# Inspector's Report

# ACP-324425-26

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| **Development** | LRD: Construction of 100 residential units, the partial demolition of St. Ann's Hydropathic Establishment (RPS PS1168), provision of a creche, change of use of former coach house, restore a clock tower and all associated site works. A NIS was submitted with the application. The number of units was reduced to 80 on receipt of FI. |
| **Location** | Lands associated with the former St. Ann's Hydropathic Establishment, St. Ann's Hill, Kilnamucky, Tower, Blarney, Cork. |
| **Website** | www.hydrolrd.ie |
| **Planning Authority** | Cork City Council |
| **Planning Authority Reg. Ref.** | 25/44173 |
| **Applicant(s)** | OMD (C) Limited |
| **Type of Application** | Large-Scale Residential Development |
| **Planning Authority Decision** | Grant with Conditions |

| | |
|---|---|
| **Type of Appeal** | Third Party |
| **Appellant(s)** | • Cathy Kennedy<br>• Blarney Castle Estate<br>• Douglas & Olwen Fenn<br>• Hydro Farm Allotment Group<br>• Zwena McCullough |
| **Observer(s)** | None |
| **Date of Site Inspection** | 16th September 2026 |
| **Inspector** | Paul O'Brien |

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## 1.0 Site Location and Description

1.1. The subject site, with a stated gross area of 11.11 hectares, consists of an irregular shaped site located to the north of the R617/ Blarney to Tower Road. The site is approximately 820m to the north east of Tower, 2.1km to the west of Blarney, and 9.25km to the north west of Cork city centre. The Shournagh River is located to the north western side of the site. To the west side of the site is a narrow laneway which serves a number of detached houses and the 'Hydro Farm Allotments'.

1.2. The subject lands are currently undeveloped and contain a number of semi-derelict buildings which are located towards the western side of the site. The site slopes significantly on a south to north west axis with the ground level at 29.77m at the entrance to the site on the R617 and this rises to 71.19m towards the north western part of the site.

1.3. Five detached houses are located to the south eastern part of the site (outside of the subject/ redline area). An access road and an access to the R617 are provided to serve these units. To the rear/ east of these houses is a pedestrian pathway which is located within the subject lands and does not have a connection to the public street. The rest of the lands are under grass or under tree cover. Extensive tree coverage is found on the eastern/ north eastern boundaries and also to the west of the site. Groups of trees are also located towards the centre of the subject site.

1.4. The nearest accessible public transport is located on the R617 at the front of the site. A bus stop to the east of the site entrance serves the 215 Bus Éireann route between Cloghroe/ Tower/ Blarney and the City Centre and on to Mahon Point Shopping Centre. The frequency is every 30 minutes in each direction. The 235 operates once into the City in the morning and two services back in the evening which extend onto Rylane via Cloghroe.

**Note**: Reference is made throughout this report, and submitted documentation, to the Hydro – this refers to the former St. Annes Hydropathic Establishment located on this site.

## 2.0 Proposed Development

2.1. The proposal, as per the submitted public notices, comprises of the partial demolition, conservation and refurbishment of the former St Ann's Hydropathic Establishment, the construction of 100 no. residential units (63 no. dwelling houses, 23 no. apartment units and 14 no. apartment/ duplex units), a creche facility, car/ bicycle parking, public and communal open space areas, pedestrian/ vehicular access to/ from the site and all ancillary site development works.

2.2. The following tables set out some key elements of the proposed development as submitted to the Planning Authority:

**Table 1: Key Figures**

| | |
|---|---|
| **Gross Site Area**<br>**Net/ Area to be developed** | 11.11 hectares.<br>4.62 hectares |
| **Plot Ratio** | 0.238 |
| **Floor Area to be Demolished**<br>Partial demolition of former stable buildings<br>**Total:** | <br><br>120.96sq m |
| **No. of Houses**<br>**No. of Apartments**<br>**No. of Duplex Units**<br>**Total** | 63<br>23<br>14<br>100 |
| **Density – Redline** | 21.63 dph |
| **Public Open Space Provision**<br><br><br>**Communal Open Space** | 5.38 hectares<br>48% of site area<br><br>130.5sq m |
| **Childcare Provision** | 154.18sq m –<br>31 Children<br>6 Staff |
| **Car Parking –**<br>Residential<br>Childcare | <br>100<br>2 |

| | |
|---|---|
| **Total** | **102** |
| **Bicycle Parking –**<br>**Total** | **47** |

**Table 2: Unit Mix – As submitted to the Planning Authority**

| | **Bedrooms** | | | | |
|---|---|---|---|---|---|
| **Type** | **1 Bed** | **2 Beds** | **3 Beds** | **4 Beds** | **Total** |
| **House** | 0 | 26 | 21 | 16 | 63 |
| **Apartment** | 11 | 12 | 0 | 0 | 23 |
| **Duplex** | 7 | 7 | 0 | 0 | 14 |
| **Total (%)** | **18(18%)** | **45(45%)** | **21(21%)** | **16(16%)** | **100** |

2.3. The Planning Authority sought further information and in response the development was revised. The key revisions included:

- A reduction in the number of units from 100 to 80 and which I have detailed in Table 3 below.
- The creche was omitted.
- The layout revised to take account of the changes.
- The proposed density was revised down to 17.3dph from 21.6dph.

**Table 3: Unit Mix following receipt of further information**

| | **Bedrooms** | | | | |
|---|---|---|---|---|---|
| **Type** | **1 Bed** | **2 Beds** | **3 Beds** | **4 Beds** | **Total** |
| **House** | 0 | 17 | 22 | 16 | 55 |
| **Apartment** | 11 | 14 | 0 | 0 | 25 |
| **Duplex** | 0 | 0 | 0 | 0 | 0 |
| **Total (%)** | **11(13.75%)** | **31(38.75%)** | **22(27.5%)** | **16(20%)** | **80** |

2.4. Other elements of this development include:

- The partial demolition, conservation and refurbishment of the remains of a former stable buildings to facilitate integration into 6 no. terrace units (1 no. 4 bedroom, 3 no. 3 bedroom and 2 no. 2 bedroom).

- The refurbishment and change of use of a former Coach House to provide a single three bedroom detached dwelling house.

- The restoration of the former Clock Tower structure and parkland which served the former St. Ann's Hydropathic Establishment.

## 3.0 Planning Authority Pre-Application Opinion

3.1. The following pre-application consultation took place:

- A Section 32C LRD Meeting was held on the 27th of February 2025 between representatives of the applicant and Cork City Council, LRD 08/24 refers. Issues raised included:

    - Background and history of the proposed development. How previous issues are to be addressed including the need to find a viable use for the nursing home on site.

    - Details of the site layout, overall design context and details of the proposed units were set out. Former clock tower to be restored, creche to be provided within the building/ façade facing the clock tower, and former coach house to be restored. Proposal includes the retention of existing pathways to ensure the retention of the historical character of the site.

    - The Planning Authority raised a number of issues:

        - Clarification sought on the extension of duration of permission of the nursing home.

        - Requested a physical copy of the CGI-rendered images.

- Identified a discrepancy in the proposed housing mix figures, additional details on submitted drawings and additional drawings sought.
- Need for a classification system regarding the hierarchy of the proposed routes/ access points on site.
- The density was considered to be low, however there was a recognition about the conservation needs on site.
- Need for clarification on the body to be responsible for woodland areas on/ adjoining the main part of the site, and whether or not this forms part of the development.
- Further details required on the gate lodge at the entrance to the site.

Other Cork City Council Departments raised specific points:

City Architect:

- Specific issues including footpath locations, location and type of boundary walls, details on landscaping, design and type of houses proposed, material details to be provided with the use of uPVC to be discouraged.
- Revisions requested to the layout and design of buildings such that there is a greater consideration made to the historic nature of this site.
- Recommended that revisions are made to buildings that are considered to be visually prominent.
- Further details on integration between different areas on site.

Overall, the City Architect considered the design to be an improvement over previous schemes and would provide for a good development on this site subject to revision in accordance with the specific raised issues.

Conservation Officer:

- Uncertainty over some aspects of the development as proposed including the location and type of windows proposed.
- Revisions requested to the buildings in the vicinity of the courtyard area.
- Additional information is required in relation to the development in the area of the stone coach/ stable block. The design of this area needs further consideration.
- Need for high quality materials to be used in the proposed development. uPVC should not be used in areas that are publicly visible. Natural slate should be used as the appropriate roof covering.
- Need to assess historic maps and demonstrate how the development has regard to the former site layout.
- There is a need for a detailed visual assessment to be provided to demonstrate what the visual impact would be from this development.

Elements of the proposed development are considered to be an improvement from what was previously presented.

Transport Officer:

- The pedestrian provision is considered to be of a good quality and the traffic calming measures/ road layout along the Tower to Blarney Road is supported.
- Request that details of the materials to be used for the different types of pedestrian pathways be provided.
- Revisions to be made in specific locations to the proposed pedestrian pathway network.

- Request that the proposed future connection to the north west of the development site be removed.
- The proposed parking provision is considered to be acceptable and is in accordance with the Cork City Development Plan.
- The details provided in support of the transport assessment are noted and are considered to be acceptable.

Parks and Recreation:

- Need for cross sections of open space areas to demonstrate the useability of these spaces.
- Need to provide for a detailed landscape management plan.
- The site will attract a lot of visitors from the local area.
- Need to review the planting of oak trees in the proposed woodland areas and notes that the submitted landscape plan is light on detail.

Biodiversity:

- Need to update the bat surveys on site and to consider potential roosts in the existing buildings on site.
- Barn owls are known to be on site and details to be updated to include surveys of these.
- Need for a habitat map of the site.
- Further details to include a breeding bird survey, a survey of non-volant mammals and a survey for invasive species on this site.

Tree Officer:

- The level of tree planting is dense to the extent that it may be considered as afforestation and a licence may be required.
- Need for additional details on the woodland to the west of the site.

Environment:

A number of management plans/ details are requested including:

- Construction Environmental Management Plan
- Construction Resource Waste Management Plan
- Noise Impact Assessment
- Operation Waste Management
- Refuse Auto-Track Drawing

- An LRD Opinion Report was issued under Section 32D on the 26th of March 2025. The Planning Authority reported that it was their 'opinion that the documentation submitted with the consultation request under Section 32B of the Planning and Development Act 2002 (as amended) **requires further consideration and amendment to constitute a reasonable basis on which to make an application for permission for the proposed LRD.'**

  The Planning Authority listed the following:

  (I) Drainage

  Address the concerns of the Drainage Section with reference to the proposed storm water drainage strategy and flood risk assessment.

  (II) Conservation

  Address the concerns of the Conservation Officer.

  (III) Uisce Éireann

  Address the concerns of Uisce Éireann.

  (IV) Architecture

Address the concerns the Architects Section. Revise the housing to the northwest corner of the site in order to address concerns about potential visual impact. Further details to be provided on the gate lodge including photomontages.

(V) Biodiversity

Address the concerns of the Biodiversity Officer and update the results of surveys undertaken.

(VI) Parks

Details to be provided as requested by the Parks Department include cross sections of all open spaces, provision of a detailed landscape Management and Maintenance Plan, review the planting of oak trees and provide for a more detailed landscape plan.

(VII) Development Plan/ Planning Policy

Consider the proposed housing mix and provide for a rationale in accordance with Paragraph 11.8 of the Cork City Development Plan 2022 – 2028.

The following specific information to be provided in support of a submitted application:

1. Number of Units/ Clarification of Points:
    - Clarification on the overall number of units to be provided and ensure consistency of numbers in the submitted documentation. Provide a rational and clear development description, which should be in the context of current/ previous permissions on site.
2. Conservation Information:
    - Provide an Architectural Heritage Impact Assessment (AHIA) prepared by a suitably qualified conservation architect/ consultant.
    - Overlay of proposals relative to historic buildings on site.

- Specific details on material finishes.
- Revisions to the western block – units 37-40.
- Revisions to the southern block – units 35-36.
- Justification to be provided for any demolition of the stables/ coach house.
- Revisions to the block to the north of the stables/ coach house. Need for a suitable transition between the new and retained historic structures.
- Need for a structural engineering report on how the remaining sections of the hydro building and stables/ coach house are to be retained/ reused.
- Updated condition report of the remaining/ retained historic structures.
- Detailed method statement on the repair/ refurbishment of the historic structures.
- A detailed assessment of the historic landscape.
- Justification for the layout, positioning, form, height and massing of all proposed structures on site, and which should not compete with the character/ significance of the protected structures.
- Provision of a detailed landscape proposal.
- Provision of a detailed visual assessment including winter/ summer views from Blarney Castle.

3. Architecture:

- Clarification and revisions to footpath layouts.
- Revisions to building locations on site – Units 35 – 40, 61- 65, 76, 79, 80, 81 and 84.
- Details on materials suitable for use.
- Revisions to the turning circle at the western side of the site.

- Revisions to parking control measures.
- Further details requested on tree planting in relation to historic buildings on site.

4. Drainage Section:

- Provide a detailed drainage strategy for the site. Also details on surface water management.
- Provide a detailed storm water drainage plan.
- Full drainage and design and calculations.
- Design of storm sewers to a stated standard.
- Details on infiltration rates and proposed SuDS measures, and management of these. The use of attenuation tanks to be limited, and specific details are provided on these.
- Soakaways to be in accordance with BRE Digest 365 or similar.
- Permeable paving is not permitted in areas to be taken in charge.

5. Biodiversity:

- Need for an updated Bat Survey and a survey for Barn Owls, which are known to nest on site.
- Provide a habitat survey of the site.
- Specific requirements on Bird Survey (April to June), non-volant mammals, Invasive Species and nocturnal wildlife such as badgers.
- Specific requirements on bat surveys.

6. Strategic Planning and Transport:

- Provision of drawings showing the different materials for different pedestrian pathways on site.

- Specific details on footpaths.
- Removal of future connection to the north-west of the proposed development.

7. Area Engineer Requirements:
   - Provision should have been made for a structured signalised crossroad at the access/ egress of the site.
   - Provision for widening of footpaths and sightlines to be at current standards.
8. Environment:
   - Provision of a Construction Environmental Management Plan, Construction Resource Waste Management Plan, Noise Impact Assessment, Operation Waste Management and Refuse Auto-Track Drawing. Full requested details are provided.
9. Part V Housing:
   - Specific details on the internal layout and indicative costings of units.
10. Cork City Childcare:
   - Whilst the provision of a childcare facility for 27 children would align with the requirements of the Childcare Guidelines, there is significant demand for additional childcare in the area.
11. Uisce Éireann:
   - Need for an updated Pre-Connection Enquiry.
   - Specific requirements on building over Uisce Éireann assets and diversion of services.
   - Need for a Statement of Design Acceptance (SODA) to be in place at full LRD application stage.
12. National Transport Authority:

- None of the proposed Strategic Transport Corridors are in the vicinity of the subject site, but those provided would have a positive impact on transport in the Cork City area.

- As part of the Bus Network review two routes would serve the area – Route 16 which is to operate on a 30 minute frequency and route 53 which is to operate every two hours.

- The NTA request that suitable walking and cycling infrastructure be provided here.

- Need for clarity on the number of car and cycle parking spaces to be provided on site. Reference is made to appropriate guidelines and standards for such parking spaces.

- The applicant lodged the application on the 19th of September 2025, within 6 months of the issued opinion and which is in accordance with Section 32(A)(2) of the Planning and Development Act 2000 as amended.

## 4.0 Planning Authority Decision

### 4.1. Decision

The Planning Authority decided to grant permission subject to conditions, following the receipt of further information. The submitted further information revised the layout and reduced the number of units down to 80 in total and included the omission of the proposed childcare facility on site. A total of 48 Conditions were included with the grant of permission, and these are generally standard, though the following, summarised, are noted:

Condition 12:

No works to be carried out on structures of bat roosting potential unless a Bat Derogation Licence has been obtained from the NPWS, if required.

Conditions 25 – 27:

Revisions to be made to proposed footpaths within the subject site and how they relate to each other and adjoining lands.

## 4.2. Planning Authority Reports

### 4.2.1. Planning Reports

The Planning report reflects the decision to grant permission subject to conditions. Further information was sought for the following summarised items:

1. Drainage and Flood Risk. Need for updated Drainage Impact Assessment, additional details on surface water drainage, inclusion of an unnamed stream in the relevant assessments, details of SuDS features and dry swale, details of proposed attenuation tanks including access and maintenance, discharge rates from the attenuation tanks, details of emergency overflow pipes from soakaways, details of all silt traps/ hydrocarbon interceptors and location of outfall points.
2. Architecture: Revisions recommended to the proposed layout including the courtyard, revisions to windows, roofing and rainwater goods, and replacement of a parking layby in the courtyard with a hard/ soft landscaped square.
3. Conservation: Revisions to windows, fascias and soffits to include timber, especially in locations where elevations are visible to the public. Review submitted drawings for potential inconsistencies. Request that referenced method statement is submitted. Update the masterplan landscape drawing with details of proposed surface materials and their associated colours. Request that revised landscape details be provided in the area of the former Turkish baths and courtyard – in order to clearly define this historic part of the site. Also review the number of trees proposed as the figure appears to be less than at Opinion Stage. Also requested to submit a view from Blarney Castle and to submit details of colours proposed (RAL codes referenced).
4. Biodiversity: Recognises that the proposed development provides for notable positive aspects in relation to landscape design and the provision of open space. Concern though about the impact on trees and potential bat roosts. Revised details are requested.
5. Mitigation: Trees but also Bat Species and Barn Owls: Plan to retain trees should also consider tree root protection areas and works throughout the site. Need to demonstrate that the precautionary principal is applied in terms of the presence of bats on site including the Lesser Horseshoe Bat. Proposed

mitigation measures will be required to demonstrate that they will adequately compensate for loss of roost areas, and a suitable lighting system will be required to demonstrate acceptability on this site.

6. Other Key Information and Notable Observations: Need to ensure that species in the nearby River Shournagh and Shournagh Valley pNHA are adequately protected during the construction phase of this development. Need to demonstrate that the proposed development will not have a negative impact on bat species in the area.
7. Parks: The landscape design is requested to be revised to include underplanting of woodland areas with suitable bulb species and to include raingardens/ Nature Based Solutions in the design. As before, there is a lack of detail in relation to SuDS on site. Due to the potential for the site to attract visitors, it is requested that signage be provided to explain features of the woodlands and meadows here. Taking in charge details to be provided/ clarified.
8. NIS and AA: Requested to revise the submitted NIS.
9. Housing Mix: Requested to review the issue of housing mix having regard to the updated Apartment Guidelines (2025).
10. Tree Protection Measures: Requested to review the measures to be for tree protection.
11. Other Matters: Requested to submit a revised Childcare Needs Assessment and to also provide a Schools Demand Assessment.

