

## APPENDIX A

### Part 1

**The Chief Executive's views on the effects of the proposed development on the proper planning and sustainable development of the area of the authority and on the environment, having regard in particular to the matters specified in section 34(2) of the Planning and Development Act, 2000, as amended, and submissions and observations duly received by the Board in relation to the application**

#### 1. Documents of note

The following documents are of note with respect to the proper planning and sustainable development of the area:

- *Project Ireland 2040: Building Ireland's Future (national planning policy)*
- *Rebuilding Ireland: Action Plan for Housing and Homelessness*
- *Southern Region's Regional Spatial and Economic Strategy (RSES)*
- *Cork Metropolitan Area Transport Strategy (CMATS)*
  
- *Sustainable Residential Developments in Urban Areas (May 2009)*
- *Best Practice Urban Design Manual, Parts 1 & 2 (May 2009)*
- *Design Manual for Urban Roads and Streets (2013)*
- *Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2018 -2020)*
- *Urban Development and Building Heights: Guidelines for Planning Authorities (2018)*
- *Quality Housing for Sustainable Communities (2007)*
- *Architectural Heritage Protection Guidelines for Planning Authorities (Revised 2011)*
- *Childcare Facilities Guidelines (June 2001)*
- *The Planning System and Flood Risk Management Guidelines for Planning Authorities (2009)*
  
- *Cork City Development Plan 2015 -2021*
- *DRAFT Cork City Development Plan 2022-2028*
- *Mahon LAP 2017 (Lapsed)*

Relevant Development Plan policies were already outlined within the Planning Authority's submission in regard to the Opinion on whether the development constituted a valid S.H.D.

This document should be read in conjunction with the City Council's Opinion and ABP's documentation following the pre-application consultation processes.

#### 2. Brief description of development

This Strategic Housing Development application comprises the demolition of existing agricultural buildings/shed structures and retention of buildings, construction of a residential development, associated supporting infrastructure and all ancillary site development works at Bessborough, Ballinure, Blackrock, Cork.

The proposed development comprises the following:

- The demolition of 10 no. existing agricultural buildings/shed structures and log cabin residential structure;

- The retention and re-purposing of 2 no. existing farmyard buildings;
- The construction of 140 number build to sell residential units, a crèche and resident amenity facilities;
- A new pedestrian/cycle bridge over the Passage Greenway including a connection to the existing down ramp from Mahon onto the Greenway
- Ancillary site works to include substations, car parking areas, communal/public open space areas, landscaping, services, etc...

The proposed SHD provides for 140 no. apartments over 3 blocks ranging in heights from 1 to 5 stories, consisting of:

- 70 no. 1-bedroom apartments
- 69 no. 2-bedroom apartments
- 1 no. 3-bedroom apartments

### **3. Planning History**

#### **3.1 Subject Site Planning History:**

##### TP 05/30165

Permission to remove part of the ruined farm sheds at the rear of the site, to retain and incorporate the existing masonry wall in the construction of a new two storey Enviromental Centre, comprising teaching spaces, offices, library, canteen and ancillary spaces (734sqm). The proposed development is located within the curtilage of a protected structure at Bessborough Estate, Blackrock, Cork.

**Permission granted by Cork City Council**

##### ABP 28.203096 (TP 03/27028)

Permission provision of an access road and associated site services for the development of lands at Bessborough Estate, Blackrock, Cork

**Permission granted by Cork City Council and upheld by An Bord Pleanála.**

##### TP 02/26591

Permission for one storey creche/pre-school facility and associated covered courtyard, pergola, ad car parking area and refurbishment of existing Montessori adjacent to existing hostel at Bessborough Estate, Blackrock, Cork

**Permission granted by Cork City Council**

##### TP 02/25856

Permission to construct resource centre & 20 no. residential units & associated site works & services at Bessboro Estate, Bessboro Road, Skehard Road, Cork

**Permission granted by Cork City Council**

ABP 28/129140 (TP 02/25811)

Permission for a day care centre & ancillary facilities at Site Adjacent To Shb Hostel, Bessboro Road, Skehard Road, Cork

**Permission granted by Cork City Council and upheld by An Bord Pleanála**

TP 01/25779

Permission to build a detached contemplative room in the grounds of sacred heart convent at Bessboro Road, Skehard Road, Cork

**Permission granted by Cork City Council**

**3.2 Relevant Adjacent Planning History:**ABP-308790-20

Strategic Housing Development application for 179 no. apartments, creche and all associated site works at Bessboro, Ballinure, Blackrock, Cork.

**Permission refused by An Bord Pleanála**

*Refusal Reason:*

- 1. Having regard to the Fifth Interim Report (2019) and the Final Report (2020) of the Commission of Investigation into Mother and Baby Homes, and on the basis of the information submitted in the course of the application and oral hearing, the Board is not satisfied that the site was not previously used as, and does not contain, a children's burial ground and considers that there are reasonable concerns in relation to the potential for a children's burial ground within the site, associated with the former use of the lands as a Mother and Baby Home over the period 1922 to 1998. In this context, the Board considers that it would be premature to grant permission for the proposed development prior to establishing whether there is a children's burial ground located within the site and the extent of any such burial ground. It also considers that it would be premature to grant permission given the implications of such for the satisfactory implementation of the development as proposed. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.*

ABP- 309560-21 (TP 20/39705)

Permission for the construction of a residential development and all ancillary site works at Bessboro, Ballinure, Blackrock, Cork. The proposed development will consist of 67 no. apartments in an 8-storey apartment building comprising 29 no. 1-bedroom apartments and 38 no. 2-bedroom apartments. The proposed development will provide for a new pedestrian and cyclist entrance onto the Passage West Greenway and vehicular access will be via an existing access road off the Bessboro Road. The proposed development also includes communal open space areas, landscaping, under-podium car parking spaces, bicycle parking spaces, bin stores, public lighting and all ancillary site development works including an

upgrade of the existing sewer line. A Natura Impact Statement (NIS) will be submitted to the Planning Authority with the application.

### **Permission refused by Cork City Council and upheld by An Bord Pleanála**

#### *Refusal Reason:*

- 1. The majority of the site is located within area zoned ZO12 Landscape Preservation Zone in the current Cork City Development Plan, the objective for which is to preserve and enhance the special landscape and visual character of the area. There is a presumption against development within this zone, with development only open for consideration where it achieves the site specific objectives as set out in Chapter 10, Table 10.2. The proposed development comprising an eight-storey apartment block (Block D) has been designed as part of a larger residential development of 246 apartments and a creche in four blocks. Having regard to the refusal of permission by An Bord Pleanála under appeal reference number ABP-308790-20 on the 25<sup>th</sup> day of May, 2021 for the three number apartment blocks comprising of 179 number apartments, creche and all associated site works which form part of the said larger development, it is considered that a grant of permission for the proposed development on its own by reason of its location, height and scale would result in a haphazard form of development that would result in an isolated apartment block in a protected landscape. The proposed development would, therefore, materially contravene the ZO12 Landscape Preservation zoning objective and the related SE4 site specific objectives for the site as set out in Table 10.2 and would be contrary to the proper planning and sustainable development of the area.*

### **3.3 Other Adjacent Planning History:**

#### TP 21/40503

Permission GRANTED for the change of use of an existing building from office use to classrooms and associated educational use. The building area subject to the change of use is the ground floor of the existing two storey Coach Building, the existing single storey Anvil Building with attached toilet block, and the existing two storey Gallery Building, all part of an enclosed courtyard structure.

#### TP 21/40481

Permission GRANTED for the construction of a new single storey detached classroom to be associated with the existing Bessborough Creche including all associated site works,

#### TP 18/37820

Permission GRANTED (by way of Material Contravention of the City Development Plan) for the demolition and removal of the existing warehouse/distribution building and associated structures and the construction of 135 no. residential units comprising 24 no. dwelling houses, 64 no. duplex apartments and a three storey apartment block (comprising 20 no. apartments) and a four storey apartment block (comprising 27 no. apartments). 1 no. crèche.

#### TP 17/37565

Permission GRANTED (by way of Material Contravention of the City Development Plan) for the construction of 66 no. residential units and all associated ancillary development works

including vehicular access (including 2 no. entrances on to Bessboro Road), parking, footpaths, landscaping, drainage and amenity areas.

TP 09/34237

Permission GRANTED for the construction of a two storey Nursing Home and an external boiler house on their lands at Bessborough, Blackrock, Cork. The development will provide 95 no bedrooms together with associated living and dining accommodation. The proposal includes all associated site works, access arrangements, solar panels, lighting, landscaping and the provision of 55 no parking spaces at Bessborough Estate, Blackrock, Cork.

TP 08/32883

Permission GRANTED for change of use from museum to youth ministry/religious education including associated accommodation and ancillary facilities. The work will involve remodelling internally and some minor external alterations including new roof lights at Bessborough Estate, Blackrock, Cork.

