

Material Contravention Statement

Proposed Strategic Housing Development at Lackenroe, & Johnstown (townlands) Glounthaune, Co. Cork

Bluescape Limited

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01. Introduction

1.1 PURPOSE OF STATEMENT

HW Planning have been appointed by Bluescape Limited to prepare this statement to address aspects of the proposed Strategic Housing Development at Lackenroe & Johnstown, (townlands), Glounthaune, Co. Cork.

This Statement provides a justification for the material contravention of the above referenced statutory planning documents in relation to (i) residential density (ii) car parking spaces (iii) LAP Objective GO-01 and Table 4.2.1 of the LAP regarding future development in the settlement of Glounthaune which should be considered in the context of wider government policies and guidance. It is considered therefore, as is set out in this report that sufficient justification exists for An Bord Pleanála to grant permission for the proposed development notwithstanding the material contravention of certain non-land use policies and objectives of the Cork County Development Plan 2014 (CDP) and/or the Cobh Municipal District Local Area Plan 2017 (LAP).

The Planning and Development (Housing) and Residential Tenancies Act, 2016 ("the 2016 Act"), empowers An Bord Pleanála to grant permission for a strategic housing development which materially contravenes policies and objectives of a Development Plan or Local Area Plan, other than in relation to the zoning of land. In these circumstances, the provisions of subsection 9(6) of the 2016 Act are relevant:

- (6) (a) Subject to paragraph (b), the Board may decide to grant a permission for a proposed strategic housing development in respect of an application under Section 4 even where the proposed development, or part of it, contravenes materially the development plan or local area plan relating to the area concerned.
- (b) The Board shall not grant permission under paragraph (a) where the proposed development, or part of it, contravenes materially the development plan or local area plan relating to the area concerned, in relation to the zoning of land.
- (c) Where the proposed strategic housing development would materially contravene the development plan or local area plan, as the case may be, other than in relation to the zoning of the land, then the Board may only grant permission in accordance with paragraph (a) where it considers that, if Section 37(2)(b) of the Act of 2000 were to apply, it would grant permission for the proposed development.

In circumstances where: (i) the Board has the power to decide to grant permission for a proposed SHD where the proposed development contravenes the development plan or local area plan; (ii) the proposed Lackenroe SHD does not contravene the development plan or local area plan in relation to the zoning of land; then (iii) the provisions of section 37(2)(b) of the Planning and Development Act 2000 ("the 2000 Act") are relevant to the Board's consideration of this planning application. In this respect, subsection 37(2) states:

(2) (a) Subject to paragraph (b), the Board may in determining an appeal under this section decide to grant a permission even if the proposed development contravenes materially the development plan relating to the area of the planning authority to whose decision the appeal relates.

(b) Where a planning authority has decided to refuse permission on the grounds that a proposed development materially contravenes the development plan, the Board may only grant permission in accordance with paragraph (a) where it considers that -

(i) the proposed development is of strategic or national importance,

(ii) there are conflicting objectives in the development plan or the objectives are not clearly stated, insofar as the proposed development is concerned, or

(iii) permission for the proposed development should be granted having regard to regional spatial and economic strategy for the area, guidelines under section 28, policy directives under section 29, the statutory obligations of any local authority in the area, and any relevant policy of the Government, the Minister or any Minister of the Government, or

(iv) permission for the proposed development should be granted having regard to the pattern of development, and permissions granted, in the area since the making of the development plan.

Section 8(1)(iv)(II) of the 2016 Act specifies that, where a proposed development is considered to materially contravene the relevant Development Plan or Local Area Plan (other than in relation to the zoning of the land), then the SHD application must include a statement indicating why permission should, nonetheless, be granted, having regard to a consideration specified in section 37(2)(b) of the Act of 2000. A response to the relevant criteria above is provided in Section 03 of this report and demonstrates that one or more of the criteria in section 37(2)(b) are satisfied in respect of the proposed Lackenroe SHD, thereby enabling the Board to decide to grant permission, notwithstanding the material contravention of the subject policies and objectives of the Cork County Development Plan 2014 and Cobh Municipal District Local Area Plan 2017.

This statement addresses the material contraventions of certain policies and objectives contained in Cork County Development Plan 2014 (CDP) and Cobh Municipal District Local Area Plan 2017 – 2023 (LAP). Thereafter, the statement sets out the reasons why the Board should nonetheless grant permission, having regard to the provisions of section 37(2)(b) of 2000 Act.

1.2 DEVELOPMENT DESCRIPTION

The proposed development comprises a Strategic Housing Development of the construction of a mixed-use residential development of 289 no. residential units consisting of 201 no. dwelling houses and 88 no. apartment/duplex units, a two storey creche, 4 no. ESB substations and all

ancillary site development works. The proposed development will be constructed on lands to the north and south of the public road, L-2970, known locally as 'the Terrace'. A portion of the site to the south of 'the Terrace' was formerly within Ashbourne Garden and is considered to be within the curtilage and attendant grounds of Ashbourne House, which is a Protected Structure (Ref 00498).

The proposed development to the north of 'the Terrace' provides for 260 no. residential units comprising of 196 no. dwelling houses, 64 no. apartment/duplex units and a two storey creche. The 196 no. dwelling houses includes 5 no. 4 bedroom detached dwellings, 44 no. 4 bedroom semi-detached dwellings, 12 no. 4 bedroom townhouses, 2 no. 3 bedroom detached dwellings, 22 no. 3 bedroom semi-detached dwellings, 47 no. 3 bedroom townhouses and 64 no. 2 bedroom townhouses. The 64 no. apartment/duplex units contains 5 no. 3 bedroom units, 32 no. 2 bedroom units and 27 no. 1 bedroom units contained in 6 no. three storey apartment buildings, with ancillary bicycle parking and bins stores.

The proposed development to the south of 'the Terrace' provides for 29 no. residential units comprising of 5 no. dwelling houses and 24 no. apartments. The 5 no. dwellings include 1 no. 3 bedroom detached dwelling, 2 no. 3 bedroom townhouses and 2 no. 2 bedroom townhouses. The proposed apartments are provided in a four-storey mixed-use building containing a ground floor community unit and a commercial unit with apartments at ground and upper floor levels comprising 3 no. 3 bedroom units, 7 no. 2 bedroom units and 14 no. 1 bedroom units with ancillary rooftop terrace, car parking, bicycle parking and bin stores.

Vehicular access to 2 no. dwellings in the lands to the north of 'the Terrace' will be provided via an upgraded entrance from 'the Terrace' with vehicular access to the remainder of dwellings in the lands to the north of 'the Terrace' via the signalised junction from the L-2968 and internal road network permitted by Cork County Council reference 17/5699 and An Bord Pleanála reference 300128-17. A separate secondary emergency access is also proposed from the L-2969 to the north.

Vehicular access to the 5 no. dwellings to the south of the 'the Terrace' will be via a new entrance from 'the Terrace' and the proposed apartment building will be accessed from Johnstown Close. The proposed development also makes provision for a pedestrian link from the proposed development north of 'the Terrace' to Johnstown Close via 'the Terrace' which will include a signalised pedestrian crossing and associated traffic calming measures on 'the Terrace'.

Ancillary site works include the demolition of 1 no. existing derelict dwelling house and associated outbuildings, landscaping and servicing proposals including the realignment of the existing pedestrian/cycle route on Johnstown Close, the undergrounding of existing overhead lines, upgrade of the storm and foul sewer network to the south and east of the subject lands along 'the Terrace' and Johnstown Close (L-3004).

An Environmental Impact Assessment Report and a Natura Impact Statement have been prepared in respect of the proposed development.

1.3 LAND USE ZONING OBJECTIVE

The site is contained within the Development/Settlement Boundary of Glounthaune as defined in the Cobh Municipal District Local Area Plan 2017 – 2023. The site itself is categorised as being within the 'Existing Built-Up Area' of Glounthaune. Regarding development in 'existing built-up areas', objective ZU 3-1 of the Cork County Development Plan states:

"Normally encourage through the Local Area Plan's development that supports in general the primary land use of the surrounding existing built up area. Development that does not support, or threatens the vitality or integrity of, the primary use of these existing built-up areas will be resisted."

Sections 14.3.1 – 14.3.6 of the CDP expands further on appropriate development in 'existing built-up areas' which paragraph 14.3.1 stating.

"Areas of existing development are shown simply as 'existing built-up area' in the Local Area Plans. This approach has been taken in order to allow a more positive and flexible response to proposals for the re-use or re-development of underused or derelict land or buildings particularly in the older parts of the main towns. "Existing built-up areas" include all lands within a development boundary which do not have a specific zoning objective attached. Therefore, it includes a mix of land uses which may have existing buildings in place, brownfield lands and undeveloped greenfield lands within the development boundary."

It is noted that section 2.4.8 of the LAP states as follows:

"This local area plan does not zone land for development within the villages. Rather each village has a development boundary and is assigned an 'Overall Scale of New Development'. This figure is not a target to be reached, or an absolute maximum limit on development. Rather the 'overall scale of growth' figure is an indication of the number of additional dwellings which could reasonably be accommodated within a settlement over the lifetime of this Plan, subject to other considerations of proper planning and sustainable development. Development within villages also has to be balanced in line with the overall strategy of the County Development Plan which seeks to establish an appropriate balance in the spatial distribution of future population growth so that the towns can accelerate their rate of growth and achieve a critical mass of population."

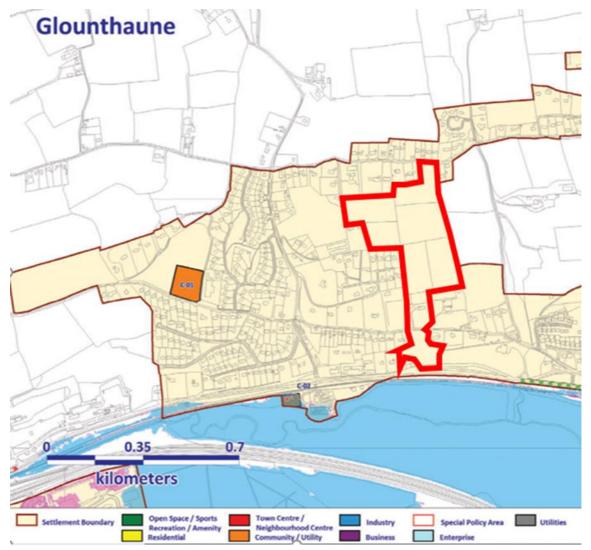


Figure 1.1 Site Location within Development/Settlement Boundary of Glounthaune in the LAP

Accordingly, pursuant to the objectives of the Cork County Development Plan 2014 as reflected in the Cobh Municipal District Local Area Plan 2017, it is clear that the use of the lands in respect of the proposed Lackenroe SHD is consistent with the land use zoning objective for the lands.