The applicant responded to each of the above points through their Further Information Response dated 2nd April 2026 and the decision to grant permission was subsequently issued.

Other Technical Reports

- Planning Policy Section: No objection. Report that the density is low but 'is acceptable given the sites constraints.' The housing mix was considered to be acceptable.
- Environment Report: No objection subject to conditions.

- Traffic: Regulation and Safety Report: No objection subject to recommended conditions.
- Housing Report: No objection subject to condition.
- City Architects Department: Further information requested in relation to window locations, materials to be used, and revisions to the parking areas.

  On receipt of the further information response, they reported no objection to the proposed development, all items raised were addressed to their satisfaction. No conditions were included.
- Conservation Report: Further information requested in relation to proposed materials, submitted drawings, details of repairs, omit the gate lodge from the proposals, additional drawings, need for additional screening, provision of a summer view from Blarney Castle and provision of RAL details for material colouring.

  The Conservation Officer reported, on receipt of the further information response, no objection to the proposed development subject to recommended conditions. The conditions include the updating of descriptions of materials to be used and need for the employment of conservation experts for the works on site.
- Drainage Report: Further information requested in relation to drainage to an existing stream, need for updated Flood Risk Assessment details, details on SuDS/ surface water drainage and details on how attenuation tanks are to be accessed/ maintained.

  On receipt of the further information response, The Drainage Division reported no objection subject to conditions, which are standard for a development of this nature.
- Area Engineer's Report: No objection subject to recommended conditions.
- Biodiversity Report: Further information requested in relation to Appropriate Assessment/ Natura Impact Statement, EcIA, Landscape Design and Tree Survey.

  On receipt of the further information response, they reported no objection subject to conditions. Requirements conditioned included the need for an Ecological Clerk of Works to be employed, Surveys to be undertaken by qualified persons, details

of barn owl and bat boxes, provision of Integrated Pest Management on site, need for a Bat Derogation Licence, details of public lighting and management of invasive species to be detailed.

- Development Contributions Report: No objection subject to recommended condition.

  No objection subject to recommended condition on receipt of the further information response.

4.2.2. **Prescribed Bodies**

- Uisce Éireann: No objection subject to recommended conditions.
- Transport Infrastructure Ireland (TII): No objection subject to condition – development to be undertaken in accordance with the submitted Transport (Traffic) Assessment and Road Safety Audit.

  Report no change in their position following the receipt of further information response.
- Inland Fisheries Ireland (IFI): Request that it be demonstrated that there is adequate capacity in the public drainage system to serve this development. Conditions recommended in the event that permission is granted.

4.2.3. **Third Party Observations**

Nine submissions were received to the original application as made to Cork City Council, including from Tower Community Association, Hydro Farm Allotments and Blarney Castle Estate.

Issues raised are similar to those in the grounds of appeal and in summary they include:

**Impact on the Character of the Area:**

- The site is of cultural and historical significance.
- Concern about the visual impact of the proposed development and the need for high quality design of building on these lands.
- The protection of this historic site has not been appropriately undertaken over the past years.

- Query as to why no museum has been provided on these lands.
- Cork City Council have failed to ensure the protection of this historic site.
- The site should have been preserved as a regional heritage park similar to a park in Ballincollig.
- The site is more suitable for tourism-related development and not for housing as proposed.
- Call in the past for a heritage-led redevelopment and revitalisation of this site.
- The restoration of the clock tower is a poor reflection on what was once a very important treatment spa.
- The overall development does not restore the character of this historically important site.
- The high quality landscape is recognised in the Cork City Development Plan.
- The proposed scheme would give rise to overdevelopment/ excessive intensification of housing on this site. 127 new homes have been built within 2 miles of the subject site.
- The densest part of this development is located in the most sensitive part of the subject site.
- Concern about negative impacts on linear views from Blarney Castle.
- Negative impact through the demolition of part of a protected structure.
- There are more suitable alternative sites in the Cork City area for the development of houses such as those proposed.

**Impact on existing Business/ Amenity in the Area:**

- Negative impact on existing businesses in the area.
- Disruption to the existing allotments which are located to the west of the subject site. These allotments have been award winning over the years.
- The existing medical centre in Tower is closed to new patients.
- Potential negative impact on the structural integrity of the preserved Hydropathic Estate Cottages which were constructed in 1900.

**Impact on Residential Amenity:**

- Concern about the impact of the proposed development on residential amenity. Specific reference is made to the layout with houses facing the rear of existing houses.
- Overlooking leading to a loss of privacy, and insufficient separation distance between existing and proposed units.

**Traffic Impact:**

- Construction traffic would have a negative impact on the amenity of the area.
- Increased traffic would give rise to traffic safety issues for residents and business users in the area.
- Access points to the proposed development are on a dangerous section of road.
- The privately owned lane is not designed to handle heavy construction traffic and there has already been significant damage due to traffic.
- The road network cannot cater for the increased traffic generated by the proposed development.
- There is no street lighting serving this section of public road.
- The road to the front of the site is effectively part of the Cork Northern Bypass.
- The submitted TIA fails to take into account the traffic generated from adjoining sites in the area.
- The TIA also fails to take into account the impact from construction related traffic.
- Examples of traffic safety issues experienced in the locality are provided.

**Impact on Infrastructure:**

- There is a lack of infrastructure in the area to serve the proposed development. Issues raised include a lack of footpaths and existing footpaths are of a poor quality.
- Public transport provision in local area is poor, and this results in a reliance on car use.
- Public transport does not serve major employment and education centres in Cork City.
- The local primary school has no capacity to cater for the increased demand.
- There is no secondary school in this area.

- There is shortfall in amenity provision in the area. There is no public park and greens spaces are not suitably accessible.
- The Blarney Wastewater Treatment Plant is hydraulically overloaded.

**Impact on Biodiversity:**

- The site and in particular the trees located there, are used by bats including the Whiskered Bat.
- The submitted NIS fails to consider the in-combination effects of foul discharges from granted and proposed developments in the area.
- The development will result in the loss of over 80 trees.
- Potential negative impact on birds listed on the Red List including Grey Wagtail and Barn Owl and also birds listed on the Amber List.
- The EcIA identifies positive impacts as a result of the proposed development, but similar positive results would likely occur in the do-nothing scenario.
- Concern about the impact from domestic cats on the allotments; request that a two metre high boundary wall be provided to stop them entering the allotment lands.

**Other:**

- There is a lack of detail on the boundary treatments to ensure the protection of public safety and the protection of private property.
- Concern about the information provided in the submitted CEMP – reference to one HGV movement a day appears not to be credible with a much greater number of movements expected here.
- There have been previous refusals of permission on this site.

A further three submissions made comments on the submitted further information, and issues were generally the same as those made on the submitted application. Additional issues of concern were identified in relation to potential negative impact on the Lesser Horseshoe Bat and on the Shournagh Corridor. Concern was also raised about the submitted information in relation to school capacity in the area. It was requested that a Monkey Puzzle Tree and Oak Tree 1764 be protected under a Tree Protection Order.

General request that permission be refused for this development.

## 5.0 Planning History

**PA Ref. 23/41719/ ABP Ref. 316276-23** refers to a May 2024 decision to grant permission for five houses on lands to the south eastern part of this site.

**PA Ref. 18/7111/ ABP Ref. 305373-19** refers to a February 2020 decision to grant permission for the construction of a nursing home, 29 no. detached houses and all ancillary site works. Partial demolition, conservation, refurbishment, alteration and change of use of the remains of the former St. Anns Hydropathic Establishment which is a Protected Structure (RPS 00815).

## 6.0 Policy Context

### 6.1. National Policy

#### 6.1.1. National Planning Framework First Revision – April 2025

Chapter 4 of the National Planning Framework (NPF) is entitled 'Making Stronger Urban Places' and it sets out to enhance the experience of people who live, work and visit the urban places of Ireland.

A number of key policy objectives are noted as follows:

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

• National Planning Objective 22 provides that '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.'

Chapter 6 of the NPF is entitled 'People, Houses and Communities' and it sets out that place is intrinsic to achieving a good quality of life.

A number of key policy objectives are noted as follows:

• National Policy Objective 27 seeks to 'Ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments, and integrating physical activity facilities for all ages.'

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

• National Policy Objective 45 seeks to 'Increase residential density in settlements, through a range of measures including restrictions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration, increased building heights and more compact forms of development.'

6.1.2. **Section 28 Ministerial Guidelines**

The following is a list of Section 28 - Ministerial Guidelines considered of relevance to the proposed development. Specific policies and objectives are referenced within the assessment where appropriate.

- Guidelines for Planning Authorities – Design Standards for New Apartments, (DHLGH, 2025) – referred to in report as Apartment Guidelines 2025.
- Sustainable Residential Development and Compact Settlements – Guidelines for Planning Authorities (DoHLGH, 2024) – referred to in report as Compact Settlements Guidelines.
- Urban Development and Building Heights - Guidelines for Planning Authorities – (DoHPLG, 2018) – referred to in report as Building Height Guidelines.
- Architectural Heritage Protection - Guidelines for Planning Authorities (DAHG, 2011).
- The Planning System and Flood Risk Management including the associated Technical Appendices (DEHLG/ OPW, 2009).
- Quality Housing for Sustainable Communities (DoEHLG, 2007).
- Development Management - Guidelines for Planning Authorities (DoEHLG, 2007) referred to in report as Development Management Guidelines.
- Childcare Facilities Guidelines for Planning Authorities (2001) – referred to in report as Childcare Guidelines.

**Other Relevant Policy Documents include:**

- Climate Action Plan 2024 and Climate Action Plan 2025
- National Biodiversity Action Plan 2023 – 2030
- Delivering Houses, Building Communities 2025 – 2030
- Design Manual for Urban Roads and Streets (DMURS) - 2023 Update.
- Smarter Travel – A Sustainable Transport Future: A New Transport Policy for Ireland 2009 – 2020.
- Cork Metropolitan Area Transport Strategy (CMATS)
- Permeability Best Practice Guide – National Transport Authority.

## 6.2. Regional Policy

### 6.2.1. Regional Spatial and Economic Strategy for the Southern Region

The Regional Spatial and Economic Strategy (RSES) for the Southern Region provides for the development of nine counties (The Six Munster Counties plus Wexford, Carlow, and Kilkenny) including the Cork City area and supports the implementation of the National Development Plan (NDP). Cork City and suburbs is the largest settlement in the Region with a population of over 208,000. Cork City is one of three cities categorised as Metropolitan Areas in the RSES.

## 6.3. Local/ County Policy

### 6.3.1. Cork City Development Plan 2022 - 2028

The Cork City Development Plan 2022 - 2028 is the current statutory plan for Cork City, including the subject site.

### 6.3.2. Variations to the Cork City Development Plan

**Variation No.1 – Maximum Car Parking Standards** – Adopted on the 8th of May 2023. There is no impact on car parking provision in this area.

**Variation No. 2 – Cork Docklands –** Adopted on the 14th of July 2025 and no impact on this site or development.

**Variation No. 3 – NPF Implementation –** Adopted on the 13th of July 2026. This includes the incorporation of all Section 28 Guidelines since the adoption of the Cork City Development Plan 2022 – 2028 including the Apartment Guidelines 2025.

6.3.3. **Noted sections of the Cork City Development Plan**

The subject site is zoned ZO 01 – 'Sustainable Residential Neighbourhoods' as indicated on Map 18 of the Cork City Development Plan. Adjoining lands to the west/ east and north are zoned ZO 20 – 'City Hinterland'. The ZO 01 zoning has an objective 'To protect and provide for residential uses and amenities, local services and community, institutional, educational and civic uses.' ZO1.1 to ZO1.7 refer to development within Z0 01 zoned areas.

Map 18 – Density and Heights does not specify either a density or height limit on these lands. The centre of Tower, to the west of the subject site, is given an Outer Suburbs designation.

Blarney Castle is designated as a 'Strategic Landmark Building' in the Cork City Development Plan.

The 'Cork City Car Parking Zones' indicate that the southern part of the site is located within Zone 3, and the northern part is within Zone 4. Table 11.13 provides the 'Minimum Car Parking Standards' as follows:

Zone 3 and 4: 1.25 spaces for a 1 to 2 bedroom unit and 2.25 spaces for 3/ + bedroom unit.

Bicycle parking is provided in Table 11.14 and for the Suburbs it is 0.5 spaces per unit. Motorcycle parking is listed under Section 11.247 and is at the basis of one space 'per 10 car parking spaces for non-residential developments and apartment developments.'

Chapter 2 provides the 'Core Strategy'. Tower is listed as an Urban Town. There is a target for a 60% population growth by 2040 with 125,000 additional people living in the city area over the 20 years from 2022. For Tower, which includes the subject site, there is a target of 35.5% population growth to 2028 as per Table 2.2 'Core Strategy Table 2022 – 2028'.

Chapter 3 – 'Delivering Houses and Communities'. Table 3.2 provides the 'Housing Supply targets per annum' and 16,236 Houses are to be provided by 2028.

Section 3.25 of the plan states: 'Greenfield sites will need to be developed to densities that reflect their suitability for urban density. This will require a step-change in the

urban density of schemes being proposed. As a general rule the minimum density shall be 35 dwellings per hectare (net density), excluding one-off houses.'

Objective 3.4 (part of) states 'Cork City Council will seek to ensure that at least

66% of all new Houses will be provided within the existing footprint of Cork. Cork City Council will seek to ensure that at least 33% of all new Houses will be provided within brownfield sites in Cork.'

Objective 3.5 – 'Residential Density'

'Cork City Council will seek to:

a. Promote compact urban growth by encouraging higher densities throughout Cork City according to the Cork City Density Strategy, Building Height and Tall Building Study and resultant standards set out in Chapter 11: Placemaking and Managing Development and Mapped Objectives; and

b. Ensure that urban density is achieved by development proposals providing for high quality sustainable residential development, ensure a balance between the protection of the established character of the surrounding area and existing residential amenities;

c. Ensure that urban density is closely linked to creating successful neighbourhoods and ensuring that neighbourhoods are integrated and permeable to ensure short trips are possible to urban centres, local services and amenities;

d. Ensuring high-quality architectural, urban and public realm design. Guidance is set out in Chapter 11: Placemaking and Managing Development.'

Chapter 4 – 'Transport and Mobility'. None of the 12 Core Bus Corridors will extend out to Tower or Blarney. A railway station is proposed at Blarney as part of the Cork suburban railway network – details are provided through Figure 4.8 'Indicative Suburban Rail.'

Objective 4.1 CMATS states 'Cork City Council will work in cooperation with the NTA, TII and Cork County Council to fully implement the Cork Metropolitan Area Transport Strategy subject to detailed engineering design and environmental considerations, including the projects and programmes in relation to walking, cycling, public transport, BusConnects, suburban rail, light rail, park and rides and roads infrastructure, including the Northern Distributor Road and Southern Distributor Link Road.'

Chapter 6 provides ‘Green and Blue Infrastructure, Open Space and Biodiversity’.

Chapter 10 – ‘Key Growth Areas and Neighbourhood Development Sites’.

Section 10.267 states ‘The Cork Cycle Network Plan which has been absorbed into CMATS contains proposals for both on and off road cycling infrastructure in the Blarney/ Tower/ Kerry Pike area and Cork City Council will work with relevant stakeholders to further these proposals during the lifetime of this Plan.’

Objective 10.66 – Blarney Public Transport states:

‘Cork City Council will collaborate with the NTA and transport providers to deliver high quality public transport for the Blarney/ Tower/ Kerry Pike area to enhance the connections between each settlement and with the wider Cork City area respectively.’

Objective 10.67 – Blarney Hinterland:

‘Consolidate future development within the development boundary of the Town and maintain the City Hinterland between Blarney and Tower and Kerry Pike respectively.’

Section 8. specifically refers to Tower and its development. The following objectives are relevant:

Objective 10.72 – Tower Public Realm Strategy:

‘Prepare a Public Realm Strategy for Tower to address issues such as pedestrian and cycle permeability, signage, car parking, traffic management and enhancements to the town centre including the area around Tower Shopping Centre and Cloghroe Neighbourhood Centre. In addition, the potential for connections to Ballincollig and Kerry Pike will be examined during the lifetime of this Plan.’

Objective 10.73 – Tower Education

‘All future planning applications for multiple units in Tower including the phasing and numbers permitted will be examined in the context of the current and future capacity of Cloghroe National School.’

Objective 10.74 – Tower Hinterland

‘Consolidate future development within the development boundary of Tower and Maintain the City Hinterland between Tower and Blarney and Kerry Pike respectively.’

Chapter 11 – 'Placemaking and Managing Development'. Table 11.2 sets out the 'Cork City Density and Building Height Standards'. For the Other Suburbs the density is set out in the range of 40 – 60 dwellings per hectare. Buildings heights range from 2 to 4 storeys.

Volume 3 of the Corky City Development Plan provides details of 'Built Heritage Objects' –

- PS1168 refers to the Hydropathic Establishment (St. Annes Hydro) – Record of Protected Structures.
- CO062-235 refers the Hydro – Kilnamucky – Record of Monuments and Places.

### 6.4. Natural Heritage Designations

- Shournagh Valley pNHA (000103) is located approximately 0.55km to the north east of the subject site.
- Blarney Castle Woods pNHA (001039) is located approximately 0.85km to the east of the subject site.
- Cork Harbour SPA (Site Code 004030) is located approximately 12.4km to the south east of the subject site.

## 7.0 The Appeal

### 7.1. Grounds of Appeal

Five third Party appeals were received, including from the Tower Community Association (TCA), The Hydro Farm Allotment Group and Blarney Castle Estate, opposing this development.

I have summarised the third party appeal issues under the following headings:

**Nature of Development:**

- Considered that the site would be more appropriately developed as a tourist related destination.

- Concern about the impact of the development on the lane and associated properties to the west of the subject site. This was impacted during the construction of five houses on the lands owned by the developer.
- The development of this site should not extend beyond the original footprint of the Hydro site.

**Scale of Development:**

- The proposal would represent overdevelopment of this historic and sensitive landscape.
- The proposed development is twice the size of an approved nursing home and four times the size of the original Hydro hotel.
- The subject development, combined with other residential schemes in the area, would give rise to an intensification of urban development in the Shournagh Valley.

**Compliance with the Cork City Development Plan:**

- Objective 10.73 requires developments to examine the impact on school capacity in the area.
- Concern that the applicant has failed to demonstrate compliance with Objective 10.73. Details included schools in Blarney that are outside of the catchment area for this site.
- The applicant has failed to address this issue, and the Commission is required to have regard to all relevant considerations.

**Impact on the Character of the Area:**

- The former St. Anne's Hydropathic Establishment is considered to be 'a unique, under-celebrated site of international heritage significance'. This is listed on the RPS and RMP. It is within the viewshed of Blarney Castle, a protected structure and which is located within an Architectural Conservation Area (ACA).
- The visual impact of the development from Blarney Castle needs careful consideration.
- The development erodes the character of this designed landscape.