TP 07/32573

Permission GRANTED for the construction of a single and part two storey Convent Building on their lands at Bessborough Estate, Blackrock, Cork.

TP 07/32270

Permission GRANTED for construction of 1) a three storey Resource Centre, 2) an external boiler house, 3) an underground storm attenuation system and associated site works at Bessborough Estate, Blackrock, Cork, for the Irish Wheel Chair Association.

TP 06/31496

Permission GRANTED for development of a Child and Adolescent Psychiatric In-patient Unit comprising a 20 bed unit and therapy centre with ancillary administration, a school, a gym and staff facilities. The facility will be located within and will extend beyond the existing disused hospital, link block and Chapel in the grounds of Bessboro House (a Protected Structure) at Mahon, Cork.

### 3.4 Other

There are many other minor applications relating to adjoining properties which are not considered of relevance in this instance. These are available on the planning register.

## 4. Internal Reports (detailed Reports contained in Appendix B)

Planning Policy	No objection, subject to conditions
City Architect	No objection, subject to modifications to the scheme.
Infrastructure	No objection, subject to conditions.
Parks and Landscape Section	No objection, subject to modifications to the scheme.

Conservation	No objection, subject to modifications to the scheme.
Urban Roads & Street Design (Planning)	No objection subject to conditions
Traffic Regulation and Safety	No objection, subject to conditions
Drainage	No objection, subject to conditions
Environment	No objection, subject to conditions
Housing	No objection, subject to Part V Condition.
Heritage	No report on file
Archaeology	No objection, subject to conditions
Water	No objection, subject to conditions
Environmental Management	No report on file
Trees Officer	No report on file
Chief Fire Officer	Further detail / modifications required.

## 5. Third Party Submissions

A number of third party submissions were made to An Bord Pleanála.

A summary of the issues raised in the submissions is set out below (this is not intended to be an exhaustive list of the issues raised, but a summary – for full details refer to the actual submissions on file).

### Legacy of Bessboro Mother and Baby Home

- *Concern that the history of the building and grounds will be compromised and that the last few acres should be left preserved;*
- *Outrage that this peaceful space could be overshadowed by blocks of apartments which adds to, and perpetuates, the trauma suffered by Bessborough survivors;*
- *The Mother and Baby Homes Commission of Investigation states that the burial places of 859 children are unknown;*
- *Proposal may disturb the burial place of the children buried on site;*
- *The former Mother and Baby ‘home’ is part of Blackrock’s identity and its heritage should be preserved and never be forgotten;*
- *The preservation of any part of the land is welcomed however the proposed Remembrance Park in front of Bessborough House is considered more about honouring the landscape in front of the house and not about remembering those that died or who were incarcerated in Bessborough as the front lawn is unlikely to have any burials as this would have been in full sight of Bessboro House and the drive to it from the main gates;*
- *Previous ground investigations were inconclusive and therefore belief that the majority of burials were not confined to a singular area;*
- *Concern that the proposal for forensic archaeological testing in conjunction with construction is a means to an end and not about finding nor honouring the missing children and their families;*
- *Any investigation of the site should be done independently without any other motives or possible conflict of interest;*
- *Adoptees come from all over the world to visit the place they were born in and to reflect on how lucky they were to get out alive;*
- *Mothers come to the site to reflect on their time there and grieve for their children lost to adoption or whose burial places are unknown;*
- *Opportunity to change the legacy of Bessborough;*

- *Important that any development does not have any negative impact on the great services being provided on site by the HSE and other Agencies;*
- *There has been no independent investigation into the missing children;*
- *The burials on site include the remains of family members of submitters;*
- *Experts can't agree on the interpretation of the map and don't know how many children would be buried on site, therefore there is too much ambiguity as to where the majority of children may be buried. The land should be preserved until such a time that a full investigation can take place;*
- *When the Children, Women and Girls died in Bessborough the State and Council had a duty of care to make sure they had a 'right to life' and if they died then the burials should be registered however there are no records;*
- *Belief that building on the grounds is criminal;*
- *Developers and Government have not engaged in public consultation with survivors, adoptees, victims or local residents;*

#### **Built Heritage**

- *Proposed developments not in keeping with the historical setting and landscape of Bessborough House or the history of the former Mother and Baby Institution;*
- *The proposed apartments are not in keeping with the history of the grounds and will be just another estate of homes with the horrific truth of the grounds History lost;*

#### **Natural Heritage**

- *Concern relating to the impact on flora and fauna;*
- *Should be encouraging green spaces in our suburbs;*
- *Proximity of site to Douglas Estuary supports biodiversity and should be retained as part of Conservation Area;*
- *If the 'Meadows' site and adjacent lands were put back into original grasslands there could be a real "meadow" for the members of the community to enjoy;*

#### **Loss of recreational use of lands**

- *Council should develop a regional park on the grounds*
- *Preserving Bessborough as a green space will become more important to quality of life as the city expands;*
- *Concern that proposal does not accord with Draft City Development Plan with regards to Green Infrastructure and providing city parks to meet the needs of the population;*

#### **Traffic**

- *Current infrastructure is overloaded with traffic congestion throughout the day;*
- *Concerns regarding the impacts traffic will have on residents;*
- *Concerns regarding the traffic access to and from Bessborough with only one road in and out and with no further access being discussed;*

#### **Other Issues**

- *There are other areas in the area more suitable for housing in the future, such as the businesses along Bessboro Road should any of these sites become unused similar to a number of development currently taking place in this location;*

## **6. Prescribed Bodies:**

### **6.1 Irish Water:**

- *Advises that a water connection is feasible without an infrastructure upgrade by Irish Water. The connection will be made to the existing 150mm DI adjacent to the site.*
- *The Bessborough wastewater pumping station (WWPS) is almost at design loading capacity. Irish Water has a project underway to replace the existing pumps which will increase the pump rate and provide sufficient capacity to accommodate this development. Project scheduled to be completed by Q4 2022. Connection could be completed as soon as possibly practicable after this. The new development to discharge directly to Bessborough WWPS via a new inlet sewer.*
- *The applicant is entirely responsible for the design and construction of all water and/or wastewater infrastructure within the development redline boundary.*

Irish Water recommends that ABP attach a number of conditions (see Appendix C)

## **6.2 Transport Infrastructure Ireland:**

*Transport Infrastructure Ireland indicates that it will rely on the Planning Authority to abide by official policy in relation to development on / affecting roads as outlined in the DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities (2012).*

## **7. Summary of the views of the relevant elected members**

Council Members were invited to a meeting held on 9<sup>th</sup> May 2022. In attendance were:

- Councillor Kavanagh
- Councillor Cahill
- Councillor McCarthy
- Councillor Bogue
- Councillor Desmond
- Councillor Nugent
- Councillor Rying
- Councillor Tynan
- Councillor Forde
- Councillor Kelleher
- Councillor Boylan
- Councillor Maloney
- Councillor Boyle

The Members were advised on the legislative and policy context and the planning history of the site. The Members were also advised on the details of the application, the consultations that have taken place in relation to the proposed development with the Planning Authority and An Bord Pleanála, the Notice of Opinion issued by An Bord Pleanála, and the views of the Chief Executive.

The following views were expressed by the Members:

### General Concerns:

- *General consensus was that Members were, in general, very much opposed to development on this site;*
- *The Members raised concerns that, should a development be permitted on this site, a forensic archaeologist should be required to monitor all elements of the development;*
- *The Members acknowledged that the request for an overall site masterplan by An Bord Pleanála was welcome;*



- *Members raised concerns that the memorial elements of the development would be left until the end of the project to be completed and indicated that these should be included as early in the process as possible;*
- *The Members raised concerns that the proposal was developer led and was not in the interests of the community;*
- *Members raised concerns that development should not take place on the subject site due to the sensitivities of the site and the history of the site;*
- *Members raised concerns that no development should be allowed on a site which is acknowledged as a presumed burial site;*
- *Members stated that no development should be allowed to take place on the subject site until a fully comprehensive, forensic ground survey is completed;*
- *Members raised concerns whether the CE opinion would reflect Councillors views as it hadn't for some previous SHD applications;*
- *Members believed lands should be retained for recreational use;*
- *Members expressed concern that the historical issues have not been dealt with in an appropriate way;*
- *Members raised concern regarding the development in general and indicated that given that the site would be a construction site for a considerable timeframe that there would be concerns regarding the impacts this would have on the site itself and the adjacent sites;*
- *Members felt use of the land as a public park would be a better use of the lands and more appropriate;*
- *Members stated that no construction should take place on the site until a full and thorough forensic investigation has been completed across the full site;*
- *Members raised concerns regarding the overall SHD process;*
- *Members acknowledged that the site is zoned for housing however general consensus was that the proposed development should not be allowed to proceed without a full and detailed site investigation;*
- *Members stated that the councillors are genuinely concerned about putting development on this site;*
- *Members emphasised that a Memorial Park would be a preferred option for the proposed site;*
- *Members stated that the subject site is a site like no other and should be treated accordingly;*
- *Members raised concerns that no works should take place until it's absolutely certain that no burial ground exists;*
- *Members raised concerns regarding the compliance of the proposed development with the Draft City Development Plan;*
- *Members raised concerns regarding the timing of the proposed application due to the imminent adoption of a new City Development Plan;*
- *Members queried what would happen if forensic investigations resulted in any findings and who would be responsible following such an event;*
- *Members raised concerns regarding the precedent that the proposed development would set for other institutional lands around the country should this development be permitted;*
- *Members stated that none of the international recognised human rights around burials have been respected. Article 24(4) of the International Convention for the Protection of All Persons from Enforced Disappearance. This being a convention that grants each victim of such atrocities 'the right to know the truth regarding the circumstances of the enforced disappearance, the progress and results of the investigation and the fate of the disappeared person. Each State Party shall take appropriate measures in this regard' - ABP is a State body and therefore should also have this due regard in considering this application;*
- *Members indicated that a parkland setting would be preferential for this land to help promote biodiversity for the area;*