1.4 MATERIAL CONTRAVENTIONS OF EXISTING COUNTY DEVELOPMENT PLAN AND/OR LOCAL AREA PLAN

- The proposed Lackenroe SHD provides for a net residential density of 33 units per hectare (of the developable residential site area). This is in excess of the suggested Medium B density (12-25 units /ha) indicated for Small Towns (defined as settlements with a population of less than 5,000 no. people by Table 3.1 of the Cork County Development Plan.
- A total of 484 no. car parking spaces are proposed for the proposed development, which are allocated on the basis of housing type and likely demands of future residents. The proposed parking provision is below the Development Plan minimum standard of 2 spaces per house and 1.25 spaces per apartment as described in Table 1a, of Appendix D of the CDP).

• The proposed development exceeds standards identified in LAP Objective GO-01 and Table 4.2.1 of the LAP regarding future development in the settlement of Glounthaune. The proposed development of 289 no. residential units exceeds the recommended scale of any individual residential scheme in the settlement of 40 no. units and the overall scale of development in the settlement of 400 no. residential units during the lifetime of the 2017-2023 LAP.

02. Policy Background

2.1 LOCAL AND REGIONAL POLICY

2.1.1 Regional Spatial Economic Strategy: Southern Region (Cork Metropolitan Area Strategic Plan) (2020)

Key principles in developing the strategy for the Regional Spatial Economic Strategy (RSES) include.

 Provide strong regional support for policy and initiatives at the local level which...strengthen the urban fabric and role of settlements servicing hinterlands, consolidate existing settlements.

Some of the key specific aims include.

 Cork City and suburbs population increasing by 115,000 additional people (an increase of more than 55%) from a population of 209,000 in 2016 to 324,000 by the year 2040.

Regional Planning Objective (RPO 9) in the Regional Spatial Economic Strategy for the Southern Region outlines the aim to deliver a holistic approach to delivering infrastructure, stating.

"It is an objective to ensure investment and delivery of comprehensive infrastructure packages to meet growth targets that prioritises the delivery of compact growth and sustainable mobility in accordance with NPF objectives including:

Water services, digital, green infrastructure, transport and sustainable travel, community and social, renewable energy, recreation, open space amenity, climate change adaptation and future proofing infrastructure including Flood Risk management measures, environmental improvement, arts, culture and public realm."

RPO 10 outlines the aim to achieve Compact Growth in Metropolitan Area by.

- a) Prioritise housing and employment development in locations within and contiguous to existing city footprints where it can be served by public transport, walking and cycling.
- b) Deliver design briefs for strategic sites;

The RSES identifies the delivery of sustainable regeneration and growth (particularly compact growth) through effective sustainable transport, spatial land use planning and the delivery of sustainable higher densities.

RPO 26 – Towns and Villages states it is an objective.

f) To ensure that development plans tailor the appropriate planning response by reference to the scale, nature and location of the settlement. Local

authorities will identify settlements which can play an enhanced role at subregional level to drive the development of their area;

RPO 151 - Integration of Land Use and Transport states the following principles of land use and transport integration will guide development:

- a) For urban-generated development, the development of lands, within or contiguous with the existing urban areas will be prioritised over development in less accessible locations.
- b) Residential development will be carried out sequentially, whereby lands which are, or will be, most accessible by walking, cycling and public transport-including infill and brownfield sites are prioritised.

RPO 165 - Higher Densities

"Local Authorities, through appropriate Development Plan policies shall ensure the consolidation of development at higher densities within existing urban centres and provision of permeability (improved for existing areas and included in any new development), with a focus on locations where it can be demonstrated that such development supports the use of walking, cycling and public transport."

The RSES places a significant emphasis on quality placemaking and the creation of new sustainable neighborhoods. RPO 176 '10 minute City and Town Concepts' aims to.

"attain sustainable compact settlements whereby, a range of community facilities and services are accessible in short walking and cycle timeframes from homes or are accessible by high quality public transport services by connecting people to larger scaled settlements delivering these services".

Glounthaune is situated within the Cork Metropolitan Area Strategic Plan (MASP) region. Cork MASP Policy Objective 1 states the following overall objective.

To promote the Cork Metropolitan Area as a cohesive metropolitan employment and property market where population and employment growth is integrated with:(ii) the continued regeneration, consolidation and infrastructure led growth of the city centre, Cork City Docklands, Tivoli and suburban areas

Cork MASP Policy Objective 7 states.

"Identify and deliver strategic locations for increased residential and employment use at public transport interchange locations relating to the proposed Light Rail Transit Route, Suburban Rail and the strategic bus network, where high levels of accessibility by public transport can be achieved.

Seek sustainable higher densities where practicable at public transport nodal points." (emphasis added)

Section 3.2 of the Cork MASP refers to the Guiding Principles for the future of the area including the following:

<u>Compact Sustainable Growth</u> - Promote consolidation of Cork City and suburbs, refocus on the development of brownfield and infill lands to achieve a target of a minimum 50% of all new homes within the existing built-up footprint in Cork and 30% in other metropolitan settlements.

<u>Integrated Transport and Land Use</u> - Target growth along high quality public transport corridors and nodes linked to the delivery of key public transport projects under the development of a Cork Metropolitan Area Transport Strategy (CMATS).

<u>Accelerate Housing Delivery</u> - Activate strategic residential development areas and support the steady supply of sites to accelerate housing supply...... to achieve higher densities in the urban built up areas, supported by better services and public transport.

<u>Better alignment of growth</u> - Target 'catch up' investment to support employment, infrastructure and amenity provision and/or sustainable transport links in metropolitan towns and suburban areas that have experienced high levels of population growth but are reliant on other areas for employment and/or services.

2.1.2 Cork County Development Plan 2014 (CDP)

2.1.2.1 Density

Section 3.4 of the CDP includes policies for housing density. The CDP refers to the Ministerial Guidelines issued under section 28 of the Planning and Development Act 2000, which indicate that higher densities are potentially applicable in three categories of location found within County Cork including:

- Public Transport Corridors
- Outer Suburban/'Greenfield' Sites

The CDP recognises that Ministerial Guidelines suggest that average net densities in the general range of 35-50 dwellings per hectare should be encouraged and net densities of less than 30 dwellings/ha should be discouraged. The CDP indicates that these densities can be achieved whilst also promoting the construction of a variety of house types.

Cork County Council's stated aim is to achieve more efficient land utilisation through higher densities was, therefore, recognised in the CDP. However, the need to broaden the range of house types was given equal weight in the detailed planning of the areas within the County ¹. In order to accommodate these competing policy objectives a range of density guidelines including "High", "Medium A" and "Medium B" are outlined in County Development Plan Objective HOU 4-1.

The subject site is located within the development boundary of Glounthaune as defined by the 2017 LAP. The LAP does not provide any specific development objectives or density standards for these lands. Table 3.1 of the CDP provides a guide to the densities to be applied to lands zoned in the LAPs.

¹ Section 3.4.15 Cork County Development Plan 2014

Table 3.1: Settlement Density Guide					
Settlement Type	Settlement / Location	High	Medium 'A'	Medium 'B'	
All Towns	Town Centre Locations	Applicable in town centre locations	-	-	
Towns with Public Transport Corridor Potential	Ballincollig Blamey Carrigtwohill Carrigaline Cobh Cork South Environs Cork North Environs Glanmire Midleton	dose to future high quality public transport proposals	Generally applicable for future development	Applicable in a limited number of peripheral locations identified in the Local Area Plans	
Other Large Towns	Bandon Fermoy Mallow Passage West Youghal	-	Generally applicable for future development	Applicable in a limited number of peripheral locations identified in the Local Area Plans	
Smaller Towns	All Other Towns	-	-	Generally applicable for future development	

Figure 2.1 Table 3.1 of 2014 CDP

	County Development Plan Objective				
	HOU 4-1: Housing Density on Zoned Land Min Net Density Max Net Density Comment				
High	35	No Limit	 Applicable in town centres throughout the county and in other areas identified in LAP's normally in close proximity to existing or proposed high quality public transport corridors. Normally requires/involves apartment development. Subject to compliance with appropriate design/amenity standards and protecting the residential amenity of adjoining property and the heritage assets of town centres. 		
Medium 'A'	20	50	 Applicable in city suburbs, larger towns over 5,000 population and rail corridor locations (example Carrigtwohill). Apartment development is permissible where appropriate but there is no requirement to include an apartment element in development proposals. Consider a lower standard of public open space provision where larger private gardens are provided. Must connect to public water and waste-water services. Broad housing mix normally required including detached/serviced sites unless otherwise specified in relevant Local Area Plan. 		
Medium 'B'	12	25	 Max Net Density extended to 35 dwellings/ha in smaller towns outside Metropolitan Cork. Normally applicable in smaller towns (less the 5,000 population). Can be applied in larger towns through LAP's where there is a requirement to broaden the range of house types. Densities less than 12 dwellings/ha will be considered where an exceptional market requirement has been identified. Densities between 25 and 35 dwellings/ha will be considered where an exceptional market requirement has been identified. Consider a lower standard of public open space provision where larger private gardens are provided. Must connect to public water and waste-water services. Broad housing mix normally required including detached/serviced sites unless otherwise specified in relevant Local Area Plan. 		

Figure 2.2 CDP Objective HOU 4-1

Table 3.1 of the CDP indicates that Medium B residential density is applicable to smaller towns such as Glounthaune. Objective HOU 4-1 defines 'smaller towns' as settlements of less than

5,000 no. people in population ². Section 3.4.21 of the CDP defines Medium Density 'B' (Low Density Development) as follows:

"The upper limit for this category is proposed at 25 dwellings/ha (35 in smaller towns outside Metropolitan Cork) allowing a wide range of densities to be constructed and creating an overlap between the upper limit of this category and the lower limit to the Medium Density 'A' category. There is no lower limit suggested for this category but proposals for densities of less than 12 dwellings/ha will need to be supported by a justification of the market demand for the finished units. Also, in order to encourage a broader mix of dwelling types a reduction in the public open space requirement where larger private gardens are provided is proposed."

2.1.2.1 Car Parking Standards

Car parking standards are outlined in Table 1a, Appendix D of the County Development Plan. While maximum standards are assigned for the majority of development types, the residential standards are set as minimum values as follows:

- Dwelling House 2 spaces per dwelling
- Apartments 1.25 spaces per dwelling

Note 4 under Table 1a states that:

"A reduction in the car parking requirement may be acceptable where the planning authority are satisfied that good public transport links are already available and/or a Transport Mobility Plan for the development demonstrates that a high percentage of modal shift in favour of the sustainable modes will be achieved through the development."

2.1.2.2 Scale of Development

Glounthaune is categorised as a 'key village' settlement in the settlement hierarchy of the CDP and the Cobh Municipal District. CDP Objective CS 3-2 states the strategic aim of these settlements is to.

"Establish key villages as the primary focus for development in rural areas in the lower order settlement network and allow for the provision of local services, by encouraging and facilitating population growth at a scale, layout and design that reflects the character of each village, where water services and wastewater infrastructure is available. Supporting the retention and improvement of key social and community facilities and inter urban public transport."

