

# **26 no Housing Units**

## **Millstreet, Co. Cork**

### **Planning Report**



**Cork  
County Council**  
Comhairle Contae Chorcaí

## Proposed Development

This report relates to a Cork County Council application to seek approval for Part 8 Planning Exemption under 'Planning and Development (Section 179A) Regulations 2023' for the construction of 26 no. housing units at Millstreet, County Cork.

The subject site is 1.57 Hectares and consists of a total of 26 no. units comprising of:

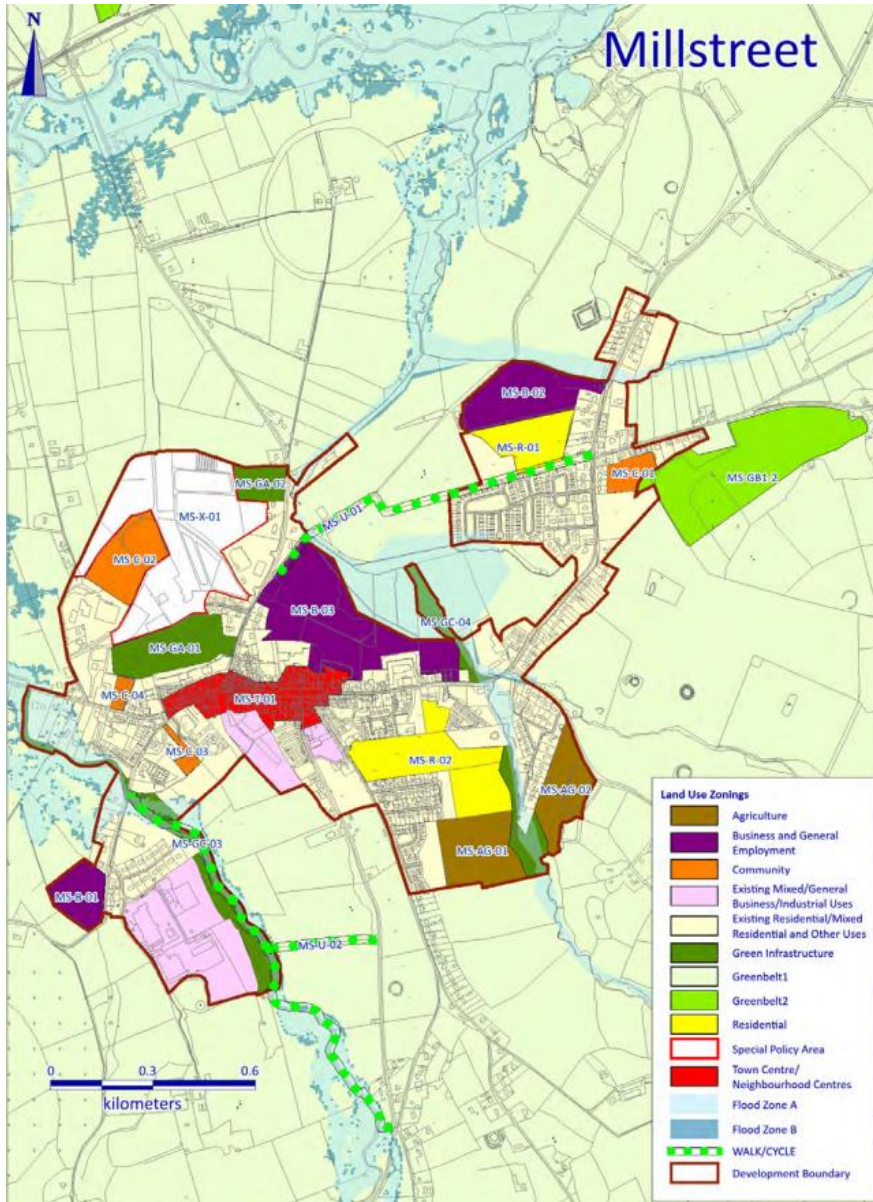
- Two 3-bed two-storey houses,
- Sixteen 2-bed townhouses
- Eight one-over 1-bed apartments
- all other associated ancillary development and works including footpaths and cycle paths, communal bike and bike stores, car parking, drainage, landscaping and amenity areas.