- *Members raised the possibility that, despite indicating the apartments as being build-to-sell, that they would most likely become rental properties;*
- *Members stated that this was an opportunity to create a regional park and an area of reconciliation and reflection;*
- *Members raised concerns that the Draft City Development Plan promotes more green spaces and that the proposed development would not be promoting this;*
- *Members stated that the proposed development would preclude what could emerge from this site and that the integrity of the site should be maintained;*
- *Members stated that the general consensus is that a memorial park should cover the entirety of this site and that development should be precluded from same;*

#### Density:

- *Members raised concerns that density of the proposed development, along with adjacent developments completed and proposed, would be too high for the location and impact on existing residential amenities;*
- *Members stated that they were opposed to high-density development in this location due to its context and location in the general area;*
- *Members had concerns that the density was too high for the location;*
- *Members raised concerns that the proposed development was considered over-development of this suburban site;*

#### Design:

- *Members raised concerns regarding the design of the development and that the proposed design appears out of character with the general location and that the apartment blocks were too high for the location;*
- *Members raised concerns with the apartment type mix, specifically the large number of 1-bedroom apartments which were not considered conducive to a high quality of life;*
- *Members indicated that the proposed design of the apartment blocks, in relation to height and scale, were not considered to be appropriate for the location;*
- *Members raised concerns regarding the proposed entrance to the development;*
- *Members raised concerns that the proposed design, specifically the entrance, may lead to the privatisation of public parkland;*
- *Members queried whether the apartments met the standards set out in the Departments Design Standards for New Apartments;*
- *Members raised concerns that the proposed development would not be acceptable from a sustainable planning perspective;*
- *Members raised concerns that the proposed development would not align with the concept of the 15-minute city as promoted in the City Development Plan;*

#### Traffic/Parking/Infrastructure:

- *Members raised concerns that the proposed development would be very car-dependent due to its location;*
- *Members raised concerns regarding the proposed bridge over the greenway and ensuring that its design would not preclude future development of rail infrastructure;*
- *The Members believed that the high density of the development would lead to additional traffic issues on an already congested road network in the area;*
- *Members had concerns that the proposed development would exasperate the already large volumes of traffic in this location;*

## 8. PLANNING ASSESSMENT

### 8.1 Site Zoning/Principle of the development

The City Development Plan and national planning guidance support the provision of appropriately-located residential development.

The key policy context to the consideration of the development proposal is the *Cork City Development Plan 2015-2021*.

The site is located across two (2) no. zoning types (see figure 1 below), ZO 4 Residential, Local Services and Institutional Uses and the Bessborough House Landscape Preservation Zone.



Figure 1. – Land use Zoning from City Development Plan 2015-2021

The North-Eastern portion of the site is zoned **ZO 4 Residential, Local Services and Institutional Uses** with the objective to protect and provide for residential uses, local services, institutional uses, and civic uses. Paragraph 15.10 of the plan states that the provision and protection of residential uses and residential amenity is a central objective of this zoning.

It should be noted that these lands are also subject to an overlay designation of **Area of High Landscape Value (AHLV)**. *Objective 10.4* of the City Development Plan seeks to conserve and enhance the character and visual amenity of AHLV and development will only be considered where it safeguards the value and sensitivity of the particular landscape with a presumption against development where it causes significant harm or injury to the intrinsic character of the AHLV and its primary landscape assets.

The Area of High Landscape Value development objective requires that development has a neutral / positive impact on the landscape. It is considered that any proposed development should respond to the scale of the significant tree coverage within, and adjacent to, the site (in the Bessboro Grounds and the Old Passage Railway). It is considered that to comply with this objective the scale of blocks on the site will need to have a neutral / positive impact on the landscape character.

The remainder of the site is zoned **ZO 12 Landscape Preservation Zones** with the objective to preserve and enhance the special landscape and visual character of landscape preservation zones. There will be a presumption against development within these zones, with development only open for consideration where it achieves the specific objectives set out in Chapter 10, Table 10.2. Paragraph 15.19 of the plan states that *“these areas have been identified due to their sensitive landscape character and are deemed to be in need of special protection due to their special amenity value, which*

*derives from their distinct topography, tree cover, setting to historic structure or other landscape character. Many of these sites have limited or no development potential due to their landscape character and development will be limited in scope and character to the specific objectives for each site set out in Chapter 10”.*

The report of the Senior Planner with Planning Policy in relation to the Section 5 Consultation, dated 6<sup>th</sup> October 2021, is noted, which stated that *“from a strategic planning perspective, the proposed development can be supported in principle under the ZO 12 Landscape Preservation Zone (SE 4) designation, as it would respect the historic landscape and introduce development to the north of Bessborough House, which would not contravene the land use or associated development objectives”.*

The report of the Executive Planner with Planning Policy, dated 5th May 2022, is further noted, which states that *“from a strategic planning policy perspective, the determining issues are whether the proposed development is consistent with the specific objectives of ZO 12 Landscape Preservation Zone (SE 4) designation, specifically:*

- *Protection of the sites landscape assets as defined above;*
- *To allow development within the immediate environs to the north of Bessborough House consistent with the landscape and protected structure significance of the site;*
- *To reinstate Historic Landscape”.*

Block E, as proposed, is located within the Residential, Local Services and Institutional Use zoning, all of the remaining blocks are within the Landscape Preservation Zone zoning. It is important in this regard that Blocks A, B, C and D achieve the specific objectives as set out in the City Development Plan for this zoning (Ref. SE4).

The Site Specific Objectives for this site are stated as being:

- *To reinstate Historic Landscape;*
- *To seek use of grounds as a Neighbourhood Park in context of local area plan (H);*
- *To allow development within the immediate environs to the north of Bessboro House consistent with the landscape and protected structure significance of the site.*

The proposed development is supported in strategic terms and is compliant with the aims of Project Ireland 2040, the National Planning Framework and the Regional Spatial and Economic Strategy (RSES) which envisages a population growth target of 75,000 for Cork City and Suburbs to 2031. These National documents set ambitious population targets for Cork with an increase of between 105,000 and 125,000 thousand in the city and suburbs envisaged by 2040. National Policy Objectives 2A and 3B respectively state that *“a target of half (50%) of future population and employment growth will be focused in the existing five cities and their suburbs”* and *“at least half (50%) of all new homes that are targeted in the five Cities and suburbs of Dublin, Cork, Limerick, Galway and Waterford, within their existing built-up footprints”.*

The primary planning policy issues relate to the land-use zoning and landscape designation. The principle of residential development is acceptable on the lands zoned ZO 4 Residential, Local Services and Institutional Uses. The principle of development on the lands zoned ZO 12 Landscape Preservation Zone must be assessed in accordance with the specific objectives as set out in the City Development Plan for this zoning (Ref. SE4). This zoning designation notably states that it is an objective to *“allow development within the immediate environs to the north of Bessborough House consistent with the landscape and protected structure significance of the site”.* It further states that it is an objective to *“reinstate Historic Landscape”* and to *“seek use of grounds as a Neighbourhood Park in context of local area plan”.*

In this regard, it is considered that while the principle of the development, on balance, complies with the zoning objectives of the Cork City Development Plan, the development must be assessed in terms of design, conservation, heritage and archaeology.

## **8.2 Residential Density**

The application proposes 140 no. dwellings on an overall site size of 5.13ha. However, the developable site area is a stated size of 4.28ha. This developable area is excluding the existing roadways through, and surrounding, the site and the additional areas where only underground services are proposed. As a result of this the proposed residential density for this application is approximately 33 units per hectare.

Paragraph 16.41 of the City Development Plan states that *“within the city minimum residential density in Suburban areas should be 35-50 dwellings per hectare”* and that *“Along bus routes densities should be to a minimum density of 50 dwellings per hectare (subject to constraints imposed by the character of the surrounding area)”*.

