There are no surface watercourses within the site. There is an existing telecommunications mast within the southwest part of the site.
- 1.2. The site is bounded by Hazel Hill and Applewood housing estates to the north, as well as a suburban type house known as Prospect House, and to the west it is bounded by a residential estate, known as Belview Wood, which is currently under construction as permitted under SHD reference ABP-307041-20. The M-28 Cork to Ringaskiddy motorway scheme, which is also currently under construction, is located approximately 350 metres west of the site. The Ballybrack Valley Pedestrian and Cycle scheme on Maryborough Ridge is approximately 125 metres directly north of the proposed development site. The eastern boundary of the site is defined by two suburban type houses (Almansour House and Bellview Heights), as well as the L-6477 and lands to the south of the site comprise of agricultural type lands.

2.0 Proposed Large-Scale Residential Development (LRD)

- 2.1. The proposal is for a Large-Scale Residential Development (LRD) comprising a total of 176 no. residential units, creche and associated works. The residential units will comprise of 104 dwellinghouses in the form of 2-bed, 3-bed and 4-bed units, as well as 72 no. apartment units in the form of 1-bed and 2-bed apartment units within 3 no. blocks (proposed Blocks 1, 2 and 3) and 3-bed/1-bed duplex units within 2 no. blocks.
- 2.2. Access to the development is proposed to be via Maryborough Hill at the northeast corner of the site and it is proposed to demolish Prospect Lodge in order to facilitate the proposed development. The existing telecommunications mast is also proposed to be demolished. The proposed development includes works on/under the public road between the proposed entrance and the Maryborough Hill/Maryborough

Ridge/Garryduff Road roundabout comprising the extension of existing public water and wastewater infrastructure to the site as well as the provision of a 4-metre-wide active travel route and pedestrian crossings at the roundabout. The extension works will facilitate the connection to the public wastewater and water infrastructure. A letter of consent from the local authority was submitted with the application.

- 2.3. The submitted proposals also include provision for two possible vehicular, pedestrian and cyclist access points along the western boundary of the site to provide connections with the existing Belview Wood estate. Surface water is proposed to be managed onsite via a piped network encompassing sustainable drainage systems (SuDS) features such as overground lined detention basins and underground attenuation storage. Surface water will be discharged from the site, via a flow control device and hydrocarbon interceptor, at a 1-in-1-year greenfield rate to existing drainage infrastructure on Maryborough Hill. The applicant has established a website for the LRD at www.maryboroughmanorlrd.ie. Details of the proposed development are summarised as follows:

Table 1: Apartment/Duplex Units

Apartments	Apartment Mix	Building Height (Finished Floor level or FFL)	Private Amenity Spaces	Communal Open Space	Car Parking
Block 1 (21 no. units)	9 no. 1-bed units 12 no. 2-bed units	Part four storey with basement level (FFL 108.50)	Balconies in all units	320sqm	12 no. spaces (basement level)
Block 2 (21 no. units)	13 no. 1-bed units 8 no. 2-bed units	Part four storey with basement level (FFL 106.00)	Balconies in all units		10 no. spaces (basement level)
Block 3 (6 no. units)	6 no. 2-bed units	Two Storey (FFL 103.00)	Balconies in all units	200sqm	7 no. spaces

					(surface level)
Duplex Units (24 no. units)	12 no. 1-bed units 12 no. 3-bed units	Part two storey / Part three storey (FFLs ranging from 112.55m to 115.00m)	Balconies in all units. Additional ground floor terraces in all 3-bed units.	120sqm	24 no. spaces (off-curtilage)

Table 2: Overall Development

	Total no. of units (176 no.)	% Mix
1-bed apartments	34	19.5%
2-bed houses/apartments	53	30%
3-bed houses/duplex units	64	36%
4-bed houses	25	14%
Site Area	4.39 hectares (Gross)	
Net development area	3.8 hectares	
Net Density	46.3 units per hectare	
Public Open Space	5,860sqm (15.4% of site area)	
Creche	99 places (650sqm)	
Car Parking	223 no. spaces	
Bicycle Parking	178 no. spaces	

2.5. In addition to the drawings submitted, the application and appeal is accompanied by the following documents and reports:

- Planning and Design Report
- Response to LRD Opinion
- Statement of Consistency
- Housing Quality Assessment
- Architectural and Urban Design Statement
- Social Infrastructure Audit
- School Demand Report
- Childcare Demand Report
- Daylight, Sunlight and Overshadowing Assessment (DSOA)
 - *This was submitted to the PA at further information stage.*
- EIA Screening Report
- Appropriate Assessment Screening Report
- Ecological Impact Assessment
- Technical Note – Flood
- Noise and Vibration Impact Assessment
- Landscape and Visual Assessment, with verified photomontages and computer generated images (CGIs)
- Drainage Impact Assessment and SuDS Statement
 - *Designs were updated at further information stage.*
- Engineering Services Report
- Wastewater Drainage Assessment Report
- Traffic and Transport Assessment
- Road Safety Audit – Stage 1
- DMURS Statement
- Outline Mobility Management Plan
- Outline Construction and Environmental Management Plan (CEMP)
- Outline Resource Waste Management Plan (RWMP)
- Preliminary Operational Waste Management Plan
- Climate Resilience and Scheme Sustainability Statement
- Tree Survey and Arboricultural Assessment
- Planning Lighting Design
- Landscape Design report

- Universal Design Statement
- Building Life Cycle Report
- Statement in Accordance with 299B(1)(b) and (ii)(II) and Article 299B(1)(c) of the Planning and Development Regulations 2001-2024
 - *The Commission should note that this Article of the regulations relates to Strategic Housing Development (SHD). Article 103(1A)(a) is the correct provision. Notwithstanding this, I consider the information provided within the submitted report complies with Article 103(1A)(a).*
- Quality Audit Report

3.0 Planning Authority Opinion

3.1. A Section 32C consultation meeting was held on the 8th October 2025 with representatives of the applicant and planning authority in attendance. A LRD Opinion was issued on the 5th November 2025. This set out that the documentation submitted at pre-application consultation required further consideration and/or amendment to constitute a reasonable basis for an LRD application with the following issues requiring further consideration:

- Placemaking and open spaces
- Drainage and stormwater
- Design and Layout
- Traffic and Transportation
- Impact on Residential Amenity
- Biodiversity

3.2. The application includes a response to the LRD Opinion issued by Cork City Council and a response to the points of specific information requested. This is included in the documentation on file from the planning authority.

4.0 Planning Authority Decision

4.1. Decision

The planning authority (PA) decided to grant permission by Order dated 14th April 2026 subject to 48 no. conditions.

Conditions

- Condition No. 4: Part (b) requires the identified access points to the west to be constructed to the boundary to ensure unimpeded connectivity to the neighbouring residential lands and part (d) requires these access roads and pedestrian connectivity to be open to general traffic on or before the occupation of any proposed unit. Part (i) of the condition prohibits any construction related traffic to access the site from the proposed access points to the west of the site.
- Condition No. 16 requires the employment of an ecological clerk of works.
- Condition No. 18 requires the commissioning of a qualified ecologist who is an NPWS-licenced bat worker to survey the site for bats prior to site clearance works.
- Condition No. 19 requires the undertaking of an invasive species survey prior to commencement of development and the submission of an alien invasive species management plan if any are found.
- Condition No. 21 requires the undertaking of a badger survey prior to commencement of development.
- Condition No. 22 requires the installation of a minimum of seven bird boxes.
- Condition No. 40 requires the route, alignment and finish of the extension of connection from the proposed development to the Ballybrack Valley pedestrian and cyclist route at Maryborough Ridge to be agreed with the PA and constructed by the developer at its own expense.
- Condition No. 41 requires the location and design of 2 no. raised zebra crossings at the roundabout on Maryborough Hill to be agreed with the PA and constructed by the developer at its own expense.

- Condition No. 48 relates to the payment of a contribution under the General Development Contribution Scheme 2023-2029 amounting to €608,692.22.

4.2. Planning Authority Reports

Planning Reports

The original planning report prepared by the Senior Executive Planner (SEP) assessed the application on a number of issues including the zoning and principle of the development, density, layout, design, the impact on residential amenity, residential development standards, housing mix, public open space and landscaping, connectivity and permeability, biodiversity, traffic and transport and drainage. This report considered that the overall design, form and layout of the development acceptable, however, recommended further information in terms of SuDS calculations as well as the submission of a daylight/sunlight and shadow study. The SEP report considered that there was insufficient information to determine the residential amenity impact of the proposed development on adjacent properties to the north and west of the site in terms of daylight and sunlight. After submission of the further information, including the submission of a Daylight, Sunlight and Overshadowing Assessment (DSOA), the executive planner (EP) reviewed the submitted information and considered it acceptable. The EP recommended a grant of permission which was endorsed by the Senior Planner.

Other Technical Reports

- Capital Projects (*report dated 09/04/26*) – This section outlined no objection subject to conditions. It required the works proposed along Maryborough Hill which will connect to the Ballybrack Valley Pedestrian and Cyclist Route to be agreed with the PA and constructed as part of Phase 1 of the development.
- Transportation Section (*report dated 10/02/26*) – This section recommended a grant of permission subject to conditions.
- Area Engineer (*report not dated*) – The area engineer recommended a grant of permission.

- Drainage Section (*reports dated 29/01/26 and 26/03/26*) – This section recommended a grant of permission subject to condition after revised designs submitted at further information stage.
- Environment Section (*report dated 05/02/26*) – This section recommended a grant of permission subject to conditions.
- City Architects (*report dated 09/02/26*) – This section recommended a grant of permission. It considered the site strategy to be acceptable providing a reasonable mix and variation in dwelling types within a challenging topography.
- Biodiversity (*report dated 09/02/26*) – The biodiversity officer recommended a grant of permission subject to conditions.
- Parks and Recreation (*report not dated*) – This section recommended a grant of permission subject to conditions.
- Housing Capital and Regeneration (*report dated 11/02/26*) – This section considered the Part V provision acceptable in principle and recommended a grant of permission subject to the standard Part V condition.
- Development Contributions (*reports dated 16/02/26 and 30/03/26*) – This section recommended a financial contribution of €608,692.22. This report set out the basis for the calculation based on a gross internal floor area of 18,878.60sqm.

4.3. Prescribed Bodies

- Inland Fisheries Ireland requested that Uisce Éireann signifies that there is sufficient capacity within the public sewer so that the proposed development does not hydraulically or organically overload existing treatment facilities and result in polluting matter entering waters or causing non-compliance with existing legislative requirements.
- Dublin Airport Authority (DAA) had no comment to make on the application.

4.4. Third Party Observations

There were a number of third party objections submitted to the PA from the residents of Hazel Hill, Belview Wood and other properties in the vicinity. These observations raised a number of concerns including the impact on visual amenity, residential amenity, traffic safety, ecological impact on birds and drainage concerns. A further observation was submitted by Cork City Childcare which supported the proposed creche facility as well as its 99 place capacity.

5.0 Relevant Planning History

PA ref. 16/7271 (*site to the northwest of subject site*)

George Maloney was granted permission for 200 no. residential units, creche and associated works. Permission for alteration of the scheme consisting of the removal of the creche and replacement with 3 no. dwellings was subsequently granted under application ref. 22/41015.

Strategic Housing Development (SHD) reference ABP-307041-20 (*site to the west of subject site*)

Glenveagh Homes Limited was granted permission for 449 no. residential units, creche and associated works. 80 no. units granted under 16/7271 were included within this SHD proposal. The Commission should note that a number of these units have been built and occupied which include a number of the third party appellants' properties. The overall site is currently under construction as observed on the date of my site inspection.

6.0 Policy Context

6.1. Cork City Development Plan 2022-2028

This plan was adopted by resolution of the Council on 10th June 2022 and came into effect on 8th August 2022. There have been three variations to date. Variation No. 1 related to revised parking standards and came into effect on 8th May 2023. Variation No. 2 related to amendments to the Cork Docklands and came into effect on 14th July 2025.

Variation No. 3 relates to consistent population and housing supply targets with the First Revision of the National Planning Framework (NPF) and the 'NPF Implementation: Housing Growth Requirements Guidelines for Planning Authorities (2025) and came into effect on 13th July 2026.

Volume 1 – Written Statement

Chapter 2 – Core Strategy

The Core Strategy Map (Figure 2.20) and the associated digital Map (Volume 2) illustrates the subject site within the 'city suburbs' designation of the city. The core strategy directly links to the zoning objectives set out in Chapter 12 Land Use Zoning Objectives. The Core Strategy Table (Table 2.2) sets a targeted population growth to 2028 of 13.7% within the South East Suburb. Table 2.2A (Variation No. 3) sets a revised housing growth target of 3,516 additional population between 2028 and 2030 for the South East Suburb.

The Growth Strategy Map (Figure 2.21) illustrates the subject site as Tier 2 zoned lands. These are sites considered serviceable by physical infrastructure within the life of the Plan. Figure 2.22 illustrates the subject site within a 'greenfield area' and therefore not within the existing built up footprint of the city. Greenfield areas are lands that are largely separate from the existing built up footprint.

Chapter 12 – Land Use Zoning

The zoning objective pertaining to the majority of the subject site is 'ZO 02, New Residential Neighbourhoods' where the objective is to provide for new residential development in tandem with the provision of the necessary social and physical infrastructure. Part of the proposed development within the eastern part of the site is located in 'ZO 01, Sustainable Residential Neighbourhoods' where the objective is to protect and provide for residential uses and amenities, local services and community, institutional, educational and civic uses. Volume 2 of the Development Plan illustrates the mapped zoning objectives.

Other relevant provisions of the Development Plan

Objective 2.17 (Neighbourhood Design)

The design and siting of development shall create a sense of community and identity, enhance connectivity, incorporate creative approaches to urban design, enhance

landscape character and green and blue infrastructure and respect the local context and character of the area.

Objective 11.1(f) Sustainable Residential Development

Residential developments shall be sustainable and create high quality places which:

(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;

Objective 4.5 (Permeability)

(a) All new development, particularly alongside the possible routes identified for public transport improvements, shall include permeability for pedestrians, cyclists, and public transport so as to maximise its accessibility.

(b) To maximise permeability, safety, security and connectivity for pedestrians and cyclists by creating direct links to adjacent roads and public transport networks in accordance with the provisions of statutory guidance as prescribed.

Building Height (paragraphs 11.26 – 11.33)

- Table 11.1 specifies the building height standards for four sub areas including 'Outer Suburbs'. A building height target ranging from 2 to 4 storeys is specified for the 'Outer Suburbs'.

Residential Density (paragraphs 3.22 – 3.26 and paragraphs 11.69 – 11.73)

- Table 11.2 specifies the density standards for four sub areas including 'Outer Suburbs'. A density target ranging from 40 dwellings per hectare to 60 dwellings per hectare is specified for the 'Outer Suburbs'.

Quantitative Standards for all Residential Development (paragraphs 11.74 – 11.89)

- Table 11.8 specifies the target dwelling size mix for housing developments within the city suburbs. The target percentage range is provided. Objective 11.2 (Dwelling Size Mix) (text updated as part of Variation No. 3) states that with regard to apartment developments, SPPR 1 of the 'Planning and Design Standards for Apartments 2025' applies and there are no restrictions on unit mix apart from in specific circumstances outlined. All other planning applications for residential development comprising more than 50 dwellings will

be required to comply with the target dwelling size mix specified in Table 11.8, apart from in exceptional circumstances. Where a clear justification can be provided on the basis of market evidence that demand / need for a specific dwelling size deviates from the target range and it can be demonstrated that an alternative and suitably tailored dwelling size mix for a particular location assists in achieving a balanced community, then flexibility will be provided.

With regard to Table 11.8, no particular unit mix requirement applies to the apartment element within houses schemes as per SPPR1 of the 'Planning Design Standards for Apartments 2025'.

Apartment Design (paragraphs 11.90 – 11.94)

Daylight, Sunlight and Overshadowing (DSO) (paragraphs 11.95 – 11.99)

Separation, Overlooking and Overbearance (paragraphs 11.100-11.105)

Quantitative Standards for Houses (paragraphs 11.106 – 11.113)

- Objective 11.5 (Private Amenity Space for Houses) (*text updated as part of Variation No. 3*) states that houses should provide a private garden / terrace, of adequate size and proportions for the size of house proposed. All dwellings shall provide private open space standards in accordance with SPPR 2 of the 'Sustainable Residential Development and Compact Settlement Guidelines 2024'.

Public Open Space in Housing Developments (paragraphs 11.112 – 11.113)

- Table 11.11 outlines public open space provision of 15% for greenfield sites.

Demolition of Existing Residential Dwellings (paragraphs 11.153 – 11.156)

Childcare Facilities (paragraphs 11.162 – 11.168)

Transport and Mobility (Objective 4.5 and paragraphs 11.226 – 11.249)

- Maximum car parking standards are set out in Table 11.13 for Zone 3 City Suburbs. The standards are 1.25 spaces for a 1-bed/2-bed residential unit, 2.25 spaces for a 3-bed/3+ bed unit and 1 space per 6 children for creches.
- Minimum standards for Electric Vehicle (EV) parking are set out in paragraph 11.245. For multi-unit residential developments a minimum of one EV equipped parking space per five car parking spaces shall be provided. All other spaces

shall be developed with appropriate infrastructure (ducting) that enables future installation of a charging point for EVs. New dwellings with on-site car parking should be developed with appropriate infrastructure (ducting) that enables future installation of a charging point for EVs.

