

Cork Environmental Forum

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Mount Carmel, Kilcolman, Enniskeane, Co.Cork
Tel: 083 1468064 email: info@cef.ie

5th August 2022

Planning Application Reference Number: 313994

Applicant: Cork County GAA Board

Description of Development: Demolition of disused Hurley manufacturing factory and associated outbuildings, construction of 319 no. residential units (203 no. houses and 116 no. apartments), creche and associated site works.

Introduction

Cork Environmental Forum welcomes the opportunity to submit our comments and observations with regard to the aforementioned planning application 313994.

We wish to note that the list of applications is not kept up to date on the An Bord Pleanala website and this makes it more difficult for members of the public to access the correct documentation which goes against the Aarhus Convention principle of Access to Information which is essential for the public's right to participate in planning matters.

Overall we do not think this is an appropriate development as outlined for the following reasons which we will expand upon:

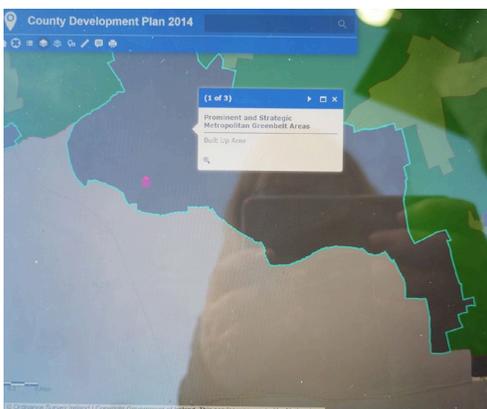
1. It is in direct contravention of the Cork County Development Plan 2014, the footprint of the entire site is within an area that has been zoned open and recreational space and should be retained as green infrastructure for nature and community amenity area.
2. It is being built at the most distant and isolated part of the community on a site furthest from public transport links and most difficult to access by walking and cycling.
3. The development proposed is below the minimum density allowed anywhere in the city and the amount of car parking provided is above the maximum allowed in the city development plan.
4. It is proposed to be built on the highest recreational and nature value area within the community, and a rarity in a city such as Cork, rather than other areas more suitable for development within the community as highlighted in our map on land uses which follows.

5. Housing provision that causes city sprawl is not in keeping with the guidelines under the National Planning Framework and those of the Regional Spatial and Economic Strategy, and is not in keeping with the concept of the 15 minute city adopted by Cork City Council in their Plan.
6. There are serious shortcomings in respect of existing water supply and waste water services for the scale of the proposed development. Development on this site poses significant risks to water bodies that will impact on meeting the requirements of the River Basin Management Plan and Water Framework Directive.
7. The protection of wildlife is not sufficient despite the presence of many species present in the area that are governed by the Wildlife Act, the Birds Directive and the Habitats Directive. Aside from some efforts with regard to the Marsh Fritillary butterfly habitat there are no measures to protect and ensure no net loss of biodiversity in the area.
8. The sprawl effect of such a development will impact the social, cultural and placemaking values of existing communities.

1. Breach of Good Planning Practice

Whilst everyone appreciates that we have a housing crisis, continuing the bad planning practices we have seen over the past decades is not warranted. **We respectfully submit that this development is inappropriate, non-sequential and goes against the recommendations of both the National Planning Framework and those of the Southern Regional Spatial and Economic Strategy. Cork City Council in its City Development Plan 2022 -2028 adopted the compact growth 15 minute city advocated as good planning policy.**

We concur with the description that this is a development on a greenfield site but do not concur with much of the justifications submitted in the Statement of Material Contravention.



recreational open space.

This application has been submitted outside of the new City Development Plan coming into effect and as such is a direct contravention of the County Development Plan 2014. The applicant cannot simultaneously rely on the new residential zoning passed by a last minute amendment to the City Plan (not yet in effect) by the City Councillors and the 2014 County Development Plan standards for residential development which was in force when this application was made and is zoned as

There is very clever use of the current planning objectives to justify a contravention of the Development Plan under the Planning and Development (Housing) and

Residential Tenancies Act, 2016 (as amended). We appreciate that some developments will need to be on greenfield sites but this should not be one of them.

4.5 To accommodate this anticipated increase and to achieve a compact city, the NPF promotes the potential of sites in key locations that are accessible by public transport, can be serviced, and have access to established community facilities, such as the proposed development site.