- The proposed material finishes and landscaping do not respect the character of the former Hydro building, would impact on its setting and the viewshed from Blarney Castle.
- Specific concern is made about unit no's 23-28, 76-78 and 91-104: request that these be omitted.
- The development would give rise to the loss of this green valley setting.
- The Hydro development is on raised lands and does not benefit from screening by trees as do other residential schemes in the area.
- Historic landscapes should be protected from insensitive/ inappropriate forms of development.
- The site is located within a scenic route identified in the Cork City Development Plan.
- The Shournagh Valley is also proposed for 'Rewilding, Rewetting and Reafforestation' in the Cork City Development Plan and is a pNHA.
- Units 23 to 40 should be omitted to ensure the protection of hedgerow on site. Concern also about the boundary treatment of these units.
- Concern about the impact on adjoining properties including the allotments during the construction phase of this development.
- Concern about the adequacy of the submitted CEMP. Note that Cork City Council considered this to be sufficient but also requested that an updated plan be provided.
- Potential negative impact on the adjoining allotments.
- Negative impact through the generation of dust, noise, vibration and disruption.
- Negative impacts to wildlife and their habitats.
- Potential for light pollution.
- Risk of structural damage to original boundary walls on site.
- Concern about the negative impacts of domestic cats on the area. Suitable measures required to prevent cats from accessing sensitive wildlife areas.

- Request that a 2m high wall be provided along the full length of the Hydro Farm Boundary (western part of the site). This to be augmented with suitable landscaping.

**Traffic/ Transport Considerations:**

- The additional 100 units would give rise to significant increase in traffic movements on a daily basis.
- The local road network is unable to accommodate the additional traffic movements in the area. This is noted for both the construction and operational phases of this development.
- The local footpath network is not suitable to serve the needs of this development.
- The existing internal road network was not used by the developer during the construction of the five houses on the lands to the south east of the subject site.
- St Annes Road should not be used as an access for this development.

**Foul Drainage/ Water Infrastructure:**

- There is a concern that the Blarney Wastewater Treatment Plant will not be able to handle the extra loading generated by this development. There is evidence that this plant has failed to demonstrate compliance with the relevant Emission Limit Values (ELVs) set by the EPA in the discharge licence.
- No Water Framework Assessment has been provided to demonstrate the effects of foul water discharge on local watercourses.

**Other:**

- The application fails to demonstrate how it will address potential climate change issues.
- It is reported that consultation took place between TCA, Cork City Council and the developer.
- Concern that submission by TCA made on the further information was not considered by Cork City Council. Cork City Council appear to agree that it was considered – Email dated 3rd July 2026 and included as Appendix H of the TCA submission.

- There is a requirement for suitable community infrastructure and amenity space to serve the needs of the area.
- The site should be developed as a museum; the restoration of the clock tower is a token gesture as to what really should be provided here.

Supporting documents, a petition, photographs and correspondence is provided in support of the submitted appeals.

7.2. **First Party Response to Third Party Appeals**

The applicant has made a response to the third party appeals. The following points are made:

- Background to the proposed development is provided. The history of the site is set out, and the application is supported with an Architectural Heritage Impact Assessment. Full details of the planning history are also provided as relevant to this application/ appeal.
- The proposed development has evolved in response to pre-planning meetings and engagement with Cork City Council.

The following specific points were made in response to the appeals:

School Demand Assessment:

- An updated School Demand Assessment is provided, and which omits the Strawberry Hill National School from the school capacity assessment. School demand generated will equate to 21-24 primary pupils and 16-1 post-primary pupils. This is a modest number in the context of the Blarney School Planning Area.
- The School is within the catchment of Cloghroe National School and has the highest geographically defined tier for admissions to that school.

Cultural and Built Heritage:

The proposed development has been planned/ designed on the basis of a conservation led approach which seeks to ensure a sensitive and appropriate

redevelopment of this site including the former Hydro facility. The application is supported with a number of documents including:

- A Structural Condition, Conservation and Redevelopment Report on the Surviving Historic Building Structures
- A Historical Landscape Appraisal
- Archaeological Impact Assessment
- Architectural Heritage Impact Assessment
- Conservation Method Statement
- Landscape Planting Specification, Management and Maintenance Plan

The design approach has followed a similar approach to the permitted development under ABP Ref. 305373-19. Phasing was proposed as part of that development. Work commenced on that application and included the provision of access to the subject development site. The development has had full consideration of the heritage value of the protected structure on site and worked with the Architectural and Conservation Departments of Cork City Council. The development includes the reuse of the former coach house and former St Annes Hydropathic Establishment Building as part of residential units. The former clock tower is also to be restored.

The proposed development in the area of the protected structures will be primarily two-storey units, which is consistent with the historic buildings on site. The reuse of building remains will ensure their long-term protection and building footprints of new structures will have regard to the former historic structures on site. The applicant advises the Commission that significant amendments were made in response to the further information request including the retention of an additional 95 number trees and revisions to the design of building to better reflect the historic structures. The proposed creche has also been removed from the scheme.

Reference is made to Section 8.27 of the Cork City Development Plan and the preservation of historic landscapes. The site is not designated as a historic landscape; however, the proposed layout design has sought to preserve the landscape associated with the Hydro. This is intended to be available to the public as well as residents of this development. The site is zoned for residential development and redevelopment

of a site which includes protected structures is to be assessed on its own merits as per Section 8.28 of the Cork City Development Plan.

The response to this section of the appeal refers to the development having been guided by discussions with Cork City Council's Heritage and Architecture Departments, this strikes a balance between protection of the protected structure/ historic landscape whilst providing housing on a site where residential development has already been accepted.

Visual Impact & Scale of Development:

The comments of Blarney Castle Estate (BCE) are noted regarding the scale of the proposed development and the perceived visual impact of this scheme on the area including Blarney Castle. It is considered that BCE did not review the revisions submitted in response to the FI request and which included the reduction in housing units from 100 to 80, and the retention of 95 additional trees on site. Additional photomontages have been provided, and other revisions have been made. A Landscape Visual Impact Assessment was provided in support of the application, with one view from Blarney Castle. The LVIA concluded that the impact on the different viewpoints would be neutral. No residual impacts on Landscape of Visual Impact once appropriate proposed mitigation measures are fully implemented. In conclusion the applicant considers that the development would have no significant negative visual impacts on Blarney Castle.

Biodiversity:

- The proposed development provides for a good integration between the ecological and landscape strategies of this site. The application was supported with an EcIA and an NIS.
- The submitted FI response/ amendments included the retention of an additional 95 trees and the planting of 4,500 mixed species of saplings.
- Full on-site consultation took place with the NPWS Wildlife Ranger and Wildlife Licensing Unit. Appropriate mitigation measures included bat boxes and barn owl boxes.
- A derogation licence has been received for the demolition of the stables building.

- The lighting plan has been designed in accordance with relevant bat conservation guidelines.
- Suitable construction and operation mitigation measures have been proposed to ensure the protection/ enhancement of existing habitats on site.
- Notes that reference was made to the non-provision of a Water Framework Assessment; this is addressed through the submitted EcIA and the discharge from the Blarney WWTP does not have a negative impact on the water framework directive.

Impacts on Residential Amenity & Hydro Allotments:

- It is considered that the proposed development would not have a negative impact on existing residential amenity or on the allotments in the area. The development of the site would be of benefit to the local community.
- The site is suitably zoned for residential development of the nature proposed.

Traffic Assessment:

- The applicant disagrees with the comments made about the traffic impact on the area. The submitted TTA was originally prepared on the basis of a development of 100 units, which has now reduced to 80 units. The revised development also omits the proposed childcare facility.
- The Cork City Senior Executive Transport Officer reported (24th October 2025) that the TTA identified a projected increase in traffic of less than 5% and which would have a very limited impact on traffic conditions in the area. They reported no objection to the proposed development on the basis of traffic generated.
- Refers the Commission to the previous application for a Nursing Home and 23 units on this site and the proposed development will not give rise to significant traffic impacts. Residents of the proposed development will have convenient access to public transport in the area.

Construction Phase Impacts:

- A CEMP and CRWMP have been submitted in support of the application. These will be updated prior to the commencement of development.
- Condition No. 31 requires that all construction related traffic will access the site from the site from the R617 only.
- The applicant reports that any residual impact on the receiving environment will not be significant and will only be temporary in nature.

Wastewater Capacity:

- TCA raised concerns about the available wastewater capacity to serve this development. A Confirmation of Feasibility dated 20th May 2025 and a Statement of Design Acceptance dated 20th August 2025 were issued by Uisce Éireann.
- A connection agreement will be entered into with Uisce Éireann prior to the commencement of development.

Alternative Use of the Lands:

- The request to develop the site for alternative uses most notably tourist/ cultural use are noted. The planning history of the site and previously approved development are in accordance with the residential zoning that applies to this site.
- It is considered that residential development that ensures the protection of the Hydro is the most appropriate use of these lands.

The First Party Response also addresses matters not raised in the appeal as follows

Density:

- The proposed density was reached having regard to the 'challenging heritage and landscape sensitivities' that limit development on this site. Full regard was had to the Compact Settlements Guidelines, and which sets out how density should be calculated.
- The density proposed has regard to the Inspectors report under ABP Ref. 316276-23 and which had regard to the heritage and landscape value of this site.

- The applicant considers the proposed density and layout to be appropriate, and which maximises the use of this underutilised lands, and which ensures the retention/ reuse of the protected structure for residential use.

Childcare:

- The proposed development of 80 units does not include the provision of a childcare facility. The updated Childcare Needs Assessment includes the five constructed houses to the south east of the site, and the total of 85 units would not generate enough demand for a standalone facility on site.
- The 11 one-bedroom apartments brings the number of units suitable for consideration to below the 75 unit threshold. The Childcare Needs Assessment has identified adequate capacity in existing facilities in the area to serve this development.

Requests that the decision of Cork City Council to grant permission for this development be upheld.

7.3. **Planning Authority Response**

None received.

7.4. **Prescribed Bodies**

None received.

7.5. **Observations**

None received.

## 8.0 Assessment

8.1. The main issues that arise for consideration in relation to this appeal can be addressed under the following headings:

- Principle of Development
- Layout/ Scale of the Proposed Development

- Quality of Proposed Residential Amenity
- Impact on Neighbouring Properties and on Existing Residential Amenity
- Traffic and Access
- Infrastructure and Flood Risk
- Ecological Impact Assessment (EcIA)
- Other Matters
- Material Contravention
- Appropriate Assessment (AA)
- Environmental Impact Assessment (EIA)

8.2. **Principle of Development**

8.2.1. **Background**: The principle of development, including land use zoning, was not raised as an issue of concern in the third-party appeals. Concerns primarily focused on impact on the character of the area, impact on residential amenity, impact on adjoining properties, erosion of the landscape character and adverse impact on architectural heritage and biodiversity.

8.2.2. **Nature of Development**: The proposed development was for a scheme of 100 residential units, a creche, reuse/ restoration of protected structures/ historic buildings and all associated site works. I have provided the original unit mix in Table 2, with 18% - one-bedroom units, 45% - two-bedroom units and the remaining 37% three-or-four-bedroom units. The residential units were to be located in two distinct areas of the site, to the east or north west and would be separated by extensive areas of open space and tree saplings.

8.2.3. In response to a further information request by Cork City Council, the applicant reduced the number of units to 80, and they also omitted the childcare facility. The childcare facility was omitted on the basis that the number/ type of units to be used in calculation of demand has fallen to between 67-74 and below the 75-unit threshold specified in the Childcare Guidelines. The omission of these units and consequent revisions to the site layout has resulted in the retention of an additional 95 trees on this site.

8.2.4. **Planning Authority**: Cork City Council recommended a grant of permission following the receipt of further information. The development is in accordance with the ZO 01 – Sustainable Residential Neighbourhoods zoning that applies to this site. The Planning Authority raised no concern about the development; the number of units proposed, and mix were considered to be acceptable. The Planning Authority reported 'Creche omitted (proposed development no longer generates sufficient childcare demand). and replaced with residential units.' No further comment was made by Cork City Council on this.

8.2.5. **Assessment:** The issue of site zoning was not raised as a matter of concern in the appeals and therefore I am satisfied that the provision of a residential development on this site is acceptable in principle.

8.2.6. I wish to address the nature of the development following revisions made to the scheme, at this stage. As reported 100 residential units were applied for permission and this was revised downwards to 80 units in response to the further information request issued by Cork City Council – Layout as per Drawing No. 1141PL.0 330 REV_19 dated 08/01/2026. I am satisfied that the revised development/ permitted development is appropriate in this location and I will be assessing the other issues raised in the appeals in accordance with the revisions made. Whilst the reduction in residential units is significant, the retention of 95 additional trees will further support the integration of the development into its setting. It was originally proposed that 157 trees would be removed. I will also be reporting on the removal of the proposed childcare facility later in this report.

8.2.7. **Conclusion on Principe of Development:** The development as proposed for was for 100 units and was applied for under the LRD provisions of the Planning and Development Act. The number of units was reduced to 80, but this was done in response to a further information request, and the fact remains that the application was made in accordance with the LRD provisions.

8.2.8. I have no objection to the proposed scheme in terms of development on these suitably zoned lands. The potential impact on the character, visual, and residential amenity of the area are considered in the following sections of my report.

8.3. **Layout/ Scale of the Proposed Development**

8.3.1. **Background**: The proposed development, as revised by way of further information, provides for 80 residential units in the form of houses and apartment units.

8.3.2. **Appeal:** The Third-Party appeals raised a number of issues about the layout and scale of the development. Concern was expressed about the impact on the character of the site and the overall area. The number of units proposed was considered to be excessive and the development would have an adverse impact on the character of the area.

8.3.3. **Planning Authority:** The Planning Authority granted permission for this development following the receipt of further information. No concern was raised about the reduced number of residential units to be provided here.

8.3.4. **Assessment**: I note the issues raised in the appeals and the response of the applicant to them. This section of my report is assessed under relevant headings.

8.3.5. **Density and Number of Units Proposed**: The original application made to Cork City Council proposed 100 units on a developable site area of 4.6 hectares giving a density of 22 dph. The developable area is indicated on Drawing No. PL.282 1141. The revised proposal reduced the number of units to 80, and the density is therefore 17 dph. Section 3.25 of the Cork City Development Plan states 'As a general rule the minimum density shall be 35 dwellings per hectare (net density), excluding one-off houses' for developments on greenfield sites. Objective 3.25 states 'Cork City Council will seek to: a. Promote compact urban growth by encouraging higher densities throughout Cork City according to the Cork City Density Strategy, Building Height and Tall Building Study and resultant standards set out in Chapter 11: Placemaking and Managing Development and Mapped Objectives; and b. Ensure that urban density is achieved by development proposals providing for high quality sustainable residential development, ensure a balance between the protection of the established character of the surrounding area and existing residential amenities..'.

8.3.6. From having visited the site, I classify it as a greenfield site. The site area is large, and the remains of the Hydro only occupy a small section of these lands. The majority of the site is undeveloped, is either under grass or covered in extensive forested areas. The existing five houses located to the front of the site and also surrounded by

extensive public open space which provides as transition between that development and the subject lands.

8.3.7. Accepting this as a greenfield site, the proposed 80 units at 17 dph is far below the minimum density of 35 dph in the Cork City Development Plan. The development through this density would materially contravene the Cork City Development Plan. To elaborate on the acceptance of the density, I consider that the proposed layout has had full regard to the protected structure on site and has taken account of the former layout of the Hydro when fully operational. The proposal also ensures that a significant number of trees are retained in the scheme, and additional planting is also proposed. The layout/ proposed development ensures that the character of the area is maintained, and the protected structure is retained/ restored for use therefore protecting it into the future.

8.3.8. This is a unique site through its location within the Cork City administrative area but on a greenfield site which contains a protected structure. In addition, the site contains a significant number of trees. The proposed development seeks to provide for a suitable residential scheme here and retain the Hydro and trees, as well as the character of the area. To be clear, a residential development at the lower end of the minimum density of 35dph would provide for 162 residential units, double what Cork City Council permitted. If it is recommended that permission be granted, then the Commission may decide to materially contravene the Cork City Development Plan in accordance with Section 37(2)(a) of the Planning and Development Act 2000 as amended.

8.3.9. **Layout**: The proposed layout makes good use of the topography of the site with two areas of housing proposed, to the east where there is a lower section of land and which is accessed through a continuation of the roadway serving the existing five detached houses; and a secondary area to the west of the site which retains the existing structures and layout of the former Hydro facility. A separate unit, called the Gate Lodge is proposed to the west of the site entrance onto the R617.

8.3.10. The submitted photomontages and Landscape & Visual Assessment (LVA) demonstrate that the development will not have an adverse impact on the visual amenity of the area. Whilst the character of the site will change through the provision of housing, associated roadways and infrastructure, the site is suitably zoned for such

development, and which would have gone through Strategic Environmental Assessment as part of the Development Plan review process.

8.3.11. Table 2 – 'Summary of Operational Phase Likely Significant Effects in the absence of mitigation' of the LVA indicates that the magnitude of change would range from moderate to negligible. Cumulative effects are considered to be neutral. The LVA concludes, 'The proposed development has been laid out and scaled to sit into the existing landscape. It is envisaged that the development will be absorbed into the existing landscape leaving what is of value from historic, visual and biodiversity perspectives intact and enhanced with conservation management into the future.' I agree with this conclusion, and I therefore consider that the layout respects the existing character of the area and is acceptable.

8.3.12. **Impact on the Protected Structures:** Concern was expressed that the proposed development would have an adverse impact on the protected structures. It was requested that the development be refused permission. It was also suggested that as an alternative, the site be redeveloped as a spa resort and/ or for health and wellness use. Cork City Council were supportive of the retention and reuse of the former Hydro buildings and also the fact that the proposed buildings on the western part of the site have full regard to the former layout of the Hydro.

8.3.13. From my site visit it was quickly apparent that the former Hydro buildings were in very poor condition and are as detailed in the submitted 'Structural Condition, Conservation and Redevelopment Report on the Surviving Historic Building Structures' submitted by the applicant. At a basic level, walls and roofing is missing, and remaining walls are in poor condition. There are no windows in place and at present none of the remaining structures are subject to any weather proofing. The clocktower in its current form does not resemble a structure of any importance with only the lower section in reasonable condition.

8.3.14. I have no objection to the reuse of the former buildings/ protected structure, and which would form a key part of this development. The facility closed in the mid-1950s, and it would appear that very little maintenance of the structures/ site took place over the decades since. I note the history of the facility and whilst the restoration of the former use is an option, it is not proposed at present. The proposed 80 residential units would meet some of the housing need in the area and would ensure that the former structures

are protected into the future through their incorporation into the development. A restored clock tower would form a significant landmark as part of this development.