- Bicycle parking requirements are set out in Table 11.14 and comprise of 1 space per 0.50 standard apartment units in the suburbs and 1 space per 25 children for creches.

6.2. Cork City Council General Contribution Scheme 2023-2029

Section 1.4.4 Calculation of Floor Area

The floor area of the proposed development (with the exception of items identified in Table 4) shall be calculated as the gross internal floor area of all relevant floorspace. Gross internal floor area is measured from the internal measurement of the floorspace on each floor of the building and includes internal walls, partitions, passages and storage areas.

Section 1.5 Exemptions and Reductions (Table 5)

The Council applies the following exemptions or percentage reductions in respect of the categories set out in Table 5 below (also subject to paragraphs 1.6, 1.7 and 1.8).

Category ref.	Category	Reduction
5.2	Social housing units and affordable housing units in accordance with a Part V agreement	100%
5.19	Residential apartment development where development comprises new-build apartments as specified in Section 28 Guidelines for Planning Authorities	60% for the period from the date of adoption of the scheme (<i>i.e. 13th February 2023</i>) until three years after that date. 50% from the date of three years and one day following adoption of the scheme until the expiry of the scheme.

5.20	Houses where development comprises new building houses, excluding apartments as specified in the Section 28 Guidelines for Planning Authorities.	40% for the period from the date of adoption of the scheme until three years after that date. 25% from the date of three years and one day following the adoption of this scheme until the expiry of this scheme.
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Section 1.7 Maximum Reductions/Exemption

Although a development may qualify for a number of reductions/exemptions under the Scheme, in respect of:

- Table 5: percentage reductions in respect of specified categories of development:
 - Only one category of reduction/exemptions shall apply, whichever is the most advantageous to the applicant.

6.3. **National Policy**

- Project Ireland 2040 – National Planning Framework (revised 2025) and National Development Plan 2021-2030

National Policy Objective 12: Ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being.

National Policy Objective 22: In urban areas, planning and related standards, including in particular building height and car parking will be based on performance criteria that seek to achieve well-designed high quality outcomes in order to achieve targeted growth.

National Policy Objective 43: Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.

National Policy Objective 45: Increase residential density in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill

development schemes, area or site-based regeneration, increased building height and more compact forms of development.

- Delivering Homes, Building Communities 2025-2030: An Action Plan on Housing Supply and Targeting Homelessness

This document aims to further accelerate the delivery of new homes, to deliver 300,000 by the end of 2030, which will be achieved through the individual and collective effort of the key delivery partners. Local authorities, together with Approved Housing Bodies, the Land Development Agency, and the construction sector, will be critical to delivering and enabling the delivery of the quantum of homes needed over the lifetime of the plan. This is a wide-ranging strategy, encompassing two pillars: Activating Supply and Supporting People.

- Climate Action Plan (CAP) 2025 / CAP 2024

Climate Action Plan 2025 builds upon the 2024 Plan by refining and updating the measures and actions required to deliver the carbon budgets and sectoral emissions ceilings and it should be read in conjunction with Climate Action Plan 2024.

- Water Action Plan 2024, A River Basin Management Plan for Ireland

The Plan responds to the requirements of the Water Framework Directive, to accelerate the identification and implementation of the right measures in the right places to both restore and protect all water bodies. The catchments.ie website provides substantial background information for this plan and the most current and up-to-date information on the status of local rivers, lakes and water bodies.

- National Biodiversity Action Plan (NBAP) 2023-2030

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

Strategy Framework Directive, and other relevant legislation, strategy and policy where applicable.

6.4. Regional Policy

- Regional Spatial and Economic Strategy for the Southern Region 2020-2032 (RSES)

Regional Policy Objective (RPO) 10 – Compact Growth in Metropolitan Areas

To achieve compact growth, the RSES seeks to:

- a. Prioritise housing and employment development in locations within and contiguous to existing city footprints where it can be served by public transport, walking and cycling.

Cork Metropolitan Area Spatial Plan (MASP)

A guiding principle of the Cork MASP is to accelerate housing delivery and the adoption of performance-based design standards as supported by NPF National Policy Objective 45 (*now NPO 22 as per First Revision*) to achieve higher densities in the urban built up areas, supported by better services and public transport.

6.5. National Guidelines

- Sustainable Residential Development and Compact Settlements, Guidelines for Planning Authorities (2024) (Department of Housing, Local Government and Heritage)
- Planning Design Standards for Apartments, Guidelines for Planning Authorities (2025) (Department of Housing, Local Government and Heritage)
- Urban Development and Building Heights, Guidelines for Planning Authorities (2018) (Department of Housing, Planning and Local Government)
- Regulation of Commercial Institutional Investment in Housing, Guidelines for Planning Authorities (2023) (Department of Housing, Local Government and Heritage)
- Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment (2018) (Department of Housing, Planning and Local Government)

- Appropriate Assessment of Plans and Projects in Ireland, Guidance for Planning Authorities (2009) (Department of Environment, Heritage and Local Government)
- The Planning System and Flood Risk Management, Guidelines for Planning Authorities (2009) (Department of Environment, Heritage and Local Government)
- Childcare Facilities, Guidelines for Planning Authorities (2001)
- Development Management, Guidelines for Planning Authorities (2007) (Department of Environment, Heritage and Local Government)

6.6. Other Guidelines

- The Design Manual for Urban Roads and Streets (DMURS) (2019)
- Nature Based Management of Urban Rainwater and Urban Surface Water Discharges, A National Strategy (2024) (Department of Housing, Local Government and Heritage)
- Site Layout Planning for Daylight and Sunlight, A guide to good practice (Second Edition)
- The SuDS Manual, CIRIA (2015)
- Institute of Environmental Management and Assessment (IEMA) and Landscape Institute (LI) Guidelines for Landscape and Visual Impact Assessment (GLVIA 2013, 2023 Clarifications Document)

6.7. Natural Heritage Designations

The subject site is not located within any designated site. The nearest designated site is Cork Harbour Special Protection Area (SPA) (Site Code 004030) where its nearest point is located approximately 1.6km north of the subject site. This area is also designated as the Douglas River Estuary proposed Natural Heritage Area (pNHA) (Site Code 001046). Monkstown Creek pNHA (Site Code 001979) is located approximately 4.2km southeast of the site, which is also a Cork Harbour SPA designated area. Great Channel Island Special Area of Conservation (SAC) (Site Code 001058) is located approximately 5.6km east of the site.

7.0 Environmental Impact Assessment (EIA) Screening

7.1. I refer the Commission to Appendix 1 of this report. I have determined that the proposed development would not be likely to have significant effects on the environment, and that an environmental impact assessment report (EIAR) is not required, having regard to the following:

- The criteria set out in Schedule 7 of the Planning and Development Regulations 2001, as amended, in particular;
 - (a) The nature and scale of the proposed development which is below the thresholds in respect of Class 10(b)(i) and Class 10(b)(iv) of the Planning and Development Regulations 2001, as amended, and to its location within a suburban area on lands zoned 'ZO 1 Sustainable Residential Neighbourhoods' and 'ZO 2 New Residential Neighbourhoods' under the Cork City Development Plan 2022-2028, which has been subject to Strategic Environmental Assessment under the SEA Directive, and to the site being served by public infrastructure;
 - (b) The absence of any significant cultural or archaeological environmental sensitivity within the vicinity;
 - (c) The location of the development outside of any sensitive location specified in article 109(4)(a) of the Planning and Development Regulations 2001, as amended;
- The results of other relevant assessments of the effects on the environment submitted by the applicant;
- The features and measures proposed by the applicant envisaged to avoid or prevent what might otherwise have been significant effects on the environment, including those identified in the outline Construction and Environmental Management Plan (CEMP), outline Resource Waste Management Plan (RWMP), Ecological Impact Assessment (EclA), Landscape and Visual Impact Assessment (LVIA), Noise and Vibration Impact Assessment and Traffic and Transportation Assessment (TTA).

8.0 The Appeal

8.1. Grounds of Appeal

The Commission should note that there have been 5 no. third party appeals against the decision of the PA to grant permission. The appellants are two local residents within the adjoining Hazel Hill estate to the north and three local residents (including 1 no. on behalf of residents) within the adjoining Belview Wood estate to the west. Having regard to the the degree of overlap in the issues raised I have summarised the issues by topics as summarised below.

Impact on residential amenity

- There is significant concern regarding overlooking and loss of privacy to the existing dwellings at Belview Wood. The proposed separation distance of 17 metres between existing dwellings and the proposed development is not comparable to the circumstances envisaged by the 2024 Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities. The Cork County Council document 'Making Places: A Design Guide for Residential Estate Development' identifies 22 metres as the established guidance separation distance between opposing rear habitable room windows. It is requested that separation distances are increased, the building heights are reduced, the window arrangements are revised or alternative design measures to alleviate these concerns.
- There will be significant overlooking and an overbearing impact on the dwellings along the northern boundary of the site within Hazel Hill due to the significant ground level differences.
- There is a 4-5 metre level difference between the subject site and No. 12 Hazel Hill. The proposed public footpath along the northern boundary will be at an elevated level and will result in overlooking of habitable rooms of No. 12. In addition, the location of three storey units will increase overlooking potential and create a dominant and overbearing impact on No. 12. These should be reduced to two storey units.

- The submitted Daylight, Sunlight and Overshadowing Assessment (DSOA) materially underestimates the likely overshadowing impacts on the existing rear gardens and private amenity areas of Belview Wood. The rear garden of 19 The Way is stated as 160sqm, whereas the actual usable rear garden area is approximately 70sqm. 23 The Way is described as 83sqm when it is a minimum of 120sqm. The analysis does not accurately reflect observed shadowing conditions within the rear garden due to fences. The proposed dwellings will sit higher and will therefore cast more shadow.
- There was no real assessment of the submitted DSOA and the assessment's conclusion that the proposed development is primarily low rise in nature is considered inaccurate due to the topography of the site and the inclusion of a 4/5 storey apartment block.

Design and Layout

- The inclusion of 4 (part 5-storey) apartment blocks in the middle of the site would be visually incongruous and out of character with the established pattern of development in the vicinity. The pattern of development to the north and west comprise of predominantly two/three storey dwellings and duplex/apartment units.
- The highest block should be at the entrance to the site fronting the road to provide a stronger urban edge. The design incorporating metal cladding to blocks 1 and 2, as well as their scale and massing, would be out of character with the area and appear highly incongruous from Hazel Hill.
- The submitted Landscape and Visual Impact Assessment does not identify or assess Belview, The Way, as a directly affected western receptor. These are the most immediately affected residential receptors in terms of overlooking, visual impact, massing and loss of residential amenity. The proposed development will give rise to materially increased visual and overbearing impacts due to their proximity, height and parallel orientation to the existing dwellings.
- The submitted photomontages should have included a viewpoint further north of the site at the junction of Maryborough Hill and The Fairways in order to

establish a more accurate representation of the scale and height/massing of the development. There was no assessment or analysis of the submitted photomontages.

Traffic Safety and Permeability

- Insufficient consideration has been given to the suitability of the internal road network within Belview Wood to accommodate additional vehicular connectivity and traffic associated with the proposed development. Concerns are raised regarding its width, capacity and alignment. It was not designed to function as a distributor or through-route and the additional traffic will intensify traffic movements through constrained residential streets, increase pedestrian conflict and safety risks and materially diminish the residential amenity and character of the estate.
- Under the Design Manual for Urban Roads and Streets (DMURS) residential street networks should maintain an appropriate road hierarchy and should not give rise to unsafe pedestrian and vehicular conflict conditions. It is requested that consideration be given to a pedestrian and cycle only permeability connection and if vehicular connectivity is permitted consideration should be given to a controlled one-way vehicular arrangement. A further appeal states that all vehicular traffic should be routed through the main entrance only.
- There is no detailed Road Safety Audit or Technical Risk Assessment specifically addressing the proposed access through Belview Wood.
- There are concerns that increased traffic will result in congestion, noise pollution, deterioration in air quality and loss of residential amenity. Through traffic would significantly increase risk to children playing within the estate and pedestrians using the roads and footpaths.
- The Commission has previously held that existing estates should not be used as access routes for new developments where it would result in inappropriate traffic intensification and substandard road widths and layouts compromising safety. *(I note that no reference numbers are quoted)*.
- There are existing traffic congestion issues along the Garryduff Road and L-6477 which is going to be exacerbated. The No. 220 bus route already has

capacity issues. Any future bus service will be insufficient to serve the population of Carrigaline and Douglas.

Accuracy of submitted drawings and particulars

- The baseline condition of the site has been incorrectly described and permission should be refused on the basis of misrepresentation of existing conditions. Examples include the description of one visitor space outside 23 The Way on the submitted 'existing site plan' drawing when there are instead two private car parking spaces at this location. The plan also describes the boundary as a sod and stone ditch when there is a retaining wall and concrete fence at this location. There is no reference in any of the documentation of this existing retaining wall boundary.
- The submitted drawings do not accurately describe No. 12 as permission was granted in 2023 (ref. 2241535) for an extension. Therefore, there has been an incorrect representation of window positions and underestimation of overlooking. Such concerns cannot be mitigated by boundary fencing or landscaping and a fundamental redesign of levels or layout is required.

Structural Integrity Concerns – Boundary Wall

- An access point is proposed at the western boundary which comprises of an existing wall and there are structural integrity concerns of neighbouring property in terms of the removal of part of this wall.

First Party Appeal

The Commission should also note that the decision of the PA to grant permission has been appealed by the first party applicant under Section 139 of the Planning and Development Act 2000, as amended. This is restricted to the consideration of Condition No. 48 only which relates to development contributions. This appeal was received by the Commission on 6th May 2026 and is summarised as follows:

- The financial contribution has been incorrectly calculated due to the use of an inaccurate gross internal floor area and the misapplication of relevant exemptions and reductions under the Cork City Council General Development Contribution Scheme 2023-2029 (GDSC).

- The proposed development is subject to 20% Part V provision and therefore supplies 35 no. Part V units with a total gross internal floor area of 2,991sqm. Section 1.5 of the GDSC provides for a 100% reduction on Part V units.
- The proposed development consists of 60 no. apartment/duplex units where a 50% reduction applies to the gross internal area as per category 5.19 of the GDSC. Therefore, only 1,858.35sqm (50% of 3,716.7sqm) of the apartment gross internal floor area should be subject to development contributions.
- The proposed development consists of 116 no. housing units where a 25% reduction applies to the gross internal floor area as per category 5.20 of the GDSC. The total GIA for these units is 12,705sqm and with a 25% reduction, only 9,528.75sqm of the houses GIA should be subject to development contributions.
- The total GIA for the development is 17,071.7sqm with the net floor area for development contributions calculated at 9,046.1sqm once the exemptions and reductions are applied. The development contribution rate is €54.2446 per sqm on the 9.046.1sqm.
- Therefore, it is requested that the Commission amends condition No. 48 and reduce the amount levied from €608,692.22 to €490,702.08.

8.2. Planning Authority Response

The PA issued a response to the first-party appeal on 4th June 2026 which is summarised as follows:

- It is of the opinion that development contributions were applied in accordance with the General Development Contribution Scheme 2023-2029 and Supplementary Contribution Scheme 2023-2029.
- Section 1.4 of the GDSC sets out the area to be included in calculation of floor area. It shall be calculated as the gross internal floor area of all relevant floorspace and is to be measured from the internal measurement of the floorspace on each floor of the building. Table 4 identifies additional areas that are subject to contribution such as basement/underground parking.

- The local authority's technicians measured the area of the development in accordance with Section 1.4/Table 4 as 18,878.6sqm, rather than 17,071.4sqm as stated on the application.
- Section 1.5 of the GDSC sets out exemptions and reductions that may be applied. In this case, a 100% reduction was applied to the proposed social and affordable housing units under Part V in accordance with Category 5.2. Further reductions were also applied in accordance with Categories 5.19 and 5.20.
- A copy of an excel spreadsheet calculation is provided showing details of the calculation based on a total floor area of 18,878.6sqm and categories 5.2, 5.19 and 5.20 reductions. At a levy rate of €54.2446 the total contribution is calculated as €608,692.22.

The PA did not issue a response to the issues raised within the third party grounds of appeal.

8.3. Observations

An observation from Amy Conway, a local resident on Maryborough Hill, was lodged to the Commission on 5th June 2026. This is summarised as follows:

- Concerns are raised regarding the impact of the development on Maryborough Hill in terms of traffic safety due to the width and vertical alignment of the road. A footpath should be installed from the roundabout to the top section of the steep incline of Maryborough Hill which could be completed internally within the proposed development.
- Maryborough Hill is not suitable to accommodate construction traffic due to its width and infrastructure. The footpath should be installed prior to commencement of development in the interest of pedestrian safety.
- The level of car parking provision is questioned in terms of 216 spaces being provided for 176 residential units. As most houses would have two cars a minimum of 352 spaces is required. Due to a lack of parking spaces people are forced to park in non-parking areas which impede emergency services. This has occurred previously. Whilst there is a regular bus service, it cannot be relied upon and families will need cars.