While the proposed development is not considered to meet these standards, and is considered below minimum densities as stated in the City Development Plan for sites in these locations, given the zoning designation of the majority of the site as a Landscape Preservation Zone it is considered that the proposed density of approximately 33 units per hectare is considered acceptable in this regard.

## **8.3 Design, Scale and Height**

The proposed development site comprises, primarily, a greenfield site in the grounds of Bessboro House.

The proposal is for 5 number blocks, 2 of which are single storey refurbishments of existing buildings, with 3 no. new apartment blocks ranging in height up to 5 stories. Blocks C and D, located within the park area are 3 and 4 stories in height respectively, while block E, located within the Farm area, is proposed as 5 stories in height.

On balance and taking the Urban Development and Building Heights: Guidelines for Planning Authorities (2018) document into consideration, the proposed heights are considered acceptable in principle in this location. However, the key concerns would be in relation to the impacts on the Landscape Preservation Zone and the adjacent protected structures, along with the visual impacts of the proposed buildings.

There are some concerns regarding these impacts and would consider that some reduction in height would assist in reducing these impacts.

The designation of a portion of the site as an Area of High Landscape Value and its proximity to a number of protected and NIAH listed structures are noted, and it is considered that a revision, in terms of the height strategy and massing, to the proposed development would ensure that the proposed development would be at an appropriate height for the site location.

The report of the Conservation Officer raises concerns regarding the heights and massing of the proposed development, and the resultant impacts on the setting of the protected structures and considers the proposed *“Blocks D and E would undermine the setting of the Bessborough House and its historic landscape, as the red roofs of these structures would punctuate the tree line and create an uncomfortable backdrop that would be out of character with the historic demesne setting. These large buildings, even at a considerable distance, would alter views to the protected structure and its historic landscape, and thus affect its essential character”*.

As a result of the above, to help reduce the potential negative impact on the setting of the protected structures and associated historic landscape, the report recommends a reduction in heights of Blocks D & E as follows:

- *“Block D reduced in height from 4 storeys to 3 storeys (including lowering the 3-storey section to 2 storeys).*
- *Block E reduced in height from 5 storeys to 4 storeys”.*

The report further raises some concerns regarding the removal of a large extent of the original boundary wall running from the main entrance. To compensate for this the report recommends that the ground-floor west elevation of Block D should be clad in a stone finish up to the height of the existing boundary wall to preserve the character of the demesne. This is considered acceptable.

The Conservation report also raises concerns with regards to Block C, recommending that this block should be omitted entirely, and stating the following:

*“The presence of Block C would significantly alter and undermine the last vestiges of the approach landscape setting of the main house. Furthermore, if a view had been taken further east of the drive, within the former pleasure garden, Block C would be completely visible and it would also block views the historic boundary wall between the garden and the rear of the main house”.*

In this regard the report of the City Architect is noted, which states the following:

*“I refer to my previous report of 8<sup>th</sup> October 2021. From an urban design standpoint regarding placemaking and architectural treatment this proposal is satisfactory. However, on reflection regarding the height of the various apartment blocks, particularly in relation to the visual impact on*

- *the Historic Landscape and House plus*
- *various Conservation Charters*
- *Development Plan*
- *Cork City Urban Density, Building Heights and Tall Building Strategy*

*the following are the recommendations regarding height:*

**Existing:**

**Recommended Reduction:**

<b>Block C</b>	<i>Omit</i>
<b>Block D:</b> Rectangular block of 4 & 3 storey elements	<i>4 &amp; 3 storey elements reduced appropriately to 3 &amp; 2 storeys</i>
<b>Block E:</b> Rectangular block of 5 & 4 storey elements	<i>5 &amp; 4 storey elements reduced appropriately to 4 &amp; 3 storeys”</i>

It is considered that while the overall principle of development in the North-Eastern section of the site is acceptable, the height strategy for the development would needs some revision to ensure minimal impacts on the protected structures and surrounding demesne.

The reports of the City Architect and Conservation Officer suggest a reduction in heights for Blocks D and E which are considered appropriate. It is considered it important to ensure that any development proposed would not have negative impacts on the setting of the protected structures and their associated landscapes.

The position of Block C within the Landscape Preservation Zone is noted, and situated within an established Sylvan setting with a large number of mature trees requiring to be felled as a result of the proposed Block. While acknowledging the specific objectives as set out in the City Development Plan for this zoning (Ref. SE4) which states that it is an objective to *“allow development within the immediate environs to the north of Bessborough House consistent with the landscape and protected structure significance of the site”*, the additional objectives to *“reinstate Historic Landscape”* and to *“seek use of grounds as a Neighbourhood Park in context of local area plan”* must also be considered.

Given the location of the proposed Block C, when reviewed in the context of the historical setting of Bessborough House and its associated grounds and gardens, it is considered that the positioning of Block C would not accord with the objective to *“reinstate Historic Landscape”* and would be considered to further erode same.

The report of the Senior Parks and Landscape Officer is noted, which states that “Block C, and its access road and car park, are situated within part of the established woodland and is not acceptable”.

The report further states that *“the encroachment will completely change the character of this sylvan setting in a negative manner. It will involve the felling of many established trees as identified on the landscape drawings and, many more will have to be removed as they will be seriously impacted by construction works, changes in ground levels and water table”* and that *“in the context of the above I propose that Block C and its associated access road and car park be excluded from this proposed development”*.

The reports of the City Architect, Conservation officer and Senior Parks and Landscape Officer suggest the omission of Block C in its entirety. It is considered that the proposed Block would not accord with the objectives for the ZO 12 Landscape Preservation Zone (SE 4) designation, as it would not respect/reinstate the historic landscape of the area and protected structures located within.

It is noted that if the Board accepts the recommendations to omit and reduce the height of the blocks as set out above, the total number of apartments would be reduced by approximately 63 no. units as follows:

- Block C – Omitted (omission of 34 units)
- Block D – reduced to 3 & 2 storeys (omission of approximately 16 units)
- Block E – reduced to 4 & 3 storeys (omission of approximately 13 units)

This would reduce the number of units permitted to 77 residential units.

It is therefore requested that the Board advise the applicant to further consider incorporating the design elements as indicated above into the overall design through the addition of a condition regarding same.

#### **8.4 Visual Impact**

A detailed Visual Impact Assessment (VIA) has been submitted as part of the planning documentation (Chapter 4 of the EIAR). This VIA includes a detailed assessment of the development from a total of 19

no. view-points with photomontages of the proposal. The VIA considers the following viewpoints for each of the 19 no. view-points:

- Existing
- Proposed development
- Proposed development with “The Meadows” development also shown
- Additional Winter images (for selected viewpoints – 1, 2, 5, 7, 12 & 19)

While it is considered that the proposed development will undoubtedly be visible and have a visual impact, given the scale and massing of the buildings, it is important understand how the development will assimilate with the surrounding built environment.

The proposed height of the proposed development is at its highest point is approximately 19m. A building of this scale and height may have some impacts at short and medium range views. However given the location of the proposed development in relation to Bessborough House, farmyard buildings and surrounding landscape, it is important to ensure that all aspects have been carefully considered and reviewed in terms of the VIA.

The applicant uses methodology as prescribed in the Institute of Environmental Management and Assessment (IEMA) and Landscape Institute (UK) ‘Guidelines for Landscape and Visual Impact Assessment’ (GLVIA-2013).’

For the methodology adopted for the TVIA, each of the viewpoints has specific criteria to assess the sensitivity of the townscape receptor. Details are given in Section 4.1.2 of the VIA. This methodology applied for the VIA is acceptable. For each of the viewpoints, the VIA is summarised with 3 ratings (see Summary Tables in Section 4.7.1.2 of the VIA):

- *Visual Receptor Sensitivity*
- *Visual Impact Magnitude*
- *Significance of Visual Impact*

Each of the viewpoints and ratings are noted and has been assessed by the Planning Authority.

Bessboro Convent/House is considered a Landmark Building

There are 2 no protected views (as documented in the City Development Plan) which may be affected by the proposed development. They are:

- AR4: Carrigaline Road/Carr’s Hill to Bessboro House
- LT14: Carr’s Hill to Montenotte/Tivoli Ridge
- AR 4 is a Primary Approach Road View (which are defined as “*The approach roads into Cork City offer visitors the vital ‘first impression’ of the city and glimpse of the unique topography and character of Cork. Historical routes into the city tend to be from high vantage points, whereas the national primary roads offer wider viewing corridors*”).
- LT 14 is a Landscape/Townscape View (which are defined as “*views of areas that have distinctive/ outstanding townscape or landscape features within the city including views of the city ridges*”).

Each of these views has been considered in the context of the VIA.