The subject site is within the development boundary of Millstreet and is zoned 'Existing Residential' in the County Cork Development Plan (CDP) 2022. It is located to the rear of an existing residential estate (Old Coach Avenue and Old Court Drive) which comprises semi-detached and mid-terrace town houses. The proposed development will be accessed via the existing entrance and estate road. The area surrounding the site is a mix of residential in character, with agricultural fields to the east and west.

## Policy Context

The Cork County Development Plan 2022-28 (CDP) identifies Millstreet as a Main Town. The site is located on lands zoned as "*Existing Residential/Mixed Residential and Other Uses*". The main objective for this zoning is to "*conserve and enhance the quality and character of established residential communities and protect their amenities*". Infill development will be considered where appropriate to the character and pattern of development in the area and do not significantly affect the amenities of the surrounding properties. The infill site adjoins existing residential developments to the north and west. Lands to the south are zoned as Greenbelt 1 and lands to the east are zoned for Agricultural uses. The CDP sets out a population target for 2028 of 1,948 people for Millstreet and requires an additional 150 new residential units to meet the expected demand.

The proposal is for 26 residential units within a developable area of 1.09ha, resulting in a density of 23.5 units per ha. This is consistent with the Medium Density B category as provided for in objective HOU 4-7 (Housing Density on Residentially Zoned Land).



## Car Parking/Bike Parking

The maximum car parking stands are contained in Table 12.6 of the CDP 2022. The calculations for car parking have been provided.

Vehicle Parking Spaces			
Unit Type	No. of Units	Parking per Unit	Total Parking
3-bed 2-storey House	2	2	4
2-bed 2-storey House	16	2	24
Unit Type	No. of Units	Parking per Unit	Total Parking
1-bed apartment	8	1.25	10
<b>Total Private parking spaces</b>	26		38
<b>Visitor Spaces</b>			8

The proposal has not exceeded the maximum of 46 and is therefore acceptable.

The current minimum cycling parking standards are contained Table 12.9 of the CDP 2022. The proposed development provides 28 covered bike parking spaces within two lockable areas with a covered purpose-built unit, located to the west of the site. A Sheffield-style bike rack provides 12 parking spaces for short-term/visitor use is located centrally in the site. This approach to cycling parking is acceptable.

## Public Open Space

A usable open space has been set aside as landscaped communal open amenity space. This is contained in a central area to the east of the subject site and includes an informal play area. The central amenity space includes two 2-seat benches framed in perennial pollinator planting, six apple trees as public orchard, fostering food education and social interaction, and a natural play area of level grass, including three boulders and a honed tree truck for natural play. This play area is sited where it will be overlooked, safe, connected and contribute to the amenities of the development.

In addition to the above open space area, there are areas of open space to the north and west that include Nature-based SuDS solutions and a naturalized wildflower meadow. These areas of open space have been repropoed to benefit biodiversity in a multifunctional manner.

Overall, there is a positive focus on the overall quality, amenity value and biodiversity value of public open space area across the subject site. The delivery of open (amenity) space as part of a development should not be seen simply as providing an area free of development. The more effective the design and the greater the increased functionality that can be offered as part of that design, the more reason there will be for people to use the space – and the greater the holistic benefit that can be realized. I'm of the opinion that this is consistent with the approach promoted in Cork County Council's Draft Recreation and Amenity Policy and is acceptable.

In total, 0.118ha of public open space is provided within the development, equating to 12% useable open space. This complies with the 12-18% requirements of Cork County Council's *Interim Policy on*

*Recreation & Amenity.* As part of the amenity provision, it is proposed to provide a series of open spaces, a 3m pedestrian and bicycle trail and a biodiversity reservation area.

### **Private Open Space**

The private open space proposed meets the minimum requirements of *SPPR 2 - Minimum Private Open Space Standards for Houses* as per the *Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities*.