Regarding general objectives for 'Key Villages' Objective GO-01 of the 2017 LAP states.

a) Within the development boundary of the key villages it is an objective to encourage housing development on the scale set out in Table 4.2.1 in the period 2017 – 2023.

² The settlement of Glounthaune has a current population of circa 1,400 people according to 2016 Small Area Census figures

b) The number of houses in any particular individual scheme should have regard to the scale and character of the existing village and will not normally exceed the provision of the number of units set out in Table 4.2.1.

Table 4.2.1: Appropriate Scale of Development for Key Villages					
Name	Existing Number of Houses Q1 2015 (Geodirectory)	Growth 2010 to 2015 (Geodirectory)	Overall Scale of Development (No. of houses)	Normal Recommended Scale of any Individual scheme	
Carrignavar	175	3	100	30	
Glenville	166	4	100	25	
Glounthaune	506	31	400	40	
Total Key Villages			600		

The normal recommended scale of any individual scheme is set out in the above table. Individual schemes in excess of the recommended scale set out in the above table may be considered where it is demonstrated that the overall scheme layout reinforces the existing character of the village and the scheme is laid out, phased and delivered, so as not to reflect a residential housing estate more suited to a larger settlement.

Figure 2.3 Table 4.2.1 – LAP

We note the footnote of Table 4.2.1 which provides a degree of flexibility regarding the normal recommended scale of any individual residential development in key village settlement.

"The normal recommended scale of any individual scheme is set out in the above table. Individual schemes in excess of the recommended scale set out in the above table may be considered where it is demonstrated that the overall scheme layout reinforces the existing character of the village and the scheme is laid out, phased and delivered, so as not to reflect a residential housing estate more suited to a larger settlement."

2.2 NATIONAL POLICY

The key National Policies of relevance to the proposed development are.

- Project Ireland 2040: National Planning Framework;
- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (Cities, Towns & Villages) (2009);
- Sustainable Urban Housing: Design Standards for New Apartments (2018 & 2020);
 and
- Urban Development and Building Heights Guidelines for Planning Authorities (December 2018).

2.2.1.1 Project Ireland 2040: National Planning Framework

One of the principal goals of the NPF is to deliver compact growth through the activation of strategic areas and achieving effective density and consolidation. Promoting the compact growth approach rather than a continued sprawl of urban development, is listed as the Framework's top priority and will be achieved by future developments complying with the following National Policy Objectives

<u>National Policy Objective 2A</u> - A target of half (50%) of future population and employment growth will be focused in the existing five cities and their suburbs.

<u>National Policy Objective 3B</u> - Deliver 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.

<u>National Policy Objective 3c-</u> Deliver at least 30% of all new homes that are targeted in settlements other than the five Cities and their suburbs, within their existing built-up footprints

<u>National Policy Objective 4 -</u> Ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being.

<u>National Policy Objective 6 -</u> Regenerate and rejuvenate cities, towns and villages of all types and scale as environmental assets, that can accommodate changing roles and functions, increased residential population and employment activity and enhanced levels of amenity and design quality, in order to sustainably influence and support their surrounding area.

<u>National Policy Objective 8</u> - Ensure that the targeted pattern of population growth of Ireland's cities to 2040 is in accordance with the targets set out in Table 4.1.

Table 4.1 Ireland 2040: Targeted Pattern of City Population Growth

City	Population 2016	Population	Minimum Target Population 2040	
		% Range	People	
Dublin - City and Suburbs	1,173,000	20-25%	235,000 - 293,000	1,408,000
Cork - City and Suburbs	209,000	50-60%	105,000 - 125,000	314,000
Limerick - City and Suburbs	94,000	50-60%	47,000 - 56,000	141,000
Galway - City and Suburbs	80,000	50-60%	40,000 - 48,000	120,000
Waterford - City and Suburbs	54,000	50-60%	27,000 - 32,000	81,000

<u>National Policy Objective 11</u> - In meeting urban development requirements, there will be a presumption in favour of development that can encourage more people and generate more jobs and activity within existing cities, towns and villages, subject to development meeting appropriate planning standards and achieving targeted growth.

National Policy Objective 32 - To target the delivery of 550,000 additional households to 2040.

<u>National Policy Objective 33</u> - To prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.

<u>National Policy Objective 35</u>- Increase residential density in settlements, through a range of measures including reductions in vacancy, reuse of existing buildings, infill development schemes, area or site-based regeneration and increased building heights.

Key Future Growth Enablers for Cork include.

 Progressing the sustainable development of new greenfield areas for housing, especially those on public transport corridors, such as Monard.

 Identifying infill and regeneration opportunities to intensify housing development in inner city and inner suburban areas, supported by public realm and urban amenity projects

2.2.1.2 Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (Cities, Towns & Villages) (2009)

The Guidelines (SRDUA), which informed the preparation of the CDP 2014 define appropriate locations for increased densities ³. The subject lands are situated to the north of the existing village centre of Glounthaune and can be defined as an 'edge of centre' location in context of the existing settlement and in accordance with the SRDUA.

The SRDUA defines 'small towns and villages' as settlements with a population ranging from 400 to 5,000 persons. Regarding housing densities 'edge of centre' sites in small towns and villages', section 6.11 of the SRDUA states.

"The emphasis will be on achieving successful transition from central areas to areas at the edge of the smaller town or village concerned. Development of such sites tend to be predominantly residential in character and given the transitional nature of such sites, densities to a range of 20-35 dwellings per hectare will be appropriate including a wide variety of housing types from detached dwellings to terraced and apartment style accommodation."

b) New development should contribute to compact towns and villages.

"It is appropriate that the investment in such services is utilised properly through the prioritisation of development that either re-uses brown-field development land such as central area sites and backlands or through the development of acceptable "green-field" sites at suitable locations within the immediate environs of the small town or village concerned."

c) Higher densities are appropriate in certain locations

"Significant enhancement of the scale and density of development in small towns and villages may be appropriate in locations close to Gateways and Hubs designated under the NSS, that are served by existing and/or planned high quality public transport corridors and that have been earmarked for particular development functions in regional planning guidelines and development plans"

e) The scale of new residential schemes for development should be in proportion to the pattern and grain of existing development.

2.2.1.3 Sustainable Urban Housing: Design Standards for New Apartments (March 2018 & 2020)

These Guidelines which were adopted in December 2018 reinforced Government's policy and advice in respect of increasing densities at suitable locations. The 2020 Guidelines are unchanged from the previous 2018 Guidance except in relation to the introduction of Specific

³ Section 5.3

Planning Policy Objective 9 which provides for a presumption against granting planning permission for shared accommodation/co-living development.

The Guidelines update previous guidance from 2015 and note that this is done so in the context of greater evidence and knowledge of current and likely future housing demand in Ireland taking account of the Housing Agency National Statement on Housing Demand and Supply, the Government's action programme on housing and homelessness Rebuilding Ireland and Project Ireland 2040 and the National Planning Framework, published since the 2015 guidelines.

The Guidelines suggest 3 broad types of locations suitable for apartment developments including.

- central accessible urban areas;
- intermediate urban areas; and
- peripheral or less accessible urban areas.

Section 2.4 of the Guidelines define Peripheral and/or Less Accessible Urban Locations as follows

"Such locations are generally suitable for limited, very small-scale (will vary subject to location), higher density development that may wholly comprise apartments, or residential development of any scale that will include a minority of apartments at low-medium densities (will also vary, but broadly <45 dwellings per hectare net), including:

- Sites in suburban development areas that do not meet proximity or accessibility criteria;
- Sites in small towns or villages.

The range of locations outlined above is not exhaustive and will require local assessment that further considers these and other relevant planning factors."

While the proposed development site has sustainable attributes and connectivity to public transport services, Glounthaunes traditional village setting and the nature of the existing settlement we consider the subject site constitutes a 'Peripheral and/or Less Accessible Urban Location.

The Guidelines indicate that such areas are suitable for medium density development that may include a minority of apartment, but broadly less than 45 dwellings per hectare net.

In terms of car parking requirements, the Guidelines indicate a removal of requirements for carparking in certain circumstances where there are better mobility solutions and to reduce costs⁴. Another key update in the 2020 Guidelines is the ability to reduce car parking standards. The Guidelines identify that 'in larger scale and higher density developments, comprising wholly of apartments in more central locations that are well served by public transport, the default policy is for car parking provision to be minimised, substantially reduced or wholly eliminated in certain circumstances'.

⁴ Section 1.10

The scheme as proposed includes for car parking at a rate of circa 1.81 no. spaces per unit for houses and 1 no. space per unit for apartments (including the 9 no. spaces to the front of the proposed southern mixed-use building) which is justified given the site's accessibility to public transport and employment zones.

2.2.1.4 Urban Development and Building Heights Guidelines for Planning Authorities (December 2018)

The Guidelines introduced Special Planning Policy Requirements (SPPRs) which were broader in focus than those contained in the Sustainable Urban Housing: Design Standards for New Apartments (2018). SPPR 4 supported the previous Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas and specified:

"It is a specific planning policy requirement that in planning the future development of greenfield or edge of city/town locations for housing purposes, planning authorities must secure:

- 1. the minimum densities for such locations set out in the Guidelines issued by the Minister under Section 28 of the Planning and Development Act 2000 (as amended), titled "Sustainable Residential Development in Urban Areas (2007)" or any amending or replacement Guidelines;
- 2. a greater mix of building heights and typologies in planning for the future development of suburban locations; and
- 3. avoid mono-type building typologies (e.g. two storey or own-door houses only), particularly, but not exclusively so in any one development of 100 units or more."

03. Material Contraventions

3.1 RELEVANT POLICIES AND OBJECTIVES

The proposed development materially contravenes the Cork County Development Plan 2014 and Cobh Municipal District Local Area Plan 2017 in the following ways.

- The proposed development represents a density of 33 units per hectare (of the developable residential area) which is in excess of the Medium B density range of 12-25 units per hectare, and therefore materially contravenes County Development Plan Objective HOU 4-1: Housing Density on Zoned Land.
- The proposed development represents an underachievement of Cork County Council's car parking standards are outlined in Table 1a, Appendix D of the County Development Plan, contrary to the provisions of section 10.4.8 of the Development Plan.
- The proposed development exceeds the 'normal recommended scale of any individual scheme' of 40 no. units and the 'overall scale of development' for Glounthaune of 400 no. units during the lifetime of the 2017-2023 Local Area Plan as identified in LAP Objective GO-01 and table 4.2.1 of the Local Area Plan.

3.2 JUSTIFICATION FOR PROPOSED DEVELOPMENT

In circumstances where the proposed Lackenroe SHD constitutes a material contravention of Objective HOU 4-1 of the Development Plan in relation to housing density, car parking standards identified in Table 1a, Appendix D of the County Development Plan, and the future scale of development in Glounthaune identified in Table 4.2.1 of the Local Area Plan. The justification for deciding to grant permission in circumstances of such a material contravention is set out below, as required under the relevant criteria set out under Section 37(2)(b) of the 2000 Act, as amended.