8.3.15. I note that the Cork City Conservation Officer and City Architects Section were generally supportive of the development from the beginning. They reported no objection to the development following the submitted further information. Issues raised were similar by both sections and included details on materials, design and layout. The protection of these buildings into the future was welcomed.

8.3.16. As I have reported, it was clear from the site visit that the remaining buildings are in poor condition. There is little doubt that if the structural repair and consolidation works outlined in the applicant's report do not take place, then the state of decay will continue, and the remaining character of these buildings will be lost. Some elements of the existing buildings will be removed; however, I am satisfied that the applicant has attempted as best as possible/ as is feasible to retain as much of the building structure as possible. It is also clear that the works required to protect/ retain the existing building structure will be difficult and time consuming.

8.3.17. **Impact on the Character of the Area:** It is clear that the Hydro site is of significant local importance and is listed on the record of protected structures. I note that there is an information panel off site, at the entrance to the Riverview Estate, detailing its history and local importance. When viewed from the public road to the south of the site, the former Hydro buildings are not visible, and the site appears as an undeveloped area of land with extensive areas of trees and grassland, punctuated with a new development of housing with associated new site entrance and roadway. I am satisfied that the proposed development will not have a negative visual impact when viewed from the south of the site/ public road.

8.3.18. The appeal by the Blarney Castle Estate directly referenced the negative impact on the views from the castle. The castle is approximately 1.7km to the south east of the subject site and 1.9km from the Hydro clocktower. The Planning Authority sought an additional photomontage summer image taken from the castle looking towards the subject site. I am satisfied that the revisions to the layout, reduction in unit numbers and revisions to the material finishes ensure that the visual impact is reduced/ improved from that originally proposed. The choice of material finish will be significant in ensuring that the proposed units can successfully integrate into the landscape. It is

also accepted that over time the growth/ maturing of trees/ landscaping will further screen the proposed development from view.

8.3.19. As originally proposed, 157 trees were to be removed including all trees along the western boundary. The proposed landscaping plan included the planting of 4,500 saplings of mixed native species under the 'Conservation of Native Woodland Scheme' and this would compensate for the loss of trees on site. In response to the further information request issued by Cork City Council, the removal of trees was reassessed and 95 of the 157 to be removed are now to be retained (62 trees are proposed for removal), including those to the western and northern boundary treelines. The reduction in the number of housing units has allowed for a greater number of trees to be retained on site. It is still proposed to plant the 4,500 saplings and ecological corridors on site will be protected; these measures are welcomed. The protection of existing trees and planting of new trees is in accordance with Section 6.70 of the Cork City Development Plan and which states 'It is important to protect and maintain existing trees or groups of trees in the City, particularly those in private ownership and promoting new planting on public land.' The development also demonstrates compliance with Objectives 6.5 and 6.9 of the Cork City Development Plan.

8.3.20. I therefore consider that the proposed development will not have a negative impact on the established character of the area, either in the immediate vicinity of the site or from more distant views including from Blarney Castle.

8.3.21. **Conclusion on Layout/ Scale of the Proposed Development:** I am satisfied that the proposed development is acceptable in terms of providing for an appropriate residential development on these lands which will ensure the restoration/ reuse of a protected structure whilst integrating with the existing character of the site. The proposed density is low for a residential scheme located within the Cork City area, is below the minimum of 35dph for a greenfield site. I therefore recommend that the Commission materially contravene the Cork City Development Plan 2022 – 2028 on density alone.

8.4. **Quality of Proposed Residential Amenity**

8.4.1. **Appeal**: No specific issues of concern were raised in the third party appeals about impact of the development on proposed residential amenity, but comment was made that the development would give rise to overlooking of adjoining properties leading to

a loss of privacy. There was also concern raised that the development would have a negative impact on existing residential amenity during the construction phase with noise, dust, vibration and general nuisance raised as specific issues of concern.

8.4.2. **Planning Authority:** No specific issues of concern were raised in relation to impact on existing/ proposed residential amenity.

8.4.3. **Assessment:** I have assessed this development and quality of residential amenity under the following sections of my report.

**Unit Mix**: Objective 11.2 – 'Dwelling Size Mix' of the Cork City Development Plan states '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 developments or mixed-use developments comprising more than 50 dwellings will be required to comply with the target dwelling size mix specified in Tables 11.3 - 11.9, apart from in exceptional circumstances.'

I have included a screenshot of the relevant table, 11.9 in this case for the benefit of the Commission:

| | Min | Max | Target |
|---|---|---|---|
| Studios / PBSA (at LRT Stops / Urban Centre Only) | 0% | 5% | 0% |
| 1 Bedroom | 15% | 25% | 21% |
| 2 Bedroom | 30% | 40% | 34% |
| 3 Bedroom | 25% | 35% | 30% |
| 4 Bedroom / Larger | 10% | 20% | 15% |

**Table 11.9:** Urban Towns and Hinterland Villages Dwelling Size Mix for Housing Developments.

The revised development of 80 residential units (see Table 3 of this report) provides for 13.75% one bedroom units, 38.75% two bedroom units, 27.5% three bedroom units and 20% four bedroom units. The 13.75% number of one bedroom units is just below the minimum of 15% set out in Table 11.9, this is not significant in the overall context of units provided. As this are apartment units, there is no unit mix requirement for these in accordance with the Apartment Guidelines, 2025. The other unit types are within the range specified in Table 11.9.

8.4.4. **Quality of Units – Floor Areas**: A 'Housing Quality Assessment' is included in support of the application and updated to reflect the revisions made in response to the further information request. This has been prepared in accordance with the Apartment Guidelines, 2025 and the Cork City Development Plan 2022 – 2028. All units exceed the minimum floor areas, and the eleven one bedroom units provide for floor areas of at least 110% of the minimum requirement.

8.4.5. **Dual Aspect**: All units including the apartments are dual aspect. This demonstrates compliance with SPPR3 of the Apartment Guidelines.

8.4.6. **Floor to Ceiling Heights**: All apartment units have floor to ceiling heights of 2.7m meeting the requirements of SPPR 4 of the Apartment Guidelines. Floor to ceiling heights in the proposed houses are also acceptable.

8.4.7. **Private Open Space**: All apartment units are provided with adequate private amenity space in accordance with Appendix 1 of the Apartment Guidelines. The houses are also provided with adequate private amenity space; I particularly note units No. 6 to 22 which are afforded very generous areas of open space.

8.4.8. **Communal and Public Open Space:** The proposed development includes a large area of public open space to serve the proposed scheme and wider area. As originally proposed the development provided for 5.4 hectares/ 48% of the site as open space. This area has increased with the removal of housing units. 130.5Sq m of communal open space is allocated for the apartments.

8.4.9. **Childcare**: As originally proposed, as part of the 100-unit development, a childcare facility with a floor area of 154.18sqm and capacity for 31 children was proposed. In addition to the omission of 20 residential units, the applicant has also omitted the proposed childcare facility on the basis that between 67 and 74 units would generate a childcare demand, however this is below the 75-unit requirement set out in the Childcare Guidelines, 2001 and the Cork City Council Development Plan Objective 3.21. As per SPPR 6 of the Apartment Guidelines, omitting the 11 one-bedroom units would bring the requirement for childcare to only 69 units and which falls below the 75-unit threshold. Omitting 50% of the two-bedroom units would reduce the numbers requiring childcare to 54 units only. The development as permitted by Cork City Council provides for a mix of houses and apartments. Only omitting half of the two-bedroom apartments would reduce the demand by a further 7 units, a requirement for

childcare therefore for only 62 units consisting of 55 houses and 7 two-bedroom apartments.

8.4.10. The applicant has provided a 'Childcare Needs Assessment' in support of the revised development. The table included in Section 3.3 of their report demonstrates that capacity for 45 children was available in December 2025 in nearby childcare facilities and which would meet much of the demand generated by the subject development. The Planning Authority noted the omission of the creche and recommended that permission be granted for this development.

8.4.11. I therefore agree with the applicant that there is no requirement for a childcare facility to serve this development. The threshold of 75 units, as per the Childcare Guidelines 2021 is not reached through this development, and the applicant has also demonstrated that there are adequate existing childcare spaces available in the immediate area that can meet the demand generated through this residential scheme. I am satisfied that the applicant has demonstrated compliance with Objective 3.21 of the Cork City Development Plan

8.4.12. **Conclusion on Proposed Residential Amenity:** No issues of concern were raised in the third party appeals about the quality of the proposed residential units. It is considered that the proposed development will provide for a high quality of residential amenity on these lands in Tower to the north west of Cork city. Room sizes and quality of unit/ open space are of a high quality.

8.4.13. No childcare provision is made on site, and this is acceptable on the basis that the number/ type of units proposed does not meet the 75-unit threshold for the inclusion of a standalone facility on site. The applicant has identified available capacity in the immediate area for childcare.

### 8.5. Impact on Neighbouring Properties and on Existing Residential Amenity

8.5.1. **Appeal:** The appeals identified concern about the impact on the adjoining allotments to the west of the site. There was concern about negative impact during the construction and operational phases of the development in the form of construction generated noise, dust, vibration, disruption/ nuisance and through light pollution. A specific concern raised was about the potential increase in domestic cats on site and the negative impact they may have on wildlife in the area. The Planning Authority raised no specific concerns about these raised issues.

8.5.2. **Assessment**: There will be an increase in noise and potential nuisance during the construction phase, however much of this can be controlled/ mitigated through the implementation of a Construction Environmental Management Plan (CEMP) and associated site management procedures. I note that a number of the conditions included with the grant of permission refer to requirements during the demolition/ construction phase of the development – including Conditions no. 16. and 18. – control of noise, Condition no. 18. b) hours of operation on site, Condition no. 22 – provision of a Construction and Demolition Waste Management Plan, and Condition no. 45. – provision of a wheel wash and to ensure that the R617 is swept on a fortnightly basis. Condition no. 31 requires construction related traffic to directly use the access to the R617.

8.5.3. The applicant through their appeal statement refers to the submitted CEMP and final details will be agreed with the Planning Authority prior to the commencement of development. This is standard as it is it generally the site developer who provides this information and ensures that the requirements set out and complied with in full. I am satisfied that the subject to the implementation in full of the CEMP and the other requirements conditioned by Cork City Council, no significant issues of concern arise. Section 11.272 of the Cork City Development Plan states 'It will be a requirement of any major planning permission for residential, community, employment, or, infrastructure related development that a Construction and Environmental Management Plan (CEMP) be prepared for the construction phase of the development.' I am satisfied that the applicant can demonstrate compliance with this.

8.5.4. The control of construction traffic through limiting access to the R617 should result in certainty for landowners etc to the west of the site where their access road could be used to enter the subject site. This road is a single carriage laneway and would be unsuitable for construction traffic over a prolonged period of time. On a point of detail, the revised site layout plan submitted as part of the further information response, does not include a vehicular access to the west of the subject site.

8.5.5. The applicant has provided suitable public lighting plans, and which are designed to be bat friendly; I do not foresee that the development will give rise to excessive levels of light pollution. The proposed houses to the north western part of the site are set back from the boundary and combined with the screening from trees I do not foresee

the lighting from houses giving rise to light pollution issues. The nearest houses to the allotments would be 15m away, separated by a laneway and existing trees.

8.5.6. It was requested through the appeals that a wall of 2m high be provided along the boundary of the site. This was proposed to provide a suitable boundary around the site and also specifically to ensure the control of domestic cats. The submitted 'Landscape Strategy Green/ Blue Infrastructure Statement' refers to the provision of walls along the western boundary of the site and new trees to reinforce the parkland areas along the eastern boundary of the site. The cross sections (F-F) indicate that a wall be provided on this boundary. There is no indication of a wall to be provided to the eastern boundary and the overall detail on boundary treatments along and within the site are scarce. From the submitted details it appears that the boundary will be retained much as is. The eastern boundary consisting of a mix of the riverbank to the River Shournagh and some timber post and rail fencing. I consider that this issue can be addressed by way of condition and final details can be agreed with Cork City Council.

8.5.7. The specific concern about the control of domestic cats is noted, however I am not satisfied that the provision of a two-metre-high wall will be sufficient to keep them from entering adjoining lands. In reality they cannot be controlled and whilst accepting the impact they have on wildlife is significant, they operate and travel similar to other mammals such as rabbits, foxes and badgers. Revised boundary measures such as taller walls may have a negative impact on other boundaries. Whilst the issue is noted and accepted as a concern, the provision of additional measures to control cats would be unreasonable and unenforceable.

8.5.8. **Conclusion on Impact on Neighbouring Properties and on Existing Residential Amenity:** I am satisfied that the proposed development will not have a long term adverse effect on neighbouring properties, the impact will be limited to the periods within the construction phase of development. The applicant has submitted a number of documents which detail how the proposed development will be undertaken and Cork City Council have provided additional requirements through recommended conditions. The measures proposed will address issues during the construction phase and I foresee no significant adverse impacts during the operational phase of this development.

8.6. **Traffic and Access**

8.6.1. **Appeal:** Concern was raised in the appeals about impact on the local road network, and the potential for traffic safety issues during the construction and operational phases of the development.

8.6.2. **Planning Authority Comment:** The Planning Authority did not raise any issues of concern in relation to transport and road safety. The 'Traffic: Regulation and Safety Report' raised no issues of concern about the proposed development.

8.6.3. **Assessment**: Chapter 4 of the Cork City Development Plan refers to 'Transport and Mobility'; there are no specific objectives for road upgrades in this area. I note the comments made about increased traffic. As with all new development such as this, there will be increased traffic generated, however the submitted Traffic and Transport Assessment Report (TTA) does not identify any significant effects. As per Section 8.0 of the TTA, three junctions were assessed and all are expected to operate within capacity for the design year 2041. The assessments were on the basis that there would be no change in the modal shift, and this is noted.

8.6.4. I have found no specific proposals or upgrades for public transport in this area. The current bus service of approximately two to three buses per hour is not planned to change in the near future under the Cork Bus Connects proposals. In the medium to long term, a railway station is proposed at Blarney as part of the Cork Area Commuter Rail network and although this is approximately 4km from the subject site, it is likely to benefit the Blarney and in turn Tower including the subject site. The proposed development is also supported with a 'Residential Travel Plan' and which provides details on existing facilities in the area and details of a Travel Plan to be prepared for the residents of this development.

8.6.5. As I have already reported, construction and operational access to/ from the site for vehicles is through the existing access to the south of the subject lands onto the R617 road. I am satisfied that this is appropriate and will ensure that existing properties to the west of the site will not be impacted by traffic along a narrow lane that serves them. This access is in place and will allow for easy access to and from the site during the construction phase with good sightlines provided here. I note the comments made about traffic safety issues in the area, each of these appears to be a unique situation

and suggest negligence on the part of the driver rather than a fundamental issue with the local road network.

8.6.6. **Car Parking**: The Cork City Development Plan 2022 – 2028 provides the requirements for car parking in Table 11.13, in Chapter 11 of the Plan. The subject site is located within Car Park Zone 3 with a requirement for 1.25 spaces per one/ two bedroom units and all larger units to have car parking at the ratio of 2.25 spaces per unit. The revised site layout plan demonstrates that all units are provided with adequate car parking. The larger three/ four bedroom houses are provided with two spaces each in curtilage and the apartment units are provided with spaces adjoining those units. It is noted that the Cork City Development Plan specifies car parking on the basis of a maximum requirement. The proposed car parking spaces benefit from good passive surveillance from the adjoining units.

8.6.7. **Bicycle Parking:** Bicycle parking is provided within the site and in the area of the proposed apartment units. It is not fully clear how many spaces are provided following the revisions made in response to the further information request. I am satisfied that adequate bicycle parking can be provided on site, and final details can be agreed with the Planning Authority by way of condition.

8.6.8. **Conclusion on Traffic and Access**: The submitted Traffic and Transport Assessment Report demonstrates that the proposed development will not have an adverse impact on the existing road and junction capacity in the area. The proposed development will also be provided with adequate car and bicycle parking on site. As the construction phase traffic will use the existing access onto the R617/ south of the site, I do not foresee any negative impact through generated traffic for the properties located to the west of the site and which are access from their own laneway off the R617.

8.7. **Infrastructure and Flood Risk**

8.7.1. **Appeal**: Concern was raised in the appeals about the impact of the development on existing services in the area, specifically Blarney Wastewater Treatment Plant and on the Shournagh River. No specific issues of concern were raised about flood risk in the third party appeals.

8.7.2. **Cork City Council/ Uisce Éireann:** The Cork City Drainage Division reported that the proposed surface water drainage infrastructure, revised following the receipt of further

information, was acceptable. No issues of concern were raised in relation to flood risk. Uisce Éireann reported no objection to the proposed development subject to recommended conditions.

8.7.3. **Assessment**: From the available information, Uisce Éireann are satisfied that the proposed development can be served with public water supply and foul drainage. I have accessed the Uisce Éireann (UÉ) Capacity Register on the 22nd of September 2026 and for both Blarney and Tower, information dated April 2026, there is Capacity Available – LoS improvement Required in terms of water supply and for foul drainage the April 2026 Register provides a Green 'Indication of Available Capacity' for the Blarney WWTP.

8.7.4. I note the concerns raised in the appeal about the capacity available in the Blarney WWTP, however the UÉ Capacity Register indicates that adequate capacity is available to serve Tower. As reported, this information is update to April 2026 and the information now available may be more up to date than that available to the appellant. The applicant has been in contact with UÉ and they are not aware of any restrictions on this development connecting to the relevant public networks.

8.7.5. Although not raised in the appeals, I wish to make a comment on the issue of flood risk. Full details on Flood Risk Assessment are provided in the Drainage Impact Assessment dated September 2025 and provided in support of this application. This assessment is thorough and includes details of flood events in the area including one approximately 250m to the south east of the subject site, which took place in February 1990. The River Shournagh is located to the east of the subject site and flooding has occurred along its banks. However, the subject site is considered to be in Flood Zone C, is not at flood risk and a Stage 3 Assessment is not required for this development. The proposed development will not have an impact on the existing flood regime in this area.

8.7.6. **Conclusion on Infrastructure and Flood Risk**: The subject lands are served by a public water supply and public foul drainage network, with capacity available to serve this development. The submitted flood risk assessment is thorough, and no issues of concern have been raised. The Planning Authority raised no issues of concern in relation to water supply, drainage or flood risk. I am satisfied that the development can proceed without giving rise to flooding issues in the area, including potential

impact on adjoining sites and would not have a negative impact on water supply/ foul drainage capacity in the area.

8.8. **Ecological Impact Assessment (EcIA):**

8.8.1. **Background**: The applicant has submitted an EcIA in support of this application. Site surveys were conducted on a number of dates in September 2023, in June August and in September 2025. These included habitat, bat, mammal and bird surveys.