From reviewing the VIA, it is considered that, in general, the views of the proposed SHD development are acceptable and that there is not an undue negative impact on the protected views referred to above. However it is considered that there are some concerns regarding the impacts of the proposed development on the character and heritage value of Bessborough House, the farmyard buildings and associated demesne.

The report of the Conservation Officer is noted, which states that *“the updated photomontage package does not provide a view from the rear of Bessborough House to this new Block C or Blocks D and E, so the potential impact on the character and setting of the historic landscape and the protected structure cannot be properly assessed”*.

The report states:

*“View 17 taken in front of Bessborough House has now been provided and it is accepted that the proposed blocks would have a neutral impact in this view as they would not project above the roofline of the main house. However, the long-distant Views 7 and 6a show that the proposed Blocks D and E would undermine the setting of the Bessborough House and its historic landscape, as the red roofs of these structures would punctuate the tree line and create an uncomfortable backdrop that would be out of character with the historic demesne setting. These large buildings, even at a considerable distance, would alter views to the protected structure and its historic landscape, and thus affect its essential character”*.

The report further states:

*“View 15 has been taken from the current entrance drive and the current canopy of semi-mature trees only partly screens Block C from view. In terms of the hierarchy of spaces, the historic function of a driveway was to lead you through the parkland and then reveal the main house. As such, the presence of Block C would significantly alter and undermine the last vestiges of the approach landscape setting of the main house. Furthermore, if a view had been taken further east of the drive, within the former pleasure garden, Block C would be completely visible and it would also block views the historic boundary wall between the garden and the rear of the main house”*.

On balance, while the Visual Impact of the proposed development is , in general, considered acceptable, it is considered that a condition should be added revising the proposed development to minimise concerns in respect of height and massing (see section 8.3 of this report above).

### **8.5 Impact on Residential Amenity**

The subject site is not within very close proximity to adjacent developments.

The daylight/sunlight analysis provided as part of the submitted documentation are noted. It is noted that concerns were raised at Pre-Application stages regarding the potential impacts of Block D on the adjacent convent building to the North. It is considered that this concern has been adequately addressed.

The applicants have submitted details regarding concerns raised at pre-application stages in relation to possible overlooking/loss of privacy from the Northern element of Block D. The Northern façade of Block D is now predominantly blank with any windows proposed to be of obscured glazing.

The separation distances between the Convent and Block E measure at approximately 45m, with 2 no. car-parking areas located between the two buildings.

Having reviewed the submitted documentation, it is considered that the proposed development will not give rise to any undue loss of privacy or access to daylight or sunlight.

### 8.6 Residential Development Standards

A review of the proposed apartments design was undertaken against the standards set out in the following documents:

- 'Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities 2018'

A 'Statement of Consistency' has been submitted as part of the application which demonstrates adherence to these standards.

The applicant has also submitted a Housing Quality Assessment as part of the documentation.

The Housing Quality Assessment submitted also shows that the proposed apartments all meet or exceed the requirements as set out in the Apartment Guidelines including the 10% safeguard for developments of 10 or more apartments set out in section 3.8. The table below indicates compliance with the above mentioned document.

<b>Type:</b>	<b>Met or exceeded:</b>	<b>Acceptable:</b>
Overall Unit Size	Yes	Yes
Aggregate Living Area	Yes	Yes
Main Bedroom Size	Yes	Yes
Double Bedroom	Yes	Yes
Single Bedroom	Yes	Yes
Storage	Yes	Yes
Private Open Space	Yes	Yes

All units meet or exceed minimum standards which is welcomed.

It is noted that approximately 56% of units exceed the minimum standards by over 10% of floor area. This is considered acceptable.

SPPR 4 of the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities 2020 states:

*"Specific Planning Policy Requirement 4*

*In relation to the minimum number of dual aspect apartments that may be provided in any single apartment scheme, the following shall apply:*

- (i) A minimum of 33% of dual aspect units will be required in more central and accessible urban locations, where it is necessary to achieve a quality design in response to the subject site characteristics and ensure good street frontage where appropriate in.*
- (ii) In suburban or intermediate locations it is an objective that there shall generally be a minimum of 50% dual aspect apartments in a single scheme.*
- (iii) For building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha , planning authorities may exercise further discretion to consider dual aspect*

*unit provision at a level lower than the 33% minimum outlined above on a case-by-case basis, but subject to the achievement of overall high design quality in other aspects."*

It is noted that approximately 41% of apartments are of dual aspect, while approximately 17% of the apartments have a Northern aspect only.

The location of the development would be considered to be an Intermediate Urban Location in accordance with the definition under section 2.4 of the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities 2020. In this regard, the percentage of dual aspect apartments is not considered to comply with the requirements (i.e. that 50% of apartments would be dual aspect). I would have some concerns with the quantum of apartments with a Northern aspect only and the resultant residential amenity issues regarding same for the future occupants.

It is therefore requested that the Board advise the applicant to further consider revisions to the apartment layouts to ensure that a minimum of 50% of the apartments are dual aspect in accordance with SPPR 4 of the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities 2020, and the number of North-only aspect apartments are reduced, through the addition of a condition regarding same.

SPPR 8 states that *"no restrictions on dwelling mix and all other requirements of these Guidelines shall apply, unless specified otherwise"*. The following table is a break-down of the proposed mix units.

Unit Type:	No. of units:	Overall Percentage (%):
1-Bedroom Apartment	70	50
2-Bedroom Apartment	69	49
3-Bedroom Apartment	1	1
<b>Total:</b>	<b>140</b>	<b>100%</b>

While this mix of unit types accords generally with the requirement for a mix of units as set out in SPPR 8, it is considered that a greater number of 3-bedroom apartments would be preferential in this location. It is noted that a Housing Need and Demand Assessment (HNDA) has been completed (November 2021) as a reference document for the Draft City Development Plan. It is further noted that the results of same indicate a greater requirement for 3/4 bedroom dwellings within the City Suburb areas (see figure 3 below).

	Min	Max	Target
<b>Studios / PBSA</b> (at LRT Stops / Urban Centre / HEI Campus Only)	0%	15%	10%
<b>1 Bedroom</b>	15%	25%	20%
<b>2 Bedroom</b>	25%	40%	34%
<b>3 Bedroom</b>	18%	38%	28%
<b>4 Bedroom / Larger</b>	5%	15%	8%

**Table 11.8:** City Suburbs Dwelling Size Mix for Housing Developments.

Figure 3: Proposed Dwelling Mix targets from Draft City Development Plan

While it is noted that this Plan is at the Draft stage at present (indicative timeframe for adoption between 27<sup>th</sup> June and 7<sup>th</sup> August 2022), it is requested that the Board advise the applicant to further

consider revisions to the apartment type mix to ensure a greater number of 3 and 4 bedroom apartments are provided through the addition of a condition regarding same.

### **8.7 Conservation Heritage:**

The comments of the Conservation Officer are noted, which state that:

*“The site is located among the farmyard buildings associated with Bessborough House, which is listed on the Record of Protected Structures (Ref: PS490). Bessborough House is also recorded on the National Inventory of Architectural Heritage (NIAH) (Ref: 20872005) where it is noted of being regional significance and of having architectural, artistic, historical and social interest. Bessborough House is also designated a landmark building in the Cork City Development Plan 2015-2021. There are also two protected views associated with the site (LT 14 and AR 4).*

*The development site is focused among the utilitarian structures associated with the Bessborough farm, located to the north of the main house. These form part of the curtilage of the original house and are, therefore, also protected, as outlined in the Cork City Development Plan 2015-2021 (see Objective 9.38 Curtilage and Attendant Grounds):*

*“Curtilage is normally taken to be the parcel of grounds associated with the protected structure. Attendant grounds are those areas that may not be immediate to the protected structure but are associated with them. Both the curtilage and attendant grounds of a Protected Structure are included for their protection within the definition of a Protected Structure as they are defining elements of the building/structure”.*

The report further states:

*“All development proposals potentially impacting a protected structure and ACA should have regard to the Architectural Heritage Protection, Guidelines for Planning Authorities (Department of Arts, Heritage and the Gaeltacht, 2011). These guidelines are a practical guide for those who must comply with Part IV of the Planning and Development Act 2000 regarding the protection of architectural heritage. Regarding setting, the guidelines state:*

*“New development both adjacent to, and at a distance from, a protected structure can affect its character and special interest and impact on it in a variety of ways... Large buildings, sometimes at a considerable distance, can alter views to or from the protected structure or ACA and thus affect their character. Proposals should not have an adverse effect on the special interest of the protected structure or the character of an ACA”.*

The report raises concerns regarding the visual impacts of Blocks D & E of the proposed development, and the resultant impacts on the setting of the protected structures and considers that *“the long-distant Views 7 and 6a show that the proposed Blocks D and E would undermine the setting of the Bessborough House and its historic landscape, as the red roofs of these structures would punctuate the tree line and create an uncomfortable backdrop that would be out of character with the historic demesne setting. These large buildings, even at a considerable distance, would alter views to the protected structure and its historic landscape, and thus affect its essential character”.*