The aforementioned is just one statement which stretches the imagination as regards the availability of accessible quality public transport, the application itself submits that there is only water and waste water services available for Phase 1 and the site will wipe out established community amenity areas.

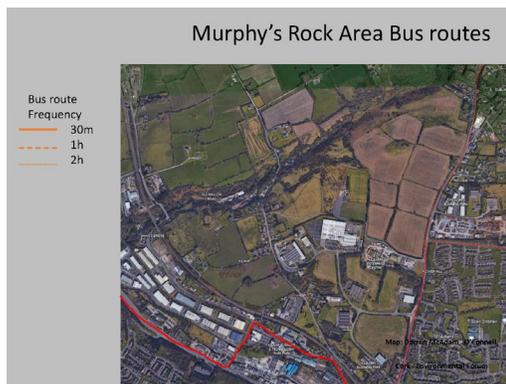
Public Transport & Sustainable Travel

Public transport is not that easily accessible to the site and permeability is low, see map with current bus routes. The quality and frequency of that transport is not sufficient to provide an adequate service for residents in such an area.

The nearest bus routes in the Bus Connects plan will only serve the area infrequently and there are no plans for any regular bus services within easy (or even reasonable for the young & fit) walking distance of the development. The development is too far from Blackpool Village to allow easy walking while the distance, slope, and elevation of the development means that cycling is unlikely to ever have a significant modal share in the area, which is probably why there is just space for 124 bicycles which would need to be electric for the gradient.

If as contended it is why is there a need for such a high proportion of car parking spaces. The number of car parking spaces points to the fact that this site is approximately 3 km from the city and is not well served by public transport. The road infrastructure is also inadequate as it has up to now serviced smaller rural settlements which with the City expanded boundary come within the City jurisdiction. The proposed site and need for private transport ignores the urgent imperative to move away from car dependency in cities and is thinking and planning from a previous era.

Extract from Material Contravention Statement “it is submitted that the proposed



534no. car parking spaces is an appropriate level of car parking in the context of the proposed housing mix including 155no. 3 and 4 bed-units, representing 48.5% of the overall mix. It is further noted that of the 2-bed units proposed, 50no. (41%) are houses, where 2no. parking spaces would typically be provided. It is generally the provision of 2no. car parking spaces for the 50no.

proposed houses where the surplus of 48no. car parking arises. It is also noted that the proposed development provides cycle parking (124no. spaces) in excess of the Plan standard.”

For this reason housing developments in this area should be concentrated closer to Blackpool Village and at a lower elevation where public transport will be more accessible and active travel more viable.

Where developments are permitted below or even in the lower end of the range of the permitted densities it should be to provide for a demand for housing with larger than average houses and gardens not because it is poorly designed or a large amount of space is used for parking or the movement of motor vehicles.

Apartments in areas zoned for low density should not be found in development in the lower half of permitted densities and preferably only in developments toward the upper end of permitted residential densities. This development is both below the minimum permitted density for the area while still consisting of a mixture of apartments and housing which is not particularly large or possesses particularly large gardens. Rather the low density is a result of poor layout and the overallocation of space to motor vehicles and parking.

All of the above means that this is destined and designed to be a low-density car dependent suburban sprawl that enforces car ownership on those who live there and makes walking cycling or using public transport not viable.

2. Land Use & Wellbeing of Communities

The expansion of the Cork City boundary has resulted in incorporating some stretches of very rural landscape and smaller settlements. What we do not need now is a sprawl that erodes the very fabric of those communities and the sense of place that has evolved over centuries.

We contend that the footprint of the entire site is within an area that should be retained as green infrastructure for nature and community amenity area. We submit the following map which shows the overlay of the site and our suggested appropriate land uses of the site area and the more general area which would be in keeping with sustainable development that has co-benefits for people, nature and climate.