First, for ease of reference, the relevant policies and objectives of the Cork County Development Plan and Cobh Municipal District Area Local Area Plan, which the proposed development materially are outlined below followed, secondly, by a demonstration of the manner in which section 37(2)(b) considerations apply.

We consider that the proposed development should be permitted pursuant to Section 37(2)(b)(iii) of the 2000 Act which states.

"37(2)(b)(iii) Permission for the proposed development should be granted having regard to regional spatial and economic strategy for the area, guidelines under section 28, policy directives under section 29, the statutory obligations of any local authority in the area, and any relevant policy of the Government, the Minister or any Minister of the Government."

3.2.1 Density

The proposed development represents a density of 33 units per hectare ⁵, exceeds the Medium B density range of 12-25 units per hectare defined in Objective HOU 4-1 in the Cork County Development Plan as being suitable for small towns such as Glounthaune. As referenced previously, Objective HOU 4-1 defines smaller towns as settlements with a population of less than 5,000 no. people. The settlement of Glounthaune has a population of circa 1,400 people according to 2016 Small Area Census figures.

The Cork County Development Plan was adopted in 2014 and the Cobh Municipal District LAP was adopted in 2017 with the residential density policies in the LAP reflecting and respecting those contained in the CDP 2014.

Application of Section 37 (2)(B) Considerations to the Proposed Development

Point (iii) - permission for the proposed development should be granted having regard to regional spatial and economic strategy for the area, guidelines under section 28, policy directives under section 29, the statutory obligations of any local authority in the area, and any relevant policy of the Government, the Minister or any Minister of the Government.

The following section demonstrates how the proposed density and housing unit mix are justified in the context of recent National Planning Policy and Section 28 Guidelines, which seek to increase residential densities, and which have been published since the adoption of the Cork County Development Plan 2014 and Cobh Municipal District Local Area Plan 2017. These include:

- Project Ireland: National Planning Framework 2040
- Regional Spatial & Economic Strategy for the Southern Region.
- Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities (Apartment Guidelines 2018)
- Sustainable Residential Developments in Urban Areas (SRDUA) (2009)
- Urban Development and Building Heights, Guidelines for Planning Authorities (2018)

3.2.1.1 Project Ireland: National Planning Framework 2040

The NPF seeks to increase densities and building heights in appropriate locations to consolidate urban sprawl, increase the sustainability of public transport networks and meet the housing needs of our growing population.

A review of the relevant National Policy Objectives and guidance contained in the NPF, confirms there is a strong emphasis on increasing the density of residential development at appropriate locations, particularly along public transport corridors and within the areas of Irelands five largest cities and suburbs. Glounthaunes location within the wider Cork Metropolitan Area and its location on the Cork Metropolitan Rail Network, with a service every circa. 15 minutes (at peak times) to Cork City Centre confirms the settlement satisfies the rationale outlined in the NPF for increased residential densities.

⁵ Of the Residential developable site area

The proposed development is in accordance with National Policy Objectives 2a, 3b, 3c and 8 which aim to increase Cork City and suburbs to a minimum population of 314,000 by 2040 and which will require a growth rate of 50-60 %. The proposed development is consistent with NPO 11 of the NPF. The proposed creche/commercial components of the scheme will assist in the creation of local employment and boost the local economy.

Objective 33 of the NPF emphasises the importance of providing homes in locations that can support sustainable development. The Key Future Growth Enablers for Cork include the sustainable development of appropriately located greenfield sites for new housing, particularly on public transport corridors. The subject lands are situated adjacent to the 'Pedestrian and Cycle Route from Bury's Bridge, Kilcoolishal to Carrigtwohill via Glounthaune' (greenway) which will provide future occupants of the development with dedicated pedestrian/cyclist connectivity to Glounthaune train station. The subject site is well positioned to promote sustainable modes to commuting to urban/employment centres in the Cork Metropolitan Area. The proposed development will also provide for public realm upgrades to the Terrace providing for enhanced motorist, pedestrian and cyclist environments, benefitting the wider settlement.

The proposed development represents the achievement of effective density on a strategically located site which is well served in terms of the necessary facilities, infrastructure, and amenities to facilitate a higher density development such as that proposed.

3.2.1.2 Regional Spatial & Economic Strategy for the Southern Region (RSES)

The RSES also supports increased densities at appropriate locations. RPO 10 of the RSES 'Compact Growth in Metropolitan Areas' states that development should be prioritised within existing settlements which are served by public transport, walking and cycling opportunities. This is further supported by RPO 151 of the RSES which also confirms that lands, within or contiguous with the existing urban areas will be prioritised over development in less accessible locations.

The location of higher density residential development at locations served by pedestrian/cyclist and public transport infrastructure is further promoted in RPO 165 of the RSES 'Higher Densities' which states that.

"development at higher densities within existing urban centres and provision of permeability (improved for existing areas and included in any new development), with a focus on locations where it can be demonstrated that such development supports the use of walking, cycling and public transport."

The proposed development satisfies all of these criteria by accommodating permeability through the site to surrounding areas and providing public realm upgrades to the Terrace in the form of a new footpaths and cycle lanes and the delivery of a new signalised pedestrian/cycle crossing. As referenced previously, the subject lands are situated adjacent to a new greenway which in turn provides convenient pedestrian/cyclist access to the village core and train station. As illustrated in the 'Connectivity Mapping' attached in Appendix A of this Material Contravention Statement the southern area of the subject site is:

 Within 5 minutes walking distance of a high frequency urban rail service, the Cork to Midleton and Cork – Cobh rail lines which operate at 15-minute intervals daily providing regular and reliable public transport links to surrounding urban centres.

- Within 5-10 minute walking distance of Glounthaune village centre. This village centre consists of a church, pub, post office, hair salon, shop and a railway station and other village amenities.
- The site is also within short walking distance of a number of bus stops within the settlement of Glounthaune which are served by the following;
 - » No. 240 bus route; Cork Ballycotton via Glanmire, Little Island, Carrigtwohill, Midleton and Cloyne. – c. 3 services daily
 - » No. 241 bus route; Cork Trabolgan via, Midleton and Whitegate. c. 3 services daily
 - » No. 260 bus route; Cork Ardmore via Glanmire, Carrigtwohill, Midleton and Youghal – c. 5 services daily.
 - » No. 261 bus route Cork Ballinacurra via Midleton c. 1 services daily.

Cork MASP Objective 7 aims to.

"Seek sustainable higher densities where practicable at public transport nodal points."

This is consistent with the realization of Goal 2 'of the RSES, 'Excellent Connectivity and Sustainable Mobility' which aims.

"To achieve successful integration between land use and transport planning, achieving sustainable higher densities and appropriate uses at nodes serviced by public transport networks;"

And the 'Guiding Principles' of the Cork MASP which aims to integrate and-use and public transport links and accelerate housing delivery which a focus on achieving "higher densities in the urban built up areas, supported by better services and public transport."

We also note Section 3.9 of the Cork MASP which states regarding 'Sustainable residential densities' the RSES supports the:

"increase residential density in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration and increased building heights in appropriate locations."

As demonstrated above, the provision of higher residential densities at locations with quality access to walking, cycling and public opportunities is promoted by the RSES. The proposed development seeks to provide for residential development with convenient access to a high frequency suburban rail connection to urban/employment centres including Cork City Centre, Little Island, Carrigtwohill, Midleton and Cobh. The proposed development therefore is compliant with the overall policies and objectives of the RSES in this regard.

3.2.1.3 Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities (Apartment Guidelines 2018) and Urban Development and Building Heights Guidelines for Planning Authorities, December 2018 (2018 Building Height Guidelines).

The Apartment Guidelines 2018 build upon the provisions of the NPF. Under subsection 9(3) of the 2016 Act, An Bord Pleanála is required to have regard to the guidelines and apply any specific planning policy requirements (SPPR's) of the guidelines in carrying out their function. The 2018 Apartment Guidelines state:

"These guidelines have been issued by the Minister for Housing, Planning and Local Government under Section 28 of the Planning and Development Act 2000 (as amended). Planning authorities and An Bord Pleanála are required to have regard to the guidelines and are also required to apply any specific planning policy requirements (SPPRs) of the guidelines, within the meaning of Section 28 (1C) of the Planning and Development Act 2000 (as amended) in carrying out their functions.

Accordingly, where SPPRs are stated in this document, they take precedence over any conflicting, policies and objectives of development plans, local area plans and strategic development zone planning schemes. Where such conflicts arise, such plans should be amended by the relevant planning authority to reflect the content of these guidelines and properly inform the public of the relevant SPPR requirements."

Both the County and Local Area Plan pre-date the NPF and RSES and various Section 28 Ministerial Guidance documents such as the 2018 Building Height Guidelines. The 2018 Building Height Guidelines contain unequivocal support for higher density, compact developments, particularly in accessible urban areas. SPPR 4 of the 2018 Building Height Guidelines makes compliance with the minimum densities outlined in the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas 2009 (SRDUA) a requirement.

SPPR 4 - It is a specific planning policy requirement that in planning the future development of greenfield or edge of city/town locations for housing purposes, planning authorities must secure:

- 1. the minimum densities for such locations set out in the Guidelines issued by the Minister under Section 28 of the Planning and Development Act 2000 (as amended), titled "Sustainable Residential Development in Urban Areas (2007)" or any amending or replacement Guidelines;
- 2. a greater mix of building heights and typologies in planning for the future development of suburban locations; and
- 3. avoid mono-type building typologies (e.g. two storey or own-door houses only), particularly, but not exclusively so in any one development of 100 units or more.

Having regard to the above and the provisions of the 2018 Apartment Guidelines and SPPR4 of the 2018 Building Height Guidelines, the Board should note the provisions of section 9(3)(b) of the 2016 Act, which expressly provides that:

"where specific planning policy requirements of guidelines referred to in paragraph (a) differ from the provisions of the development plan, then those requirements shall, to the extent that they so differ, apply instead of the provisions of the development plan."

Accordingly, in deciding whether to grant permission under subsection 9(6), the Board should have regard to the fact that SPPR4 of the 2018 Building Height Guidelines applies instead of the relevant provisions of the development plan, the Board can approve the proposed development under section 9(3) of the 2016 Act, notwithstanding any potential conflicting policies / objectives of the Development Plan.

In accordance with the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, the subject site is an 'edge of centre' location. Section 6.11 of the Guidelines indicate the following in terms of housing densities on edge of centre sites:

"The emphasis will be on achieving successful transition from central areas to areas at the edge of the smaller town or village concerned. Development of such sites tend to be predominantly residential in character and given the transitional nature of such sites, densities to a range of 20-35 dwellings per hectare will be appropriate including a wide variety of housing types from detached dwellings to terraced and apartment style accommodation."