8.8.2. As reported, the site is not located within or adjoining any designated European site, the report includes the development with within the Zone of Influence (ZoI) of the Cork Harbour SPA. This SPA is given as 12.1km southeast of the subject site and is also 19.7km downstream via the River Shournagh which is located to the eastern boundary of the subject site. A section of the Shournagh Valley, 300m north/ upstream of the site is designated as a pNHA. Table 2 of the EcIA identifies/ locates pNHAs within the area, however other than the Shournagh Valley pNHA, none of the others have a hydrological connection. Cork Harbour is listed as a Ramsar Site and is also designated as one of the 'Important Bird and Biodiversity Areas (IBAs)'. Details are provided in Table 3 of the EcIA.

8.8.3. Table 4 and Figure 5 of the EcIA provides full details on the 'Habitat present within proposed development site (and study area) and their relative value'; these are mostly of Local Importance except for the area around the River Shournagh which is a 'Depositing (Lowland) River FW2 and which is of County Importance. In terms of Flora, no rare, notable or protected plant species were recorded by the applicant during their site surveys.

8.8.4. There is evidence of otter along the River Shournagh but no evidence outside of that area of the site. Table 6 provides details of the bat species found in the area. A detailed bat survey was undertaken in 2017, and it was found that the site is considered to be of high ecological value at a county scale for bats. Foraging was observed during the 2025 surveys but there was no evidence of emergence of bats from trees on site. The presence of suitable trees on site may allow for bats to roost there, this is likely, but evidence of such roosting has been difficult to detect. The Hydro building has moderate potential for roosting bats; the other buildings are less likely as roosting location due to their state of disrepair. Table 8 of the EcIA provides a 'Preliminary ground roost assessment of trees earmarked for removal'. The value

here ranges from low to moderate potential, though a number of the trees have negligible potential due to the tree type and condition. Table 10 provides a similar assessment for the remaining buildings on site. The surveys of the buildings on site found bats emergence taking place – significant levels of activity were recorded on site. Full details of the recorded bats are provided though I note that no Lesser Horseshoe Bat were recorded.

8.8.5. The EcIA recorded 12 species of terrestrial mammals in the survey area including badgers, hares, red squirrel and deer. No badgers or red squirrels were recorded within the subject site, and it is possible that the other mammals reported would use this site. The site is considered to be of negligible value for reptiles due to its topography and lack of wetland areas here. Table 11 provides details of the bird species recorded on site. Grey Wagtail and Barn Owl are on the Red List, and House Martin, Goldcrest and Swallow are on the Amber List. No Annex 1 species were recorded here. A barn owl was recorded within one of the buildings located on site.

8.8.6. Invasive plant species were recorded on site as part of the EcIA surveys. Figure 6 of the EcIA provides the location of Himalayan Knotweed on this site. No other species are expected on site such as invertebrates and the River Shournagh is not designated as a salmonid river, though its does support salmonid species and is suitable for brown trout. Section 8 of the EcIA provides details on Water Quality including Water Framework Directive (WFD) information. The River Shournagh has an At Risk WFD status and no specific pressure category identified.

8.8.7. Section 9 of the EcIA provides an 'Evaluation of Potential Impacts' and Table 15 gives the 'Predicted impacts as a result of the proposed development'. The ecological impact is found in all assessed cases to be of local importance. It is noted that parts of the site have been impacted by other development with woodland clearance having taken place but areas of this have now started to show signs of recolonisation. Positive impacts are identified through the planting of replacement trees which may be more appropriate to this site. An invasive species management plan will be developed and implemented; this will have a positive, slight and long-term impact on habitats on site.

8.8.8. Section 10 provides the 'Potential Impacts on Fauna' as follows:

Bats: 157 trees were proposed to be removed (this was reduced in number to 62 as a result of the further information response) and a significant number of saplings were

proposed to be planted on site. Suitable bat friendly lighting will be provided on site. In conclusion the impact on the bat population is predicted to be negative, moderate and long-term.

Otter: These could be impacted during the construction phase of the development, with particular reference made to indirect effects on fish stock and other food sources. Appropriate mitigation measures are provided in Section 11.1 of the EcIA, and the overall impact is expected to be neutral, imperceptible and long-term.

Other Mammals: Habitats on site are likely to be used by mammals, in particular the woodlands and areas around the River Shournagh. Commuting routes could be impacted during the construction and the overall impact is predicted to be negative, slight and long-term at the local level.

Birds: Two red listed bird species were identified on site – Barn Owl and Grey Wagtail. Construction works are likely to disturb/ displace birds from the site. The building within which the barn owl is located, is proposed for demolition. Alternative sites will be provided to encourage the owl to continue to nest on site. The development of the site for residential use is likely to see the barn owl relocate off site. In conclusion the 'impact of the proposed development on bird is predicted to be negative, slight to moderate and short-term, reducing to neutral, imperceptible to slight in the long-term.'

Other Species: No impact to amphibians or reptiles are foreseen to occur and impact on invertebrate species is expected to be slight to not significant. Suitable mitigation measures are provided in Section 11 of the EcIA. No significant impact on water quality is expected as a result of this development. It is noted that there are compliance issues with the Blarney WWTP, however minor increased in nutrient levels associated with wastewater discharge will not have a significant impact on water quality within this watercourse.

8.8.9. Cumulative impacts are detailed in Section 12 of the EcIA and considering the scale of developments in the area, no significant cumulative impacts were identified. Section 13 provides suitable mitigation measures including for water protection, noise/ working hours, lighting, ecology, biodiversity enhancement and management of invasive species.

8.8.10. **Assessment of EcIA:** The submitted information is considered to be comprehensive and is supported with appropriate survey data. Some details were updated in

response to the further information request. In relation to the submitted EcIA, I note in particular the comments about impacts on bats and the barn owl identified to be on site. I note that the applicant has obtained a Derogation (number DER-BAT-2026-155) which authorises roost disturbance and actions associated for Brown Long-Eared Bat and Whiskered Bat. This derogation is authorised between the 27th March and 31st December 2026. The impact on bats is therefore identified and recognised as significant. The measures to relocate the barn owl are also noted though it would appear that the chance of success with a relocation within the site area are low. The applicant has identified appropriate best practice measures which they intend to deploy on site. Demolition works will be limited to outside of the breeding period.

8.8.11. **Conclusion on EcIA**: I am satisfied that the submitted EcIA has identified appropriate issues and measures to mitigate against adverse impacts. There will be significant biodiversity benefits associated with the proposed landscaping and tree planting plans proposed for this site.

8.9. **Other Matters**

8.9.1. School Capacity: An issue raised in the appeals was that of available school capacity in the area. Objective 10.73 – 'Tower Education' of the Cork City Development Plan 2022 – 2028 states 'All future planning applications for multiple housing units in Tower including the phasing and numbers permitted will be examined in the context of the current and future capacity of Cloghroe National School.'

8.9.2. The applicant has addressed this issue in their appeal response and reports that the proposed 80 residential units will generate a demand for 21 – 24 primary pupils and 16 – 18 post primary pupils. They consider this to a be modest level of additional school place demand and which 'reflects the minimal increase in the context of the wider Blarney School Planning Area.' The applicant has also provided details of the Cloghroe National School enrolment policy, and the subject site is located within the catchment of the school area and from the available information children within the development would be accommodated at this school.

8.9.3. Comment was made in the appeals that the submitted information provided by the applicant was incorrect. The revised details provided in support of the appeal are noted and I agree that the development of 80 units would have a relatively minor requirement for pupil places in Cloghroe National School. The wording of the objective

does not prevent development but requires that residential schemes of the type proposed have regard to the available capacity in the national school. There is no indication that the school cannot cater for the demand generated by this development.

8.9.4. Impact on the adjoining Allotments: The issues raised by TCA and through the other appeals have been considered in this report. Addressing the concerns solely relating to the allotments, I have the following to add. Access to the allotments will not change and should not be impacted by the construction phase of the development as access will be directly off the R617. I do not foresee that the allotments will be adversely impacted by noise, dust, vibration or through nuisance during the construction and operational phases of the development due to the separation distance, nature of development in proximity and the approved CEMP will ensure that best practice will be used in the construction phase. A noise impact assessment submitted by the applicant was on the basis of noise generated from the creche, which was omitted from the development in the further information response. There is no indication as to how light pollution would impact the allotments and I do not foresee any such impact.

8.9.5. I therefore satisfied that any impact on the allotments would be short term and negligible. The alternative suggested use of the site for tourist related uses would have a similar impact as developing the site for residential use.

8.10. **Material Contravention**

8.10.1. The proposed development provides for 80 units on a site area of 4.62 hectares, providing a density of 17.3 dwelling per hectare (dph). The subject site is designated with the ZO 01 – Sustainable Residential Neighbourhoods zoning in the Cork City Development Plan 2022 – 2028. Section 3.25 of the Cork City Development Plan states, 'As a general rule the minimum density shall be 35 dwellings per hectare (net density), excluding one-off houses' for developments on greenfield sites. I am satisfied that these lands can be considered a greenfield site.

8.10.2. The applicant has outlined their justification for this development and the density through their 'Planning Statement'. The density has regard to the history of the site, the comprehensive conservation plan and historic landscape appraisal. Section 3.1.4 – 'Height and Density' details the rationale for the density of development as submitted to the Planning Authority. The Planning Cover Letter submitted in support of the further information response states 'The Planning Authority will note the unique

cultural heritage challenges at the subject site with the proposed development having been designed with higher-density housing concentrated in a defined portion of the site, which naturally lends itself to the provision of a higher proportion of smaller units given the nature of the site.'

8.10.3. The Planning Authority have reported no objection to this density. Whilst these reports are noted, I consider the issue of density to be a new issue. The third-party appeals referenced density, more so on the basis of excessive number of units proposed rather than an insufficient number of units on this site. The density at 17dph is far below the minimum of 35dph stated in the Cork City Development Plan 2022 – 2028 under Section 3.25 which states:

'Greenfield sites will need to be developed to densities that reflect their suitability for urban density. This will require a step-change in the urban density of schemes being proposed. As a general rule the minimum density shall be 35 dwellings per hectare (net density), excluding one-off houses' and as per the requirements of Objective 3.5.

8.10.4. Whilst considering the proposed density/ number of units to be a material contravention, I do also consider the proposed development to be of a good quality and appropriate in this location. I therefore recommend that the Commission invoke Section 37(2)(a) of the Planning and Development Act 2000 as amended.

8.10.5. I consider the development to be appropriate in this location in Tower for the following reasons:

- The lands are located within the urban development area of Tower in the Cork City Development Plan 2022 – 2028.
- The lands are suitably zoned with zoning objective ZO 01 – Sustainable Residential Neighbourhoods zoning in the Cork City Development Plan 2022 – 2028 and which allows for residential development of the nature proposed.
- The proposed development is designed on the basis of integration of the former Hydropathic Establishment facility into the scheme. This is listed on the record of protected structures (RPS Ref. 00815).

- The proposed development is also designed having regard to the presence of archaeological remains on site, a Fulacht Fia (CO062-227) which restricts development on that part of the site.
- The site is served by public transport, which is at a moderate frequency of a service every 30 minutes, adequate to serve this development but would be limited if a higher density were provided here.
- Suitable road and pedestrian provision is made to ensure its integration with the urban centre of Tower and Blarney to the east.

Alternatively, the Commission could decide to refuse permission for this development on the basis of insufficient numbers of units to be provided and a density which is below that specified in the Cork City Development Plan. In doing so the site would remain undeveloped and the protected structure would not benefit from the comprehensive works required to integrate it with the proposed development.

I therefore recommended that the Commission Materially Contravene the Cork City Development Plan in accordance with Section 37(2)(a) of the Planning and Development Act 2000 as amended.

## 9.0 **Appropriate Assessment Screening**

9.1.1. I have considered case ACP-324425-26 in light of the requirements S177U of the Planning and Development Act 2000 as amended.

9.1.2. The proposed residential development is located on lands to the north of the R617, on the former Hydro site in Tower, Cork, to the west of the Shournagh River. 100 residential units and a creche were applied, the number of units was reduced to 80, and the creche was omitted in response to a further information request issued by Cork City Council.

9.1.3. Having carried out screening for Appropriate Assessment of the project, it was concluded that it may have a significant effect on the Cork Harbour SPA (004030). Consequently, an AA was required of the implications of the project on the qualifying features of the site in light of its conservation objectives.

9.1.4. Following an Appropriate Assessment, it has been ascertained that the proposed development, individually or in combination with other plans or projects would not adversely affect the integrity of the Cork Harbour SPA (Code 004030) subject to the implantation in full of appropriate mitigation measures.

This conclusion is based on:

• A full and detailed assessment of all aspects of the proposed project including proposed mitigation measures and monitoring in relation to the Conservation Objectives of the Cork Harbour SPA (Code 004030).
• Detailed assessment of in combination effects with other plans and projects including historical projects, plans and current proposals.
• No reasonable scientific doubt as to the absence of adverse effects on the integrity of the Cork Harbour SPA (Code 004030).

I have had full consideration of the information, assessment and conclusions contained within the NIS. I have also had full regard to National Guidance and the information available on the National Parks and Wildlife Service (NPWS) website in relation to the identified designated Natura 2000 site. I consider it reasonable to conclude that on the basis of the information submitted in the NIS, including the recommended mitigation measures, and submitted in support of this application, that the proposed development, individually or in combination with other plans or projects would not be likely to adversely affect the integrity of the Cork Harbour SPA (Code 004030).

## 10.0 Environmental Impact Assessment (EIA)

10.1 This application was submitted to the Commission after the 1st of September 2018 and therefore after the commencement of the European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 which transpose the requirements of Directive 2014/52/EU into Irish planning law.

10.2 The applicant has addressed the issue of Environmental Impact Assessment (EIA) within the submitted EIA Screening Report (Prepared by HWP – September July 2025) and I have had regard to same. The submitted report considers that the development is below the thresholds for mandatory EIAR having regard to Schedule

5 of the Planning and Development Regulations 2001, due to the number of units falling below 500 units and developable site size at 4.6 hectares and the fact that the proposal is unlikely to give rise to significant environment effects, a formal EIAR is not required. In addition, detailed and comprehensive assessments have been undertaken to assess/ address all potential planning and environmental issues relating to the development; these are included in support of the application.

10.3 The Planning Authority reported that 'The Development does not required a mandatory EIA' and 'As regards subthreshold development, screening has been carried out.'

10.4 Item 10(b) of Part 2 of Schedule 5 of the Planning and Development Regulations 2001 as amended, and section 172(1)(a) of the Planning and Development Act 2000 as amended provides that an EIA is required for infrastructure developments comprising of urban development which would exceed:

- 500 dwellings
- 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. A business district is defined as 'a district within a County or town in which the predominant land use is retail or commercial use'.

10.5 Item (15)(b) of Schedule 5 Part 2 of the Planning and Development Regulations 2001 as amended provides that an EIA is required for: "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."

10.6 Environmental Impact Assessment is required for development proposals of a class specified in Part 1 or 2 of Schedule 5 that are sub-threshold where the Commission determines that the proposed development is likely to have a significant effect on the environment. For all sub-threshold developments listed in Schedule 5 Part 2, where no EIAR is submitted or EIA determination requested, a screening determination is required to be undertaken by the competent authority unless, on preliminary

examination it can be concluded that there is no real likelihood of significant effects on the environment.

10.7 The applicant submitted an EIA Screening with the application, and this document provides the information deemed necessary for the purposes of screening sub-threshold development for an Environmental Impact Assessment.

10.8 The various reports submitted with the application address a variety of environmental issues and assess the impact of the proposed development, in addition to cumulative impacts with regard to other permitted developments in proximity to the site, and demonstrate that, subject to the various construction and design related mitigation measures recommended, the proposed development will not have a significant impact on the environment. I have had regard to the characteristics of the site, location of the proposed development, and types and characteristics of potential impacts. I have examined the sub criteria having regard to the Schedule 7A information and all other submissions, and I have considered all information which accompanied the application including inter alia:

- Planning Statement (HWP - September 2025)
- Statement of Consistency with Planning Policy (HWP – September 2025)
- Design Statement (Hogan Associates – September 2025)
- Landscape & Visual Assessment (DMNA Ltd – September 2025)
- Landscape Strategy Green/ Blue Infrastructure Statement (DMNA Ltd – September 2025)
- Photomontages of proposed development at Former Hydropathic Establishment, Kilnamucky, Tower, Blarney, Cork (Pedersen Focus Ltd – September 2025)
- Traffic and Transport Assessment (Martin Hanley Consulting Engineers Ltd – September 2025)
- Engineering Services Report (K J Barry & Associates Ltd – revised August 2025)
- Wastewater Drainage Assessment Report – (K J Barry & Associates Ltd – revised June 2025)
- Construction Environmental Management Plan (Martin Hanley Consulting Engineers Ltd – September 2025)

- Construction Resource Waste Management Plan (Martin Hanley Consulting Engineers Ltd – September 2025)

- Noise Impact Assessment (Wave Dynamics Acoustic Consultants – September 2025)

- Ecological Impact Assessment (Dixon Brosnan – September 2025)

- Appropriate Assessment Screening & Natura Impact Statement (Dixon Brosnan – September 2025)

In response to a further information request issued by Cork City Council, the following were submitted:

- Planning Cover Letter (HWP – April 2026)

- Architects Response (Hogan Associates – March 2026)

- Report in Support of Appropriate Assessment (AA) Screening & Natura Impact Statement (NIS) RFI Update (Dixon Brosnan – March 2026)

- Conservation Method Statement (John Cronin & Associates – December 2022)

- Tree Survey Updated for Reply to Further Information Request (South of Ireland Tree Surveys – March 2026)

10.9 The EIA screening report prepared by the applicant has under the relevant themed headings considered the implications and interactions between these assessments and the proposed development, and as outlined in the report states that the development would not be likely to have significant effects on the environment. I am satisfied that all other relevant assessments have been identified for the purposes of screening out EIAR.

10.10 I have completed an EIA screening assessment as set out in Appendix 3 and 4 of this report. I consider that the location of the proposed development and the environmental sensitivity of the geographical area would not justify a conclusion that it would be likely to have significant effects on the environment. The proposed development does not have the potential to have effects the impact of which would be rendered significant by its extent, magnitude, complexity, probability, duration, frequency or reversibility. In these circumstances, the application of the criteria in Schedule 7 to the proposed sub-threshold development demonstrates that it would not be likely to have significant effects on the environment and that an environmental impact assessment is not required before a grant of permission is considered. This

conclusion is consistent with the EIA Screening Statement submitted with the application.

10.11 A Screening Determination should be issued confirming that there is no requirement for an EIAR based on the above considerations.