In relation to Blocks D & E the report further states:

*“It is acknowledged that Block D and Block E have taken inspiration for their architectural design from the informal positioning of historic yard structures. While the red shallow pitched*

*roofs evoke the agricultural aesthetic of a barn, unlike the low scale historic farm buildings, these blocks would dominate and, therefore, detract from the setting of the protected farm buildings and would be out of character with the hierarchy of historic structures within the demesne. Traditionally, barn buildings would be no more than a double height space. The tallest buildings on site are the original house and the infirmary block, which are 3-4 storeys in height and are at a comfortable distance away from the 2-storey farmyard complex. In comparison, Block E is 5 storeys, Block D is 4 storeys with a 3-storey set back adjacent to the historic 2-storey farm building, while Block C is 3 storeys. No justification has been provided that would support this overbearing height difference and the recognisable negative impact on the setting, and therefore the character and special interest, of these adjacent low-scale historic structures and the character of the protected structures as a whole”.*

As a result of the above, to help reduce the potential negative impact on the setting of the protected structures and associated historic landscape, the report recommends a reduction in heights of Blocks D & E as follows:

- *“Block D reduced in height from 4 storeys to 3 storeys (including lowering the 3-storey section to 2 storeys).*
- *Block E reduced in height from 5 storeys to 4 storeys”.*

The report further raises some concerns regarding the removal of a large extent of the original boundary wall running from the main entrance. To compensate for this the report recommends that the ground-floor west elevation of Block D should be clad in a stone finish up to the height of the existing boundary wall to preserve the character of the demesne. This is considered acceptable.

The Conservation report also raises concerns with regards to Block C. the report states:

*“The proposed redesigned Block C is placed within the former pleasure gardens. It is accepted that the design and formal planting has been diminished over the centuries but this section of the former formal garden would be eroded irreversibly by the construction of Block C within the Landscape Preservation Zone. This proposed location is not considered ‘consistent with the landscape and protected structure significance of the site’ (Table 10.2). View 15 has been taken from the current entrance drive and the current canopy of semi-mature trees only partly screens Block C from view. In terms of the hierarchy of spaces, the historic function of a driveway was to lead you through the parkland and then reveal the main house. As such, the presence of Block C would significantly alter and undermine the last vestiges of the approach landscape setting of the main house. Furthermore, if a view had been taken further east of the drive, within the former pleasure garden, Block C would be completely visible and it would also block views the historic boundary wall between the garden and the rear of the main house”.*

In this regard the report states that Block C should be omitted entirely.

The report concludes by stating that *“overall, it is considered that the proposed development is generally acceptable in terms of the addition of new build, apart from Block C. However, aspects of the proposals need to be considered in terms of conservation best practice. In order to facilitate appropriate development within the curtilage of the protected structure, adjacent to NIAH structures and within the vicinity and confines of the Landscape Preservation Zone, the following mitigation measures as outlined in the conditions below should be applied”.*

It is noted that section 8.3 of this report, above, relates to design, height and scale, and recommends revisions to the proposed development. In this regard it is considered that the report of the Conservation Officer raises similar concerns and should be noted accordingly.

A condition should be attached regarding the above (included in Appendix C)

### 8.8 Public Open Space/Landscaping:

The application indicates an overall site size of 5.13ha. However, the developable site area is a stated size of 4.28ha. This developable area is excluding the existing roadways through, and surrounding, the site and the additional areas where only underground services are proposed.

27,136m<sup>2</sup> of public open space is proposed (see figure 4. below). Using the developable area of the site, this would result in a provision of approximately 63.4% of the overall site. This is considered acceptable.



Figure 4: Proposed public and communal open space provision

The primary area of public open space is a large parkland area (approximately 24,500m<sup>2</sup>) on the Western side of the development. There is an additional public plaza area on the Eastern boundary of the development (approx. 1,000m<sup>2</sup>). Given the specific objectives set out in the City Development Plan for this zoning (Ref. SE4) which states that it is an objective to “*seek use of grounds as a Neighbourhood Park in context of local area plan*”, the proposed parkland area is considered appropriate and welcomed.

The layout of the public open spaces are considered well thought out and are useable spaces. They are passively overlooked by the proposed apartments and also the communal areas, which are distinguished from the public areas by being at a different height level.

A pedestrian/cycle bridge is proposed over the existing Greenway which will link to the access ramp onto the Greenway, providing residents with access to this additional amenity area while also supporting the promotion of sustainable travel modes. This is considered welcomed.

The report of the Senior Parks & Landscape Officer is noted, which states that *“The proposals for Blocks A, B, D and F are satisfactory in the context that the proposed layout, materials, and landscaping will integrate these blocks in a seamless manner with Besboro House and adjoining buildings and therefore will be in keeping with the current zoning for these areas”*.

The report states that *“Block C, and its access road and car park are situated within part of the established woodland and is not acceptable. The encroachment will completely change the character of this sylvan setting in a negative manner. It will involve the felling of many established trees as identified on the landscape drawings and, many more will have to be removed as they will be seriously impacted by construction works, changes in ground levels and water table”*.

This report further states *“The established woodland/parkland on the site of the former Cork Heritage Park should remain intact to preserve its unique sylvan character and provide passive amenity space rich in biodiversity for residents of Blocks A, B, D and F and future residents of the South Docklands. In the context of the above I propose that Block C and its associated access road and car park be excluded from this proposed development”*.

In terms of access to this public parkland, the report of the Senior Parks & Landscape Officer states that *“the new vehicular entrance north of blocks B and D shall also contain a pedestrian footpath to provide pedestrian access (from the north/south Besboro spine road) to the woodland/parkland west of The Farm development”*.

On balance, while it is generally considered that the public open space provision for the proposed development is acceptable, it is considered that a condition should be added in relation to the above-mentioned concerns.

## 8.9 Archaeology

The proposed SHD site at ‘The Farm’ is located on lands which formed part of the demesne associated with Bessborough House. The Bessborough Estate/landholding has two structures listed in the Record of Monuments and Places (RMP) - Bessborough House (CO074-077---) and associated Icehouse (CO074-051---). The proposed SHD site is located outside the Zone of Notification for both RMP sites.

The City Archaeologist has reported on the proposed development and this report is included in Appendix C.

The report notes Objective 9.16 of the Cork City Development Plan 2015-2021 and that the development is considered large-scale in nature.

An Environmental Impact Assessment Report (EIAR) was submitted with the application. The Cultural Heritage section (Chapter 10) was prepared by John Cronin, John Cronin and Associates, Consultant Archaeologists. An Archaeological Impact Assessment and Historic Building Record, also prepared by John Cronin and Associates, was submitted as an appendix to this EIAR. The report of the City Archaeologist states that *“the chapter assesses both the tangible (archaeological and architectural heritage) and the intangible (history, traditions etc) heritage. In my review of the EIAR I focused on the archaeological heritage and the Mother and Baby Home ‘Legacy’.”*

*The report further states that “The historic and cartographic detail is well researched. In addition, a building record survey has been prepared”*.

The City Archaeologists report concludes, stating that *“I have no archaeological objection, in principle, to the proposed SHD at ‘The Farm’ Bessboro, Ballinure. The impact of the proposed development site*

*on possible sub-surface archaeological remains is considered low and in the event of a grant of planning appropriate mitigation is recommended”.*

A condition should be attached regarding the above (included in Appendix C)

#### **8.10 Mother and Baby Home Legacy**

An Bord Pleanála’s Opinion under ABP-311382-21 stated, specifically referring to the legacy of the Mother and Baby Home,;

*“Having regard to the history of uses on these lands and the findings of the Commission of Investigation into Mother and Baby Homes (Final Report October 2020), with regard to the potential for unrecorded burial sites with the wider Bessborough estate lands, the application should provide further elaboration and clarity with regard to the recommendations made in the report on the “Cultural Heritage Legacy of the Subject Lands, The Farm, Ballinure, Blackrock, Cork City”, (Sept 2021) prepared by John Cronin & Associates.*

*A clear rationale/justification for the recommended approach to these matters should be set out.*

*The application should clearly establish the planning and legal implications for any development which may be granted planning permission on the site, arising from the identification of any unrecorded burial site during the recommended monitoring exercises. In making recommendations in this regard, the prospective applicants should note the obligations on the Board in attaching conditions to any potential grant of planning permission, including that any such conditions be precise, reasonable and enforceable.”.*

In responding to An Bord Pleanála’s Opinion, the Applicant has included a Cultural Heritage Section in the Environmental Impact Assessment Report (EIAR). The Cultural Heritage section (Chapter 10) was prepared by John Cronin, John Cronin and Associates, Consultant Archaeologists. An Archaeological Impact Assessment and Historic Building Record, also prepared by John Cronin and Associates, was submitted as an appendix to this EIAR along with a Method Statement Forensic Control prepared by Aidan Harte of Munster Archaeology.