[Emphasis added]

The Apartment Guidelines 2018 contains similar guidance, but do not contain any Special Planning Policy Requirements in terms of density. In accordance with these Apartment Guidelines 2018, the proposed development site would be considered to be an a 'Peripheral and/or Less Accessible Urban Location'. The March 2018 Guidelines indicate that such areas are suitable for medium density development that may include a minority of apartment, but broadly less than 45 dwellings per hectare net.

The density of the proposed development is 33 units per hectare of the developable residential site area, which is clearly in excess of the Medium B density recommendations of 12-25 units per hectare in Table 3.1 of the County Development Plan. This density is, however, consistent with SPPR 4 of 'Building Height Guidelines 2018' which make compliance with the density range of 20-35 units per hectare outlined in the SRDUA requirements.

The proposed density of 33 units per hectare is the most appropriate scale of development for the site given the site-specific topography and locational factors. This density complies with the ambition contained in *The Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (March 2018)* to achieve.

"higher density development that may wholly comprise apartments, or residential development of any scale that will include a minority of apartments at low-medium densities (will also vary, but broadly <45 dwellings per hectare net)"

3.2.1.4 Sustainable Residential Developments in Urban Areas 2009 (SRDUA)

Section 6.11 of the SDUA stated above refers to an appropriate density range of 20-35 units per hectare at 'edge of centre' locations in smaller towns and villages. As demonstrated above and in the accompanying Planning Statement/Statement of Consistency, the proposed development is consistent with this guidance.

The proposed development provides for 201 no. dwelling houses (196 no. in northern parcel and 5 no. in southern parcel) consisting of 5 no. 4 bedroom detached dwellings, 44 no. 4 bedroom semi-detached dwellings, 12 no. 4 bedroom townhouses, 3 no. 3 bedroom detached dwellings, 22 no. 3 bedroom semi-detached dwellings, 49 no. 3 bedroom townhouses and 66 no. 2 bedroom townhouses. The proposed development also includes 88 no. apartment/duplex units (64 no. in northern parcel and 24 in southern parcel) comprising 8 no. 3 bedroom`1 units, 39 no. 2 bedroom units and 41 no. 1 bedroom units.

As required by Section 6.11 of the SRDUA the proposed development provides for a wide range of accommodation which will assist in achieving a successful transition from central areas to areas of the settlement to the edge of the settlement where the site is located.

We note the Circular issued by the Department of Housing, Local Government and Heritage dated 21st April 2021 (Reference NRUP 02/2021) regarding Residential Densities in Towns and Villages, as set out in the SRDUA which states.

"...it is necessary to adapt the scale, design and layout of housing in towns and villages, to ensure that suburban or high-density urban approaches are not applied uniformly and that development responds appropriately to the character, scale and setting of the town or village."

"Section 6.0 of the Sustainable Residential Development also notes the difficulty in applying prescriptive density standards in locations that display a variety of contexts and land uses, such as those that can be found in towns and villages that have evolved organically over hundreds of years. The guidance cautions against large scale, rapid development that may overwhelm and detract from the quintessential character of towns and villages that have developed slowly and organically over time (refer to Section 6.3). There is already clear scope for greater variation in density in smaller towns, but this should not lead to provision for disproportionate development in such places through excessive zoning."

We consider that the proposed development of 33 units per hectare of the developable site area is not only consistent with density recommendations of the SRDUA, but also responds to the settlement specific characteristics of Glounthaune and will represent the compact and sustainable growth of the settlement into the future.

3.2.1.5 Conclusion on Density

In the circumstances, the Board may to decide to grant permission for the proposed Lackenroe SHD, notwithstanding the material contravention of the provisions of the development plan in respect of density.

3.2.2 Car Parking Provision

A total of 484 no. car parking spaces are proposed and will be allocated in accordance with the attached Drawing No. 20151/P/016 prepared by Deady Gahan Architects, which is attached as Appendix B. As highlighted the parking strategy for the proposed development allocates parking on the basis of housing type and likely demands of future residents.

Pursuant to the provisions of section 10.4.8 of the CDP, Cork County Council's car parking standards are outlined in Table 1a, Appendix D of the CDP. While maximum standards are assigned for the majority of development types, the residential standards are set as minimum values as follows:

- Dwelling House 2 spaces per dwelling
- Apartments 1.25 spaces per dwelling

Note 4 under Table 1a states that:

"A reduction in the car parking requirement may be acceptable where the planning authority are satisfied that good public transport links are already available and/or a Transport Mobility Plan for the development demonstrates that a high percentage of modal shift in favour of the sustainable modes will be achieved through the development."

Parking for the proposed 201 no. dwelling houses within the scheme is generally 2 no. spaces per dwelling house as specified in Appendix D of the CDP, with the exception

- 64 no. 2 bedroom townhouses located in the Northern Parcel (Area B) which have been provided with 1.5 no. car parking spaces per dwelling, and.
- 4 no. 2/3 bedroom townhouses located in the Southern Parcel (Area E) which have been provided with 1 no. car parking space per dwelling.

Car parking for the proposed 64 no. apartment/duplex units in the northern parcel is provided at 1.25 spaces per unit in accordance with the CDP.

The proposed mixed-use building to the south of the site provides for 24 no. apartment units at ground and upper floors and a commercial unit of area 77.8 sqm / community space of area 113.6 sqm at ground floor level. As referenced previously, Table 1a, Appendix D of the CDP identifies a standard of 1.25 car spaces per apartment and,

- 1 no. space per 20 sqm for retail/convenience retail uses and.
- 1 no. space per 25 sqm for cultural, community & recreational buildings.

This results that in accordance with Table 1a, Appendix D of the CDP the proposed development reflects a requirement for 30 no. spaces for the proposed 24 no. apartments, 4 no. car parking spaces for the proposed community unit and 4 no. spaces for the proposed commercial unit ⁶. In total 38 no. car spaces serving the proposed mixed-use building should be provided in accordance with the standards of Appendix D of the CDP.

The proposed development provides for 9 no. car parking spaces to the front of the proposed apartment/commercial/ community building, which will be flexible in their usage between the proposed residential, commercial and community uses. This parking provision is not in accordance with the CDP standards, which were adopted in 2014 and appear to be dated now given the progress made in the intervening period in terms of sustainable travel. Due to the presence of the new Greenway to the south of the building the area is constrained in terms of car parking provision. Notwithstanding it is considered that the buildings location proximate to the village core, greenway, and short walking distance from the greenway, that a reduction in car parking provision is appropriate in this area of the site.

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⁶ For the purposes of this assessment, the car parking requirement for the proposed commercial unit has been rounded up to 80 sqm resulting in the provision of 4 no. spaces as per the standards of Appendix A of the CDP.

Application of Section 37 (2)(B) Considerations to the Proposed Development

Point (iii) - permission for the proposed development should be granted having regard to regional spatial and economic strategy for the area, guidelines under section 28, policy directives under section 29, the statutory obligations of any local authority in the area, and any relevant policy of the Government, the Minister or any Minister of the Government.

The following section demonstrates how the proposed car parking provision is justified in the context of recent National Planning Policy and section 28 Guidelines, which seek to increase residential densities, and which have been published since the adoption of the Cork County Development Plan 2014 and Cobh Municipal District Local Area Plan 2017. These include:

- Project Ireland: National Planning Framework 2040
- Regional Spatial & Economic Strategy for the Southern Region
- Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities (Apartment Guidelines 2018)

3.2.2.1 Project Ireland: National Planning Framework 2040 (NPF)

The NFP does not directly refer to car parking standards for various uses. However, we note references within the NPF which states that 'performance-based design standards' should be applied to reflect the particular context of settlements. Section 4.5 of the NPF states that.

"In particular, general restrictions on building height or universal standards for car parking or garden size may not be applicable in all circumstances in urban areas and should be replaced by performance-based criteria appropriate to general location, e.g. city/town centre, public transport hub, inner suburban, public transport corridor, outer suburban, town, village etc."

This is also reflected in National Policy Objective 13 of the NPF which states.

"In urban areas, planning and related standards, including in particular building height and car parking will be based on performance criteria that seek to achieve well-designed high-quality outcomes in order to achieve targeted growth. These standards will be subject to a range of tolerance that enables alternative solutions to be proposed to achieve stated outcomes, provided public safety is not compromised and the environment is suitably protected."

The NPF also places a strong emphasis on the consolidation of walking and cycling mobility over vehicular based transport. This is reflected in 'National Policy Objective 27, 'Healthy Communities' which aims to.

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

The proposed development represents the achievement of appropriate car parking provision in circumstances where the NPF promotes an enhanced focus on promoting walking and cycling in settlements and adopting performance-based design standards for settlements for matters including car parking. Due to the sites' location in close proximity to the settlement core and short walking distance from local amenities including Glounthaune train station/public transport opportunities, the greenway to Carrigtwohill and the various uses in the area is considered that the proposed reduction in car parking is consistent with the relevant guidance in the NPF.

3.2.2.2 Regional Spatial & Economic Strategy for the Southern Region (RSES)

Like the NPF, the RSES does not specifically refer to car parking standards for residential development, but places strong emphasis on reducing reliance on the private car and promoting walking, cycling and public transport as alternative modes of transport. The following objectives in the RSES are of particular relevance:

RPO 152 - Local Planning Objectives states it is an objective to

"Where possible, developments will provide for filtered permeability. This will provide for walking, cycling, public transport and private vehicle access but at the same time will restrict or <u>discourage private car through trips</u>"

RPO 157 - Local Transport Plans (LTP) states.

"Plan and target actions for modal shift to sustainable transport modes to facilitate a modal shift away from car dependence."

RPO 163 - Sustainable Mobility Targets sates it is an objective that.

- a) Significant progress is sought for the Southern Region to <u>reduce the</u> modal share of private car travel and increase the modal share of travel by walking, cycling, public transport and car sharing.
- c) National Smarter Travel Targets are supported which seek to achieve a reduction of work-related commuting by private car to 45% of modal share by 2020 and commuting by walking, cycling, public transport and car sharing to 55% of modal share by 2020. Such targets are nationwide average targets and higher achievement under lower tiered plans such as for metropolitan areas are supported.

The proposed development represents the achievement of appropriate car parking provision in circumstances where the RSES supports the prioritisation of walking and cycling as modes of transport in urban areas and a reduction in car-based transport. The proposed development provides for 206 no. bicycle spaces across the entire scheme and provides for public realm upgrades and pedestrian/cycle links which satisfy desire lines to the village core and amenities /train station to the south ⁷. The southern site's location on a dedicated pedestrian/cycle greenway and short distance from Glounthaune train station results that walking and cycling should be promoted as more attractive modes of transport and the proposed reduction of car parking spaces is consistent with the overall policies and objectives of the RSES in this regard.