## 11.0 **Water Framework Directive**

10.12 The subject site is located to the north of the R617 Blarney to Tower Road, and the River Shournagh forms the eastern/ north eastern boundary of this site. The lands are mostly under grass/ woodland except for an area to the west which consists of the former Hydropathic Establishment, and five detached houses to the south east which are located outside of the development site.

10.13 The proposed Large Scale Residential Development (LRD) comprises of the construction of a residential development of 80 units on a developable site area of 4.6 hectares; the original proposal for 100 unit and creche was revised in response to a further information request issued by Cork City Council.

10.14 I have assessed the development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. I have undertaken a WFD Impact Assessment Stage 1: Screening and which is included in Appendix 3 after my report. This assessment considered the impact of the development on:

- Ballinhassig East (IE_SW_G_004) – Groundwater
- Shournagh River - Shournagh_030 (IE_SW_19S010300) - Watercourse located to the eastern/ north eastern boundary of the site.

Having regard to the nature, scale, and location of the proposed development, and the mitigation measures incorporated into the design; it is concluded that the proposed development will not:

• Result in deterioration of the ecological, chemical, or quantitative status of any relevant surface water or groundwater body;

• Increase pollutant loading or alter the hydrological regime of any receiving watercourse;

• Prevent or impede achievement of environmental objectives under the applicable River Basin Management Plan.

Any residual risks are capable of being addressed through the proposed mitigation measures and implementation of a Construction Environmental Management Plan (CEMP).

**Conclusion**

The proposed development is considered to be in compliance with the requirements of Article 4 of the Water Framework Directive.

## 12.0 Conditions and Recommendations Table

The following table summarises the conditions/ recommendations of the Cork City Council grant of permission and how they will be addressed in a decision to grant permission:

| **Cork City Council Condition/ Recommendation** | **Recommended Relevant Condition** |
|---|---|
| 1. Development to be undertaken in accordance with the plans and details submitted. | Condition No.1 |
| 2. Section 47 Agreement and restrict sale of housing. | Condition No. 28 |
| 3. Employment of an ecological clerk of works. | Condition No. 15 |
| 4. Limit on site clearance works. | Condition No. 18 |
| 5. Bird surveys by ecologist prior to works. | Condition No.3 |
| 6. Exclusion zones around identified nests. | Condition No.3 |
| 7. Provision of 4 barn owl boxes and details. | Condition No. 18 |
| 8. Ecologist or ECOW shall supervise vegetation/ hedgerow clearance. | Condition No. 15 |
| 9. Integrated Pest Management (IPM) to be implemented on site. | Condition No. 20 |
| 10. Ecologist – NPWS Bat Licenced person to survey the site, be present during the removal of any trees and | Condition No. 17 |

| | |
|---|---|
| ensure that bat relocation licences are obtained in advance of such works. | |
| 11. Installation of bat boxes. | Condition No. 23 |
| 12. No works that may impact bats without a suitable Bat Derogation Licence. | Condition No. 17 |
| 13. Public Lighting scheme to be bat friendly. | Condition No. 7 |
| 14. Provision of an alien invasive species management plan. | Condition No. 21 |
| 15. Management of construction waste generated on site. | Condition No. 25 |
| 16. Control of noise on site. | Condition No. 26 |
| 17. Management of waste generated on site. | Conditions No. 25 & 26 |
| 18. Control of noise, hours of construction and piling on site. | Condition No. 26 and 27 |
| 19. Control of dust, noise, odours and spillages and removal of dirt/ litter from public locations including roads. | Condition No. 26 |
| 20. Tree felling, prevent run-off from the site, protect river banks and protect the water quality of rivers. | Conditions No. 3 and 15 |
| 21. Proposals for energy use on site. | Not included – lack of certainty over this and potential for impacts. |
| 22. Preparation of a Construction and Demolition Resource Waste Management Plan. | Conditions No. 25 and 26. |
| 23. Public lighting details. | Condition No. 7 |
| 24. Footpath details/ 2m width to the front of residential units 91 – 104. | Not required – layout is revised. |
| 25. Footpath details to the front of residential units 55 - 58. | Condition No. 12 |
| 26. Footpath details/ 2m width to the front of residential units 59 – 65 and proposed creche. | Condition No. 12 |
| 27. New footpath connecting the front of unit 15 to the footpath in front of unit 6. | Condition No. 12 |
| 28. Relocation of the bicycle store to the front of unit 78. | Condition No. 12 |
| 29. Details of the traffic calming measures to be agreed. | Condition No. 9 |
| 30. Reserve in-curtilage parking for individual units, to be reflected in the Taking in Charge details. A minimum of 20% of parking spaces shall be enabled to support the delivery of electric vehicle charging points. | Conditions No. 10 and 11. |

| | |
|---|---|
| 31. Construction traffic to use the entrance onto the R617. Final Construction Traffic Management Plan to be agreed with Cork City Council. | Addressed through Condition no. 26 |
| 32. Section 96 agreement. | Addressed through Condition no. 29 |
| 33. Drainage details. | Addressed through Conditions no. 13 and 14. |
| 34. Comply with Part H of the Building Regulations. | Not required – Separate Code. |
| 35. Drainage to be in accordance with submitted/ revised plans. | Addressed through Condition No. 14. |
| 36. New storm water connection to be applied for. | Addressed through Condition No. 14. |
| 37. Provide a cctv survey of the public sewerage system on site prior to and post connection of the development. | Addressed through Condition No. 14. |
| 38. SuDS Assessment Report on completion of development. | Addressed through Condition No. 14. |
| 39. Details of design, access/ inspection and maintenance of attenuation system. | Addressed through Condition No. 14. |
| 40. Taking in charge and drainage details | Condition No. 22. |
| 41. Attenuation tank design details. | Condition No. 14 |
| 42. Provision of petrol interceptors. | Condition No. 3 – NIS. |
| 43. Update drawings for works to the Hydro. Works to be undertaken in accordance with submitted details. | Condition No. 5 |
| 44. Details on supervision and works to the Hydro. | Condition No. 5 |
| 45. Provision of wheel wash and sweep front of the site along the R617. | Condition No. 26 |
| 46. Details of the Native Woodland Management Scheme to be agreed with the Planning Authority etc. | Condition No. 19 |
| 47. Compliance with General Contribution Scheme. | Condition No. 31 |
| 48. Cash bond to be lodged. | Condition No. 30 |

## 13.0 Recommendation

13.1 I consider the principle of development as proposed to be acceptable on this site. The site is suitably zoned for residential use under Z0 01 where residential development is proposed. The site is serviced and is located to the north west of Cork City between Tower and Blarney, and which benefits from existing public transport, social, educational and commercial services. The proposed development is of a suitably high

quality and provides for a mix of apartments and houses on an area of land with significant open space/ amenity space. The proposed development will also ensure that the remaining structures, which are in poor condition, which formed the Hydropathic Establishment would be renovated and incorporated into the development, thereby ensuring their existence into the future.

13.2 I do not foresee that the development will negatively impact on the existing residential and visual amenities of the area. Suitable pedestrian and public transport is available to serve the development.

13.3 I am satisfied that this subject site, which is located in an established urban area, on appropriately zoned lands, with a range of services available and which is in an accessible location, is suitable for the development of 80 residential units and note the following:

- The lands are suitably zoned for residential development of this nature. Under the Cork City Development Plan 2022 – 2028, the site is zoned ZO 01 – 'Sustainable Residential Neighbourhoods' with an objective 'To protect and provide for residential uses and amenities, local services and community, institutional, educational and civic uses'.
- The area is well served by community, social, retail and amenity infrastructure. The proposed development provides for extensive public/ communal open space.
- The area is served by public transport and active travel measures.
- There is a clear requirement for residential units in this part of Cork City and more specifically in this part of Tower and Blarney. The proposed development offers a suitable mix of housing which supports the existing housing provision in the area.

13.4 I recommend that permission be GRANTED for the development, for the reasons and considerations and subject to the conditions set out below.

## 14.0 Reasons and Considerations

Having regard to:

(i) the site's location on lands with a zoning objective 'ZO 01 – 'Sustainable Residential Neighbourhoods' with an objective 'To protect and provide for residential

uses and amenities, local services and community, institutional, educational and civic uses' in the Cork City Development Plan 2022-2028,

(ii) the nature, scale and design of the proposed development which is consistent with the provisions of the Cork City Development Plan 2022-2028 and appendices contained therein,

(iii) to Delivering Houses, Building Communities 2025-2030: An Action Plan on Housing Supply and Targeting Houselessness,

(iv) the provisions of the National Biodiversity Action Plan 2023-2030, which have been considered,

(v) the provisions of the Sustainable Residential and Compact Settlement Guidelines for Planning Authorities (January 2024),

(vi) the Design Standards for Apartments, Guidelines for Planning Authorities, July 2025,

(vii) the Climate Action Plan 2024 and the Climate Action Plan 2025,

(viii) the availability in the area of a wide range of social and transport infrastructure,

(ix) to the pattern of existing and permitted development in the area,

(x) Planning Report and supporting technical reports of Cork City Council,

(xi) to the submissions and observations received,

(xii) the Inspectors report;

It is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would be acceptable in terms of urban design, height and quantum of development and would be acceptable in terms of traffic and pedestrian safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

The proposed development would contravene Section 3.25 of the Cork City Development Plan 2022 – 2028 which states:

‘Greenfield sites will need to be developed to densities that reflect their suitability for urban density. This will require a step-change in the urban density of schemes being proposed. As a general rule the minimum density shall be 35 dwellings per hectare (net density), excluding one-off houses.’

This is a greenfield site located to the eastern side of Tower, Co. Cork. The proposed development of 80 residential units on a site area of 4.62 hectares provides for a density of 17.3 dwellings per hectare, far below the 35 stated in the Cork City Development Plan.

However, having regard to the need for housing in the area, the quality of the proposed development including layout, room/ storage and private amenity size, the provision of large areas of public open space, the retention of a large number of trees augmented with significant planting of new saplings a layout which will ensure that adequate separation distances are provided, the incorporation of the remains of the former Hydropathic Establishment into the development, the provision of a suitable buffer around a Fulacht Fia – listed on the Record of Monument and Places, and a layout that protects existing residential amenity, it is considered that having regard to the provisions of 37(2)(a) of the Planning and Development Act 2000 (as amended), that the proposed development would be in accordance with the proper planning and sustainable development of the area.

## 15.0 Recommended Draft Order

### 15.1 Application:

For permission under the Planning and Development Act 2000 as amended, in accordance with plans and particulars, lodged with An Coimisiún Pleanála on the 6th of July 2026 by OMD (C) Limited.

**Proposed Development:**

- A Large Scale Residential Development (LRD) consisting of the construction of 80 residential units, the partial demolition of St. Ann’s Hydropathic Establishment (RPS PS1168), change of use of former coach house, restore a clock tower and all associated site works. A NIS was submitted with the application. The number

of units was reduced from 100 to 80 in response to a further information request issued by Cork City Council.

- An NIS is included with the application.

**Appeal:**

Third-Party appeals by:

- Cathy Kennedy
- Blarney Castle Estate
- Douglas & Olwen Fenn
- Hydro Farm Allotment Group
- Zwena McCullough

against the decision to grant permission subject to conditions as issued by Cork City Council.

**15.2 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.

**Matters Considered:**

In making its decision, the Commission had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any observations received by it in accordance with statutory provisions.

In coming to its decision, the Commission had regard to the following:

(i) the site's location on lands with a zoning objective 'ZO 01 – 'Sustainable Residential Neighbourhoods' with an objective 'To protect and provide for

residential uses and amenities, local services and community, institutional, educational and civic uses',

(ii) the nature, scale and design of the proposed development which is consistent with the provisions of the Cork City Development Plan 2022-2028 and appendices contained therein,

(iii) to Delivering Houses, Building Communities 2025-2030: An Action Plan on Housing Supply and Targeting Houselessness,

(iv) the provisions of the National Biodiversity Action Plan 2023-2030, which have been considered,

(v) the provisions of the Sustainable Residential and Compact Settlement Guidelines for Planning Authorities (January 2024),

(vi) the Design Standards for Apartments, Guidelines for Planning Authorities, July 2025,

(vii) the Climate Action Plan 2024 and the Climate Action Plan 2025,

(viii) the availability in the area of a wide range of social and transport infrastructure,

(ix) to the pattern of existing and permitted development in the area,

(x) Planning Report and supporting technical reports of Cork City Council,

(xi) to the submissions and observations received,

(xii) the Inspectors report;

it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would be acceptable in terms of urban design, height and quantum of development and would be acceptable in terms of traffic and pedestrian safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

The proposed development would contravene Section 3.25 of the Cork City Development Plan 2022 – 2028 which states:

‘Greenfield sites will need to be developed to densities that reflect their suitability for urban density. This will require a step-change in the urban density of schemes being proposed. As a general rule the minimum density shall be 35 dwellings per hectare (net density), excluding one-off houses.’

This is a greenfield site located to the eastern side of Tower, Co. Cork. The proposed development of 80 residential units on a site area of 4.62 hectares provides for a density of 17.3 dwellings per hectare, far below the 35 stated in the Cork City Development Plan.

However, having regard to the need for housing in the area, the quality of the proposed development including layout, room/ storage and private amenity size, the provision of large areas of public open space, the retention of a large number of trees augmented with significant planting of new saplings a layout which will ensure that adequate separation distances are provided, the incorporation of the remains of the former Hydropathic Establishment into the development, the provision of a suitable buffer around a Fulacht Fia – listed on the Record of Monument and Places, and a layout that protects existing residential amenity, it is considered that having regard to the provisions of 37(2)(a) of the Planning and Development Act 2000 (as amended), that the proposed development would be in accordance with the proper planning and sustainable development of the area.

**Appropriate Assessment (AA):**

The Commission completed an Appropriate Assessment screening exercise in relation to the potential effects of the proposed development on designated European sites, taking into account the nature, scale and location of the proposed development within a suitably zoned and adequately serviced urban site, the Appropriate Assessment Screening Report submitted with the application, the Inspector’s Report, and reports on file.

In completing the screening exercise, the Commission adopted the report of the Inspector and concluded that, by itself or in combination with other development 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, other than Cork

Harbour SPA (Site Code 004030) which there is a likelihood of significant effects. There was therefore a requirement to carry out a Stage 2 Appropriate Assessment.

**Appropriate Assessment Stage 2**

The Commission considered the Natura Impact Statement and all other relevant submissions including expert submissions received and carried out an appropriate assessment of the implications of the proposed development on Cork Harbour SPA (Site Code 004030) in view of the site's Conservation Objectives. The Commission considered that the information before it was sufficient to undertake a complete assessment of all aspects of the proposed development in relation to the site's Conservation Objectives using the best available scientific knowledge in the field.

In completing the assessment, the Commission considered, in particular, the following:

(a) the likely direct and indirect impacts arising from the proposed development both individually or in combination with other plans or projects,

(b) the mitigation measures which are included as part of the current proposal, and

(c) the conservation objectives for the European site.

In completing the Appropriate Assessment, the Commission accepted and adopted the Appropriate Assessment carried out in the Inspector's report in respect of the potential effects of the proposed development on the aforementioned European site, having regard to the site's conservation objectives.

In overall conclusion, the Commission was satisfied that the proposed development, by itself or in combination with other plans or projects, would not adversely affect the integrity of European site in view of the sites' conservation objectives. This conclusion is based on a complete assessment of all aspects of the proposed project and there is no reasonable scientific doubt as to the absence of adverse effects.

**Environmental Impact Assessment (EIA):**

The Commission completed an environmental impact assessment screening of the proposed development and considered that the Environmental Impact Assessment Screening Report submitted by the applicant, which contains the information set out Schedule 7A to the Planning and Development Regulations 2001 (as amended), identifies and describes adequately the direct, indirect, secondary, and cumulative effects of the proposed development on the environment.

Having regard to:

- The nature and scale of the proposed development, which is below the threshold in respect of Class 10(b)(i) and 10b(iv) of Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended,
- Class 14 of Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended,
- The location of the site on lands within the Cork City Development Plan 2022 - 2028 as varied, and the results of the strategic environmental assessment of the Cork City Development Plan undertaken in accordance with the SEA Directive (2001/42/EC),
- The location of the site on lands governed by zoning objective 'ZO 01 – 'Sustainable Residential Neighbourhoods' with an objective 'To protect and provide for residential uses and amenities, local services and community, institutional, educational and civic uses',
- The existing use on the site and pattern of development in surrounding area,
- The planning history relating to the site,
- The availability of mains water and wastewater services to serve the proposed development,
- The criteria set out in Schedule 7 of the Planning and Development Regulations 2001 (as amended), and
- The features and measures proposed by applicant envisaged to avoid or prevent what might otherwise be significant effects on the environment, including measures identified in the Construction Environmental Management Plan.

it is considered that the proposed development would not be likely to have significant effects on the environment and that the preparation and submission of an environmental impact assessment report would not, therefore, be required.

**Conclusions on Proper Planning and Sustainable Development:**

The Commission considered the proposed development to be generally in accordance with National and Regional Guidance and Local Policy and is in accordance with the proper planning and sustainable development of the area. They were satisfied that this subject site, which is located in an established urban area to the north west of Cork City between Tower and Blarney, on appropriately zoned lands, with a range of services available and which is in an accessible location, is suitable for the development of 80 residential units and they note the following:

- The location of the site between Blarney and Tower to the north of the R617 road.
- The lands are suitably zoned for residential development of the nature proposed. Under the Cork City Development Plan 2022 – 2028, the site is zoned 'ZO 01 – 'Sustainable Residential Neighbourhoods' with an objective 'To protect and provide for residential uses and amenities, local services and community, institutional, educational and civic uses'.
- The area is served by community, social, retail and amenity infrastructure.
- The area is well served by public transport and active travel measures.
- There is a clear requirement for residential units in this part of Cork City.
- The proposal is acceptable in terms of meeting the requirements of relevant guidelines including the Apartment Guidelines 2025 and also demonstrates compliance with the Cork City Development Plan 2022 – 2028 in terms of meeting relevant residential standards.

The proposed development provides for the incorporation of the remaining structures which formed the former Hydropathic Establishment on this site; these are included in the Cork City Record of Protected Structures – PS1168 refers. These structures, which are in poor condition, would be restored and their existence ensured into the future as part of this development.

The Commission considered that, subject to compliance with the conditions set out below, the proposed development would constitute an acceptable residential density at this location, would not seriously injure the residential or visual amenities of the area

or of property in the vicinity, would be acceptable in terms of urban design, height, and quantum of development, as well as in terms of traffic and pedestrian safety and convenience. The proposal would, subject to conditions, provide an acceptable form of residential amenity for future occupants.

The proposed development would therefore be in accordance with the proper planning and sustainable development of the area.

## 16.0 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 16th of April 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.
In default of agreement the matter(s) in dispute shall be referred to An Coimisiún Pleanála for determination.