8.4. First-Party Response to Third-Party Appeals

The applicant issued a response to the third parties grounds of appeal on 15th June 2026 which is summarised as follows:

- The PA supported the proposed connections along the western boundary and they were requested by the PA at pre-planning stage. They form part of an integrated permeability and connectivity strategy consistent with the objectives of the Cork City Development Plan 2022-2028, DMURS principles, Section 28 Guidelines and broader national policy promoting connected neighbourhoods, permeability and sustainable movement patterns.
- The PA considered the connections a welcome addition creating good permeability and as sense of cohesion between both developments. It will allow for alternative connectivity to the proposed Ballybrack greenway for both pedestrians and cyclists. It is requested that the Commission recognises the significant public benefit arising from enhanced connectivity and future access to the greenway and wider sustainable transport network.
- The submitted Traffic and Transportation Assessment (TTA) confirmed that the proposed development will generate 133 vehicle trips during both the AM and PM peak hours and considered that the neighbouring junctions are expected to operate within capacity under all design years assessed. The PA's traffic engineer was satisfied with the technical input provided to substantiate the findings of the assessment.
- The proposed development is also within an area well served by existing and proposed public transport infrastructure including BusConnects. It will benefit from enhanced pedestrian and cycling connectivity including future access to the greenway. The submitted TTA does not account for future modal shift arising from these sustainable transport improvements and the modelling represents a robust and conservative assessment. A stage 1 road safety audit was submitted confirming the proposed access arrangements acceptable in road safety terms subject to standard mitigation measures.
- Concerns are raised regarding parking and existing conditions within Belview Wood, however, the photographic evidence provided does not demonstrate or

provides precedent that the development would result in unacceptable traffic or safety impacts. The concerns raised largely relate to perceived intensification rather than demonstrated technical deficiencies.

- 223 car parking spaces are proposed to be provided which is in accordance with Development Plan standards. The internal layout and road network has been designed to DMURS standards and the development is not reliant on the proposed western connections for vehicular access. The principal access to the scheme is via a dedicated junction on Maryborough Hill.
- A comprehensive DSOA was submitted in accordance with the 2022 BRE Guide, BS EN 17037 and associated national guidance. It evaluated the impact on adjoining residential properties to the north and west and concluded that the proposed development is predominantly a low rise scheme with a significant distance between existing and proposed buildings resulting in only a very limited effect on the receiving environment.
- The DSOA demonstrated that 96% of assessed neighbouring windows fully complied with BRE daylight standards while all neighbouring garden and amenity areas achieved full compliance with BRE Guidance resulting in no/negligible impact. The only identified minor deviations related to Prospect House and were classified as minor adverse only with overall residential amenity remaining acceptable.
- The PA considered the separation distances between the proposed dwellings on the western boundary and the existing dwellings to the west complied with the standards of SPPR1 of the Sustainable Residential Development and Compact Settlement Guidelines. It also noted that the ground levels in this location are approximately corresponding which would not result in undue overlooking or loss of privacy.
- The proposal provides for the retention and management of the existing hedgerow along sections of the western boundary together with the installation of a 1.8 metre high black paladin fence and sections of 2 metre high blockwork wall with concrete capping where appropriate. The western boundary treatment was further enhanced at further information stage with the hedgerow to be

reduced and infilled with native species and the edge face of the existing stone ditch to be retained and restored as required.

- The design approach specifically responds to the site's sloping topography with taller elements strategically positioned on lower portions of the site to reduce visual prominence. The PA noted the significant higher ground level to the existing dwellings but considered that there was a large separation distance between same. Lower density housing has been located adjacent to the existing suburban residential areas. The scale and massing of the proposed apartment blocks were assessed through the submitted LVIA and verified photomontages. It is considered that the scale, massing and visual appearance of the development are appropriate to the context and topographical characteristics of the site.
- The level differences between the application site and Hazel Hill to the north were a fundamental consideration in the design and assessment of the proposed development. The PA's assessment was based on submitted detailed site section drawings and the DSOA and it considered that the development would not result in unacceptable impacts on residential amenity. The omission of a permitted extension to No. 12 Hazel Hill from certain drawings does not materially alter the overall planning assessment or conclusions reached regarding residential amenity. The impact assessment was based on the overall relationship between the existing dwelling, boundary treatments, site levels and proposed development. The proposed development will not impact on this permitted extension.
- It is respectfully requested that the Commission upholds the decision of the PA to grant permission for the proposed development. There were no further comments made regarding the PA's response to the development contributions appeal or the matters raised by the observer.

9.0 **Assessment**

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

- Zoning
- Density
- Design and Layout
- Residential Unit Mix
- Impact on Existing Residential Amenity
- Traffic Safety and Permeability
- Car Parking
- Residential Amenity of Future Occupants
- Development Contributions (First Party Appeal)
- Other Issues
- Material Contravention Conclusion

Zoning

9.2. The Commission should note that the subject site is located on 'Tier 2' zoned lands as per the Growth Strategy Map (Figure 2.21) of the Cork City Development Plan 2022-2028 (herein referred to as "the CDP") and within a 'greenfield area' (Figure 2.22). The site is located within the 'City Suburbs' as per the Core Strategy Map (Figure 2.20) and where the Core Strategy Table (Table 2.2) sets a targeted population growth to 2028 of 7,074 (or 13.7%) for the 'South East Suburb'.

9.3. Accordingly, the majority of the lands are zoned 'ZO 2 New Residential Neighbourhoods' where the objective is to provide for new residential development in tandem with the provision of necessary social and physical infrastructure. Additionally, a portion of the site is located on lands zoned 'ZO 1 Sustainable Residential

Neighbourhoods' where the objective is to provide for residential uses and amenities. Therefore, having regard to the zoning objectives pertaining to the subject site, and subject to my assessment below and to the relevant standards and guidance set out at national, regional and local level, I consider that the proposed development is acceptable in principle.

Density

- 9.4. The Commission should note that paragraph 3.26 and Figure 3.3 of the CDP outline the density strategy of the CDP structured around 4 no. sub-areas including 'Outer Suburbs'. Having reviewed the digital map associated with Figure 3.3 which can be found on the local authority's website (*accessed 17th July 2026*), I note that only the northeast part of the site (area of proposed character area 1 – Hilltop Crescent, as shown on the submitted proposed site layout plan) is located within the 'Outer Suburbs' sub-area. The remainder of the site (area of proposed character area nos. 2 and 3) do not fall within any of the 4 no. sub-areas.
- 9.5. Table 11.2 of the CDP sets out the residential densities for the 'Outer Suburbs' sub-area. The table specifies a dwellings per hectare (dph) target density range of 40 (minimum) and 60 (maximum). I note that the overall development is for 176 no. residential units on a stated development area of 3.8 hectares, which amounts to a density of 46.3dph. Therefore, I consider the development within the outer suburbs area to comply with the minimum target density of Table 11.2. I also note that the PA considered the density to be appropriate due to the location and receiving environment.
- 9.6. With regards to the remainder of the site, I note that there appears to be no specific density targets set for this area due to it not falling within any of the 4 no. sub areas. However, I note that paragraph 3.25 of the CDP states that greenfield sites will need to be developed to densities that reflect their suitability for urban density and as a general rule the minimum density shall be 35dph. I note that the density as proposed is above the specified minimum density limit and therefore complies with this general rule.
- 9.7. Furthermore, paragraph 11.72 of the CDP specifies that in accordance with relevant Section 28 Guidelines (*with the example given as the Sustainable Residential Development in Urban Areas Guidelines*) minimum density targets will be applied in

the development of all sites, apart from in exceptional circumstances. I note that these Guidelines encouraged net densities in the general range of 35-50dph for 'outer suburban/greenfield sites' and I note that the proposed density falls within same. However, the Commission should note that the relevant current Section 28 Guidelines to which paragraph 11.72 relates are the Sustainable Residential Development and Compact Settlements Guidelines 2024 (herein referred to as "*SRDCS Guidelines*").

- 9.8. Section 3.3 and Table 3.1 of the SRDCS Guidelines stipulates that residential densities in the range of 40dph to 80dph shall generally be applied at suburban and urban extension locations in Cork. Table 3.1 of the SRDCS Guidelines defines urban extension as greenfield lands at the edge of the existing built up footprint that are zoned for residential. Having regard to the location of the site between the area of 'compact growth' and 'hinterland' as shown in Figure 2.21 of the CDP (Growth Strategy Map), to the designation of the site as a 'site in greenfield area' as per Figure 2.22 of the CDP (Built-Up Footprint and Greenfield Growth Target Locations), and to the ZO 1 and ZO2 residential zonings of the site, I consider the subject site to represent an urban extension site. Accordingly, I consider that the minimum density target outlined in paragraph 11.72 of the CDP to be 40dph as per the SRDCS Guidelines. This is also consistent with paragraph 11.71 of the CDP which states that most of the new development in Cork City and the Urban Towns will be built at a gentle density of 40-70dph.
- 9.9. I have also had regard to Section 3.4 of the SRDCS Guidelines which sets criteria to refine the densities specified in Section 3.3 based on consideration of centrality and accessibility to services and public transport (Step 1) and considerations of character, amenity and the natural environment (Step 2). Step 1 encourages densities closer to the mid-density range (i.e. 60dph in this case) at intermediate locations. The Commission should note that intermediate locations include lands that are within 500 metres of reasonably frequent (minimum 15 minute peak hour frequency) urban bus services. I note that the subject site is located approximately 300 metres from the nearest bus stop on Maryborough Hill where city bus services (Route 220) are currently provided at a frequency of 15 minutes. I also note that the National Transport Authority (NTA) Public Transport Accessibility Level (PTAL) tool illustrates that the majority of the site is served by a medium level of public transport service. Therefore,

I consider that a density in the mid-range may be acceptable at this location, subject to step 2 considerations.

- 9.10. With regards to Step 2 considerations, I note that the defining characteristics of the site comprise of a challenging topography which significantly rises in level by approximately 25 metres. I also note the location of the site on the edge of the existing built environment and the prevailing densities of residential schemes approved within the vicinity of the site including SHD ref. ABP-307041-20 at 39.7dph. It is my view that the proposed density of 46.3dph is appropriate to this location and which will integrate successfully into the receiving environment.
- 9.11. Overall, I consider that the proposed density of 46.3dph for this site complies with the density provisions of the CDP. It is within the target density range for the 'outer suburbs' area as set out in Table 11.2 of the CDP, it complies with paragraph 3.25 of the CDP by being within the minimum density of 35dph, complies with paragraph 11.71 by being within the specified gentle densities of 40dph-70dph for new development within Cork City and the Urban Towns and complies with paragraph 11.72 by complying with the minimum density targets in accordance with the SRDCS Guidelines. Moreover, I consider the density as proposed complies with Policy and Objective 3.1 of the SRDCS Guidelines.

Design and Layout

- 9.12. The Commission should note that there have been a number of third party concerns regarding the design and layout of the scheme, in particular to the height of proposed apartment blocks 1 and 2 and to their siting within the most elevated part of the site.
- 9.13. Having reviewed the submitted plans I note that apartment blocks 1 and 2 will have a maximum height of 16.85 metres when viewed from the north of the proposed blocks, and a maximum height of 13.65 metres when viewed from the south of the proposed blocks. A basement floor level is proposed to accommodate car parking as well as 1 no. basement level residential unit within each block. The proposed second and third floor levels of the blocks comprise of a stepped back design from the main building footprint when viewed from the north.
- 9.14. Having inspected the site, I observed that the proposed siting of apartment blocks 1 and 2 are within the lower part of the site. I note that the proposed finished floor levels (FFLs) are 106.00m and 108.50m. In contrast, the Commission should note that the

two storey houses' FFLs proposed along the southern boundary of the site range from 122.00m to 124.00m. Therefore, I do not agree with the third party appellant's contention that apartment blocks 1 and 2 have been sited in the most elevated part of the site.

- 9.15. Additionally, the Commission should note that part 2-storey and part 3-storey duplex units are proposed to the south of apartment blocks 1 and 2 and will also comprise of two blocks with ranging FFLs of 112.55m to 115m. The maximum height of these buildings when viewed from the north will be 12 metres and 9 metres when viewed from the south. A pair of semi-detached part 2-storey and part 3-storey townhouses are proposed to the north of apartment block 1 which will have a FFL of 107.00m and maximum height of 11.31 metres. The creche is proposed within the northeast corner of the site at a proposed FFL of 99.40m and will be part 2-storey (6.95m) and part 3-storey (10.05m). Apartment Block 3 is also proposed within the northeast corner of the site, south of the creche, at a proposed FFL of 103.00m.
- 9.16. The Commission should note that the remaining elements of the proposed development primarily comprise of two storey type dwellinghouses, with the exception of 5 no. end units (House Types A3.3 and A3.2) being 3-storey to a height of 10.35 metres and 8 no. units (House Type C3.3) proposed along the eastern boundary of the site being dormer designs to a height of 6.48 metres.

Building Height Strategy of CDP

- 9.17. Firstly, I consider that there is a requirement to establish whether the proposed development complies with the building height strategy of the CDP. The Commission should note that this strategy is set out within paragraphs 11.26 to 11.39 of the CDP. Appendix 1 of Volume 1 of the CDP also states that the Urban Development and Building Heights: Guidelines for Planning Authorities (2018) has been implemented within the plan. I note that the strategy, as with the density strategy, is comprised of four sub-areas with the northeast part of the site being located in sub area 'Outer Suburbs'. The Commission should note that the remainder of the site is not located within any sub area, however, I note that 2 and 3 storey buildings are proposed within this undesignated area and, therefore, I have no significant concerns in terms of the building height strategy in this regard.

- 9.18. The CDP outlines that the strategy responds to two key urban design contexts, they being the prevailing building height in the neighbourhood and the density strategy of the city. The prevailing height was assessed within the Cork City Urban Density, Building Height and Tall Building Study 2021. Tables 11.1 and 11.2 set the prevailing building height for the 'Outer Suburbs' area as between two and three storeys with a target (*my emphasis*) building height of between two and four storeys.
- 9.19. I note that the description of the development specifies a building height ranging from two to four storeys with undercroft car parking in apartment blocks 1 and 2. I note that the PA considered the blocks to be part 4-storey and part 5-storey. As I have outlined above, these apartment blocks are designed to a height of 16.85 metres with the second and third floor levels comprising of a stepped back design from the main footprint of the building when viewed from the north, which I consider to correspond well with the topography of the site. Having reviewed submitted section drawings A-A and B-B, it is my view that they represent four storey apartment blocks, due to the stepped back design of the second and third floor levels corresponding with the proposed finished ground levels of the site and the incorporation of basement level car parking.
- 9.20. However, if the Commission considers that the blocks read as 5-storeys, it is my view that this would not represent a material contravention of the building height strategy set out in Tables 11.1 and 11.2 of the CDP. My reasoning for this is due to the standards being expressed as a target, as opposed to a definitive limitation. Furthermore, I also note that there is no prohibition of buildings of five storeys within the 'Outer Suburbs' area specified within the building height strategy. The Commission should note that five storey apartment blocks were previously approved to the west of the site under ABP-307041-20, however, I note that these were at a FFL ranging from 102.40mAOD to 104.45mAOD.

Impact on Landscape and Visual Amenity

- 9.21. I note that the application was accompanied by a Landscape and Visual Impact Assessment (LVIA) supported by 12 no. verified photomontages (*taken 26/08/2025*) as well as computer generated images (CGIs). I note the concerns that the impact from Belview Wood to the west of the site has not been adequately assessed.

- 9.22. I note that the LVIA concluded that a moderate/neutral long term visual impact would occur at the junction of Maryborough Hill/Garryduff Road (Viewpoint 3) and within the Hazel Hill and Applewood estates (Viewpoints 4 and 5). A viewpoint to the west (Viewpoint 7) did not measure any effect due to the proposed development being screened by the existing built environment and vegetation. The LVIA references a number of mitigation measures that can be taken to minimise the impact such as the retention of trees and hedgerows and the planting of native vegetation. Whilst I acknowledge that a viewpoint was not taken in proximity to the appellants' dwellings within Belview Wood, I am satisfied that there is sufficient information on file, including section drawings and CGIs, to assess the overall visual impact of the proposed development.
- 9.23. Having reviewed chapter 6 of the CDP and the associated digital map, I note that the subject site is not located within a designated area of high landscape value (AHLV) or located within close proximity to an AHLV. The site is not located within a landscape preservation zone (LPZ) and there are no designated scenic routes within close proximity of the site. Therefore, the site does not benefit from landscape or visual protection as per the provisions of the CDP. I also note that the PA considered the design and layout of the proposed development responds to the topography of the site with the high-density development being sited within the lowest ground level and through the use of split levels in the design.
- 9.24. I acknowledge that the site does comprise of substantial level differences with the southern part of the site rising by approximately 25 metres from the northern part of the site. I note that the proposed FFLs of the apartment blocks will be 106.00m to 108.50m and will be 16.85 metres in height as viewed from the north elevation (13.65 metres from the south elevation). The proposed dwellings along the southern boundary of the site will range from FFLs of 122.0m to 124.00m. Therefore, it is my view that the siting of the apartment blocks and overall layout responds well to the topography of the site. I also note that the FFLs of the dwellings proposed along the western boundary are consistent with the FFLs of the Belview Wood estate.

Public Open Space

- 9.25. The Commission should note that paragraph 11.112 of the CDP outlines that public open space for residential development will normally be required as per Table 11.11,

apart from in exceptional circumstances. I note that Table 11.11 outlines an open space provision of 15% for greenfield sites. I note that an area of 15.4% of open space is proposed within the development which I consider complies with the Table 11.11 requirements.

- 9.26. Furthermore, having reviewed the design and layout of the scheme, I consider that the open space provision is of high quality with all proposed areas adequately overlooked. The topography of all green areas will be relatively level and therefore will comprise of usable spaces. The provision also includes for stationary gym equipment and natural play areas which are all adequately overlooked. Wildflower meadows and mixed woodland planting are proposed through the scheme which I consider welcome features. Overall, I am satisfied that the open space design will provide visual amenity and biodiversity value in accordance with paragraph 11.113 of the CDP.