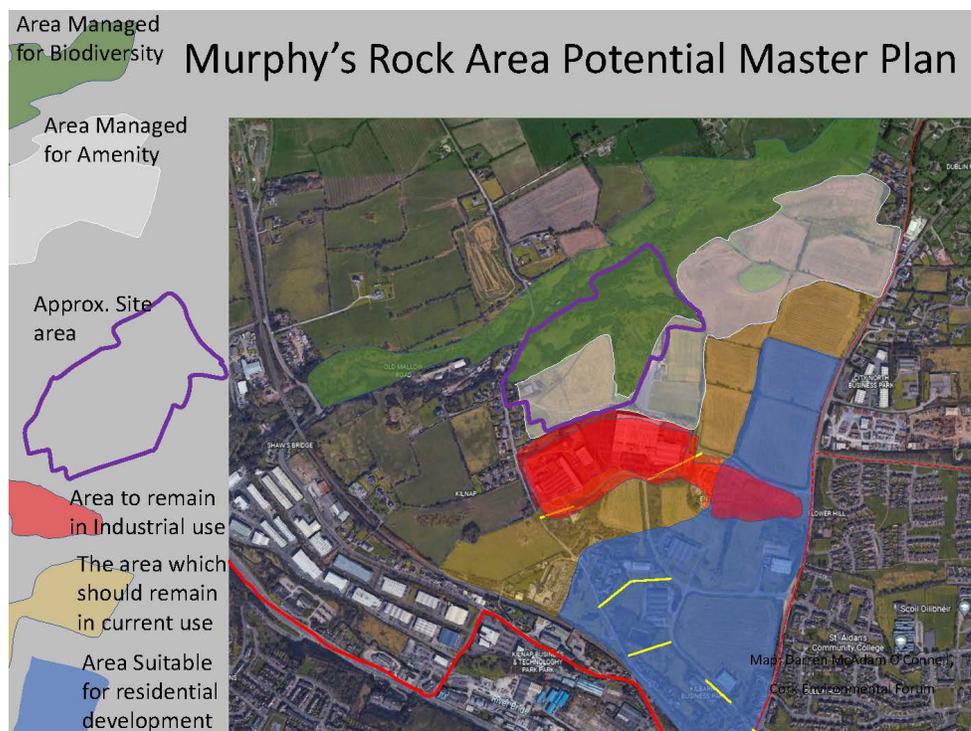
As can be seen there is a substantial portion of that area (in blue) that contains greenfield sites that would be more appropriate for housing as that area is closer to already developed areas, transport routes and services.

The stretch of important blue/ green and historic infrastructure and watercourse of the Glenmought River which bounds the northern area of the site has and remains a vital

area for nature and people and is known locally as Murphy's Rock. Generations of people, in particular, from the northern part of the city have recreated and learnt about nature there and it continues to be very much part of the social, cultural and historic fabric of their lives whilst having had a significant contribution to the economic development of the area with the historic remnants of the mills still visible along the path from Kilcully to Blackpool.

As listed in the EIAR there are 3 Protected Structures and eight structures listed by the NIAH within 1 km of the proposed site with the nearest just 40m north of the development boundary. In addition the ASI lists 14 archaeological sites within 1 km of the site, one just 25m from the site boundary. There are risks to these from the ground works that will be carried out by such a development in such close proximity.

The northside of Cork City continues to rank significantly on the deprivation index and the work of Cork Healthy Cities highlights the need to take into account the social determinants of health in planning in the City. **The evidence of the importance of access to blue and green spaces and areas to recreate and socialize are conclusive in respect of peoples health and wellbeing.** We are better able to understand and appreciate the connections between the environment we grow up in and our longer term quality of life as well as **the importance for cities to make space for nature and biodiversity which have co-benefits in reaching targets on climate and halting biodiversity loss.**



This natural asset, a haven for wildlife, has evolved over time and is a unique and precious place that needs to be protected for existing communities to continue to

enjoy and for future residents of the general area deserve to have access to. There is already substantial housing developments taking place right now nearer to the City end of Blackpool and all of these additional residents need to have access to quality green and blue recreational spaces.

3. Water Services, Flooding and Water Quality

We have grave concerns with regard to the shortcoming expounded in the application in respect of:

- **Existing water supply and waste water services with existing connections only adequate for Phase 1 of the proposed development.**
- **Aquifer vulnerability in this region has been determined to have an extreme vulnerability rating.**
- **Risks the works and development pose to the water quality of the Glenmought and Bride.**
- **The proposed pipe for surface waters going directly into the river.**

The limitations of potable water supply and waste water services are of serious concern, particularly in light of the cumulative impact of new developments in the area nearer to the City and Blackpool such as at Sunbeam, Millfield and at the old Power Station on the Old Whitechurch Road. The cumulative needs for services and adequacy of supply need to be factored in. **The carrying capacity of any one area of the city, with regard to the receiving environment, including existing communities, and additional housing units already approved and under construction must be considered.**