All apartments have a private outdoor amenity space of either a garden or balcony space. First floor balconies have a recessed porch and lobby area for both the own-door ground floor and first floor entrances.

### **Services**

Pre-connection enquiries were submitted to Uisce Éireann (UE) to assess the feasibility of providing water supply and wastewater connections to the site. UE have issued a confirmation of feasibility for both.

A Drainage Impact Assessment has been provided. SuDS measures are proposed for the development in both public and private areas in accordance with the guidance from the County Development Plan 2022 Advice Note 1 on Surface Water management and the CIRIA SuDS Manual C753.

### **AA Screening and Ecology**

A 'Habitats Directive Appropriate Assessment Screening Determination' report has been provided as part of submitted documents. Based on the Appropriate Assessment Screening process, it has been determined that no likely significant effects will arise on any European sites.

There are existing hedgerows to the west, south and north, with some scrub towards the northeastern boundary, which is bounded by residential walls continuing along the southeast boundary. An existing ESB substation is located centrally in the site. The River Finnow flows in a north south direction approximately 0.55km to the west of the site (Finnow (Blackwater)\_020) and another tributary of the Finnow flows to the east of the subject site (Finnow (Blackwater)\_040).

It is proposed to remove a section of hedgerow which appears to be quite healthy and provides connectivity for foraging and commuting birds and mammals. The hedgerow functions as an ecological highway connecting into other hedgerows to the north and south which allows wildlife to move through the area. Hedgerows which are linked to other hedgerows or to habitats of biodiversity value are more biodiverse and ecologically more valuable than fragments of isolated hedgerow.

I therefore recommend that revised proposals are provided which either retain the hedgerow or if that cannot be achieved, the planting of a new section of staggered double-row hedgerow, in accordance with Teagasc guidelines, along the boundary to the rear of houses 1-6 shall be provided. Proposal shall ensure that this ecological connectivity in the landscape is maintained.

### **EIAR Screening**

An EIA determination has been carried out – see Appendix A – and this concluded that the proposed development would not be likely to have significant effects on the environment and that the preparation and submission of an environmental impact report is not therefore required.

### **Exemption Status**

In considering whether or not the proposed development constitutes exempt development under Section 179(A) of the Planning and Development Act 2000 (as amended), the proposed development is considered against the requirements and criteria set out in this section of the Act.

The proposed development is classified as ‘Housing Development’ on Council owned lands which are within the Development Boundary for Millstreet as per the CDP 2022. The lands are serviceable. An EIAR is not required. As AA has been screened out by the relevant competent expert within Cork County Council, it is considered that the proposed development meets the provisions of Section 179(A) of the Planning and development Act and would therefore be classed as exempt from the Part 8 process.

### **Conclusion**

The proposed redevelopment of the subject site is considered to be in accordance with the core strategy and objectives of the County Development Plan 2022 having regard to its location within the development boundary and as such represents the proper planning and sustainable development of the area.

## Appendix A: EIS Assessment

Establishing if the proposal is a ' <i>sub-threshold development</i> ':	
Planning Register Reference:	None provided.
Development Summary:	To construct 26 no. dwellings
Was a Screening Determination carried out under Section 176A-C?	No, Proceed to <b>Part A</b>
<b>A. Schedule 5 Part 1</b> - Does the development comprise a project listed in Schedule 5, <b>Part 1</b> , of the Planning and Development Regulations 2001 (as amended)? (Tick as appropriate)	
No	Proceed to <b>Part B</b>
<b>B. Schedule 5 Part 2</b> - Does the development comprise a project listed in Schedule 5, <b>Part 2</b> , of the Planning and Development Regulations 2001 (as amended) <b>and</b> does it meet/exceed the thresholds? (Tick as appropriate)	
<p>Yes, the project is of a type listed <b>but</b> is <i>sub-threshold</i>:</p> <p>Class 10 'Infrastructure projects'. The threshold is the construction of more than 500 dwelling units. The proposed development is for 26 housing units which is substantially below this threshold.</p> <p>The proposed project is considered to be an urban development within other parts of a built-up area. The proposed development is 1.57 hectares (ha) which is below the 10 hectares threshold in other parts of a built up area, therefore an EIAR is not required to be produced in accordance with Schedule 5 Part 2 (10) (b) (iv).</p>	<b>Proceed to Part C</b>
<b>C. If Yes</b> , has Schedule 7A information/screening report been submitted?	
Yes, Schedule 7A information/screening report has been submitted.	<b>Screening Determination required</b>