Creche

- 9.27. The creche proposed in the northeast corner will measure 650sqm and will have capacity for 99 child places. It will comprise of a detached standalone building over three floors. I note the submission from Cork City Childcare to the PA which supported the proposed creche facility as well as its overall capacity. The Commission should note that I am satisfied with the siting and design of the proposed creche and consider that it complies with paragraphs 11.162 to 11.168 of the CDP. Furthermore, I consider that the location and capacity to comply with the Childcare Facilities, Guidelines for Planning Authorities (2001).

Overall Conclusion on Design and Layout

- 9.28. Firstly, I acknowledge that due to the nature of the development which will result in the development of a greenfield site on the edge of the existing built footprint, and to the topography of the site which rises in level by approximately 25 metres, there will be changes introduced as a result of the development that will impact some views and outlook locally. However, it must also be recognised that this area of Cork City is experiencing change due to approved and emerging development in the area including ABP-307041-20 to the west of the site currently under construction and the M-28 Cork to Ringaskiddy Motorway scheme approximately 350 metres west of the site currently under construction.

9.29. It is my view that the design and layout of the scheme is of high quality, which is designed around the topographic levels of the site and locates the higher building heights within the lower part of the site. The scheme provides for differing character areas, good quality external finishes and variety and high quality open space located within central areas and which are adequately overlooked and usable. Having regard to this and to the landscaping measures proposed by the applicant, I consider that there would be no significant adverse impact on the landscape or the visual amenity of the area. Overall, I consider the design and layout to be in accordance with the criteria set out in the Urban Design Manual, A Best Practice Guide (2009), including with regards to efficiency, distinctiveness, variety, layout and public realm.

Residential Unit Mix

9.30. I note that Table 11.8 of the CDP sets the target dwelling size mix for housing developments within the City Suburbs. Objective 11.2 (Dwelling Size Mix) (*as updated within Variation No. 3*) states that with regard to apartment developments, SPPR 1 of the 'Planning and Design Standards for Apartments 2025' (herein referred to as the "*PDSA Guidelines*") applies and there are no restrictions on unit mix apart from in specific circumstances outlined. All other planning applications for residential developments comprising more than 50 dwellings will be required to comply with the target dwelling size mix specified in Table 11.8, apart from in exceptional circumstances.

9.31. Objective 11.2 also states "where a clear justification can be provided on the basis of market evidence that demand / need for a specific dwelling size **deviates from the target range** (my emphasis) and it can be demonstrated that an alternative and suitably tailored dwelling size mix for a particular location assists in achieving a balanced community, then flexibility will be provided".

9.32. The Commission should note that the proposed residential mix of the scheme comprises the following:

- 1-bed units account for 19.5% of total units and, thus, is marginally below the 20% specified target column in Table 11.8, but within the target minimum range of 15%.

- 2-bed units account for 30% of total units and, thus, is 4% below the 34% specified target column in Table 11.8 but within the target minimum range of 25%.
- 3-bed units account for 36.5% of total units and, thus, is above the 28% specified target column in Table 11.8 and within the maximum target range of 38%.
- 4-bed units account for 14% of total units and, thus, is above the 8% specified target column in Table 11.8 and within the maximum target range of 15%.

9.33. The Commission should note that I consider the overall housing mix to be reasonably balanced and within the minimum and maximum target ranges set by Table 11.8 of the CDP. I also note that 100% of the proposed 1-bed units will be apartment type units as well as 26 no. of the total 53 no. of 2-bed units (i.e. 49%). Therefore, I am satisfied that the proposed residential unit mix complies with the requirements of Objective 11.2 and Table 11.8 of the CDP.

Impact on Existing Residential Amenity

9.34. I note that there have been a number of concerns raised by the third-party appellants with regards to the impact of the proposed development on existing residential amenity within Belview Wood (Nos. 19 and 31) and Hazel Hill (Nos. 12 and 6). The concerns relate to overlooking and loss of privacy of existing dwellings and garden spaces, overbearance, as well as loss of sunlight and overshadowing. I note that concerns are also raised regarding the adequacy of the submitted Daylight, Sunlight and Overshadowing Assessment (DSOA) in terms of it underestimating the area of existing gardens and not accounting for changes in topography. Reference is also made to a Cork County Council document 'Making Places: A Design Guide for Residential Estate Development (2011)', however it should be noted that the proposed development is not located within the jurisdiction of Cork County.

(a) Separation Distances, Overlooking and Overbearance

9.35. I note that paragraphs 11.100-11.105 of the CDP relate to separation, overlooking and overbearance standards. With regards to separation distances and overlooking, paragraph 11.101 states that traditionally a separation distance of 22 metres between the rear elevation of buildings was required to provide sufficient privacy and avoid

overlooking of back gardens. However, the paragraph also states that best practice has since evolved and lesser distances are often appropriate, particularly in an urban context subject to design solutions and site-specific context. It is further stated that all development proposals will be required to demonstrate that they have been designed to avoid overlooking. Therefore, I note that there appears to be no specific separation distances that are required to be complied with and that the requirement is for the applicant to demonstrate that the design of the development has avoided overlooking.

- 9.36. The Commission should note that Section 5.3.1 of the SRDCS Guidelines and SPPR 1 specifies a requirement for separation distances of at least 16 metres between opposing windows serving habitable rooms at the rear or side of houses, duplex units and apartment units, above ground floor level shall be maintained. It also states that separation distances below 16 metres may be considered acceptable in circumstances where there are no opposing windows serving habitable rooms and where suitable privacy measures have been designed into the scheme to prevent undue overlooking of habitable rooms and private amenity spaces.

Impact on Hazel Hill

- 9.37. With regards to the potential impact on Hazel Hill, the Commission should note that there are level differences between the FFL of the proposed development and the existing Hazel Hill estate. Having reviewed the submitted drawings, the FFL of 12 Hazel Hill is 110.44m which reduces to 106.11m at No. 7 Hazel Hill. I also note that the submitted section drawing B-B also illustrates a FFL of 103.07m at 9 Applewood to the north of the site. I note that the development within the vicinity of Hazel Hill will comprise of apartment blocks 1 and 2 at a FFL ranging from 106.00m to 108.50m, house numbers 2003-2013 and 2026 with a FFL ranging from 111.05m to 115.00m and house numbers 2001/2002 with a FFL of 107.00m.
- 9.38. Therefore, the development within the proximity of 12 Hazel Hill will be approximately 5 metres above the FFL of this existing dwelling, and the FFL of the proposed apartment blocks will be 3 to 5.5 metres above the FFL of 9 Applewood and approximately 2 metres above the FFL of 7 Hazel Hill. Having inspected the site, I observed that there are no first floor windows on the protracted rear gable elevations of Nos. 7 to 11 Hazel Hill.

9.39. Having reviewed the submitted site layout plan, I note that there will be a separation distance of approximately 30 metres from proposed unit nos. 2003-2013 to the existing rear elevations of nos. 7-11 Hazel Hill, and approximately 19 metres to their rear boundaries. Furthermore, there will be a separation distance of 20.75 metres from proposed unit no. 2026 to the side boundary of 12 Hazel Hill. I also note that there will be a separation distance of approximately 28 metres from proposed unit nos. 2001/2002 to No. 6 Hazel Hill. Proposed apartment block no. 1 will also sit approximately 30 metres from the rear elevation of No. 7 Hazel Hill and approximately 22 metres from Prospect House to the north. The existing boundary treatment along the northern boundary with Hazel Hill comprises of existing hedgerow which I note is proposed to be retained and which I observed to be of an established nature on the date of my site inspection.

Conclusion

9.40. Having regard to the topography of the surrounding area, to the FFLs of the proposed development within the vicinity of Hazel Hill, to the separation distances to surrounding development and to the retention of the existing established hedgerow along the northern boundary, the Commission should note that I consider that the design of the proposed development has demonstrated that overlooking of neighbouring properties within Hazel Hill has been avoided in accordance with paragraph 11.101 of the CDP. Moreover, whilst the CDP does not refer to minimum separation distance standards that must be adhered to, I note that the proposed separation distances do not exceed the standards set by SPPR1 of the SRDCS Guidelines. I therefore consider that the proposed development would not result in overlooking or loss of privacy of existing properties and amenity spaces within Hazel Hill or any other surrounding properties to the north. Furthermore, I have no significant concerns regarding overbearance due to the separation distances.

9.41. The Commission should note that the occupants of 12 Hazel Hill also raise residential amenity concerns in terms of the proposed public footpath and amenity area within the northwest corner of the subject site. I note that this proposed amenity area will be an incidental area of open space with no play or gym equipment proposed within this area of the site. The submitted landscape plan illustrates that it will be an area of proposed mixed woodland planting. I also note that the proposed footpath, which will be approximately 5 metres above the FFL of No. 12 Hazel Hill, will be set back

approximately 10 metres from the boundary. As stated above, the existing boundary hedgerow is proposed to be retained. Overall, I have no significant concerns with the design of the proposed development in this area in terms of its impact on the residential amenity of No. 12 Hazel Hill or other surrounding properties to the north.

Impact on Belview Wood

- 9.42. The issue of separation distances, overlooking and loss of privacy on Numbers 19 and 31 The Way, Belview Wood, relate to proposed house nos. 2026-2035 which are proposed along the western boundary of the site. I note that the FFLs of these units will range from 115.00m to 117.5m. Having reviewed the site layout plan submitted as part of ABP-307041-20, I note that the FFL of these now existing units within Belview Wood along the party boundary range from 115.50m to 117.30m. Therefore, the proposed FFLs will be approximately corresponding to the existing FFLs in this location.
- 9.43. Having reviewed the submitted site layout plan, I note that there will be a separation distance of 9.7 metres to the shared party boundary with Belview Wood and 16.95 metres to the existing rear elevations. I also note that the dwellings will be primarily two storey (House Type B3.2) with the exception of the end terraces (House Type A3.2) which will be three storey, however, no second-floor level west facing windows are proposed. I note that the submitted landscape plan outlines the boundary treatment with Belview Wood as hedgerow which will be reduced and infilled with native species with the edge face of the stone ditch to be retained and restored as necessary. Having inspected the site I observed that the boundary treatment of the subject site comprised of established hedgerow which was somewhat overgrown.

Conclusion

- 9.44. I consider that having regard to the proposed separation distances, to the design of the development in this locality comprising of consistent FFLs to that of Belview Wood, to the absence of any second floor level windows on the west facing elevations of the three storey end terrace units, and to the proposed boundary treatment along the western boundary, the Commission should note that I consider that the design of the proposed development has demonstrated that overlooking of neighbouring properties within Belview Wood has been avoided in accordance with paragraph 11.101 of the CDP. Moreover, the separation distances will be in accordance with SPPR1 of the

SRDCS Guidelines. Overall, I am satisfied that the proposed development would not result in significant overlooking or loss of privacy of existing properties and amenity spaces within Belview Wood and no significant overbearance would occur.

(b) Daylight, Sunlight and Overshadowing

- 9.45. The Commission should note that paragraphs 11.95-11.99 and Objective 11.4 (Daylight, Sunlight and Overshadowing (DSO)) of the CDP (*updated as part of Variation No. 3*) relate to daylight, sunlight and overshadowing standards. Paragraph 11.98 recommends the assessment to be guided by the BRE Site Layout Planning for Daylight and Sunlight, A Guide to Good Practice (2022). The Commission should note that a DSOA was submitted by the applicant at further information stage.
- 9.46. I note that the submitted DSOA was carried out in accordance with specialist 3D software based on 3D models, survey information and design details provided by the project design team. I also note that the assessment was carried out with reference to the 2022 BRE Guide and assessed the loss of daylight and sunlight to existing buildings within Belview Wood and Hazel Hill and loss of sunlight to existing gardens and private amenity spaces, including on the third party appellants' properties. The analysis also included properties within Applewood estate as well as Prospect House.
- 9.47. The assessment concluded that all buildings within Belview Wood and Hazel Hill were in compliance with BRE standards for both daylight and sunlight. All gardens within both estates were also considered to comply with BRE standards. I note the concerns regarding the accuracy of the measured garden sizes of Belview Wood, however, it should be noted that Section 3.3.17 of the BRE Guide recommends that in order for a garden or amenity area to be adequately sunlit throughout the year, at least half of it should receive at least 2 hours of sunlight on 21st March. It is my view that this would be achieved comfortably having regard to the design and layout of the proposed development, the proposed FFLs of the development corresponding with the existing Belview Wood houses and to the analysis provided.
- 9.48. Having regard to the findings of the submitted DSOA, to the orientation of the proposed development and surrounding properties, to the proposed FFLs being similar to the existing FFLs of Belview Wood, to the scale of the proposed development at a height of 8.85 metres for the B3.2 house type and 10.35 metres for the A3.2 house type, and to the separation distances, I am satisfied that the proposed development would not

result in an unacceptable impact in terms of loss of daylight or sunlight to existing buildings nor loss of sunlight or overshadowing of private amenity space. Furthermore, having regard to the design and layout and separation distances, I am satisfied that there will be no unacceptable impact in terms of loss of daylight or sunlight on any of the properties within Hazel Hill.

- 9.49. I acknowledge that 3 no. windows of Prospect House will be negatively affected in terms of daylight provision, however, 2 no. were marginally below the compliance threshold of 27% Vertical Sky Component (VSC) at 24% and 26% and the third window had a VSC of 0.73 times its former value being just below the compliance threshold of 0.80. Therefore, I am satisfied that there would be no significant adverse impact on daylight provision to Prospect House. In terms of sunlight provision six of the seven windows achieved compliance.

Traffic Safety and Permeability

- 9.50. I note that a key concern of the appellants within Belview Wood relates to the two possible access points proposed along the western boundary of the site which I note will provide vehicular, pedestrian and cyclist permeability through the existing estate. The residents consider that the existing road network of Belview Wood is not suitable to cater for the additional vehicular traffic associated with the proposed development due to its width, horizontal alignment, visibility and obstructions related to on-street car parking. It is contended that increased vehicular traffic will impact pedestrian and child safety and result in congestion, noise pollution, deterioration in air quality and a loss of residential amenity. It is also contended that the introduction of through traffic into an existing cul-de-sac environment is contrary to the Design Manual for Urban Roads and Streets (DMURS). I acknowledge the appellants' recommendations that these access points should only be for pedestrians and cyclists.
- 9.51. I acknowledge that the application was accompanied by a Traffic and Transport Assessment (TTA), Stage 1 Road Safety Audit (RSA), DMURS Statement, and outline Mobility Management Plan (MMP). The DMURS statement indicates that the layout of the roads and streets are designed to ensure that the design speed within the proposed estate is a maximum 30kph. The stage 1 RSA examined the traffic safety issues at the proposed entrance, proposed internal road network and adjoining local road and recommended a number of safety improvements.

- 9.52. I note from the information on file that the PA recommended increased permeability from the subject site to the development to the west in preplanning and opinion stages of the process. The PA also highlighted the fact that such access points would align with the site layout plan permitted under application ref. ABP-307041-20. It considered that the development as proposed would support permeability and enhance connectivity and would be in accordance with objective 2.17 and objective 11.1(f) of the CDP. Moreover, the Transportation Section (TS) of the PA required the access points to be constructed to the boundary to ensure unimpeded connectivity to the neighbouring residential lands. I also note that the area engineer's report concurred with the points made by TS.
- 9.53. Whilst I acknowledge the concerns of the residents, the Commission should note that I have no significant traffic safety concerns in terms of providing vehicular permeability along the western boundary. Firstly, the design speed within the proposed development will be a maximum of 30kph. I note that Section 3.4.1 of DMURS advises that the slower nature of local streets (10-30km/h) will result in them being less attractive to through traffic due to the traffic calmed nature of the street. Secondly, the potential access points would provide shorter access routes for some of the residents of Belview Wood to and from the proposed creche within the northeast corner of the site. I note that Section 3.4.1 of DMURS advises more permeable networks will result in drivers being more likely to maintain lower speeds over shorter distances in accessing their individual property, as well the frequency of junctions acting as a traffic calming effect. Thirdly, the design as proposed is consistent with ABP-307041-20 as the site layout plan submitted as part of this application indicated these same access points as possible future connections. I also note that this scheme was designed in accordance with DMURS.
- 9.54. Additionally, it should be noted that DMURS outlines that research has shown that there is no significant difference in the collision risk attributable to more permeable street layouts in urban areas, and that more frequent and less busy junctions need not lead to higher numbers of accidents. It advises on a cautious approach to the use of vehicular cul-de-sacs and outlines that the use of one way streets can promote faster speeds. Furthermore, whilst I note the appellants' recommendation that the access points should only be for pedestrians and cyclists with no vehicular connections, it is

my view that such arrangements could lead to issues in relation to crime prevention and anti-social behaviour.

- 9.55. Therefore, having regard to the above, the Commission should note that I have no significant concerns regarding the permeability of the proposed development. Having regard to the design and layout of the scheme in accordance with DMURS, it is my view that the development will create a low speed environment that will minimise noise and air pollution and support permeability and enhance connectivity in accordance with DMURS, objectives 2.17, 4.5(a) and (b) and 11.1(f) of the CDP, and the connections and public realm criteria of the Urban Design Manual (2009).