The detailed third-party submissions received regarding the proposed development are noted. A number of the submissions referred to Objective 9.17 of the Cork City Development Plan 2015-2021 which states:

*“Development on burial grounds’ of the City Development Plan, which states that Cork City Council will seek to preserve and enhance historic burial grounds and their settings. Where former burial grounds are in use as amenity spaces then their retention for passive recreational use will be required. Development in and adjacent to these areas will be limited and may also be subject to archaeological conditions”.*

The City Archaeologist has reported on the proposed development and this report is included in Appendix C

The report of the City Archaeologist states the following:

*“The Mother and Baby Home ‘Legacy’ has also been addressed in the EIAR. The applicant engaged with the Cork Survivors and Supporters Alliance (CSSA) and the potential sensitivities of the site have been addressed in consultation with the group. Based on the CSSA*



*understanding of the overall site from cartographic evidence, and ABP's decision on the adjacent site the applicant has concluded that there is no evidence to suggest that the proposed development site contains any burials associated with former Mother and Baby Home.*

*The mitigation proposed to address the potential for unrecorded burials has been well considered and researched. The method statement provided by the forensic archaeologist Aidan Harte is provided in Appendix 10.4. The proposed strategy and oversight proposals are deemed best practice in forensic recording and certainly acknowledge that in the event of burial s been uncovered appropriate necessary procedures and oversight will be maintained.*

*Having read the relevant sections of Chapter 10 of the EIAR submitted, I make the following assessment:*

*I am satisfied that the EIAR has addressed the archaeological impact of the proposed development . The response to the below ground archaeological resource is adequately assessed also. The mitigation measures proposed for the archaeological resource are considered acceptable.*

*The forensic monitoring of ground works for the purposes of locating Mother and Baby Home era burials, while outside the scope of Section 26 of the National Monuments Acts, has been methodically researched and a detailed strategy proposed by a suitably qualified and experienced forensic archaeologist".*

The content of the Cork City Archaeology Report is further noted, and in particular it states:

*"I would note that investigation for Mother and Baby Home era burials is beyond the scope of archaeology and the City Archaeologist therefore does not have the authority to recommend archaeological investigation, under Section 26 of National Monuments Acts, for the purposes of tracing burial grounds and human remains. The monitoring of ground works by a forensic archaeologist at 'The Farm' site, has been methodically researched and while outside the scope of National Monuments Act Section 26 archaeology, should be considered. In so doing clarification must be sought on the planning and legal requirements of enforcing such a planning condition".*

It is a matter for An Bord Pleanála as the decision maker to have regard to the information submitted by the applicant in relation to the legacy issues surrounding the Mother and Baby Home and any planning or legal implications of the proposed development and the potential requirements should human remains be discovered on the proposed development site.

#### **8.11 Infrastructure, Traffic and Transportation Issues**

The Traffic Regulation and Safety Section of the Roads and Transportation Directorate has assessed the transportation and mobility issues relating to the proposed development (see full report in Appendix B).

It should be noted that the report of the Executive Engineer from the Traffic Regulation and Safety Section states that *"two full applications have been submitted to An Bord Pleanála for two proposed residential developments as follows:*

- *Phase 1 - The Meadows: A proposed residential development of 280 apartments in four blocks of up to 7 storeys on lands at Bessboro.*

- *Phase 2 - The Farm: A proposed residential development of 184 apartments across four buildings of up to 5 storeys on lands at Bessboro*

*A combined TTA has been submitted covering both applications and therefore this report applies to both applications.*

*A third phase The North Fields which is subject to lands receiving appropriate zoning is planned in the future and while not the subject of one of these applications, the TTA examines the cumulative effect of all three phases of development. This includes 620 residential units and 2 on-site creche facilities”.*

Given the proximity of both concurrent SHD applications it is considered by the Traffic Regulation and Safety Section that issues related to traffic would be best assessed combined.

#### **8.11.1 Traffic & Transport Assessment (TTA):**

The report of the Senior Executive Engineer from the Traffic Regulation and Safety Section states that *“a TTA has been submitted as part of the application, analysing the impact on the local road network by examining projected traffic flows on links in the vicinity of the development and at the junctions below. A number of meetings were carried out with the applicant’s traffic consultants MHL in relation to the TTA”.*

The report further states the following:

*“Based on the TTA presented, the proposed development will increase traffic flows on an already busy network. Journey times will increase without the development in place in future years due to background traffic growth and will further increase with the development in place though not to the same extent. Average network speed will decrease due to background traffic growth and will further decrease as a result of the development. Similarly average queue lengths will increase both with and without the development in place. Mitigation measures such as changes in signal timing and/or increase in storage lengths/elongation of right turn lanes will be required for the network to maintain it’s capacity in future years. Additionally, an increase in the use of sustainable transport may offset against future traffic growth.*

*The TTA is based on low levels of car parking. Phase 1 proposes 0.36 spaces per residential unit (101 car parking spaces including 4 creche drop off spaces, 10 motorbike spaces and 604 bike parking spaces) and Phase 2 proposes 0.39 spaces per residential unit (58 car parking spaces including 4 creche drop off spaces, 5 motorbike spaces and 330 bike parking spaces). The levels provided are significantly lower the development plan maximum limits, however this is reflective of the future public transport infrastructure proposals for the area. In addition, the area has access to a high frequency bus service and links to good walking and cycling routes. This is reflected in the modal shift applied. The above as such contributes to the lessened impact on the surrounding network. Therefore, it is crucial that the mobility management plan presented is implemented and managed to prevent the occurrence of parking overspill and additional traffic in the area due to the development. In addition, the mitigation measures identified should be developed further in consultation with the local authority and incorporated into the development”.*

#### **8.11.2 Road Safety Audit**

The report of the Senior Executive Engineer from the Traffic Regulation and Safety Section states that *“a Road Safety Audit was submitted as part of the application (combined RSA for Phases 1 & 2). All recommendations to be implemented as part of the development”.*

### 8.11.3 Parking

The applicant is proposing 58 no. vehicular parking spaces (including 4 no. creche drop-off spaces) for this development which is below the standards set out in Cork City Development Plan (2015-2021). I note the standards stated in the CDP are maximum standards and the applicant has reduced the parking ratio to approx. 0.39 car parking spaces per residential unit. Given the location of the proposed development in relation to accessibility to public transport and sustainable travel options (adjacent Greenway), this is considered acceptable.

### 8.11.4 Bike parking

The report of the Senior Executive Engineer from the Traffic Regulation and Safety Section states that *“bike parking is provided as required in the Sustainable Urban Housing Guidelines for New Apartments for the residential units. Bike parking design, location and management for the residential units should be in accordance with the Sustainable Urban Housing Guidelines for New Apartments”*.

### 8.11.5 Road Design

The report of the A/Senior Executive Engineer for the Urban Roads and Street Design Section is noted, (see Appendix B) which deals with issues such as the Design Manual for Urban Roads & Streets (DMURS) and the requirement for a comprehensive Quality Audit for the development.

### 8.11.6 Pedestrian Crossings

The report of the A/Senior Executive Engineer for the Urban Roads and Street Design Section is noted, (see Appendix B) which states the following:

*“Crossings are one of the most important aspects of street design as it is at this location that most interactions between pedestrians, cyclists and motor vehicles occur. Well designed and frequently provided crossings are critical to the balancing of movement priorities. The design of crossings, and the frequency at which they are provided, will have a significant impact on pedestrian/ cyclist mobility and comfort and the flow of vehicular traffic.*

*No detail has been provided by the applicant in relation to pedestrian demand, safety and vehicle flows which, in accordance with DMURS, guide the design of the pedestrian crossing type. In addition, the applicant has provided no detail as to the selection of the crossing location. The result is the proposed pedestrian crossing to the east of the development site does not align with key desire lines of pedestrians/cyclists directly accessing/egressing the Greenway from the development.*

*The applicant’s pedestrian crossings proposals are inadequate for the proposed development and will limit and impact on pedestrian/cyclist mobility and comfort”*.

### 8.11.7 Shared Space/Shared Surfacing

The report of the A/Senior Executive Engineer for the Urban Roads and Street Design Section is noted, (see Appendix B) which states the following:

*“It is welcomed that the applicant is proposing a ‘shared surface’ on sections of the internal roads. However, the appropriate use of shared space needs to be carefully considered to achieve the objectives of shared space which are inclusive environment, ease of movement, safety & public health, quality of place and economic benefit.*

*The shared surface which according to the Design Manual for Urban Roads and Streets (DMURS) must be instantly recognisable for drivers that they are entering a street with a shared surface and react by driving very slowly. Careful consideration must be given to*

*materials, finishes, kerb lines, width of vehicular carriageway and corner radii. Insufficient detail has been proposed to demonstrate how the design achieves the objectives of safety & public health by clear recognition for drivers that they have now entered a shared surface area. Furthermore, insufficient detail has been submitted in terms of material, finishes of the shared surfaces and therefore it is not apparent how the quality of place objective can be achieved in these areas”.*

#### **8.11.8 Bridge/Connection to Greenway**

The report of the Senior Executive Engineer for the Infrastructure Section is noted, which states in relation to the proposed bridge over, and connection to, the Passage Railway Greenway that *“the proposed development adjoins the Passage Railway Greenway and includes for a new cycle/ pedestrian bridge over the greenway connecting into the existing greenway connection ramp at Mahon. There is a need to ensure the proposed bridge integrates safely with the present greenway and does not inhibit the development of the LRT”*.