3.2.2.3 Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities 2018 & 2020 (Apartment Guidelines 2018)

Section 1.10 of the Apartment Guidelines 2018 indicate that a removal of "requirements for carparking in certain circumstances where there are better mobility solutions and to reduce costs".

⁷ Refer to Appendix C for Bicycle Parking Allocation

Section 4.16 of the Guidelines promotes the prioritisation of cycling in urban locations over carbased travel and

"In particular, planning authorities must ensure that new development proposals in central urban and public transport accessible locations and which otherwise feature appropriate reductions in car parking provision are at the same time comprehensively equipped with high quality cycle parking and storage facilities."

Regarding car parking section 4.18 of the Guidelines states that:

"The quantum of car parking or the requirement for any such provision for apartment developments will vary, having regard to the types of location in cities and towns that may be suitable for apartment development, broadly based on proximity and accessibility criteria."

As referenced previously, it is considered that due to the presence of the proposed mixed-use building adjacent to the new greenway and within 5-10 minute walking/cycling distance from Glounthaune train station and amenities in Glounthaune village core that a reduction in the quantum of car parking is appropriate. The reduction in car parking in this area of the site is responsive to the site-specific context and consistent with sections 1.10, 4.16 and 4.18 of the Apartment Guidelines 2018 which state that car parking standards should be appropriately reduced at locations which are served by public transport opportunities.

3.2.2.4 Conclusion on Car Parking

The County Development Plan identifies a standard spaces per house and 1.25 spaces per apartment in table 1a, Appendix D. Although the proposed development does not provide the quantum of car parking as set out in table 1a, Appendix D of the CDP, the parking strategy for the proposed development is consistent with the NPF, RSES and Apartment Guidelines 2018 in terms of promoting more sustainable modes of transport and reducing car dependency.

In relation to the car parking standards for apartment developments, as contained in table 1a, Appendix D of the County Development Plan, while the development standard is stated as a minimum required value, it is also stated that a relaxation in these standards may be accepted where a development is accompanied by a mobility plan and a shift to sustainable modes of transport can be demonstrated.

The proposed development provides for upgrades to the local network by the provision of a signalised pedestrian crossing on the Terrace and the provision of a dedicated north/south pedestrian/cyclist path through both northern and southern land parcels. This will accommodate existing and future residents of the settlement with safe, convenient and accessible walking and cycling facilities to the village core and train station. Given the locational advantages of the proposed development site relative to high quality/frequency public transport opportunities and local amenities, compliance with a reduced parking standard suggested by national guidelines is justified in this instance

Therefore, we consider that a reduction in the parking provision to serve the proposed development which is below the standards outlined in the County Development Plan, is justified.

3.2.3 Scale of Development

The proposed development of 289 no. residential units materially contravenes Local Area Plan General Objective GO-01 'General Objectives for Key Villages' which states that.

a) Within the development boundary of the key villages it is an objective to encourage housing development on the scale set out in Table 4.2.1 in the period 2017 – 2023.

b) The number of houses in any particular individual scheme should have regard to the scale and character of the existing village and will not normally exceed the provision of the number of units set out in Table 4.2.1.

Table 4.2.1 of the LAP outlines that the normal recommended scale of any individual scheme in Glounthaune during the lifetime of the Plan is 40 no. units with the 'overall scale of development' in the settlement of 400 no. units during the same time period. We note the footnote of table 4.1 which states that.

"The normal recommended scale of any individual scheme is set out in the above table. Individual schemes in excess of the recommended scale set out in the above table may be considered where it is demonstrated that the overall scheme layout reinforces the existing character of the village and the scheme is laid out, phased and delivered, so as not to reflect a residential housing estate more suited to a larger settlement."

Application of Section 37 (2)(B) Considerations to the Proposed Development

Point (iii) - permission for the proposed development should be granted having regard to regional spatial and economic strategy for the area, guidelines under section 28, policy directives under section 29, the statutory obligations of any local authority in the area, and any relevant policy of the Government, the Minister or any Minister of the Government.

The following section demonstrates how the proposed car parking provision is justified in the context of recent National Planning Policy and section 28 Guidelines, which seek to increase residential densities, and which have been published since the adoption of the Cork County Development Plan 2014 and Cobh Municipal District Local Area Plan 2017. These include:

- Project Ireland: National Planning Framework 2040
- Regional Spatial & Economic Strategy for the Southern Region
- Sustainable Residential Developments in Urban Areas (SRDUA) (2009)

3.2.3.1 Project Ireland: National Planning Framework 2040 (NPF)

The NPF seeks to increase the delivery of housing at appropriate locations, particularly in the five largest cities and suburban areas. The following objectives in the NPF are of particular relevance

<u>National Policy Objective 3b</u> - Deliver 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 footprint

<u>National Policy Objective 3c</u> - Deliver at least 30% of all new homes that are targeted in settlements other than the five Cities and their suburbs, within their existing built-up footprint

National Policy Objective 11- In meeting urban development requirements, there will be a presumption in favour of development that can encourage more people and generate more jobs and activity within existing cities, towns and villages, subject to development meeting appropriate planning standards and achieving targeted growth

<u>National Policy Objective 33 -</u> Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.

A review of the National Policy Objectives of the NPF confirms there is an increased emphasis on delivering compact, higher density residential development in existing settlements in the Cork Metropolitan Area.

3.2.3.2 Regional Spatial & Economic Strategy for the Southern Region (RSES)

Similarly, to the NPF, the RSES aims to consolidate new development in the Cork Metropolitan Area, with a specific emphasis on delivery additional residential development in existing settlements and those serviced by high quality public transport links. Glounthaune is situated within the Cork MASP (Metropolitan Area Strategic Plan) area as defined in the RSES. RPO 10 of the RSES which aims to.

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

Regarding the development of towns and villages in the southern region, RPO 26 states that particular settlements in the region 'can play an enhanced role at sub-regional level to drive the development of their area'. The following objectives of the RSES and specifically the Cork MASP are of particular relevance to the proposed scale of development.

<u>Cork MASP Policy Objective 1(b)</u> - The Cork MASP allows flexibility to respond to changes in planning policy, infrastructure requirements and prioritises that will arise in the area which will be added to Cork City as a result of the boundary extension.

Cork MASP Policy Objective 1(d) - The Cork MASP allows flexibility to respond to changes in planning policy, infrastructure requirements and priorities that will arise in the area which will be added to Cork City as a result of the boundary extension, framed by the principles set out in RPO 10 Compact Growth in Metropolitan Areas.

<u>Cork MASP Policy Objective 7</u>-"Identify and deliver strategic locations for increased residential and employment use at public transport interchange locations relating to the proposed Light Rail Transit Route, Suburban Rail and the strategic bus network, where high levels of accessibility by public transport can be achieved.

Section 3.2 of the Cork MASP refers to the Guiding Principles for the future of the area including the following:

<u>Compact Sustainable Growth</u> - Promote consolidation of Cork City and suburbs, refocus on the development of brownfield and infill lands to achieve a target of a minimum 50% of all new homes within the existing built-up footprint in Cork and 30% in other metropolitan settlements.

<u>Integrated Transport and Land Use</u> - Target growth along high quality public transport corridors and nodes linked to the delivery of key public transport projects under the development of a Cork Metropolitan Area Transport Strategy (CMATS).

<u>Accelerate Housing Delivery</u> - Activate strategic residential development areas and support the steady supply of sites to accelerate housing supply...... to achieve higher densities in the urban built up areas, supported by better services and public transport.

<u>Better alignment of growth</u> - Target 'catch up' investment to support employment, infrastructure and amenity provision and/or sustainable transport links in metropolitan towns and suburban areas that have experienced high levels of population growth but are reliant on other areas for employment and/or services.

The RSES is clear that establishing that increased levels of housing should be prioritised at areas served by high quality public transport links and will contribute to compact urban development. MASP objective 7 seeks to deliver increased residential levels at areas which are located on the Cork Metropolitan public transport network. As referenced, the southern parcel of the subject lands are situated immediately adjacent to the new greenway at Johnstown Close which connects the site to the existing village core of Glounthaune, Glounthaune train station and several bus stops.

We also note that Glounthaune is set to benefit from future improvements to public transport services as identified in CMATS. Chapter 9 of CMATS, 'Suburban Rail' confirms that Glounthaune is poised to benefit from further rail service improvements including.

- <u>Double Track to Midleton</u> To accommodate the increase in rail services to/from Midleton, the existing single track between Glounthaune and Midleton will be required to be upgraded to a double track*. There is currently a 2km long section of double track at Carrigtwohill that can be extended.
- <u>Signalling Improvements</u> Signalling improvements will be required to facilitate the
 increased services and avoid delays and conflicts on the line interactions. In
 particular signal improvements will be required at Kent Station, Mallow Station,
 Glounthaune Junction, and proposed bypass loops.

These improvements will further improve the rail services serving Glounthaune ensuring that it will be one of the best served settlements in the country to be served by a high frequency public transport link. The proposed development typifies a Public Transport Orientated Development as defined in CMATS and will represent a new neighbourhood where public transport can genuinely serve as real alternative to car dependency.

The MASP is led by the guiding principles identified above which include the acceleration of housing delivery and an objective to achieve higher densities in the urban built up areas, supported by better services and public transport.

3.2.3.3 Sustainable Residential Developments in Urban Areas (SRDUA) (2009)

As referenced previously, the SRDUA defines 'small towns and villages' as settlements with a population ranging from 400 to 5,000 persons and includes the settlement of Glounthaune. Section 6.3 of the SRDUA identifies key overall messages regarding the development of small towns and villages including.

(b) New development should contribute to compact towns and villages

Through planning and design, walking and cycling should be preferred over travel by car for local trips. Ireland's small towns and villages have benefited from investment over many years in areas such as water services, schools, shops, libraries, health centres, childcare facilities and other physical and social infrastructure. It is appropriate that the investment in such services is utilised properly through the prioritisation of development that either re-uses brown-field development land such as central area sites and backlands or

through the development of acceptable "green-field" sites at suitable locations within the immediate environs of the small town or village concerned.

(c) Higher densities are appropriate in certain locations

Significant enhancement of the scale and density of development in small towns and villages may be appropriate in locations close to Gateways and Hubs designated under the NSS, that are served by existing and/or planned high quality public transport corridors and that have been earmarked for particular development functions in regional planning guidelines and development plans. In other locations, increased densities of development can be acceptable as long as they contribute to the enhancement of town or village form by reinforcing the street pattern or assisting in the redevelopment of backlands. In all cases, special care will be required to protect the architectural and environmental qualities of small towns and villages of special character.

Section 6.4 of the SRDUA, 'Getting the form & density of development right - the importance of local planning' states that

"(i) Planning authorities must take account of the wider development context in preparing plans for smaller towns and villages.

For those towns and villages within the 45minute - 1 hour travel time range from major cities and which are experiencing significant levels of new largely commuter-driven development. It is vitally important that planning authorities channel development through their small town and village plans in a way that is consistent with higher level plans such as the development plan of the county they are situated within, any regional planning guidelines that are in force and the National Spatial Strategy in order to build up the critical mass of the key cities and towns."