Capacity of Road Network

- 9.56. The Commission should also note that as part of the TTA, a total of 4 no. junctions within the vicinity of the proposed development were analysed for the base year (2025), opening year (2028), opening year + 5 years (2033) and opening year + 15 years (2043). The analysed junctions (J) were the proposed entrance to the site off Maryborough Hill (J1), the roundabout approximately 100 metres north of the proposed entrance (J2), the N28 merge approximately 800 metres northwest of the proposed entrance (J3) and the N28/Carr's Hill/Maryborough Hill junction approximately 2.4km southeast of the proposed entrance (J4).
- 9.57. I note that the proposed western access points were not included in the TTA, however, having regard to the proximity of the subject site to the main routes to the north of the site including the future M28 interchange, as well as public transport routes with proposed active travel connections, I consider that the main entrance proposed off Maryborough Hill would be the primary route for residents within the proposed estate.
- 9.58. The TTA predicted that the trips generated at junction J1 will be 133 no. vehicles in the morning and evening peaks. The analysis of J1 showed minimal queuing on the entrance junction's arm with a maximum ratio of flow to capacity (RFC) of 23% for the morning peak hour in 2043. Analysis of J2 and J3 showed that they would operate below capacity for all design scenarios with a maximum RFC of 40% with minimal queuing. Analysis of J4 showed that it would operate under capacity in all future year scenarios, however, will experience delays with the development in 2028 in the PM peak (Stream B-A). In 2043, the delay in the PM peak with the development will be 584.01 seconds (300.32 seconds without the development). However, the TTA states

that the M28 Cork to Ringaskiddy motorway planned to be open in 2028 will reduce traffic on the existing N28 and therefore improve the operation of this junction and reduce the volume of traffic at all the analysed junctions. I note that the findings of the TTA were reviewed by the TS of the PA and it was satisfied with the conclusions. I also note that the TTA did not account for any future modal shift arising from sustainable transport improvements.

- 9.59. The Commission should note that the subject site is located approximately 125 metres directly south of the Ballybrack Valley Pedestrian and Cycle Route Phase 4. I note that it is proposed to provide a 4 metre wide active travel route from the proposed entrance to the route as well as upgraded crossings at the roundabout north of the site. Furthermore, the submitted outline Mobility Management Plan describes the location of the site in close proximity to the Bus Connects South East Sustainable Transport Corridor (Route 1 Maryborough Hill to Cork City). Moreover, the site is located approximately 300 metres from the nearest bus stop on Maryborough Hill where city bus services (Route 220) are currently provided at a frequency of 15 minutes.
- 9.60. Therefore, I have no significant concerns with the impact of the proposed development on the capacity of the road network having regard to the results of the TTA, to the future delivery of the M28 Motorway scheme, to the proximity of the site to future and existing public transport services, and to the proximity of the site to proposed active travel infrastructure.

Construction Traffic

- 9.61. The Commission should note that concerns have been raised regarding pedestrian safety on Maryborough Hill during the construction phase and a request has been made for the footpath infrastructure to be extended south of the proposed entrance to the top of Maryborough Hill (through the subject site). Having inspected the site, I am satisfied that the surrounding road network is capable of accommodating HGV traffic to and from the site during the construction phase. It should also be noted that the construction phase will be temporary in nature and therefore such impact will not be long term. I note that the submitted Outline CEMP stated that a detailed traffic management plan would be submitted before the commencement of development. Therefore, if the Commission is minded to grant permission it is my recommendation that this is conditioned.

- 9.62. I consider the issue of the extension of a footpath to be a matter with the local authority. The applicant is proposing to provide a 4 metre wide active travel route from the proposed entrance to the roundabout together with pedestrian crossing points which I consider to be appropriate.

Car Parking

- 9.63. The Commission should note that concerns have been raised concerns regarding the level of car parking provision within the proposed development. I note that a total of 223 no. car parking spaces are proposed as part of the development. I note that car parking standards are set out in paragraphs 11.234 to 11.247 of the CDP. It states that car parking standards are maximums in order to constrain car trip generation and promote active travel and public transport, and they are designed around 4 no. zones where the city suburbs (i.e. subject site) is covered under Zone 3.
- 9.64. The maximum standards are set out in Table 11.13 of the CDP and it sets a maximum standard of 1.25 spaces for 1 and 2-bed residential units, and 2.25 spaces for 3 and 4-bed units. The maximum standards associated with the creche is set at 1 space per 6 children. The table below assesses whether the proposed provision complies with the requirements of Table 11.13 of the CDP.

Houses	CDP Maximum Provision	Provision as per Proposed Parking Allocation drawing	Compliance
2-bed dwellings	1.25 spaces	1 space per unit	Yes
3-bed dwellings	2.25 spaces	2 spaces per unit (1 space in some instances)	Yes
4-bed dwellings	2.25 spaces	2 spaces per unit	Yes
Duplexes	CDP Maximum Provision	Provision as per Proposed Parking Allocation drawing	Compliance
1-bed and 3-bed units • 12 no. 1 beds	1.25 spaces for 1-beds (max. 15 spaces)	24 no. spaces	Yes

• 12 no. 3-beds	2.25 spaces for 3-beds (max. 27 spaces)		
Apartments	CDP Maximum Provision	Provision as per Proposed Parking Allocation drawing / Basement Layout	Compliance (Yes / No)
Block 1 9 no. 1-bed units 12 no. 2-bed units	1.25 spaces	12 no. spaces	Yes
Block 2 13 no. 1-bed units 8 no. 2-bed units	1.25 spaces	10 no. spaces	Yes
Block 3 6 no. 2-bed units	1.25 spaces	6 no. spaces	Yes
Creche	CDP Maximum Provision	Provision as per Proposed Parking Allocation drawing	Compliance
99 spaces	1 per 6 children	7 no. spaces	Yes

9.65. Therefore, I am satisfied that the proposed parking allocation for the development complies with the maximum car parking standards set out in Table 11.13 for Zone 3. The Commission should note that an additional 6 no. visitor spaces are proposed within the site, however, I am satisfied that these additional spaces will not exceed the maximum standards of Table 11.13.

Electric Vehicle (EV) Parking

9.66. I note that paragraph 11.245 of the CDP specifies minimum standards for EV charging points and infrastructure comprising of a minimum of one EV equipped parking space per five car parking spaces for multi-unit residential developments with all other spaces required to be developed with appropriate ducting to enable future installation. Furthermore, all new dwellings with on-site car parking is recommended to be developed with appropriate ducting to enable future installation of charging points.

9.67. Having reviewed the proposed parking allocation plan, I note that all in-curtilage spaces will be wired for EV as well as the out of curtilage duplex unit spaces. I consider

that this complies with paragraph 11.245. With regards to the car parking associated with the apartment units, there appears to be inconsistencies in the submitted drawings with the proposed parking allocation drawing only showing 2 no. EV spaces within the total 29 no. communal spaces, however, the proposed basement layouts for apartment blocks 1 and 2 show provision for a further 4 no. EV spaces. Therefore, on the basis of the submitted basement floor plans, a total of 6 no. EV spaces are proposed for the 28 no. car parking spaces which is in accordance with the minimum standards of paragraph 11.245. However, in the interest of clarity, if the Commission is minded to grant permission, I recommend that a condition is attached that requires the EV provision for apartment blocks 1 and 2 to be in accordance with the basement floor plans. I also note that the Transportation Section of the PA has required that all the apartment and duplex spaces are unreserved which I also recommend is conditioned if the Commission is minded to grant permission.

- 9.68. With regards to the proposed duplex parking spaces, whilst I note that the proposed parking allocation plan outlines that all spaces will be wired for EV, I note that no provision has been made for EV equipped charging spaces. It is my view that this represents a material contravention of the requirements set out within paragraph 11.245. I note that a total of 24 no. spaces are proposed and, therefore, there is a requirement to provide a minimum of 4 no. spaces for EV equipped parking in order to comply with the minimum standards of paragraph 11.245. I note that the Transportation Section of the PA required 5 of these spaces to be set aside to support the delivery of EV charging points. The Commission should note that I am satisfied with the provision of 5 spaces which would represent one space above the minimum requirement.

Material Contravention

- 9.69. Therefore, on the basis of the submitted plans including the proposed parking allocation plan which does not illustrate any proposed EV equipped charging spaces within the 24 no. car parking spaces associated with the proposed duplex units, and to the requirement under paragraph 11.245 of the CDP to provide a minimum of one EV equipped parking space per five car parking spaces for multi-unit residential developments, I consider that a material contravention arises in this regard. Nevertheless, it is my recommendation to the Commission, if it is minded to grant

permission, that it invokes Section 37(2)(a) of the Planning and Development Act 2000, as amended, for the following reasons:

- To the fact that such requirements can be satisfactorily addressed by condition which would not result in a material alteration in the layout of the proposed parking.
- To the parking proposals associated with the duplex units including provision for all spaces to be wired for EV which is in accordance with the remaining requirements of paragraph 11.245.
- The reallocation of these spaces for EV charging points will not impact the proposed duplex parking spaces compliance with the maximum standards set out in Table 11.13 of the CDP.

Bicycle Parking

9.70. I note that paragraph 11.248 of the CDP states that bicycle parking facilities shall comply with the standards set out in Table 11.14 and be sheltered where possible and located close to main building entrances. I note that Table 11.14 outlines the cycle parking requirements for standard apartments to be 0.50 spaces per unit in the suburbs areas and 1 space per 25 children for creches. Having reviewed the submitted plans I note that sheltered bicycle stores are proposed in the vicinity of the creche, next to the car parking areas associated with the proposed duplex units, next to apartment block 3 and within the basement levels of apartment blocks 1 and 2. A total of 122 spaces are proposed for the apartment/duplex units and 8 spaces for the creche together with a total of 48 no. visitor spaces. Therefore, I consider that the proposed bicycle parking complies with the requirements of paragraph 11.248 and Table 11.14 of the CDP.

Residential Amenity of Future Occupants

Apartments / Duplexes

9.71. I note that paragraph 11.91 of the CDP (*wording updated as part of Variation No. 3*) outlines that government guidance in the form of the PDSA Guidelines provides the current quantitative guidance for designing mainstream apartments. The standards relate to apartment floor area, dual aspect ratios, floor to ceiling height, lift and stair cores, internal storage, private amenity space, communal amenity space, children's

play space provision, cycle parking and storage, security considerations and community and cultural facilities.

- 9.72. Having reviewed the drawings submitted, I note that the 48 no. apartment units (1-bed and 2-bed) within Blocks 1, 2 and 3, together with the 24 no. duplex units (1-bed and 3-bed) all comply with the minimum floor areas set by SPPR2 of the PDSA Guidelines. Moreover, approximately 39.5% of all of the units are at least 10% above the minimum floor area requirement thereby exceeding the minimum 25% requirement set by Section 3.3 of the PDSA Guidelines. Furthermore, I note that 32 out of the 48 no. units are dual aspect in accordance with SPPR3 of the PDSA Guidelines and all storage areas within the units, private amenity space and communal amenity space comply with the minimum standards set by Appendix 1 of the PDSA Guidelines. Therefore, the Commission should note that I am satisfied that an acceptable standard of residential amenity will be provided for future residents of the apartment and duplex units in accordance with paragraph 11.91 of the CDP.

Houses

- 9.73. The Commission should note that Objective 11.5 (Private Amenity Space for Houses) of the CDP (*updated within Variation No. 3*) states that all dwellings shall provide private open space standards in accordance with SPPR 2 of the SRDCS Guidelines. Furthermore, paragraph 11.107 of the CDP states that in determining the adequacy of living space, the PA will refer to the minimum standards for apartments.
- 9.74. I note that the proposed floor areas of the houses exceed the minimum standards of the PDSA Guidelines which is in accordance with Paragraph 11.107 of the CDP. Having reviewed the submitted Housing Quality Assessment, I note that the private amenity space for all the units comply with SPPR 2 of the SRDCS Guidelines. Therefore, having regard to this and to the orientation of the private amenity spaces, and to the good quality and usable open space provision within the scheme, I consider the proposals to comply with Objective 11.5 of the CDP.

Development Contributions (First Party Appeal)

- 9.75. The Commission should note that the applicant has appealed Condition No. 48 of the PA's grant of permission on the basis of an incorrect application of the Cork City General Development Contribution Scheme 2023-2029 (herein referred to as "*the GDSC*"). I note that the contribution conditioned as part of Condition No. 48 was for

€608,692.22. However, it is the applicant's view that a revised calculation results in a contribution of €490,702.80.

- 9.76. The conflict between the parties appears to be based on the calculation of the total gross internal floor area. The applicant has based it on 17,071.4sqm which was specified in the submitted application form and LRD application form. However, the PA has based it on 18,878.60sqm which was based on measurements by its technicians in accordance with Section 1.4.4 of the GDSC. An excel spreadsheet has been providing detailing same. I note that Section 1.4 states that the floor area of the proposed development shall be calculated as the gross internal floor area of all relevant floorspace which includes internal walls, partitions, passages and storage areas as well as additional areas such as basement/underground car parking identified by Table 4.
- 9.77. Having reviewed the application forms submitted by the applicant, it is my view that the applicant's calculated floor areas were based on the actual floor areas of the individual residential units and it did not include circulation spaces or the underground car parking associated with Blocks 1 and 2. Therefore, it is my view that the 18,878.60sqm calculation by the PA appears to be more consistent with Section 1.4.4 of the GDSC. Therefore, I consider that the total contribution, prior to any reductions, is €1,024,062.10 (total floor area of 18,878.60sqm at a rate of €54.2446).
- 9.78. However, the next issue to determine is whether the reductions and exemptions specified by Section 1.5 of the GDSC have been applied properly. I note that there are 3 no. such exemptions/reductions that apply in this case which are Category references 5.2 (100% reduction in Part V provision), 5.19 (50% reduction in new build apartment development) and 5.20 (25% reduction in new build houses). The Commission should note that the PA applied all 3 no. reductions in its calculation.
- 9.79. Notwithstanding this, I note that Section 1.7 of the GDSC specifies that only **one** category of exemption under Table 5 shall apply, whichever is the most advantageous to the applicant. I have calculated the most advantageous to the applicant within the table below.

Unit Type	Cat. 5.2	Cat. 5.19	Cat. 5.20	Total Exemption
Part V Provision (2,995.8sqm undisputed)	2,995.8sqm x €54.2446			100% of €162,505.97
Apartment development (PA's calculation 4,186sqm)		50% reduction of 4,186sqm at rate of €54.2446		50% of €227,067.89 = €113,533.94
Houses development (including duplexes) (PA's calculation 14,019.6sqm)			25% reduction of 14,019.6sqm at rate of €54.2446	25% of €760,455.04 = €190,113.76
	Therefore, in accordance with Section 1.7, the most advantageous reduction/exemption for the applicant is the reduction of €190,113.76 under Category 5.20. Only this exemption can be applied in accordance with the GDSC.			

9.80. Therefore, it is my view that €190,113.76 shall be deducted from the total amount of €1,024,062.10. Accordingly, Condition No. 48 of the PA's grant of permission should be amended to **€833,948.34**. I note that Section 1.5 and category reference 5.16 does not allow for reductions with regards to the 244sqm existing dwelling to be demolished due to the substantial intensification of the use of services as a result of the replacement development, which I consider occurs in this instance.

Other Issues

Accuracy of submitted drawings

- 9.81. I note the contention that the drawings submitted represent a material misrepresentation of the existing site. Examples provided by the appellants include the depiction of a visitor space outside 23 Belview Wood when there are 2 private parking spaces at this location, to the description of the western boundary of the site as a sod and stone ditch when there is a retaining wall and concrete fence on top of the ditch, and to the absence of the permitted extension to 12 Hazel Hill from the drawings. The Commission should note that the PA was satisfied with the drawings and particulars submitted with the application and validated the application.
- 9.82. Firstly, I have no major concerns with the accuracy of the submitted drawings and I note that the descriptions in relation to Belview Wood are consistent in what was described under the plans submitted as part of the SHD application ABP-307041-20. I also note that the boundary treatment within the property line of Belview Wood has since changed as a result of the construction of these dwellings, however, the applicant's boundary description within the subject site is consistent with my observations on the date of my site inspection.
- 9.83. With regards to No. 12 Hazel Hill, I observed the permitted extension existing on the date of my site inspection and it should be noted that my assessment on residential amenity above related to the separation distance to the boundary of No. 12. I am satisfied that the proposed development would not result in significant residential amenity impacts on this property.

Structural Integrity of boundary wall

- 9.84. I note that structural concerns are raised regarding potential excavation next to a retaining wall structure along the western boundary of the site. Photographs are provided from a resident of Belview Wood showing their rear boundaries comprising of a concrete post and panel fence sitting on top of a concrete wall. However, I note that no independent report has been provided by the appellant detailing any potential structural issues as a result of the proposed development.
- 9.85. Having reviewed the existing and proposed site layout plans I note that there will be site clearance and excavation works of up to c. 1.5 metres along this boundary in order

to approximately align the FFL of the proposed dwellings with the existing dwellings within Belview Wood. I am satisfied that these works can be agreed as part of a construction method statement (as part of the finalised CEMP) to be submitted to the PA prior to commencement of development.