#### **8.11.9 Traffic and Transportation Conclusion**

A number of conditions are recommended in the event that An Bord Pleanála grant permission (included in Appendix C).

#### **8.12 Services**

The application has been reviewed by the Environment, Drainage and Water Services Sections in relation to the services proposed for the development. Reports from all sections are included in Appendix B and Conditions regarding same are included in Appendix C.

##### **8.12.1 Stormwater**

In relation to Stormwater, the report from the Senior Executive Engineer with the Drainage Section is noted, which raises no objection to the proposed development, it states that in relation to Attenuation and Flow Control that *“I welcome the proposal to provide a total of 69.68m<sup>3</sup> of interception storage throughout the development, through a combination of green roofs, permeable paving, tree pits, bioretention areas and the bottom level of the attenuation tank. This will greatly improve the quality of future storm water discharges from the site.”*.

The report further welcomes the approach to storm water management being intertwined with a SuDS based approach

##### **8.12.2 Flooding**

The report of the Senior Executive Engineer with the Drainage Section is noted, which states that *“I am satisfied with the Applicant’s conclusion that the site is located in Flood Zone ‘C’ and hence, does not merit further assessment. I also note and welcome the assessment’s recommendation to embody a SuDS based approach, to assist in the mitigation of any risk of on site or downstream flooding. I am satisfied that this has been addressed in the Applicant’s Infrastructure Report. I have no other comments or conditions on this topic”*.

##### **8.12.3 Wastewater**

The report of the Senior Executive Engineer with the Drainage Section is noted, which states that *“I have no objection in principle to the wastewater drainage proposals outlined by the Applicant in their planning documents. As such, I have no further observations or conditions in this regard, based on the understanding that all matters pertaining to connection of the proposed development’s wastewater drainage to the public wastewater sewerage network are in hand between the Applicant and Irish Water, in the form of Irish Water’s new connection process”*.

##### **8.12.4 Water Services**

A report has been received from the Water Services Section (Cork City Council) (see [Appendix B](#)). A number of conditions are recommended (see Appendix C).

#### **8.12.5 Waste & Environmental Management**

A report has been received from the Environment Section (see Appendix B). A number of conditions are recommended (see Appendix C).

#### **8.12.6 Services Conclusion**

A number of conditions are recommended in the event that An Bord Pleanála grant permission (included in Appendix C).

### **8.13 Childcare Provision**

The proposed development includes a ground floor crèche, in Block D, with capacity for 25 No. children. The 'Childcare Facilities Guidelines' indicate that for every 75 no. dwellings within a proposed development, a 20-child capacity crèche should be provided.

The overall number of residential units for the proposed development is 140 units. The housing mix, as shown in section 8.6 of this report indicates that 70 no. units are 1-bedroom apartments. It is not considered that these units would provide a need for childcare facilities and, therefore, the overall number of dwelling units for which childcare should be provided is 70 residential units. This would equate to the minimum 20 no. childcare places within a crèche setting.

The details provided by the applicant in relation to existing childcare facilities in the locality are noted, and the provisions of the Childcare Guidelines which gives scope for some reduction on these standards. However it is noted that consultation has not taken place with Cork City Childcare with regards to childcare demand and requirements in this area.

On balance, it is considered that the proposed 25-place crèche is acceptable.

### **8.14 Part V**

The proposed development is subject to Part V. The applicant is proposing 10% of the 140 units, ie. 14 no. units for Part V. The units are located within the three residential blocks (C, D, and E) of the development, dispersed over of the ground, first, second and third floors as follows:

<b>Level</b>	<b>1 Bed Apartment</b>	<b>2 Bed Apartment</b>	<b>3 Bed Apartment</b>	<b>No. of Units</b>
Ground Floor	2	2	-	4
First Floor	2	2	-	4
Second Floor	2	2	-	4
Third Floor	-	1	1	2
Fourth Floor	-	-	-	-
<b>Total</b>				<b>14</b>

The comments in the Housing Section Internal Report are noted, which state that *"the units are dispersed across blocks C, D & E and the type and mix of the proposed units is satisfactory"* and that *"the Part V proposal is deemed to be acceptable in principle to the Housing Directorate"*.

The Housing Section Internal Report (see [Appendix B](#)), raises no objection in terms of Part V. The report states the applicant's proposal to comply with their Part V obligation is acceptable in principal, subject to a grant of planning permission and ultimate agreement on the cost of the units. A formal Part V Agreement will only be completed upon final conveyance of the units in question

### 8.15 Fire Officer

The Fire Officer has reported on the application (see Appendix B) and has stated that there are concerns in relation to the proposed development from a fire safety perspective. While these matters will be dealt with under a separate Fire Cert Application, it is noted that the Fire Officer has raised issues in relation to the design which may require modifications to the proposed development.

### 8.16 Environmental Screening

While screening for environmental impact assessment is a matter for An Bord Pleanála, it is noted that the proposal is not of a nature and scale that requires mandatory environmental impact assessment. The environmental impact assessment report submitted with the application is noted. The assessment and decision on the environmental impact assessment is a matter for An Bord Pleanála.

Similarly, screening for appropriate assessment is a matter for An Bord Pleanála. The proximity of the proposed development site to the Cork Harbour Special Protection Area (SPA), site code 004030 is noted. A Stage 2 appropriate assessment screening report / NIS has been submitted with the application.

Cork City Council recognises that it is a matter for An Bord Pleanála, as the competent authority, to carry out the environmental impact assessment/appropriate assessment and it is matter for An Bord Pleanála to identify, describe and assess the direct and indirect effects of the proposed development on environmental factors and to reach a reasoned conclusion.

## 9. Conclusion

The proposed development accords with National Planning Guidance, it also accords with the zoning objectives for the site, which are *ZO 4 Residential, Local Services and Institutional Uses* and *ZO 12 Landscape Preservation Zones*, and the general strategic development objectives of the Cork City Development Plan 2015-2021 and as such is acceptable in principle, subject to the conditions attached in **Appendix C**. The development will make a significant contribution to addressing the housing shortage in the city.

It should be noted however that the planning authority has some concerns in relation to the following:

- The proposed Block C, and its associated access road and car parking, should be omitted in its entirety to reduce the impacts on the former formal garden area of the protected structure and the historic function of the driveway as an approach landscape setting for the main house. Furthermore, the encroachment of this block would be considered to completely change the character of this sylvan setting in a negative manner and will involve the felling of many established trees.
- The height strategy of the proposed blocks should be revised to help reduce the potential negative impact on the setting of the protected structures and its associated historic landscape and to reduce the visual impacts on same. The heights of the following blocks should be revised as indicated:
  - Block D: 4 & 3 storey elements reduced to 3 & 2 storeys
  - Block E: 5 & 4 storey elements reduced to 4 & 3 storeys
- The dwelling size mix is non-compliant with the Housing Need and Demand Assessment (HNDA). It is considered that, should the Board agree, an increase in family units would be of benefit to the proposed development and better accord with the CCDP.

- It is noted that approximately 41% of apartments are of dual aspect, while approximately 17% of the apartments have a Northern aspect only. The location of the development would be considered to be an Intermediate Urban Location in accordance with the definition under section 2.4 of the 'Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities 2020'. The scheme should be revised to ensure that a minimum of 50% of the apartments are dual aspect in accordance with SPPR 4, and the number of North-only aspect apartments are reduced.

The principle of the proposed development generally accords with the relevant land-use zoning objectives and with the general strategic development objectives of the City Development Plan.

**Part 2**

**The authority's opinion as to whether the proposed strategic housing development would be consistent with the relevant objectives of the development plan or local area plan, as the case may be, and a statement as to whether the planning authority recommends that permission should be granted or refused, and the reasons for the recommendation**

In view of the above, the Planning Authority, while acknowledging the sensitivities of the site, is required to consider the proposal based on the proper planning and sustainable development of the area as required by the Strategic Housing Development process and, in this context, is of the opinion that the proposed Strategic Housing Development would be consistent with the relevant objectives of the Cork City Development Plan 2015-2021 as well as the ambitions set out in the National Planning Framework and Rebuilding Ireland, and on that basis recommends that planning permission should be granted subject to the planning conditions as set out in **Appendix C**.