## Screening Determination:

### A. Case Details:

<b>Planning Register Reference:</b>	None provided.	
<b>Development Summary:</b>		
	<b>Yes / No / N/A:</b>	<b>Comment (if relevant):</b>
<b>Does the application include information specified in Schedule 7A?</b>	Yes	
<b>Other relevant information submitted:</b>		
<b>Does the application include a NIS and/or other reports to enable AA screening?</b>	Yes	A 'Habitats Directive Appropriate Assessment Screening Determination' report has been provided as part of submitted documents. Based on the Appropriate Assessment Screening process, it has been determined that no likely significant effects will arise on any European sites.
<b>Is an IED/IPC/Waste Licence or Waste Water Discharge Authorisation (or review of licence/ authorisation) required from the EPA for the subject development?</b>	No	
<b>If YES has the EPA been consulted?</b>		
<b>Have any other relevant<sup>1</sup> assessments of the effects on the environment been carried out pursuant to other relevant Directives –for example SEA or AA?</b>	Yes	A 'Habitats Directive Appropriate Assessment Screening Determination' report has been provided as part of submitted documents.

### B. Examination:

#### 1. Characteristics of proposed development (including demolition, construction, operation, or decommissioning):

	<b>If relevant, briefly describe the characteristics of the development</b> (i.e. the nature and extent):
(a) <b>The size and design of the whole of the proposed development (including any demolition works):</b>	The size of the proposed development area is approx. 1.1ha, principally designed for residential dwellings in the form of houses and apartments.

<sup>1</sup> Relevant assessments are those which have a significant bearing on the project.