We are aware from the most recent EPA report 2020 on the Cork City waste water system that it is failing in respect of Nitrogen and Phosphorous loading - [D0033-01 2020 AER](#)

We are currently in a phase of consultation on the **3rd Cycle of the River Basin Management Plan**, Ireland's plan to implement the Water Framework Directive. The Glenmought (010) is a tributary of the River Bride (Cork City 020) and though unassigned the status from preliminary work is good whilst the Bride is At Risk, according to a report from LAWPRO in December 2021 - [Bride-PAA-Desk-Study-F02.pdf \(lawwaters.ie\)](#)

Bride (Cork City)_010 and Bride (Cork City)_020 are At Risk and Glennamought Trib (Bride)_010 is at Review pending further characterisation.

As our water quality continued to decline during the 2nd Cycle of the RBMP we have to do everything we can to reverse that trend and protect waters from further risk of deterioration. Pollution risks to the river, given the invasive works and steep gradient, are significant. It is concerning that the pipe for surface water will be fed directly into the river.

According to the Flood Risk Assessment Report aquifer vulnerability in this region has an extreme vulnerability rating. This vulnerability determines *“the ease with which groundwater may be contaminated by human activities”*

The northern portion of the site due to the watercourse is at most risk of flooding and it is correct that that area should be kept as a natural and most effective flood plain and wetland area. However, the drilling, the compaction, soil movement and remodelling of site levels deemed necessary for such a development will have significant impacts on the geological and hydrogeological environments however this is blithely written off in the EIAR as “an unavoidable consequence”.

This development represents a threat to the watercourses, the groundwater and the proper functioning of the flood plain.

4. Nature Laws – Wildlife Act, Birds Directive and Habitats Directive

Surveys of wildlife in the area are not adequate and aside from some suggested efforts with regard to butterfly habitat there are no measures to protect and ensure no net loss of biodiversity in the area.

Whilst appreciating that the site does not fall within a designated site such as an SAC or SPA the reports give less than adequate consideration to the Birds and Habitats Directives and legislation governing wildlife through the Wildlife Act as well as **overall commitments to no net loss of biodiversity.**

The mix of an aquatic environment, trees and wild grassland in this area provides a very important habitat for many species. The EIAR confirms the presence of **Otters** which are subject to strict protection under Art 12-16 of the Habitats Directive. **Bats** also an Annex IV species under the Habitats Directive are confirmed as being present *“high levels of Leisler’s bat activity and low levels for all others species”* yet the conclusion is that the project impact will be *“an imperceptible magnitude”* and represent *“an effect of negligible significance”*. The crisis in species loss with more and more added to amber and red lists year by year is the result of these *“imperceptible”* death by a thousand cuts. Where we have the right habitat and healthy populations we need to afford them adequate protection as is our legal duty under the Nature laws we have.

As already mentioned this site is in the most isolated location on the top of the plateau, it will therefore have significant light trespass and glare impacts down the valley which will result in negative impacts on light sensitive species such as moths and bats.

Local observations report many species of birds in the site area. The CJEU in c-473/19 in respect of the **protections afforded to all wild birds** provided clarification in this regard and needs to be reflected in the approach when considering

this application.

The EIAR states that the Glenmought River downstream of the project is “*a freshwater habitat of county importance owing to populations of brown trout and Annex II species such as river lamprey and otters that are known to rely on this habitat for spawning and breeding/foraging*” yet this is where the surface water pipe is proposed to be located.

We have already lost so much space for nature, we need to act to conserve such existing natural habitats and landscapes as the level of remaining habitats of such value in the city is now critical.

Conclusion

We need to see balanced development for people and for nature and apply the commitments to the Landscape Convention in our design and decision making on planning. There is a critical need to creatively engage in landscape change in a manner that will add to our future natural and man-made heritage which addresses the existential dual crisis of climate and biodiversity, intertwined challenges with intertwined solutions.

We do not see under any current circumstances how this application can be granted when the planning conditions and zoning under which it is applied for is for open space and recreation. We support the need for housing and not just housing but housing that delivers the creation of low carbon sustainable communities which this development will fail to do. We respectfully ask that you refuse permission.