**Reason**: In the interest of clarity.

2. The number of residential units permitted by this grant of permission is 80 residential units consisting of 55 houses and 25 apartment units.

**Reason**: In the interests of clarity.

3. The mitigation measures and recommendations contained in the submitted Natura Impact Statement (NIS) and the Ecological Impact Assessment (EcIA) shall be implemented in full.

**Reason**: To protect the environment.

4. Details of the materials, colours, and textures of all the external finishes to the proposed buildings shall be as submitted with the application, unless otherwise agreed in writing with, the Planning Authority prior to commencement of development. In default of agreement the matter(s) in dispute shall be referred to An Coimisiún Pleanála for determination.

**Reason**: In the interest of clarity and visual amenity.

5. Prior to the commencement of development, a detailed method statement for the repair and conservation of the former Hydropathic Establishment buildings, including the clock tower, shall be prepared by a qualified professional with specialised conservation expertise and shall be submitted for the written agreement of the Planning Authority. This method statement shall include:
a) Full specifications, including details of materials and methods, to ensure that the development is undertaken in accordance with best conservation practice;
b) Information relating to the protection of existing historic fabric from damage during the conservation works.
These repair works shall be in accordance with best conservation practice and the Architectural Heritage Protection Guidelines for Planning Authorities (2011) and Advice Series issued by the Department of Housing, Local Government and Heritage. Any repair works shall retain the maximum amount of surviving historic fabric in situ. Items to be removed for repair off-site shall be recorded prior to removal, catalogued and numbered to allow for authentic reinstatement.

**Reason**: In the interest of protecting, conserving and enhancing the heritage of the protected structure and its curtilage structures and demesne.

6. Proposals for a development name and numbering scheme and associated signage shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development. Thereafter, all such names and numbering shall be provided in accordance with the agreed scheme.

**Reason**: In the interest of urban legibility.

7. a) Public lighting shall be provided in accordance with a scheme, which shall include lighting along pedestrian routes through the communal open spaces, details of which shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development/installation of lighting. Such lighting shall be provided prior to the making available for occupation of any residential unit.
b) Artificial lighting shall be designed in accordance with the 2023 BCT Lighting Guidance (GN08/23 Bats and Artificial Lighting At Night) or the most recent updated guidance.

**Reason**: In the interests of amenity, public safety and to minimise disturbance related impacts on protected species.

8. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

**Reason:** In the interests of visual and residential amenity.

9. a) The road network serving the proposed development, including the provision of turning bays, parking areas, traffic calming measures footpaths and kerbs, shall be in accordance with the detailed construction standards of the Planning Authority for such works.

b) A Stage 3 Road Safety Audit shall be provided in accordance with the requirements of Cork City Council.

In default of agreement the matter(s) in dispute shall be referred to An Coimisiún Pleanála for determination.

**Reason:** In the interest of amenity and of traffic and pedestrian safety.

10. (a) The car parking facilities hereby permitted shall be reserved solely to serve the proposed development. All car parking spaces shall be assigned permanently for the residential development as indicated and shall be reserved solely for that purpose. These residential spaces shall not be utilised for any other purpose, including for use in association with any other uses of the development hereby permitted, unless the subject of a separate grant of planning permission.

(b) Suitable indicated car parking shall be made available for car share use.

**Reason**: To ensure that adequate parking facilities are permanently available to serve the proposed residential units and the remaining development.

11. A minimum of 20% of all car parking spaces serving the apartment units should be provided with functioning EV charging stations/ points, and ducting shall be provided for all remaining car parking spaces for apartments and houses. Where proposals relating to the installation of EV ducting and charging stations/points has not been submitted with the application, in accordance with the above noted requirements, such proposals shall be submitted and agreed in writing with the Planning Authority prior to the occupation of the development.

**Reason**: To provide for and/or future proof the development such as would facilitate the use of Electric Vehicles.

12. The developer shall submit for the written agreement of the Planning Authority, prior to the commencement of development, the following:

a) The provision of a 2m wide footpath opposite units no. 57-60 and which connects to the opposite of units no. 69/70.

b) A 2m wide footpath to the front of units 61-67.

c) A 2m wide footpath connecting unit no. 15 to unit no.6.

d) The bicycle parking area to the north of House D to be relocated to an accessible location following agreement with the Planning Authority.

**Reason**: To support enhanced sustainable mobility and ensure the creation of a safe pedestrian environment.

13. Drainage arrangements including the attenuation and disposal of surface water, shall comply with the requirements of the Planning Authority for such works and services.

**Reason**: In the interest of public health and surface water management

14. The developer shall enter into water and waste water connection agreement(s) with Uisce Éireann, prior to commencement of development.

**Reason**: In the interest of public health.

15. a) The site shall be landscaped (and earthworks carried out) in accordance with the detailed comprehensive scheme of landscaping, which accompanied the application submitted, unless otherwise agreed in writing with, the Planning Authority prior to commencement of development.
b) Full details of site management to be agreed with the Planning Authority prior to the commencement of development.
c) A fully qualified arborist shall be employed during the site development works.
d) A fully qualified Landscape Architect shall be employed during the landscaping phases of the development.
e) A fully qualified Ecologist or Ecological Clerk of Works shall be employed during the development of the site.

**Reason**: In the interest of residential and visual amenity.

16. Measures for the protection of those trees which it is proposed to be retained shall be submitted to, and agreed in writing with, the planning authority before any trees are felled.

**Reason**: To facilitate the identification and subsequent protection of trees to be retained on the site, in the interest of visual amenity.

17. Prior the commencement of felling/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.

**Reason**: For the protection of bats, a protected species.

18. Site clearance works, including removal of existing vegetation and buildings, are not permitted during the bird nesting season (1st March to 1st September). Where this is not possible, such works can only proceed if it has been verified in writing by a qualified ecologist that no nest is present. If a nest is present, then works can only proceeds under licence from the National Parks and Wildlife Service. All records of breeding birds are to be submitted to the National Biodiversity Data Centre.

**Reason**: To protect bird species, present on site.

19. Details of the proposed Native Woodlands Management Scheme shall be submitted for the written agreement of the Planning Authority/ Cork City Parks department prior to commencement of development.

**Reason**: In the interest of orderly development and to protect the amenities of the area.

20. An Integrated Pest Management (IPM) shall be implemented on site to reduce the risk of rodenticide exposure to the nesting and foraging birds of prey (Barn owl) that use the site to feed and breed within.

**Reason**: To reduce the risk of rodenticide exposure to local birds of prey.

21. 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**: To prevent the spread of alien invasive species

22. (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.

23. Details including elevational/ floor plans and locations of the following, shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development:
a) The provision of four barn owl nest boxes in suitable locations
b) Provision of a suitable number and type of bat boxes on site.
The above to be guided by the Ecological Clerk of Works.

**Reason**: In the interest of protecting and promoting biodiversity.

24. (a) A plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials and for the ongoing operation of these facilities for each apartment unit shall be submitted to, and agreed in writing with, the Planning Authority not later than 6 months from the date of commencement of the development. Thereafter, the waste shall be managed in accordance with the agreed plan.
(b) This plan shall provide for screened communal bin stores, the locations, and designs of which shall be included in the details to be submitted.
(c) This plan shall provide for screened bin stores, which shall accommodate not less than three standard sized wheeled bins within the curtilage of each house plot.

**Reason:** In the interest of residential amenity, and to ensure the provision of adequate refuse storage.

25. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of

development. The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Region.

**Reason:** In the interest of sustainable waste management.

26. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including:

a) Location of the site and materials compound(s) including area(s) identified for the storage of construction and demolition refuse;
b) Location of areas for construction site offices and staff facilities;
c) Details of site security fencing and hoardings;
d) Details of on-site car parking facilities for site workers during the course of construction;
e) Details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site;
f) Measures to obviate queuing of construction traffic on the adjoining road network;
g) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;
h) Alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works;
i) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;
j) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater;

k) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;
l) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.
m) A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be kept for inspection by the Planning Authority.

**Reason:** In the interest of amenities, public health and safety.

27. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Saturdays inclusive, 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.

28. (a) Prior to the commencement of any residential 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 residential unit), pursuant to Section 47 of the Planning and Development Act 2000, that restricts all relevant houses, apartments 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 residential 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 residential 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.

29. 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 in accordance with the requirements of section 94(4) and section 96(2) and (3) (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate shall have been applied for and been granted under section 97 of the Act, as amended. Where such an agreement is not reached within eight weeks from the date of this order, the matter in dispute (other than a matter to which section 96(7) applies) may 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 of the area.

30. 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.

31. The developer shall pay to the Planning Authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer, or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

**Reason:** It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

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

Paul O'Brien

Inspectorate
7th October 2026

# Appendix 1: Screening for Appropriate Assessment

| Screening for Appropriate Assessment<br>Test for likely significant effects | |
|---|---|
| **Step 1: Description of the project and local site characteristics** | |
| **Brief description of project** | A Large-Scale Residential Development (LRD) for the demolition/ retention/ renovation of existing structures on site, the construction of 80 residential units, provision of open space, planting of saplings and all associated site works, on lands to the north of the R617, St Anns Hill, Kilnamucky, Tower, Co. Cork. |
| **Brief description of development site characteristics and potential impact mechanisms** | The subject site with a stated area of 11.11 hectares, of which 4.62 hectares is to be developed. The development includes the partial demolition of buildings associated with the former Hydropathic Establishment and the renovation/ refurbishment of remaining buildings to be incorporated into a residential development of 80 units.<br><br>Foul drainage will be through the public system, with treatment in the Blarney WWTP. Water will also be supplied from the public system. The Shournagh River is located to the north eastern/ eastern boundary of this site.<br><br>Potential Impact Mechanisms:<br>Construction Phase:<br>• Loss of Habitats – Can be ruled out due to the development lands not within a designated site, there were no recorded SCI Birds using these lands during the survey periods, there are no |

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| | wetlands of significance on site meaning SCI species will not forage here and the site is therefore outside of the core range for SCI birds associated with Cork Harbour SPA.<br>• Noise and Disturbance – No impact on SCI birds due to distance from the SPA boundary, the lack of suitable habitats and disturbance will not impact on these birds.<br>• Surface water run-off - containing silt, sediments and/or other pollutants into hydrocarbons into the River Shournagh and in turn flowing into Cork Harbour, or surface water network – cannot be ruled out without suitable mitigation measures.<br>• Wastewater Discharges – Can be ruled out. Scale of development during construction phase and separation distance will ensure no impact on the SPA.<br>• Impact from Invasive Species – Himalayan Knotweed, Bamboo, Cherry Laurel, Himalayan Honeysuckle (Pheasant Bush), Montbretia Buddleia and Winter Heliotrope have been recorded on site. These will be controlled/ managed by suitable measures. As there is no pathway for these to impact on the SPA, no likely significant effects from the spread of invasive species have been identified.<br><br>Operational Phase:<br><br>• Loss of Habitat – Rule out, development is not within the designated site – SPA.<br>• Noise and Disturbance – Rule out due to nature/ scale of development and distance to the SPA. |

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|---|---|
| | • Surface water run-off containing silt, sediments and/or other pollutants into nearby waterbodies or surface water network – cannot be ruled out. Potential for increased run-off due to the increased areas of hardstanding and increased potential for hydrocarbons on site.<br>• Wastewater Discharges – Can be ruled out. Wastewater will be treated at the Blarney WWPT and although this was non-compliant with the licenced Emission Limit Values (ELVs), there is no indication that the minor increases in nutrient levels will have a negative impact on water quality.<br>• Impact from Invasive Species – Can be ruled out due to distance from the SPA and lack of suitable pathway. |
| **Screening report** | Y - The Applicant submitted an Appropriate Assessment (AA) Screening Report dated September 2025. In response to the further information request issued by Cork City Council, an updated AA was provided, and which is dated March 2026. |
| **Natura Impact Statement** | Y - The Applicant submitted a Natura Impact Statement (NIS) dated September 2025. In response to the further information request issued by Cork City Council, an updated NIS was provided, and which is dated March 2026. |
| **Relevant submissions** | The submitted appeals did not raise any specific issues of concern in relation to Appropriate Assessment. |
| **Step 2. Identification of relevant European sites using the Source-pathway-receptor model**<br><br>**The Applicant's submitted AA Screening included the following:** | |

| European Site (code) | Qualifying interests[1] Link to conservation objectives (NPWS, date) | Distance from proposed development (km) | Ecological connections[2] | Consider further in screening[3] Y/N |
|---|---|---|---|---|
| • Cork Harbour SPA (004030) | • Little Grebe (Tachybaptus ruficollis) [A004]<br>• Great Crested Grebe (Podiceps cristatus) [A005]<br>• Cormorant (Phalacrocorax carbo) [A017]<br>• Grey Heron (Ardea cinerea) [A028]<br>• Shelduck (Tadorna tadorna) [A048]<br>• Teal (Anas crecca) [A052]<br>• Pintail (Anas acuta) [A054]<br>• Red-breasted Merganser (Mergus serrator) [A069] | 12.1km to the south east/ 19.7km downstream. | • Surface water run-off containing silt, sediments and/ or other pollutants into Cork Harbour SPA – Construction and Operational Phases. | **Y**<br>• Screened in for further assessment. |

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|---|---|---|---|---|
| | • Oystercatcher (Haematopus ostralegus) [A130]<br>• Golden Plover (Pluvialis apricaria) [A140]<br>• Grey Plover (Pluvialis squatarola) [A141]<br>• Lapwing (Vanellus vanellus) [A142]<br>• Dunlin (Calidris alpina) [A149]<br>• Black-tailed Godwit (Limosa limosa) [A156]<br>• Bar-tailed Godwit (Limosa lapponica) [A157]<br>• Curlew (Numenius arquata) [A160]<br>• Redshank (Tringa totanus) [A162] | | | |

| | | | | |
|---|---|---|---|---|
| | • Black-headed Gull (Chroicocephalus ridibundus) [A179]<br>• Common Gull (Larus canus) [A182]<br>• Lesser Black-backed Gull (Larus fuscus) [A183]<br>• Common Tern (Sterna hirundo) [A193]<br>• Wigeon (Mareca penelope) [A855]<br>• Shoveler (Spatula clypeata) [A857]<br>• Wetland and Waterbirds [A999] | | | |

**Step 3. Describe the likely effects of the project (if any, alone <u>or</u> in combination) on European Sites**

**AA Screening matrix**

| **Site name**<br>**Qualifying interests** | **Possibility of significant effects (alone) in view of the conservation objectives of the site*** |
|---|---|

| | Impacts | Effects |
|---|---|---|
| Cork Harbour SPA (004030) | Direct:<br>• Potential significant effect due to direct hydrological connection to the site. | • Impact on water quality during the construction and operational phases of the proposed development. Would impact on SCI species. |
| | Likelihood of significant effects from proposed development (alone): **YES.**<br>Consideration is also given to In-Combination Effects. | |
| | | |

**Step 4 Conclude if the proposed development could result in likely significant effects on a European site**

I conclude that the proposed development would have a likely significant effect 'alone' on QIs associated with Cork Harbour SPA (004030) –

- Potential for water pollution due to surface water drainage runoff during the construction and operational phases of the development.

An Appropriate Assessment is required on the basis of the effects of the project 'alone'. Further assessment in-combination with other plans and other projects is not required at this time.

# Appendix 2

## Stage 2 – Appropriate Assessment

The applicant has provided a Natura Impact Statement (NIS), in accordance with the requirements of the Stage 2 Appropriate Assessment process. A detailed list of supporting documentation is provided in the submitted Natura Impact Statement.

I am satisfied that the submitted NIS is in accordance with current guidance/ legislation/ best practice and the information included within the report in relation to baseline conditions and potential impacts are clearly set out and supported with sound scientific information and knowledge. The NIS examines and assesses the potential adverse effects of the proposed development on the Cork Harbour SPA, where it has been established that there is a possibility for significant effects on the designated European sites, in the absence of mitigation as a result of hydrological impacts during the construction and operational phases of this development. As reported in the Appropriate Assessment Screening, all other European designated sites can be excluded from the need for further assessment.

Table 9 of the applicant's NIS report provides 'SCI Species for which a potential impact has been identified – specific targets' and Table 10 provides 'Conservation Status of SCI Species within Cork Harbour'. Full details of the SPA are provided, and I have had full regard to NPWS information on Cork Harbour SPA.

Section 6 of the applicants NIS provides an 'Assessment of Likely Significant Effects'. This includes surface water runoff during the construction phase, surface water runoff during the operational phase and in-combination impacts. Impacts could arise from increased silt levels, suspended solids, and through hydrocarbon discharge. The increased area of hardstanding provided in the operational phase could give rise to increased levels/ speed of run-off with infiltration rates reduced.

Section 7 of the applicants NIS provides details on the 'Mitigation Measures' to be used on site. A Construction Environmental Management Plan (CEMP) has been prepared and includes suitable mitigation measures; other measures will be implemented during the course of the development in accordance with the guidelines outlined in Section 6 of the NIS. On-going training will be provided on site for those involved in construction. The following specific measures to be implemented:
Water Protection Measures:

- The provision of on-site settlement ponds to capture on-site surface water and treat sediment prior to discharge at a controlled rate.
- Foul water generated on site to be collected and tanked off site to a licensed discharge facility.
- Potable water on site to be located away/ protected from potential sources of contamination.
- Relocation of electricity, gas and telecommunication utilities to be carried out by operators or approved contractors.
- Discharge from wheel was to be treated on site and sediment to be disposed off site at a licensed facility.
- A site manager to monitor water quality and revised procedures may be required to be implemented if the quality is below the expected standards.

Water pumped from Excavations:

- Measures to be taken to capture and treat water laden with sediment. This may include the use of silt traps, and the area of exposed ground will be minimized as much as possible.
- Groundworks to be limited to when required and closing/ backfilling of trenches to take place as soon as possible.
- Use geotextile liners etc. to prevent scouring and erosion of soils.
- Control of surface water runoff as already detailed.
- Discharge points of surface water runoff to be agreed with Cork City Council Environment Section prior to the commencement of development on site.
- Works to be undertaken during suitable weather conditions.

- Works to the stream bank shall be limited to what is necessary and no hydrocarbons to be stored in the area of the watercourse.

Silt Fence:

- Silt fencing to be provided along the eastern boundary of the site, in accordance with the CEMP but will be subject to further assessment as each area/ phase is developed.
- Full details of the minimum standard of Silt Fencing is provided in the NIS.
- Maintenance to take place as required and inspections to be carried out on a daily basis.

Excavations, Erosion and Sediment Control:

- Rainwater and groundwater to be directed to on-site settlement ponds.
- Settlement ponds to be constructed to a specified standard.
- Surface water discharge to be agreed with Cork City Council.