Biodiversity

- 9.86. I note that the application was accompanied by an Ecological Impact Assessment (EclA) which included a site walkover survey in May 2025. A badger survey was undertaken as well as a bat survey in May and July 2025. There was no evidence of badger recorded at the site. No bats were recorded roosting within the site, however, common pipistrelle, soprano pipistrelle and Leisler's bat were recorded foraging and commuting along hedgerows at the site boundary. The Commission should note that it is proposed to remove 53 no. trees as well as approximately 20 metres of hedgerow, however, landscaping proposals include the planting of approximately 1km of the hedgerow as well as 1,507.77sqm of mixed woodland planting. The EclA outlines a number of mitigation measures to protect species such as the appointment of a project ecologist, no hedgerow or tree felling to occur during the bird breeding season, the protection of retained trees during construction works (as outlined in the submitted Tree Survey and Arboricultural Assessment), the installation of bird boxes, the directing of lighting away from trees and hedgerow and the undertaking of further invasive species surveys. However, I note that the site walkover carried out as part of the EclA did not record any invasive species within the site.
- 9.87. I note the PA's internal report from the Biodiversity Officer (BO) who recommended a number of conditions in the event of a grant of permission. This included the employment of an ecological clerk of works for the duration of the construction phase, a further bat survey of the site by a qualified ecologist and NPWS licensed bat worker, the undertaking of a further invasive species survey and submission of an alien species management plan if invasive species are found, and the installation of a minimum seven bird boxes. Therefore, if the Commission is minded to grant permission, it is my recommendation that these requirements of the BO are conditioned. I also note that the BO recommended the undertaking of a further badger survey, however, I note that the badger survey undertaken as part of the EclA found no evidence of badgers onsite, therefore, it is my view that this should not be included as a condition in the event of a grant of permission.

- 9.88. Overall, the Commission should note that I am satisfied with the proposed development in terms of biodiversity and I consider that the development is in accordance with the targets and objectives of the National Biodiversity Action Plan 2023-2030.

Demolition Works

- 9.89. The Commission should note that it is proposed to demolish an existing 244sqm dwelling as well as a telecommunications mast. I have no significant concerns with the proposed demolition works as they are required to facilitate the proposed development. I consider that such demolition works will facilitate the provision of a strong edge to the proposed development and will comply with paragraphs 11.153-11.156 (Demolition of Existing Residential Dwellings) of the CDP.
- 9.90. Having regard to the limited scale of the demolition works, the Commission should note that I have no significant concerns in terms of the climate impact and consider the overall development to be consistent with Climate Action Plan 2025. If the Commission is minded to grant permission, I recommend that a finalised CEMP and RWMP are conditioned that includes details of how construction and demolition waste generated will be managed, reused/recycled and disposed of.

Taking in Charge / Management Company

- 9.91. The Commission should note that the taking in charge plan submitted with the application denotes areas to be taken in charge by the local authority and areas around the proposed apartment blocks and duplex units which will be assigned to a management company. Therefore, if the Commission is minded granting permission, it is my recommendation that a condition is attached that addresses the management requirements.

Conclusion on Material Contravention

- 9.92. The Commission should note that I have identified 1 no. material contravention of the Cork City Development Plan 2022-2028 (CDP) within my assessment above. This is in relation to EV minimum standards set out in paragraph 11.245 which specifies a requirement of one EV equipped space per five car parking spaces for multi-unit residential developments. The Commission should note that the submitted proposals will provide a total of 24 no. car parking spaces for the duplex units, however, no EV

equipped spaces have been shown on the submitted drawings which I consider to be a material contravention of paragraph 11.245. Nevertheless, it is my recommendation to the Commission, if it is minded to grant permission, that it invokes Section 37(2)(a) of the Planning and Development Act 2000, as amended, in this regard for the following reasons:

- To the fact that the EV requirements can be satisfactorily addressed by condition which would not result in a material alteration in the layout of the proposed parking,
- To the duplex units parking proposals including provision for all spaces to be wired for EV, which is in accordance with the remaining requirements of paragraph 11.245, and
- To the fact that the reallocation of these spaces for EV charging points will not impact compliance with the maximum standards set out in Table 11.13 of the Cork City Development Plan 2022-2028.

10.0 Appropriate Assessment (AA) Screening

10.1. I refer the Commission to Appendix 2 of this report with regards to my AA screening. In accordance with Section 177U of the Planning and Development Act 2000, as amended, and on the basis of the information considered in this AA screening, I have determined that the proposed development, individually or in combination with other plans or projects, would not be likely to give rise to significant effects on the Great Island Channel Special Area of Conservation (SAC) (Site Code 001058) or Cork Harbour Special Protection Area (SPA) (Site Code 004030), or any other European site, in view of the conservation objectives of those sites. AA, and submission of a NIS, is not therefore required. This determination is based on:

- The scientific information provided in the submitted AA screening report.
- The characteristics of the site and absence of any surface water features within the site or its environs.
- The separation distance of the site to the European sites and level and nature of intervening lands between the sites, including in terms of ex-situ effects.

- To the treatment of surface water onsite via SuDS features prior to discharge of treated surface water to the existing stormwater infrastructure on Maryborough Hill at greenfield rates.
- To the screening determination undertaken by the PA.

10.2. No mitigation measures aimed at avoiding or reducing impacts on European sites were required to be considered in reaching this determination.

11.0 Water Framework Directive (WFD)

- 11.1. An assessment of the proposed development has been carried out in accordance with Article 4 of the Water Framework Directive (2000/60/EC), as transposed by the European Communities (Water Policy) Regulations 2003, as amended, and with regard to the Water Action Plan 2024, A River Basin Management Plan for Ireland. I refer the Commission to Appendix 3 of my report in this regard.
- 11.2. The receiving water environment has been identified and assessed. The development incorporates appropriate surface water management measures, including sustainable drainage systems (SuDS), designed to replicate greenfield runoff rates and provide treatment of surface water prior to discharge to the existing surface water infrastructure on Maryborough Hill. These measures ensure that there will be no increase in pollutant loading, no alteration of the receiving waterbody's hydrological regime and no risk of deterioration in water quality or ecological status. Any residual risks identified during the assessment are capable of being addressed through standard mitigation measures and best practice construction management, including the implementation of an appropriate Construction Environmental Management Plan (CEMP).
- 11.3. The proposed development will not impact on the achievement of environmental objectives for any waterbody and is therefore considered compliant with the requirements of Article 4.

12.0 Recommendation

It is my recommendation to the Commission that permission is **Granted**, subject to conditions, for the reasons and considerations set out below.

13.0 Reasons and Considerations

In coming to its decision, the Commission performed its functions in relation to the making of its decision, in a manner consistent with Section 15(1) of the Climate Action and Low Carbon Act 2015, as amended by Section 17 of the Climate Action and Low Carbon Development (Amendment) Act 2021, in accordance with the provisions of the Climate Action Plan 2024 and Climate Action Plan 2025, and also had regard to the following:

- (a) The location of the site within a 'greenfield' area within the 'City Suburbs' as designated by the Core Strategy and the Growth Strategy of the Cork City Development Plan 2022-2028,
- (b) The location of the site on lands zoned 'ZO1 Sustainable Residential Neighbourhoods' and 'ZO2 New Residential Neighbourhoods' under the Cork City Development Plan 2022-2028, where the objectives are to provide for residential uses and new residential development,
- (c) The policies and objectives of the Cork City Development Plan 2022-2028,
- (d) The policies and objectives set out in the National Planning Framework (revised 2025), Regional Spatial and Economic Strategy for the Southern Region 2020-2032 and Cork Metropolitan Area Strategic Plan,
- (e) Delivering Homes, Building Communities 2025-2030: An Action Plan on Housing Supply and Targeting Homelessness,
- (f) The Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities, issued by the Department of Housing, Local Government and Heritage in January 2024,
- (g) The Planning Design Standards for Apartments Guidelines for Planning Authorities, issued by the Department of Housing, Local Government and Heritage in July 2025,
- (a) The Urban Development and Building Heights, Guidelines for Planning Authorities, issued by the Department of Housing, Planning and Local Government in December 2018, and to the Building Height Strategy of the Cork City Development Plan 2022-2028,

- (h) The Design Manual for Urban Roads and Streets, issued by the Department of Transport, Tourism and Sport and the Department of Environment, Community and Local Government in 2013,
- (i) Childcare Facilities, Guidelines for Planning Authorities (2001),
- (j) The Water Action Plan 2024, A River Basin Management Plan for Ireland,
- (k) The targets and objectives of the National Biodiversity Action Plan 2023-2030,
- (l) The nature, scale, height and design of the proposed development in response to the topography of the site,
- (m) The pattern of existing, permitted and emerging development in the area,
- (n) The reports of the planning authority,
- (o) The submissions and observations received in connection with the planning application and appeal,
- (p) The terms of the Cork City Council Development Contribution Scheme 2023-2029, including Section 1.7 which specifies that only one category of reductions/exemptions shall apply,

it is considered that the proposed development would constitute an appropriate form, scale and density of residential development, an acceptable mix and quantum of residential units, would provide appropriate levels of residential amenity for future occupants, would not seriously injure the residential or visual amenities of the area or the amenities of property in the vicinity and would be acceptable in terms of pedestrian and traffic safety and convenience. The proposed development would be in accordance with the relevant provisions of the Cork City Development Plan 2022-2028, including those pertaining to zoning objectives 'ZO1 Sustainable Residential Neighbourhoods' and 'ZO2 New Residential Neighbourhoods', save for the provisions of Paragraph 11.245 (Electric Vehicle Parking) where a material contravention can be considered to arise.

Nevertheless, having regard to the fact that the EV requirements can be satisfactorily addressed by condition which would not result in a material alteration in the layout of the proposed parking, to the duplex units parking proposals including provision for all spaces to be wired for EV, which is in accordance with the remaining requirements of paragraph 11.245, and to the fact that the reallocation of these spaces for EV charging

points will not impact compliance with the maximum standards set out in Table 11.13 of the Cork City Development Plan 2022-2028, it is considered that, having regard to the provisions of Section 37(2)(a) of the Planning and Development Act 2000, as amended, the proposed development would be in accordance with the proper planning and sustainable development of the area, and a grant of permission is therefore warranted in this instance, notwithstanding the above.

14.0 Recommended Draft Commission Order

Planning and Development Act, as amended

Planning Authority: Cork City Council

Planning Register Reference Number: 25/44429

Appeal by Michael and Aoife Hackett and by others against the decision made on the 14th day of April 2026, by Cork City Council to grant subject to conditions a permission to Bridgewater Homes (Maryborough) Ltd. in accordance with the plans and particulars lodged with the said Council.

Proposed Development: Large-Scale Residential Development (LRD) at Maryborough Hill, Moneygurney, Douglas, Cork, comprising the demolition and removal of an existing dwellinghouse and telecommunications mast; and the construction of 104 no. residential dwellinghouses (comprising 25 no. 4-bed dwellinghouses, 52 no. 3-bed dwellinghouses and 27 no. 2-bed dwellinghouses) and 72 no. apartment/duplex units (comprising 12 no. 3-bed duplex units, 26 no. 2-bed apartment units and 34 no. 1-bed apartment units) in 5 blocks ranging in height from 2 to 4 storeys with undercroft car parking in Blocks 1 and 2; 1 no. 3-storey creche and all associated ancillary development including vehicular, pedestrian and cycle access, car and bicycle parking, bin and bike stores, drainage, landscaping, public lighting, boundary treatments and amenity areas. The proposed development makes provision for two vehicular/pedestrian connections to the Maryborough Ridge residential development to the west and includes improvements to the local road and footpath network on the L-6477 Maryborough Hill with two new pedestrian crossings at the

existing roundabout north of the site. Vehicular access to the proposed creche will be shared with an existing dwellinghouse on adjoining lands.

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

In coming to its decision, the Commission performed its functions in relation to the making of its decision, in a manner consistent with Section 15(1) of the Climate Action and Low Carbon Act 2015, as amended by Section 17 of the Climate Action and Low Carbon Development (Amendment) Act 2021, in accordance with the provisions of the Climate Action Plan 2024 and Climate Action Plan 2025, and also had regard to the following:

- (a) The location of the site within a 'greenfield' area within the 'City Suburbs' as designated by the Core Strategy and the Growth Strategy of the Cork City Development Plan 2022-2028,
- (b) The location of the site on lands zoned 'ZO 1 Sustainable Residential Neighbourhoods' and 'ZO 2 New Residential Neighbourhoods' under the Cork City Development Plan 2022-2028, where the objectives are to provide for residential uses and new residential development,
- (c) The policies and objectives of the Cork City Development Plan 2022-2028,
- (d) The policies and objectives set out in the National Planning Framework (revised 2025), Regional Spatial and Economic Strategy for the Southern Region 2020-2032 and Cork Metropolitan Area Strategic Plan,
- (e) Delivering Homes, Building Communities 2025-2030: An Action Plan on Housing Supply and Targeting Homelessness,

- (f) The Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities, issued by the Department of Housing, Local Government and Heritage in January 2024,
- (g) The Planning Design Standards for Apartments Guidelines for Planning Authorities, issued by the Department of Housing, Local Government and Heritage in July 2025,
- (h) The Urban Development and Building Heights, Guidelines for Planning Authorities, issued by the Department of Housing, Planning and Local Government in December 2018, and to the Building Height Strategy of the Cork City Development Plan 2022-2028,
- (i) The Design Manual for Urban Roads and Streets, issued by the Department of Transport, Tourism and Sport and the Department of Environment, Community and Local Government in 2013,
- (j) The Childcare Facilities, Guidelines for Planning Authorities (2001),
- (k) The Water Action Plan 2024, A River Basin Management Plan for Ireland,
- (l) The targets and objectives of the National Biodiversity Action Plan 2023-2030,
- (m) The nature, scale, height and design of the proposed development in response to the topography of the site,
- (n) The pattern of existing, permitted and emerging development in the area,
- (o) The reports of the planning authority,
- (p) The submissions and observations received in connection with the planning application and appeal,
- (q) The terms of the Cork City Council Development Contribution Scheme 2023-2029, including Section 1.7 which specifies that only one category of reductions/exemptions shall apply,
- (r) The report and recommendation of the Planning Inspector.

Appropriate Assessment Screening:

The Commission completed an Appropriate Assessment screening exercise (Stage 1) in relation to the potential effects of the proposed development on designated

European Sites, taking into account the nature and scale of the proposed development on serviced lands, the nature of the receiving environment, the distances to the nearest European Sites and the absence of any direct hydrological connections, submissions and observations on file, the information and reports submitted as part of the planning application and the appeal, and the Planning Inspector's report. In completing the screening exercise, the Commission adopted the report of the Planning Inspector and concluded that, by itself or in combination with other development, plans and projects in the vicinity, the proposed development would not be likely to have a significant effect on any European Site in view of the Conservation Objectives of such sites, and that an Appropriate Assessment (Stage 2) and the preparation of a Natura Impact Statement would not, therefore, be required.

Environmental Impact Assessment Screening:

The Commission completed an Environmental Impact Assessment screening determination of the proposed development, with regard being had to the criteria set out in Schedule 7 of the Planning and Development Regulations 2001, as amended, in particular to the following:

- the nature and scale of the proposed development (which is below the thresholds in respect of Class 10(b)(i) and Class 10(b)(iv) of the Planning and Development Regulations 2001, as amended),
- to its location within a suburban area on residential zoned lands under the Cork City Development Plan 2022-2028, which has been subject to Strategic Environmental Assessment under the SEA Directive, and to the site being served by public infrastructure,
- the absence of any significant cultural or archaeological environmental sensitivity within the vicinity,
- the location of the development outside of any sensitive location specified in article 109(4)(a) of the Planning and Development Regulations 2001, as amended,
- the results of other relevant assessments of the effects on the environment submitted by the applicant, and

- the features and measures proposed by the applicant envisaged to avoid or prevent what might otherwise have been significant effects on the environment.

In completing the screening determination, the Commission adopted the report of the Planning Inspector and concluded that, by reason of the nature, scale and location of the proposed development, the proposed development would not be likely to have significant effects on the environment and that an Environmental Impact Assessment and the preparation of an Environmental Impact Assessment Report would not, therefore, be required.

Conclusions on Proper Planning and Sustainable Development:

The Commission considers that, subject to compliance with the conditions set out below, the proposed development would constitute an appropriate form, scale and density of residential development, an acceptable mix and quantum of residential units, would provide appropriate levels of residential amenity for future occupants, would not seriously injure the residential or visual amenities of the area or the amenities of property in the vicinity and would be acceptable in terms of pedestrian and traffic safety and convenience. The proposed development would be in accordance with the relevant provisions of the Cork City Development Plan 2022-2028, including those pertaining to zoning objectives 'ZO1 Sustainable Residential Neighbourhoods' and 'ZO2 New Residential Neighbourhoods', save for the provisions of Paragraph 11.245 (Electric Vehicle Parking) where a material contravention can be considered to arise.

Nevertheless, having regard to the fact that the EV requirements can be satisfactorily addressed by condition which would not result in a material alteration in the layout of the proposed parking, to the duplex units parking proposals including provision for all spaces to be wired for EV, which is in accordance with the remaining requirements of paragraph 11.245, and to the fact that the reallocation of these spaces for EV charging points will not impact compliance with the maximum standards set out in Table 11.13 of the Cork City Development Plan 2022-2028, it is considered that, having regard to the provisions of Section 37(2)(a) of the Planning and Development Act 2000, as amended, the proposed development would be in accordance with the proper planning and sustainable development of the area, and a grant of permission is therefore warranted in this instance, notwithstanding the above.

15.0 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 18th day of March 2026, 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 dwellings, ancillary structures and hard landscaping 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 route, alignment and finish of the extension of connection from the proposed development to the Ballybrack Valley Pedestrian Cyclist Route at Maryborough Ridge, as well as the location and design of the proposed pedestrian crossings at the Maryborough Hill roundabout, shall be agreed in writing with the planning authority prior to commencement of the development. Such works shall be constructed by the developer in accordance with the written agreements and shall be completed as part of phase 1 of the proposed development (as per the submitted proposed phasing plan lodged with the application). Reason: In the interest of pedestrian and traffic safety.
4.	(a) The mitigation measures contained in the submitted Ecological Impact Assessment (EclA), shall be fully implemented.