The scale of the proposed development is appropriate and contributes to a compact, sustainable and more efficient settlement where walking/cycling and access to public transport are core objectives. Glounthaune benefits from its location on the Cork suburban rail network with the settlement being one of only two suburban train stations (the other being Little Island) being located on both the 'Cork-Cobh' and 'Cork-Midleton' rail lines. This results that the settlement is situated on a high frequency suburban rail corridor, in close proximity to nearby urban and employment centres including Cork City Centre, Little Island, Carrigtwohill and Midleton.

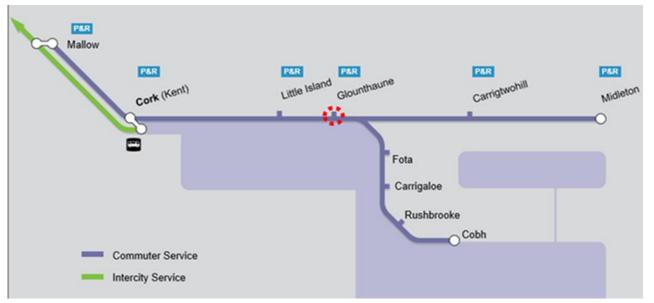


Figure 3.1 Strategic Rail Network (Source: larnród Éireann)

Due to Glounthaunes strategic location on both legs of the Cork suburban rail network, it is considered the settlement is uniquely placed to accommodate increased levels of population growth and promote sustainable commuting patterns into the future as promoted by SRDUA, NPF and RSES.

3.2.3.1 Conclusion on Scale of Development

It is concluded that in the circumstances the Board may decide to grant permission for the proposed Lackenroe SHD, notwithstanding the material contravention of the provisions of the Development Plan/Local Area Plan relating to the scale of development.

A review of the timetables of both the 'Cork-Cobh' and 'Cork-Midleton' services, confirms that Glounthaune benefits from four train services every hour to Cork City Centre and two train services every hour (at peak times) to the strategic employment and service towns of Midleton, Carrigtwohill and Cobh. This reflects that Glounthaune station provides the most frequent train service in Metropolitan Cork to the Cork City Centre which in turn links into the national rail network.

For context, an overview of the rail services currently provided in Glounthaune is illustrated in table 01 as shown.

Table 01 - Glounthaune Train Station - In Context*

Service	Travel Time (Average)	Frequency (Peak Times)	First Time/ Last Time (Mon-Sat)	No. of Services Daily
Glounthaune – Cork (Kent Station)	12/13 minutes	Every 15 minutes.	First: 6.13am Last: 23.13pm	46 no. services per day
Glounthaune –Little Island	3 minutes	Every 15 minutes.	<u>First:</u> 6.13am <u>Last:</u> 23.13pm	46 no. services per day
Glounthaune – Carrigtwohill	5 minutes	Every 30 minutes	<u>First:</u> 5.56am <u>Last:</u> 10.26pm	22 no. services per day
Glounthaune – Midleton	13 minutes	Every 30 minutes	First: 5.56am Last: 10.26pm	22 no. services per day
Glounthaune - Fota	3/4 minutes	Every 30 minutes	<u>First</u> : 5.41am <u>Last:</u> 10.41pm	24 no. services per day
Glounthaune – Carrigloe (Passage West Ferry)	8 minutes	Every 30 minutes	First: 5.41am Last: 10.41pm	24 no. services per day
Glounthaune – Rushbooke	11 minutes	Every 30 minutes	<u>First</u> 5.41am <u>Last:</u> 10.41pm	24 no. services per day
Glounthaune – Cobh	14/15 minutes	Every 30 minutes	<u>First</u> : 5.41am <u>Last</u> : 10.41pm	24 no. services per day

^{*} This table only refers to outbound trains from Glounthaune Station and not arrivals.

We also note that since the adoption of the LAP, Glounthaune has been subject to other applications for residential development in excess of the 40 no. unit target. This includes a Strategic Housing Development for 174 no. units at lands at Johnstown/Killahora to the east of the settlement, which is partially completed/under construction. An Bord Pleanála reference ABP-301197-18 refers. In their assessment of 301197-18 we note section 11.5.4 of the Inspectors report regarding the principle of development in excess of the general 40-unit target identified in table 4.2.1.

"The local area plan includes a provision that, although an additional 400 houses should be provided in the village up to 2023, no individual scheme should be bigger than 40 houses unless it reinforces the character of the village and is laid out, phased and delivered so as not to reflect a residential housing estate more suited to a larger settlement. Given the amount of housing that the local area plan seeks in the village by 2023, it is not clear that requiring that it be provided in at least 10 separate schemes would ensure a timely order of development, or one that improved the character of the village."

As demonstrated in the accompanying supporting application documentation the proposed development represents a development which will contribute to a more compact settlement and promote walking, cycling and public transport. The scale of the proposed scheme is reflective of the sites position as a greenfield site within short walking and cycling distance of a high

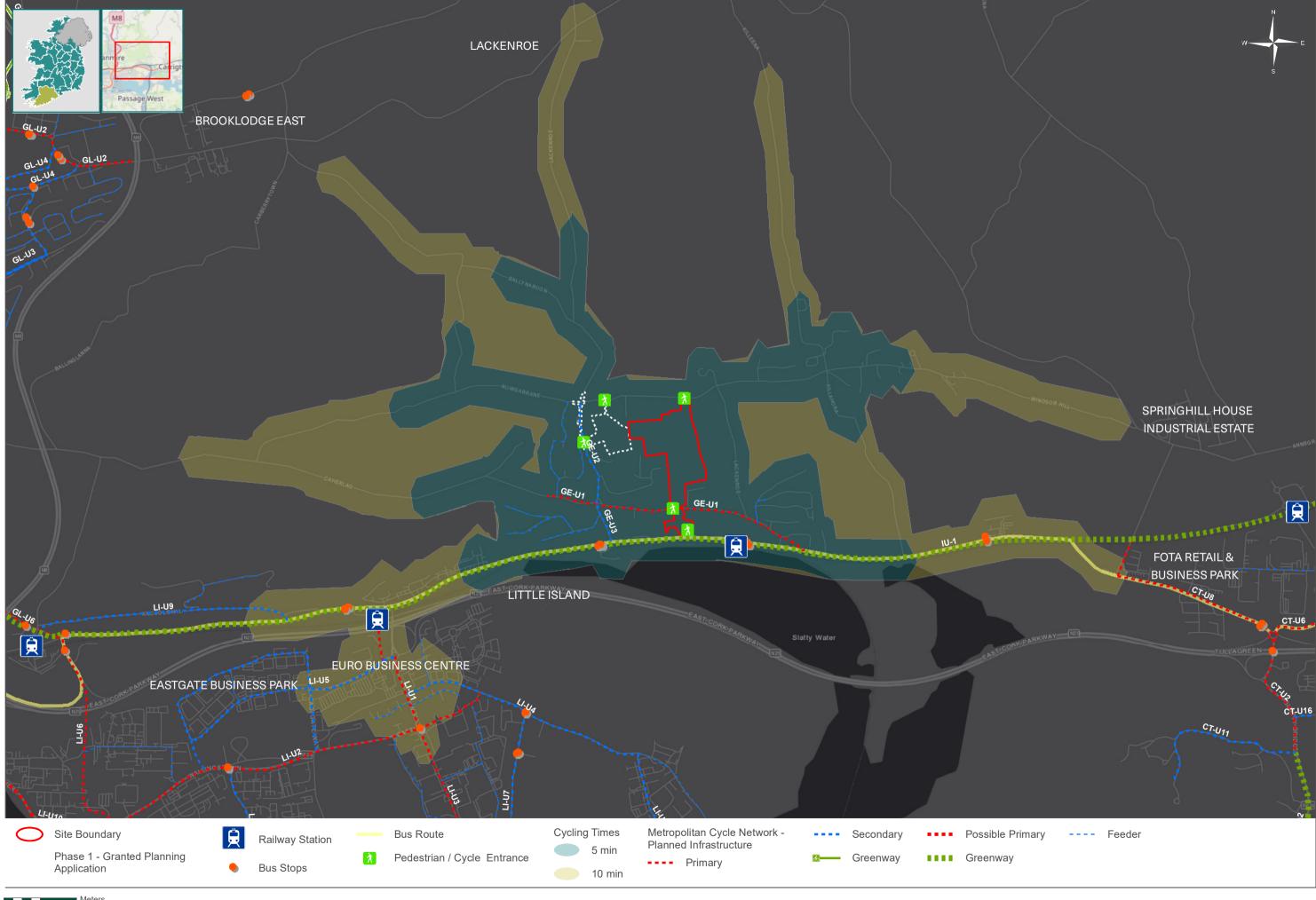
frequency public transport corridor and will continue the recent trends of strong residential growth in Glounthaune. It is considered that notwithstanding the material contravention issue that the proposed development represents the appropriate and sustainable evolution of the settlement.