Accidental Spills and Leaks

- All fuels, oils, paints and chemicals shall be stored in a secure bunded area.
- Refuelling to be managed and strictly controlled on site according to specified requirements.
- Full details of procedures to deal with accidental pollution events and spillage kits to be made available to staff on site.
- Limit the volumes of fuels and oils that are stored on site.

Concrete

- Concrete batching to take place off stie where possible.
- Wash down to take place off site.
- Other procedures in relation to the use of concrete to be clearly set out.

Wheel Wash Areas

- Full control and management of wheel wash to be clearly set out.

- Cover systems to be used on all vehicles removing materials so as to ensure that dust is minimised.

Section 8 of the NIS considers 'In-Combination effects' and full details are provided in Table 7 of the applicant's report. No measurable in-combination impacts are considered likely to Cork Harbour SPA from other developments.

The NIS concludes,
'It has been objectively concluded following an examination, analysis and evaluation of the relevant information, including in particular the nature of the predicted effects from the proposed development and with the implementation of the mitigation measures proposed, that the construction and operation of the proposed development will not adversely affect (either directly or indirectly) the integrity of any European site, either alone or in combination with other plans or projects. There is no reasonable scientific doubt in relation to this conclusion.'

**NIS Assessment:**
I have relied on the following guidance: Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities, DoEHLG (2009); Assessment of plans and projects significantly affecting Natura 2000 sites. Methodological guidance on the provisions of Article 6(3) and 6(4) of the Habitats Directive 92/43/EC, EC (2002); Managing Natura 2000 sites, The provisions of Article 6 of the Habitats Directive 92/43/EEC, EC (2018).

The Cork Harbour SPA is subject to appropriate assessment. A description of the sites and their Conservation Objectives and Qualifying Interests are set out in the submitted NIS and have already been outlined in this report as part of my assessment. I have also examined the Natura 2000 data forms as relevant and the Conservation Objectives supporting documents for these sites available through the NPWS website.

Aspects of the Development that could adversely affect the designated sites: The main aspects of the development that could impact the conservation objectives of

the European sites are through deterioration of water quality by pollution and deposition of silt/ sediment/ contaminated water and dust during the construction and operational phases of this development.

Mitigation: A range of mitigation measures are provided in the NIS, and these are noted. These refer to the construction and operational phases of this development.

Overall, I consider that the proposed mitigation measures are clearly described, and precise, and definitive conclusions can be reached in terms of avoidance of adverse effects on the integrity of designated European sites based on the outlined mitigation measures. I consider that the mitigation measures are necessary having regard to the proximity/ hydrological connection of the site to the Cork Harbour SPA (Site Code 004030). Overall, the measures proposed are effective, reflecting current best practice, and can be secured over the short and medium term and the method of implementation will be through a detailed management plan and appropriate monitoring through the construction and operational phases of the development.

**Appropriate Assessment Conclusion:**

The proposed residential development on lands to the north of the R617, on the former Hydro site in Tower, Cork, to the west of the Shournagh River have been considered in light of the assessment requirements of Sections 177U and 177V of the Planning and Development Act 2000 as amended. Having carried out screening for Appropriate Assessment of the project, it was concluded that it may have a significant effect on the Cork Harbour SPA (004030). Consequently, an AA was required of the implications of the project on the qualifying features of the site in light of its conservation objectives.

Following an Appropriate Assessment, it has been ascertained that the proposed development, individually or in combination with other plans or projects would not adversely affect the integrity of the Cork Harbour SPA (Code 004030) subject to the implantation in full of appropriate mitigation measures.

This conclusion is based on:

• A full and detailed assessment of all aspects of the proposed project including proposed mitigation measures and monitoring in relation to the Conservation Objectives of the Cork Harbour SPA (Code 004030).
• Detailed assessment of in combination effects with other plans and projects including historical projects, plans and current proposals.
• No reasonable scientific doubt as to the absence of adverse effects on the integrity of the Cork Harbour SPA (Code 004030).

I have had full consideration of the information, assessment and conclusions contained within the NIS. I have also had full regard to National Guidance and the information available on the National Parks and Wildlife Service (NPWS) website in relation to the identified designated Natura 2000 site. I consider it reasonable to conclude that on the basis of the information submitted in the NIS, including the recommended mitigation measures, and submitted in support of this application, that the proposed development, individually or in combination with other plans or projects would not be likely to adversely affect the integrity of the Cork Harbour SPA (Code 004030).

# Appendix 3

## EIA Pre-Screening

| | |
|---|---|
| **An Coimisiún Pleanála Case Reference** | ACP-324425-26 |
| **Proposed Development Summary** | A Large Scale Residential Development consisting of the construction of 100 residential units, the partial demolition of St. Ann's Hydropathic Establishment (RPS PS1168), provision of a creche, change of use of former coach house, restore a clock tower and all associated site works. The number of units was reduced to 80 and the creche unit was omitted on receipt of further information. |
| **Development Address** | St. Ann's Hill, Kilnamucky, Tower, Blarney, Cork. |

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| **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** | √ |
| | | |

| **2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?** | | | |
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| **Yes** | √ | Class 10. Infrastructure Projects –<br>(b)(i) Construction of more than 500 dwelling units<br>(iv) Urban Development | Proceed to Q3. |
| **3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?** | | | |
| **No** | √ | Class 10. Infrastructure Projects –<br>(b)(i) Construction of more than 500 dwelling units:<br>80 units proposed – below threshold. | Proceed to Q4 |

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| | | (b)(iv) Urban Development – Site area is 11.38 hectares, but only 4.6 hectares forms part of the development site. The lands on and adjoining the site to the north/ east and west are mostly in agricultural or in use for single housing. The development site is below the '10 hectares in the case of other parts of a built-up area'. | |
| **4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?** | | | |
| N/A | | | |

| **5. Has Schedule 7A information been submitted?** | | |
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| **No** | | |
| **Yes** | √ | Yes. Information contained within the Environmental Impact Assessment Screening provided by the applicant meets the requirements for Schedule 7A information as follows:<br>1. Description of Development: Provided in Sections 2.1, 2.2 and 2.3.<br>2. Aspects of the environment likely to be affected by the proposed development: Provided in Section 2.4.<br>3. Likely Significant effects:<br>a) Residues, emissions and waste: Section 2.5.<br>b) Use of natural resources: Section 2.6.<br>**4.** Take into account the above/ Schedule 7 information: Provided in the report – Schedule 7 details are considered in Section 4 of the applicant's report and follow the information |

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| | | required in Schedule 7. The likely impact for each item is considered.<br>**As Schedule 7A information is provided a Screening Determination is required.** |

## Appendix 4: EIA Screening Determination:

| A. CASE DETAILS | | |
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| **An Coimisiún Pleanála Case Reference** | ACP-324425-26 | |
| **Development Summary** | A Large Scale Residential Development consisting of the construction of 100 residential units, the partial demolition of St. Ann's Hydropathic Establishment (RPS PS1168), provision of a creche, change of use of former coach house, restore a clock tower and all associated site works. The number of units was reduced to 80 and the creche unit was omitted on receipt of further information. Located at St. Ann's Hill, Kilnamucky, Tower, Blarney, Cork. | |
| | **Yes/ No/ N/A** | **Comment (if relevant)** |
| **1.** Was a Screening Determination carried out by the PA? | Yes | Below threshold and therefore no need for an EIA in this case. |
| **2.** Has Schedule 7A information been submitted? | Yes | Environmental Impact Assessment Screening Report – Dated September 2025 |
| **3.** Has an AA screening report or NIS been submitted? | Yes | Appropriate Assessment Screening & Natura Impact Statement – 'Report in Support of Appropriate Assessment (AA) Screening & Natura Impact Statement (NIS)' – Dated September 2025 and 'RFI Update' dated March 2026. |

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| **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? | No | |
| **5.** 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 | • Ecological Impact Assessment Report – Dated September 2025.<br>• Noise Impact Assessment – Dated September 2025.<br>• Landscape & Visual Assessment – Dated September 2025.<br>• Landscape Strategy Green/Blue Infrastructure Statement – Dated September 2025.<br>• Drainage Impact Assessment includes a Flood Risk Assessment – Dated September 2025.<br><br>Provided in response to Cork City Council Further Information (FI) request:<br><br>• Conservation Method Statement – Dated December 2022 |

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| | | • Letter dated March 2026 – updating ecological information. | |
| **B. EXAMINATION** | | **Where relevant, briefly describe the characteristics of impacts (ie the nature and extent) and any Mitigation Measures proposed to avoid or prevent a significant effect**<br><br>(having regard to the probability, magnitude (including population size affected), complexity, duration, frequency, intensity, and reversibility of impact) | **Is this likely to result in significant effects on the environment?**<br><br>**Yes/ No/ Uncertain** |
| **1. Characteristics of proposed development** (including demolition, construction, operation, or decommissioning) | | | |
| **1.1** Is the project significantly different in character or scale to the existing surrounding or environment? | | The development proposes the provision of residential development in the form of | **No.** |

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| | houses and apartment units. These are two storey units. The development will include the refurbishment and integration of the former Hydro facility buildings, protected structure, into the development. The development would not be out of character with the existing form of development in the area. | |
| **1.2** Will construction, operation, decommissioning or demolition works cause physical changes to the locality (topography, land use, waterbodies)? | The proposed development will result in the construction of residential development on lands that are zoned for residential use. | **No.** |

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| | The development includes the incorporation and reuse of the former Hydro facility into the scheme. | |
| **1.3** Will construction or operation of the project use natural resources such as land, soil, water, materials/minerals or energy, especially resources which are non-renewable or in short supply? | Construction materials will be typical of such an urban development. The loss of natural resources or local biodiversity as a result of the development of the site are not regarded as significant in nature. The development includes the planting of significant numbers of saplings on site. | **No.** |

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| **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? | Construction activities will require the use of potentially harmful materials, such as fuels, hydraulic oils and other such substances. Such use will be typical of construction sites. Any impacts would be local and temporary in nature, and the implementation of a finalised Construction Environmental Management Plan will satisfactorily mitigate potential impacts. No operational impacts in this regard are anticipated. | **No.** |

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| **1.5** Will the project produce solid waste, release pollutants or any hazardous / toxic / noxious substances? | Construction activities will require the use of potentially harmful materials, such as fuels and other such substances and give rise to waste for disposal. Such use will be typical of construction sites. Noise and dust emissions during construction are likely. Such construction impacts would be local and temporary in nature and implementation of a Construction Environmental Management Plan will satisfactorily mitigate | **No.** |

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| | potential impacts. Operational waste will be managed via a Waste Management Plan. Significant operational impacts are not anticipated. | |
| **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 significant risk identified subject to the implementation of appropriate mitigation measures. The operation of the Construction Environmental Management Plan will satisfactorily mitigate emissions from spillages during construction. The operational development will connect to | **No.** |

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| | mains services. Surface water drainage will be separate to foul services within the site. No significant emissions during operation are anticipated. | |
| **1.7** Will the project cause noise and vibration or release of light, heat, energy or electromagnetic radiation? | Potential for construction activity to give rise to noise and vibration emissions. Such emissions will be localised, short term in nature and their impacts may be suitably mitigated by the operation of a Construction Environmental Management Plan. Management of the scheme in accordance | **No.** |

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| | with an agreed Management Plan will mitigate potential operational impacts. | |
| **1.8** Will there be any risks to human health, for example due to water contamination or air pollution? | Construction activity is likely to give rise to dust emissions. Such construction impacts would be temporary and localised in nature, and the application of the submitted Construction Environmental Management Plan would satisfactorily address potential impacts on human health. No significant operational impacts are anticipated. | **No.** |

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| **1.9** Will there be any risk of major accidents that could affect human health or the environment? | No significant risk having regard to the nature and scale of development. Any risk arising from construction will be localised and temporary in nature. The site is not at risk of flooding. There are no Seveso / COMAH sites in the vicinity of this location. | **No.** |
| **1.10** Will the project affect the social environment (population, employment) | The development of this site as proposed will result in a change of use and an increased population at this location. This is not regarded as significant given | **No.** |

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| | the character of the area. Employment will be generated during the construction phase of this development. | |
| **1.11** Is the project part of a wider large scale change that could result in cumulative effects on the environment? | Development has been recently completed on five detached houses located to the south east of the site and which the subject development will integrate with. There are no other similar developments in the immediate area which would have a cumulative effect on the environment. | **No** |
| **2. Location of proposed development** | | |

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| **2.1** Is the proposed development located on, in, adjoining or have the potential to impact on any of the following:<br>a) European site (SAC/ SPA/ pSAC/ pSPA)<br>b) NHA/ pNHA<br>c) Designated Nature Reserve<br>d) Designated refuge for flora or fauna<br>e) 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 | No European sites located on or adjacent to the site. An Appropriate Assessment Screening/ Natura Impact Statement (NIS) was provided in support of the application. No adverse effects are foreseen subject to recommended mitigation measures including, suitable provision of silt traps, site/ machinery/ vehicle management. | **No.** |
| **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 | No adverse effects on designated sites are foreseen. | **No.** |

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| migration, be significantly affected by the project? | A Derogation Licence has been received for bat roost disturbance – for Brown Long-Eared Bat and Whiskered Bat which are species of bat with a favourable conservation status. | |
| **2.3** Are there any other features of landscape, historic, archaeological, or cultural importance that could be affected? | The former Hydropathic Establishment buildings are listed on the Cork City Record of Protected Structures (PS1168 refers). These will be incorporated into the proposed development. The former clocktower on site is also to | **No.** |

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| | be refurbished as part of this development. | |
| **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, water/coastal, fisheries, minerals? | There are no such features that arise in this location. | **No.** |
| **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? | None on site.<br>A flood risk assessment was prepared, and no issues of concern were identified.<br>The proposed development is located within Flood Zone C. | **No.** |
| **2.6** Is the location susceptible to subsidence, landslides or erosion? | No such impacts are foreseen. | **No.** |
| **2.7** Are there any key transport routes (e.g. National primary Roads) on or around the location which are susceptible to congestion or which cause environmental problems, which could be affected by the project? | The site accesses the public road/ R617 via an existing new access to the south of the site. | **No.** |

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| **2.8** Are there existing sensitive land uses or community facilities (such as hospitals, schools etc) which could be significantly affected by the project? | None in the vicinity of the subject site. | **No.** |
| **3. Any other factors that should be considered which could lead to environmental impacts** | | |
| **Cumulative Effects:** Could this project together with existing and/or approved development result in cumulative effects during the construction/ operation phase? | There are no existing/ approved developments in the area that would give rise to cumulative effects. | **No.** |
| **3.2 Transboundary Effects:** Is the project likely to lead to transboundary effects? | No trans-boundary effects arise as a result of the proposed development. | **No.** |
| **3.3** Are there any other relevant considerations? | **No.** | **No.** |
| **C. CONCLUSION** | | |
| **No real likelihood of significant effects on the environment.** | √ | EIAR Not Required |
| **Real likelihood of significant effects on the environment.** | | EIAR Required |
| **D. MAIN REASONS AND CONSIDERATIONS** | | |
| Having regard to: - | | |

a) the nature and scale of the proposed development, which is below the threshold in respect of Class 10(b)(i) and 10(b)(iv) of Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended,
b) The existing use on the site and pattern of development in surrounding area,
c) The availability of mains water and wastewater services to serve the proposed development,
d) The location of the development outside of any sensitive lands,
e) The guidance set out in the "Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development", issued by the Department of the Environment, Heritage and Local Government (2003),
f) The criteria set out in Schedule 7 and 7A of the Planning and Development Regulations 2001 as amended, and
g) The features and measures proposed by applicant envisaged to avoid or prevent what might otherwise be significant effects on the environment,

It is considered that the proposed development would not be likely to have significant effects on the environment and that the preparation and submission of an environmental impact assessment report would not therefore be required.

**Inspector** _____ **Date** _____

**Approved (DP/ADP)** _____ **Date** _____

| Appendix 5: WFD IMPACT ASSESSMENT STAGE 1: SCREENING | | | |
|---|---|---|---|
| **Step 1: Nature of the Project, the Site and Locality** | | | |
| **An Coimisiún Pleanála ref. no.** | **ACP-324425-26** | **Townland, address** | St. Ann's Hill, Kilnamucky, Tower, Blarney, Cork. |
| **Description of project** | | A Large Scale Residential Development consisting of the construction of 100 residential units, the partial demolition of St. Ann's Hydropathic Establishment (RPS PS1168), provision of a creche, change of use of former coach house, restore a clock tower and all associated site works. A NIS was submitted with the application. The number of units was reduced to 80 and the creche unit was omitted on receipt of further information. | |
| **Brief site description, relevant to WFD Screening,** | | The subject site has a stated area of 11.11 hectares, of which 4.62 hectares is to be developed. The development includes the partial demolition of buildings associated with the former Hydropathic Establishment and the renovation/ refurbishment of remaining buildings to be incorporated into a residential development of 80 units.<br><br>The River Shournagh is located along the eastern/ north eastern boundary of the site. This eventually discharges into Cork Harbour SPA 19.7km downstream of the site. The site slopes upwards on a south east to northwest axis though the rise is not uniform throughout this | |

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| | large site area. There is extensive tree cover on site and evidence of areas that have been cleared of woodland. Five detached houses are located to the south eastern part of the site, which do not form part of this application but the access to these also serves the subject development. |
| **Proposed surface water details** | SuDS measures to be implemented by the developer in the engineering and landscaping design. |
| **Proposed water supply source & available capacity** | For Tower, served by the Cork City WRZ, for water supply there is 'Capacity Available - LoS improvement required' – dated April 2026. |
| **Proposed wastewater treatment system & available capacity, other issues** | For Tower, including the subject site which is served by the Blarney WWTP, in terms of wastewater treatment there is a 'Green' indication of available capacity – dated April 2026. |
| **Others?** | N/A |

| **Step 2: Identification of relevant water bodies and Step 3: S-P-R connection** | | | | | | | |
|---|---|---|---|---|---|---|---|
| **Identified water body** | **Water body name(s) (code)** | **WFD Status** | **Risk of not achieving WFD** | **Identified pressures on that** | **Pathway linkage to water feature** | **Mitigation Measures Proposed** | **Is mitigation sufficient?** |

| | | | | | | | |
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| | | | **Objective e.g.at risk, review, not at risk** | **water body** | **(e.g. surface run-off, drainage, groundwater)** | | **Will there be any residual impacts?** |
| Groundwater | Ballinhassig East (IE_SW_G_004) | Good | Not at Risk | N/A | Groundwater | SuDS Measures as part of the development | Yes, no residual impacts expected. |
| River Waterbody | Shournagh River Shournagh_030 (IE_SW_19S010300) | Good | At Risk | Urban Waste water. | Surface water run-off/ Drainage. | Suitable foul drainage system and treatment in public system. | Yes, no residual impacts expected. |