	(b) All works shall be supervised by an on-site Ecological Clerk of Works who will report on compliance with the relevant mitigation measures. A compliance monitoring report shall be prepared by the Ecological Clerk of Works and shall be submitted to the planning authority at the end of the main construction period. (c) Prior the commencement of felling or demolition works, trees and buildings with bat roosting potential shall be surveyed by a suitably qualified Ecologist who is appropriately qualified and experienced in undertaking bat surveys and in line with best practice at the appropriate time of year to confirm the absence of roosting bats. In the event that a previously undetected bat roost is identified and is likely to be disturbed, the applicant shall acquire a derogation under Regulation 54 of the European Communities (Bird and Natural Habitats) Regulations 2011 prior to the commencement of the relevant works. Prior to the removal of trees and/or works to building, the bat survey results, methodologies for felling/works and any derogations shall be submitted for the written agreement of the planning authority. (d) Artificial lighting shall be designed in accordance with the 2023 BCT Lighting Guidance (GN08/23 Bats and Artificial Lighting At Night). A lighting plan shall be submitted to and agreed with the planning authority for approval, prior to commencement of development. (e) A minimum of seven bird boxes shall be installed under the guidance of the Ecological Clerk of Works and the satisfaction of the Planning Authority. Reason: In the interest of biodiversity.
5.	Prior to the commencement of construction, a suitably qualified Ecologist who is appropriately qualified and experienced in undertaking invasive alien species (IAS) surveys and in line with best practice at the appropriate time of year shall carry out a survey of the site for invasive alien species (IAS) designated under the Third Schedule of the European Communities (Birds and Natural Habitats) Regulations (2011). A verification report shall be submitted to the planning authority prior to commencement of construction.

	Should any IAS be found, an IAS Management Plan is also to be provided to the planning authority. Implementation of any IAS Management Plan shall be monitored and signed off by the project ecologist in agreement with the planning authority. No works are to take place until actions of an IAS Management Plan are completed. Depending on the IAS in question, post-construction monitoring may be required to ensure controls have been successfully carried out. Any records of IAS found on the site are to be submitted to the planning authority and the National Biodiversity Data Centre (NBDC) using the NBDC standard reporting form to inform future planning and ensure monitoring. Reason: In the interests of protecting biodiversity value within the site.
6.	Prior to the commencement of development activity, protective fencing in accordance with best practice, shall be installed to protect all trees identified to be retained. The fencing shall be installed in such a manner as to provide protection to the critical root zone of trees to be protected and it shall be retained on site until all construction works are completed. No soil, spoil, construction material or waste will be stored or tipped within the fenced off area and no construction plant or vehicles will be parked within the spread of trees/hedgerows identified to be retained. The fencing shall be retained until such time as works are completed. Reason: In the interest of biodiversity.
7.	The landscaping proposals, including earthworks, shall be carried out in accordance with the detailed landscaping masterplan and associated drawings lodged to the planning authority on the 19th day of December 2025. Such works shall be carried out within the first planting season following substantial completion of external construction works. Final details of the natural play areas and gym equipment shall be submitted to the planning authority for written approval. All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the

	development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority. The developer shall retain the services of a suitably qualified Landscape Architect throughout the duration of the site development works. The developer's Landscape Architect shall certify to the planning authority by letter their opinion on compliance of the completed landscape scheme with the approved landscape proposals within six months of substantial completion of the development hereby permitted. Wildflower seed mixes shall not be used as part of the landscaping/biodiversity planting measures. Wildflower meadows shall be allowed generate naturally, with wildflowers occurring within the seed bank encouraged to flourish through a management regime. In certain circumstances, such as, where natural regeneration is not suitable, native wildflower seed from proven indigenous local seed sources may be used. Reason: In the interest of residential and visual amenity and in the interest of biodiversity.
8.	The areas of public open space shown on the lodged plans shall be reserved for such use. These areas shall be levelled, contoured, soiled, seeded, and landscaped in accordance with the landscaping proposals lodged with the planning authority. This work shall be completed before any of the dwellings are made available for occupation unless otherwise agreed in writing with the planning authority and shall be maintained as public open space by the developer until taken in charge by the local authority. Reason: In order to ensure the satisfactory development of the public open space areas, and their continued use for this purpose.
9.	Drainage arrangements including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority. Prior to the commencement of development the developer shall submit to the Planning Authority for written agreement a Stage 2 - Detailed Design Stage Storm Water Audit. Upon completion of the development a Stage 3

	Completion Stormwater Audit to demonstrate Sustainable Urban Drainage System measures have been installed, and are working as designed and that there has been no misconnections or damage to storm water drainage infrastructure during construction, shall be submitted to the planning authority for written agreement. Reason: In the interest of public health and surface water management.
10.	All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development. Reason: In the interest of visual amenity.
11.	The internal road network serving the proposed development (including turning bays, junctions, parking areas, footpaths, kerbs, underground car parks) shall comply with the detailed construction standards of the planning authority for such works and design standards outlined in Design Manual for Urban Roads and Streets (DMURS). Reason: In the interest of traffic and pedestrian safety.
12.	All roads, footpaths and cycleways, shown to adjoining lands shall be constructed up to the boundaries to provide access to adjoining lands with no obstruction including the erection of any structure which would otherwise constitute exempted development under the Planning and Development Regulations 2001, as amended. No gates or barriers shall be erected across the pedestrian paths proposed for part of the proposed development which is not proposed to be Taken in Charge. Reason: In the interest of permeability and proper planning and sustainable development.
13.	Proposals for an estate/street name, house/apartment numbering scheme and associated signage shall be submitted to, and agreed in writing with, the

	planning authority prior to commencement of development. Thereafter, all estate and street signs, and house/apartment numbers, shall be provided in accordance with the agreed scheme. The proposed name(s) shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. No advertisements/marketing signage relating to the name(s) of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name(s). Reason: In the interest of urban legibility, and to ensure the use of locally appropriate placenames for new residential areas.
14.	Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Friday inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority. Reason: In order to safeguard the residential amenities of property in the vicinity.
15.	A finalised Construction and Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the planning authority prior to the commencement of development. The CEMP shall include but not be limited to construction and demolition phase controls for dust, noise and vibration, waste management, protection of soils, groundwaters, and surface waters, site housekeeping, emergency response planning, site environmental policy, and project roles and responsibilities. The CEMP shall also include a construction method statement for all site clearance and excavation works proposed along the western boundary of the site. Reason: In the interest of environmental protection.
16.	(a) 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. (b) Details of road signage, warning the public of the entrance and of proposals for traffic management at the site entrance, shall be submitted to and agreed in writing with the planning authority prior to commencement of development. Reason: In the interest of sustainable transport and safety.
17.	The development hereby permitted shall be carried out and completed at least to the construction standards as set out in the planning authority's Taking In Charge Standards. In the absence of specific local standards, the standards as set out in the 'Recommendations for Site Development Works for Housing Areas' issued by the Department of the Environment and Local Government in November 1998. Following completion, the development shall be maintained by the developer, in compliance with these standards, until taken in charge by the planning authority. Reason: To ensure that the development is carried out and completed to an acceptable standard of construction.
18.	(a) The communal open spaces, including hard and soft landscaping, car parking areas and access ways, communal refuse/bin storage and all areas not intended to be taken in charge by the local authority, shall be maintained by a legally constituted management company. (b) Details of the management company contract, and drawings/particulars describing the parts of the development for which the company would have responsibility, shall be submitted to, and agreed in writing with, the planning authority before any of the residential units are made available for occupation. Reason: To provide for the satisfactory future maintenance of this development in the interest of residential amenity.

19.	A finalised operational waste management plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials within each house plot and for each apartment unit shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the agreed waste facilities shall be maintained and waste shall be managed in accordance with the agreed plan. Reason: To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment.
20.	Prior to commencement of development, a finalised Resource Waste Management Plan (RWMP) as set out in the Environmental Protection Agency's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) shall be prepared and submitted to the planning authority for written agreement. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times. Reason: In the interest of reducing waste and encouraging recycling.
21.	Public lighting shall be provided in accordance with a scheme which shall be submitted to and agreed in writing with the planning authority prior to the commencement of development. Reason: in the interest of amenity and public safety.
22.	Prior to the occupation of the development, a finalised Mobility Management Plan (MMP) shall be submitted to and agreed in writing with the planning authority. This shall provide for incentives to encourage the use of public transport, cycling and walking by residents/occupants/staff employed in the development. The mobility strategy shall be prepared and implemented by the management company for all units within the development.

	Reason: In the interest of encouraging the use of sustainable modes of transport.
23.	(a) All of the in-curtilage car parking spaces serving residential units shall be provided with electric connections to the exterior of the houses to allow for the provision of future electric vehicle (EV) charging points. (b) Prior to commencement of development, revised drawings of the duplex units off-curtilage spaces showing five spaces to be equipped for EV charging points shall be submitted to the planning authority for its written approval. (c) The location of the EV charging points for proposed apartment blocks 1 and 2 shall be in accordance with the basement plans lodged with the application. (d) No communal parking spaces (including duplex off-curtilage spaces) shall be reserved for either an individual or an individual residential unit. (e) No additional barriers or gates are permitted to control access to any parking spaces without specific planning permission permitting such interventions. Reason: In the interest of orderly development, to ensure equitable access to sustainable transport options and to comply with the requirements of paragraph 11.245 (Electric Vehicle Parking) of the Cork City Development Plan 2022-2028.
24.	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 relation to the provision of housing on lands in accordance with the requirements of section 94(4) and section 96(2) and 96(3)(b), (Part V) of the Planning and Development Act 2000, as amended, 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 Coimisiún 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.
25.	(a) Prior to the commencement of any house or duplex unit in the development as permitted, the applicant or any person with an interest in the land shall enter into an agreement with the planning authority (such agreement must specify the number and location of each house or duplex unit), pursuant to Section 47 of the Planning and Development Act 2000, that restricts all relevant houses and duplex units permitted, to first occupation by individual purchasers i.e. those not being a corporate entity, and/or by those eligible for the occupation of social and/or affordable housing, including cost rental housing. (b) An agreement pursuant to Section 47 shall be applicable for the period of duration of the planning permission, except where after not less than two years from the date of completion of each specified housing unit, it is demonstrated to the satisfaction of the planning authority that it has not been possible to transact each specified house or duplex unit for use by individual purchasers and/or to those eligible for the occupation of social and/or affordable housing, including cost rental housing. (c) The determination of the planning authority as required in (b) shall be subject to receipt by the planning and housing authority of satisfactory documentary evidence from the applicant or any person with an interest in the land regarding the sales and marketing of the specified housing units, in which case the planning authority shall confirm in writing to the applicant or any person with an interest in the land that the Section 47 agreement has been terminated and that the requirement of this planning condition has been discharged in respect of each specified housing unit.

	Reason: To restrict new housing development to use by persons of a particular class or description in order to ensure an adequate choice and supply of housing, including affordable housing, in the common good.
26.	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.
27.	The developer shall pay to the planning authority a financial contribution of €833,948.34 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. 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.

Declaration

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 me, directly or indirectly, following my professional assessment and recommendation set out in my report in an improper or inappropriate way.

Gary Farrelly
Planning Inspector

17th July 2026

Appendix 1: Environmental Impact Assessment (EIA) Screening

(a) EIA Pre-Screening

An Coimisiún Pleanála Case Reference	ACP-324262-26		
Proposed Development Summary	The project is a Large-Scale Residential Development (LRD) comprising a total of 176 no. residential units, creche and associated works.		
Development Address	Maryborough Hill, Moneygurney, Douglas, Cork		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	X
		No	No further action required
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
Yes	X	<u>Part 2</u> Class 10(b)(i) Construction of more than 500 dwelling units. Class 10(b)(iv) Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere. Class 15 Any project listed in this Part which does not exceed a quantity, area or other limit specified in this Part in respect of the relevant class of development but which would be likely to have significant effects on the environment, having regard to the criteria set out in Schedule 7.	Proceed to Q.3
No		The proposed development will provide for 223 no. car parking spaces, however, these spaces are incidental to the primary purpose of the development and therefore the development is not part of Class 10(b)(ii).	No further action required

3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?				
Yes				EIA Mandatory EIA required
No	X			Proceed to Q.4
4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?				
Yes	X	Class 10(b)(i) – The proposed development will provide for 176 no. dwelling units. Class 10(b)(iv) – The subject site is not located within a business district. The overall gross area of the site amounts to 4.39 hectares.	Preliminary examination required (Form 2)	
4. Has Schedule 7A information been submitted?				
No		Pre-screening determination conclusion remains as above (Q1 to Q4)		
Yes	X	Screening Determination required		
The application was accompanied by a EIA Screening report with Schedule 7a information.				

(b) EIA Screening Determination Form

A. CASE DETAILS		
	Yes / No / NA	Comment (if relevant)
1. Was a Screening Determination carried out by the PA?	Yes	The PA determined that the development would not be likely to have significant effects on the environment and the submission of a Environmental Impact Assessment Report (EIAR) was not required.
2. Has Schedule 7A information been submitted?	Yes	The application was accompanied by an EIA screening report (<i>dated December 2025</i>) which included Schedule 7a information. The Commission should note that the application was also accompanied by a statement entitled '<i>Statement in accordance with 299B(1)(b)(ii)(II) and article 299B(1)(c) of the Planning and Development Regulations 2001-2024</i>'. However, I note that this article of the regulations relates to a proposed Strategic Housing Development (SHD). The application is not a SHD. I consider that the correct provision of the Regulations is Article 103(1A)(a). Notwithstanding the title of the report, I am satisfied that the information provided within the submitted report complies with Article 103(1A)(a) as it has taken into account other relevant EU legislation including the Habitats Directive, Water Framework

		Directive, Environmental Noise Directive, Flood Risk Directive and Clean Air for Europe Directive.
3. Has an AA screening report or NIS been submitted?	Yes	The application was accompanied by an AA screening report. It concluded that the proposed development, either alone or in-combination with other plans and/or projects, would not have the potential to significantly affect any European site, in light of their conservation objectives. Therefore, a NIS was not submitted. I refer the Commission to Appendix 2 of this report for my screening determination.
4. Is a IED/IPC or Waste Licence (or review of licence) required from the EPA? If YES has the EPA commented on the need for an EIAR?	N/A	
Have any other relevant assessments of the effects on the environment which have a significant bearing on the project been carried out pursuant to other relevant Directives – for example SEA	Yes	The subject site is located on residential zoned lands under the Cork City Development Plan 2022-2028 where the objective is to provide for residential uses and new residential development. The City Development Plan has been subject to Strategic Environmental Assessment (SEA) and Strategic Flood Risk Assessment (SFRA). The application was also accompanied by reports which refer to European Directives such as the Ecological Impact Assessment

		(EclA), Tree Survey and Arboricultural Assessment, Preliminary Operational Waste Management Plan (OWMP) and Outline Resource Waste Management Plan (RWMP).	
B. EXAMINATION	Yes / No / Uncertain	Briefly describe the nature and extent and Mitigation Measures (where relevant) (having regard to the probability, magnitude (including population size affected), complexity, duration, frequency, intensity, and reversibility of impact) Mitigation Measures – Where relevant specify features or measures proposed by the applicant to avoid or prevent a significant effect	Is this likely to result in significant effects on the environment? Yes / No / Uncertain
This screening examination should be read with, and in light of, the rest of the Inspector's Report.			
1. Characteristics of proposed development (including demolition, construction, operation or decommissioning)			
1.1 Is the project significantly different in character or scale to the existing surrounding or environment?	No	The existing surrounding environment consists of a predominantly suburban area comprising of residential estates including a strategic housing development of 449 no. units currently under	No

		construction to the west of the site. The project will introduce 176 no. residential units at a density of c. 46.3 units per hectare. The project will comprise of apartment blocks, duplexes and houses ranging from 2 to 5 storeys. It is considered that the project will not be significantly different to the character and scale of the existing surrounding environment in terms of the EIA Directive.	
1.2 Will construction, operation, decommissioning or demolition works cause physical changes to the locality (topography, land use, waterbodies)?	Yes	The land use will change from its existing greenfield agricultural nature to that of a residential estate, with associated creche. The topography of the site comprises of level changes of approximately 25 metres between the northern and southern boundaries. The construction phase will involve excavation of subsoil layers to align the development with the natural topography of the site, as outlined within the submitted Outline CEMP. The finished floor levels of the development will largely	No

		correspond with the existing topography of the site. The submitted Outline Resource Waste Management Plan (RWMP) estimates that c. 30,000m³ of material will need to be excavated, and up to 15,000m³ of excavated material will be removed off site in accordance with Waste Regulations, with the remainder reused onsite. Demolition works will involve the demolition of an existing 244sqm dwelling and a telecommunications mast. I consider the demolition works to comply with the provisions of the CDP and I have no significant concerns regarding the climate effects of the proposed demolition works due to the scale, subject to the works being carried out in accordance with a finalised CEMP and RWMP.	
1.3 Will construction or operation of the project use natural resources such as land, soil, water, materials/minerals	Yes	The works will involve the excavation of c. 30,000m ³ of material to facilitate the proposed development. Fill material will	No

or energy, especially resources which are non-renewable or in short supply?		also be imported for the construction of the internal road. During operation, the development will be connected to the public watermains. Surface water will be treated to the existing stormwater infrastructure on Maryborough Hill at a greenfield discharge rate.	
1.4 Will the project involve the use, storage, transport, handling or production of substance which would be harmful to human health or the environment?	No	The submitted outline CEMP outlines that waste generated onsite will be segregated. Hazardous substances will be stored in suitable receptacles for subsequent separation and disposal at a suitable facility.	No
1.5 Will the project produce solid waste, release pollutants or any hazardous / toxic / noxious substances?	No	All construction waste will be segregated, recycled and reused where possible. During operation, the preliminary Operational Waste Management Plan (OWMP) sets a strategy for segregation of recyclables and organic waste for residents of the development.	No