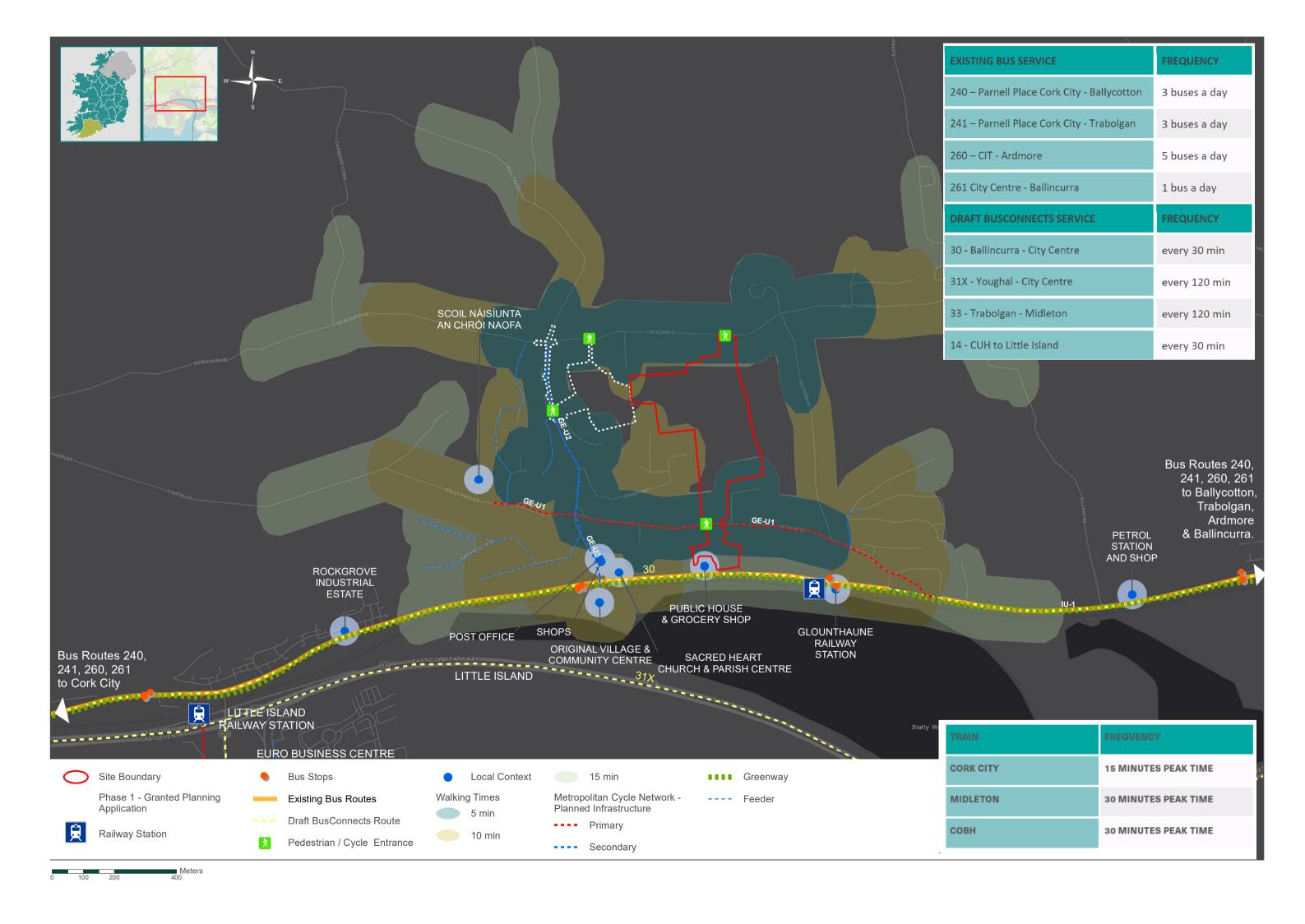
04. Conclusion

On the basis of the reasons and considerations set out in the report above, sufficient justification exists for An Bord Pleanála to decide to grant permission for the proposed Lackenroe SHD, in accordance with section 37(2)(b)(iii) of the 2000 Act, notwithstanding the fact that the proposed SHD materially contravenes density standards for settlements identified in the County Development Plan 2014, car parking standards identified in in Table 1a, of Appendix D of the County Development Plan 2014 and the recommended scale of any individual residential scheme in the settlement of 40 no. units and the overall scale of development in the settlement of 400 no. residential units during the lifetime of the 2017-2023 LAP.

Appendix A

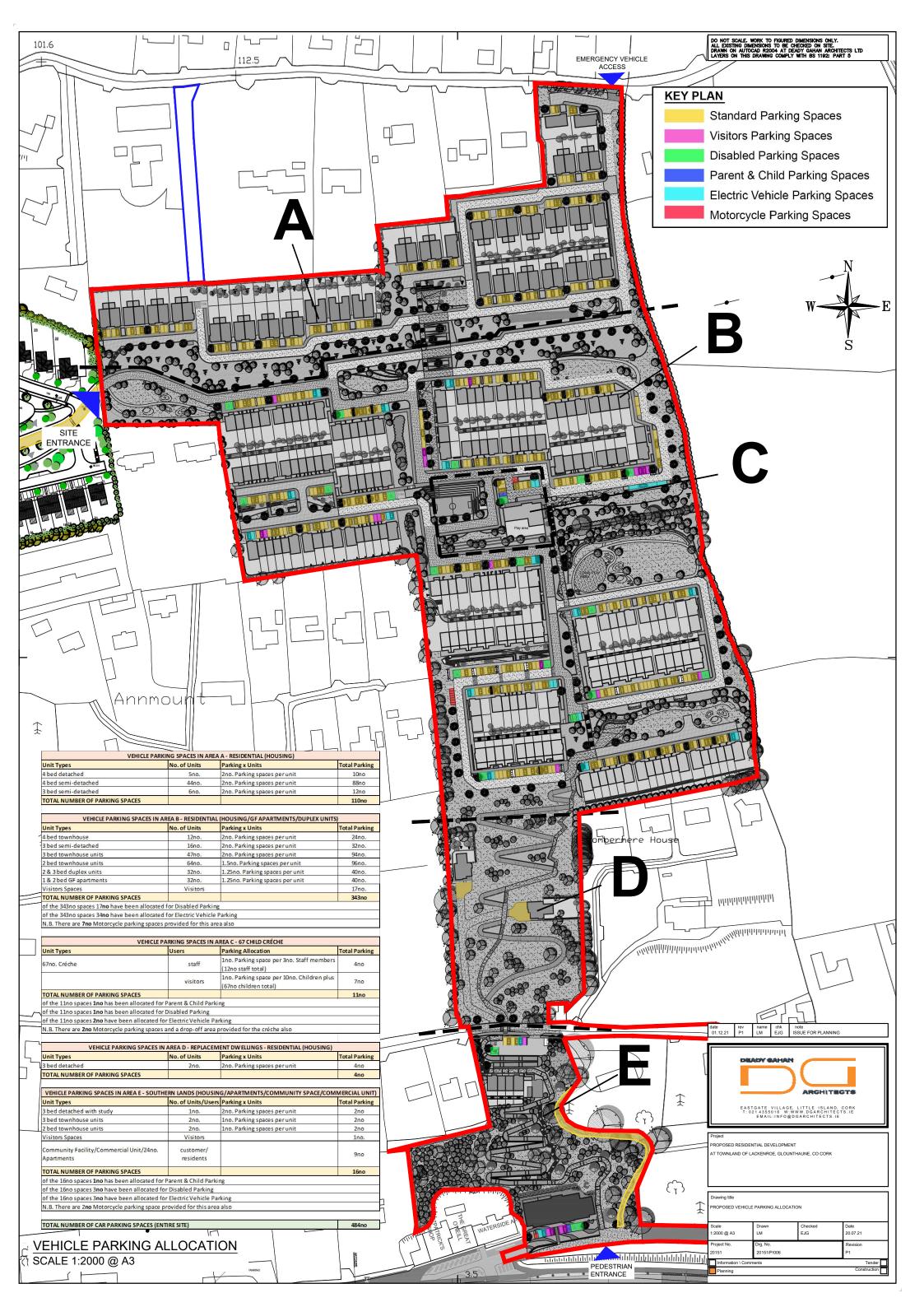
CONNECTIVITY MAPPING





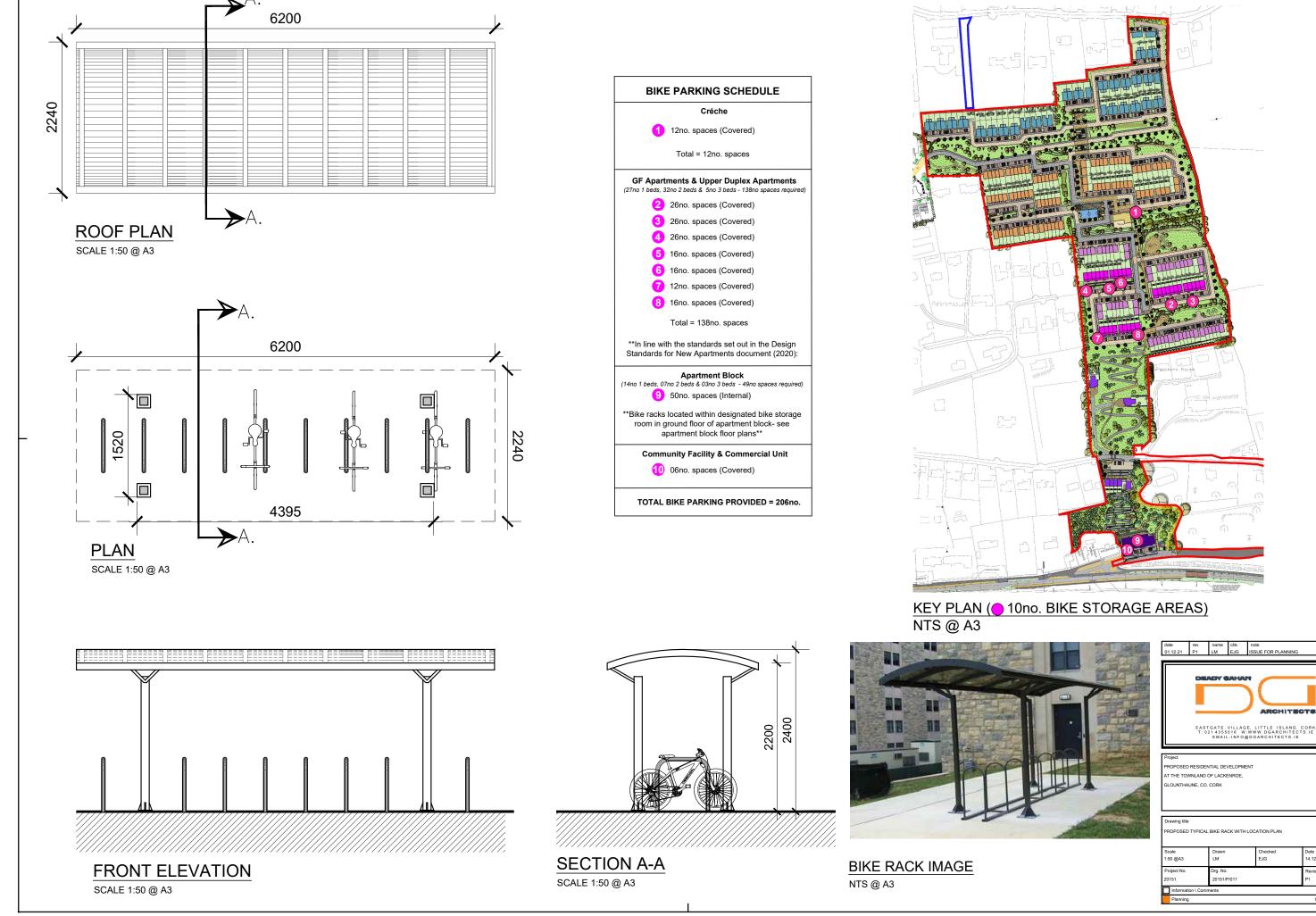
Appendix B

PROPOSED CAR PARKING ALLOCATION



Appendix C

PROPSOED BICYCLE PARKING ALLOCATION



DO NOT SCALE. WORK TO FIGURED DIMENSIONS ONLY.
ALL EXISTING DIMENSIONS TO BE CHECKED ON SITE.
DRAWN ON AUTOCAD R2004 AT DEADY GAHAN ARCHITE
LAYERS ON THIS DRAWING COMPLY WITH BS 1192: PA



HW Planning

5 Joyce House, Barrack Square, Ballincollig, Cork. P31 KP84

www.hwplanning.ie

info@hwplanning.ie

+353 21 487 3250