		Wastewater during the operational phase will be discharged to the public wastewater mains along Maryborough Hill.	
1.6 Will the project lead to risks of contamination of land or water from releases of pollutants onto the ground or into surface waters, groundwater, coastal waters or the sea?	No	The development will be managed in accordance with good practice construction methods and mitigation and monitoring measures as set out in the submitted outline CEMP.	No
1.7 Will the project cause noise and vibration or release of light, heat, energy or electromagnetic radiation?	Yes	The submitted Noise and Vibration Impact Assessment assessed noise and vibration from the construction and operational phases on noise sensitive locations and a number of measures are proposed to reduce emissions. It is considered that, subject to the implementation of the proposed avoidance, remedial and reductive measures, no significant adverse noise and vibration effects are likely in terms of the EIA Directive.	No

1.8 Will there be any risks to human health, for example due to water contamination or air pollution?	Yes	The development will be managed in accordance with good practice construction methods and mitigation and monitoring measures as set out in the submitted outline CEMP.	No
1.9 Will there be any risk of major accidents that could affect human health or the environment?	No	The application was accompanied by a Floods Technical Note. The site is not at risk of flooding. The risk of the project to result in any major accidents and/or disasters is considered low.	No
1.10 Will the project affect the social environment (population, employment)	Yes	The construction phase will create employment in the area. The development will increase the availability of housing and 99 no. childcare places in the area.	No
1.11 Is the project part of a wider large scale change that could result in cumulative effects on the environment?	Yes	Section 4 of the EIA Screening Report addressed the cumulative impact with development in the surrounding area. The Commission should note that application ref. 16/7271 is referenced, however, there is no reference to SHD 307041-20, which adjoins the western boundary of the site.	No

		However, I note that a EIAR was submitted as part of 307041-20. I consider that having regard to the results of the submitted Traffic and Transportation Assessment (TTA) and to my assessment within Section 9 of this report, to the design and layout of the scheme, that there would be no significant cumulative impact on the environment with other approved projects in the area.	
2. Location of proposed development			
2.1 Is the proposed development located on, in, adjoining or have the potential to impact on any of the following: - European site (SAC/ SPA/ pSAC/ pSPA) - NHA/ pNHA - Designated Nature Reserve	No	The site is not located within any designated site with the nearest being Cork Harbour SPA and its nearest point approximately 1.6km north of the site. I refer the Commission to Appendix 2 of this report regarding potential impact on European sites. No significant effects in terms of the EIA Directive are anticipated. The application was also accompanied by a Ecological Impact Assessment (EcIA)	No

- Designated refuge for flora or fauna - Place, site or feature of ecological interest, the preservation/conservation/ protection of which is an objective of a development plan/ LAP/ draft plan or variation of a plan		which proposes a number of measures to protect and enhance habitats and species within the site.	
2.2 Could any protected, important or sensitive species of flora or fauna which use areas on or around the site, for example: for breeding, nesting, foraging, resting, over-wintering, or migration, be affected by the project?	No	The submitted EclA recorded no potential roosting features for bats within the site. In terms of foraging and commuting, the proposals will involve the removal of hedgerow which will be limited to one 20 metre section as well as 53 no. trees. The proposed landscaping will result in a net gain of 998 metres of hedgerow habitat. There was no evidence of badger recorded within the site.	No

2.3 Are there any other features of landscape, historic, archaeological, or cultural importance that could be affected?	No	Having reviewed the National Monument's Service Historic Environment Viewer, there are no known archaeological or cultural features within the vicinity of the site. The site is not located within any designated area of high landscape value (AHLV) or landscape preservation zone (LPZ). The application was accompanied by a Landscape and Visual Impact Assessment (LVIA) which concluded moderate/neutral long term impacts at specific viewpoints. No significant landscape or visual impact in terms of the EIA directive is considered likely.	No
2.4 Are there any areas on/around the location which contain important, high quality or scarce resources which could be affected by the project, for example: forestry, agriculture,	No	The subject site consists of undeveloped greenfield agricultural land.	No

water/coastal, fisheries, minerals?			
2.5 Are there any water resources including surface waters, for example: rivers, lakes/ponds, coastal or groundwaters which could be affected by the project, particularly in terms of their volume and flood risk?	No	There are no surface watercourses within the site or its environs. Surface water onsite will be treated via sustainable drainage systems (SuDS) and attenuated flows will be discharged to the existing stormwater infrastructure on Maryborough Hill at a greenfield rate. Interception storage is also proposed to prevent the first 5mm of rainfall from roads and footpaths from reaching the public sewer.	No
2.6 Is the location susceptible to subsidence, landslides or erosion?	No	No evidence of these risks having reviewed the Geological Survey of Ireland (GSI) Landslide database.	
2.7 Are there any key transport routes(eg National primary Roads) on or around the location which are susceptible to congestion or which cause	Yes	The submitted TTA has assessed the impact on the receiving road network and concludes that the road network has sufficient capacity to accommodate the demand generated by the development.	No

environmental problems, which could be affected by the project?		No significant effect on the local or national road network is considered likely.	
2.8 Are there existing sensitive land uses or community facilities (such as hospitals, schools etc) which could be affected by the project?	No	The site is located in a primarily residential area on lands zoned for the provision of residential.	No
3. Any other factors that should be considered which could lead to environmental impacts?			
3.1 Cumulative Effects: Could this project together with existing and/or approved development result in cumulative effects during the construction/ operation phase?	Yes	Cumulative effects have been considered above under Question 1.11 and are not likely to give rise to significant impacts.	No
3.2 Transboundary Effects: Is the project likely to lead to transboundary effects?	No		
3.3 Are there any other relevant considerations?	No		

C. CONCLUSION			
No real likelihood of significant effects on the environment.	X	EIAR Not Required	
Real likelihood of significant effects on the environment.		EIAR Required	
D. MAIN REASONS AND CONSIDERATIONS			
Having regard to:			
1. The criteria set out in Schedule 7 of the Planning and Development Regulations 2001, as amended, in particular;			
(d) The nature and scale of the proposed development which is below the thresholds in respect of Class 10(b)(i) and Class 10(b)(iv) of the Planning and Development Regulations 2001, as amended, and location within a suburban area on lands zoned 'ZO 1 Sustainable Residential Neighbourhoods' and 'ZO 2 New Residential Neighbourhoods' under the Cork City Development Plan 2022-2028, and served by public infrastructure, and the results of the Strategic Environmental Assessment of the Cork City Development Plan 2022-2028 under the SEA Directive,			
(e) The absence of any significant cultural or archaeological environmental sensitivity in the vicinity;			
(f) The location of the development outside of any sensitive location specified in article 109(4)(a) of the Planning and Development Regulations 2001, as amended;			

2. The results of other relevant assessments of the effects on the environment submitted by the applicant,
3. The features and measures proposed by the applicant envisaged to avoid or prevent what might otherwise have been significant effects on the environment, including those identified in the outline Construction and Environmental Management Plan, outline Resource Waste Management Plan, Ecological Impact Assessment, Landscape and Visual Impact Assessment, Noise and Vibration Impact Assessment and Traffic and Transportation Assessment.

The Commission concluded that the proposed development would not be likely to have significant effects on the environment, and that an environmental impact assessment report (EIAR) is not required.

Inspector _____

Date: 17th July 2026

Gary Farrelly

Approved (ADP) _____

Date: 17th July 2026

Appendix 2: Appropriate Assessment Screening

Screening for AA – Test for likely significant effects	
Step 1: Description of the project and local site characteristics	
Brief description of project	The project is a Large-Scale Residential Development (LRD) comprising a total of 176 no. residential units, creche and associated works. Surface water is proposed to be managed via sustainable drainage systems (SuDS) features, and hydrocarbon interceptor, prior to discharge at greenfield rates to existing drainage infrastructure on Maryborough Hill. It is proposed to connect to the mains water supply and the public wastewater mains. Confirmation of feasibility from Uisce Éireann, subject to required extensions of the water and wastewater networks to the site, are provided as part of the submitted documentation.
Brief description of development site characteristics and potential impact mechanisms	The subject site comprises of agricultural grassland. There are no drainage ditches or watercourses within the site or its immediate environs as described within the submitted screening report. A review of the Environmental Protection Agency (EPA) interactive mapping tool confirms this, as well as my observations on the date of my site inspection. The nearest watercourse is the Moneygurney stream which is located approximately 600 metres west of the site. This flows in a northerly direction where it flows into the Douglas river. The site is underlain by the Ballinhassig East groundwater

	waterbody. The Geological Survey Ireland (GSI) data map describes this as a locally important aquifer which is moderately productive in local zones.
Screening report	Yes
Natura Impact Statement (NIS)	None submitted
Relevant submissions	There were no third party appeals raising any concerns with the potential impact of the project on European sites. A third-party submission to the PA did raise concerns in terms of EU protected bird species using the site for feeding and roosting. Inland Fisheries Ireland (IFI) made a submission on the application to the PA outlining no objection to the proposed development on the basis that Uisce Éireann was satisfied that there was sufficient capacity within the wastewater network. I note that this has been provided as part of the submitted documentation.
Step 2: Identification of relevant European sites using the Source-pathway-receptor model	
There are 2 no. European sites are potentially within a zone of influence of the proposed development which are outlined within the table below. I note that the submitted screening report also considered these 2 no. sites within the likely zone of influence.	

European site (Code)	Qualifying Interests (QI)	Distance from proposed development	Ecological Connections	Consider further in screening (Yes/No)
Great Island Channel SAC (001058)	Mudflats and sandflats not covered by seawater at low tide [1140] Atlantic salt meadows (Glauco-Puccinellietalia maritimae) [1330]	5.6km	The screening report has outlined that there are no drainage channels or watercourses within the site or its immediate environs which would provide a hydrological connection to 001058. Treated surface water will be discharged at greenfield rates to existing drainage infrastructure on Maryborough Hill, however, the screening report states that there is no hydrological connection to 001058. There is a potential connection via air.	No, due to the discharge of treated surface water at greenfield rates, to the separation distance and to the nature of the QI habitats, no likely significant effects as a result of the construction or operational phases are expected to occur.
Cork Harbour SPA (004030)	23 no. QI bird species Wetland and Waterbirds [A999]	1.6km	Proximity via air The screening report has outlined no potential hydrological connection.	Yes, due to the separation distance there is potential for ex-situ impacts on the QI species.

				Due to the discharge of treated surface water at greenfield rates, no likely significant effects are expected in this regard.
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Step 3: Describe the likely effects of the project (if any, alone or in-combination) on European sites

Site Name	Possibility of significant effects (alone) in view of the conservation objectives of the site	
	Impacts	Effects
<u>Cork Harbour SPA (004030)</u> <u>Bird Species</u> Little Grebe [A004]; Great Crested Grebe [A005]; Cormorant [A017]; Grey Heron [A028]; Shelduck [A048]; Teal [A052]; Pintail [A054]; Red-breasted Merganser [A069]; Oystercatcher [A130]; Golden Plover [A140]; Grey Plover [A141]; Lapwing [A142]; Dunlin [A149]; Black-tailed Godwit [A156]; Bar-tailed Godwit [A157]; Curlew [A160]; Redshank [A162]; Black-headed Gull [A179]; Common Gull [A182]; Lesser Black-backed Gull	There are no potential direct impacts and no risk of habitat loss, fragmentation or any other direct impact. Due to the separation distance, no potential indirect disturbance or displacement impact is considered likely. The proposed development will involve the loss of agricultural grassland which could result in ex-situ impacts. Bird surveys were undertaken as part of the submitted AA screening report which recorded	Whilst the project will involve the loss of agricultural grassland which is a habitat used for foraging and roosting by some of the QI species (as outlined in the 2014 Conservation Objectives supporting document on the NPWS website) no significant ex-situ effects are considered likely due to the 1.6km separation distance, to the location of the site on the edge of the built environment and next to an existing construction site (ABP-307041-20) and to the level of intervening lands (primarily built environment to the north/northeast) between the site and the SPA

[A183]; Common Tern [A193]; Wigeon [A855]; Shoveler [A857] <u>Habitat</u> Wetland and Waterbirds [A999]	no wildfowl or waterbirds within the site or its environs.	and having regard to the results of the bird surveys undertaken within the site between May and July 2025 which recorded no QI species.
Likelihood of significant effects from the proposed development (alone):	No	
If No, is there likelihood of significant effects occurring in combination with other plans or projects?	The submitted screening report assessed the in-combination impact of the project with a number of plans and projects including ABP-307041-20 west of the site, as well as a large scale residential development at Castletreasure and concluded no negative in-combination impacts. The Commission should note that I am satisfied that there is no potential for significant effects occurring in combination with other plans and projects.	
Step 4: Conclude if the proposed development could result in likely significant effects on a European site		
I conclude that the proposed development, either alone or in-combination with other plans and projects, would not result in likely significant effects on European sites. No further assessment is required for the project. No mitigation measures are required to come to this screening determination.		

Appendix 3: Water Framework Directive (WFD) Screening

Step 1: Nature of the Project, the Site and Locality			
An Coimisiún Pleanála ref. no.	ACP-324262-26	Townland, Address	Maryborough Hill, Moneygurney, Douglas, Cork
Description of project		The project is a large scale residential development comprising the construction of 176 no. residential units, creche and associated works.	
Brief site description, relevant to WFD Screening		The site is a greenfield site with the topographic characteristics of the site comprising of significant level increases from the northern boundary to the southern boundary. The site is underlain by Till derived from Devonian sandstones (<i>Geological Survey Ireland Groundwater Data Ireland Viewer</i>) with the subsoil permeability 'not mapped'. The aquifer underlying the site is classed as a locally important aquifer which is moderately productive and is of extreme vulnerability with a portion to the east of the site classed as 'X, rock at or near surface or karst' (<i>GS/ Viewer</i>). There are no surface water features within the site or within close proximity of the site. The nearest surface watercourse is the Moneygurney stream, which is located approximately 600 metres west of the site.	

Proposed surface water details	The application was accompanied by a Drainage Impact Assessment and SuDS statement, and design details were updated at further information stage. The proposed surface water system was designed around the site's geological and hydrological characteristics. It is proposed to manage surface water onsite via a piped drainage system incorporating SuDS features before discharge into existing stormwater infrastructure on Maryborough Hill (north of the proposed site entrance). Features will include lined overground detention basins, underground attenuation tanks, permeable paving, tree pits as well as flow control devices and hydrocarbon interceptors. The discharge rate for the developed area will be based on a 1-in-1-year greenfield runoff rate (8l/s). A factor of 20% to account for climate change was accounted for in the design. Interception storage is also proposed to prevent the first 5mm of rainfall from roads and footpaths from reaching the public sewer. This will be achieved by the installation of 2 no. infiltration features and by locating the drainage pipes associated with the permeable paving and tree pits 100mm above the gravel bed formation.
Proposed water supply source & available capacity	It is proposed to connect to the public water mains at the Garryduff Road roundabout (approximately 90 metres north of the proposed entrance to the development). This will require the construction of a new public water mains along Maryborough Hill to connect to same. Correspondence from Uisce Éireann (UÉ) has been provided (<i>Engineering Services Report, Appendix B</i>) confirming a water connection to be feasible subject to the extension to the site proposed by the applicant. No capacity constraints are outlined.

Proposed wastewater treatment system & available capacity, other issues			It is proposed to connect to the public wastewater mains on Maryborough Hill, approximately 80 metres north of the proposed entrance to the development and south of the roundabout. This will also require the construction of a new wastewater mains along Maryborough Hill to connect to same. Correspondence from UÉ (Engineering Services Report, Appendix B) confirming a wastewater connection to be feasible subject to the extension to the site proposed by the applicant. No capacity constraints are outlined. I note that the wastewater network is connected to the Carrigrennan wastewater treatment plant (Discharge Licence D033-01). The 2024 annual environmental report (AER) (<i>which is the most up-to-date AER available on the EPA website on 17th July 2026</i>) outlined approximately 115119PE of remaining capacity within the plant. I note that UÉ’s website also confirms available capacity within the WWTP.				
Step 2: Identification of relevant water bodies and Step 3: S-P-R connection							
Identified water body	Water body name(s) (code)	WFD Status (2019-2024)	Risk of not achieving WFD Objective	Identified pressures on that water body	Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater)	Mitigation Measures proposed	Is mitigation sufficient? Will there be any residual impacts?
1. Groundwater Waterbody	Ballinhassig East (IE_SW_G_004)	Good	Not at Risk	None identified	Groundwater	Outline Construction and Environmental Management Plan (CEMP) submitted details protection	Yes, detailed CEMP to be conditioned. No residual impact.

						measures during construction. No operational impacts are expected due to proposed surface water management measures.	
4. River Waterbody	Moneygurney_010 (IE_SW_19M300900) Approximately 600 metres west	Poor	Review	None identified	None	None required	