<p><b>(b) Other existing or permitted projects (including under other legislation that is subject to EIA) that could give rise to cumulative effects:</b></p>	<p>The proposed development is approximately 0.66km from the proposed residential development at Mountleader (Planning Ref. no 19/4070) comprising 14 residential units and 1.4km from the proposed development at Comlogane (Planning Ref. no. 20/4722) comprising 10 residential units including the conversion of an existing convent building. A cumulative total of 50 residential units would be developed, which remains small scale and below the threshold of 500 units required to undertake a mandatory EIA.</p>
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<p><b>(c) Use of natural resources, in particular land, soil, water and biodiversity:</b></p> <p><i>Will construction or the operation of the proposal use natural resources such as land, soil, water, materials or energy, especially any resources which are non-renewable or are in short supply?</i></p>	<p>Although the majority of the land proposed for this development is underutilised, hedgerows are present on site. Detailed site assessments in relation to biodiversity have been undertaken on the subject site and the findings of these studies accompany this planning application.</p> <p>Water will be required for the homes. This has been agreed with Uisce Éireann, and a preliminary agreement is included with this application.</p>
<p><b>(d) Production of waste:</b></p> <p><i>Will the proposal produce solid wastes during construction, operation, or decommissioning?</i></p>	<p>The operational phase of the proposed development will generally result in domestic waste which will be under a variety of responsibility.</p> <p>It is not envisaged that emissions from heating systems and air conditioning units within the residential units onsite will exceed regulated standards for modern residential developments.</p> <p>The construction phase of the proposed development will likely generate waste such as plastic wrappings, strips, containers, polystyrene and wooden pallets etc.</p>
<p><b>(e) Pollution and nuisances:</b></p> <p><i>Will the proposal release pollutants to ground or surface water, or air (including noise and vibrations) or water, or lead to exceeding environmental standards set out in other Directives?</i></p>	<p>The proposed development includes for the management of storm and foul waters from the subject site and landscaping to improve the aesthetic locally.</p> <p>Construction works will be subject to the standard environmental and health and safety controls.</p>
<p><b>(f) Major accidents and disasters:</b></p> <p><i>In accordance with scientific knowledge, is there a risk of major accidents and/or disasters which are relevant to the project, including those caused by climate change?</i></p>	<p>Potential risks associated with the proposed development include uncontrolled release of pollutants to the surrounding environment via uncontrolled construction works. A CEMP has been prepared to mitigate.</p> <p>The site is not shown to be in a flood zone.</p>
<p><b>(g) Risks to human health, for example due to water contamination or air pollution:</b></p>	<p>Potential risks to human health could occur during the Construction Phase. This would largely be limited to those associated with traffic, noise and dust. A CEMP has been prepared to mitigate.</p>
<p><b>2. Location of proposed development:</b></p>	
<p><b>The environmental sensitivity of geographical areas likely to be affected by the proposed development:</b></p>	<p><b>If relevant, briefly describe the characteristics of the location</b> (with particular regard to the (a) existing and approved land use, (b) the relative abundance, availability, quality and regenerative capacity of natural resources, and (c) the absorption capacity of the environment):</p>
<p><b>(a) Generally describe the location of the site and its surroundings:</b></p>	<p>The site of the proposed development is located off the L5229-0, Drishane Road, Millstreet. The 1.1 ha site is situated approximately 0.6km south of Millstreet village centre and is zoned 'Existing Residential' in the County Cork Development Plan 2022. The subject site is within the development boundary of Millstreet and the area immediately surrounding the site is a mix of residential in character, with agricultural uses to the east and west. The proposed site is to the rear of existing residential</p>

	<p>development comprising semi-detached and mid-terrace town houses accessed via the existing entrance road built out during the previous stage of development. The site is accessed from Drishane Road onto the spine road serving Old Coach Avenue and Old Court Drive, which are set back from the main road.</p>
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<p><b>(b) Is the project located within, close to or has it the potential to impact on any site specified in Article 103(3)(a)(v) of the Regulations:</b></p> <ul style="list-style-type: none"> <li>- European site</li> <li>- NHA/pNHA</li> <li>- Designated Nature Reserve</li> <li>- Designated refuge for flora or fauna</li> <li>- Place, site or feature of ecological interest, the preservation, conservation, protection of which is an objective of a development plan/ local area plan/ draft plan or variation of a plan.</li> </ul>	<p>The closest European site is the Blackwater River (Cork/Waterford) SAC) which is situated approx. 560m to the west of the proposed site for development. The Millstreet Stream is located 220m to the east of the site and the Blackwater River (Cork/Waterford) SAC) is located approx. 2.5km downstream. The Mullaghanish to Musheramore Mountains SPA is located 4.8km to the south. The Killarney National Park, Macgillicuddys Reeks and Caragh River Catchment SAC is located to the south west. However, due to distance (5.2km) and lack of connectivity, this Natura 2000 site is not considered any further in this screening report.</p> <p>The Blackwater River lies within the Blackwater (Munster)_120 WFD River Sub Basin, Blackwater (Munster_SC_090 WFD Sub Catchment, Blackwater (Munster) WFD Catchment and Blackwater (Munster) (18) Hydrometric Area.</p> <p>The Habitats Directive Appropriate Assessment Screening Determination states that on the basis of the objective information provided in this report, it is concluded that the proposed project does not pose a risk of causing significant negative affect to any EU site.</p> <p>It was determined that a Stage 2 Appropriate Assessment under Section 177V of the Planning and Development Act 2000 is not required.</p>
<p><b>(c) Are there any other areas on or around the location that are important or sensitive for reasons of their ecology e.g. wetlands, watercourses or other waterbodies (including riparian areas and river mouths), the coastal zone and the marine environment, mountains, forests or woodlands, that could be affected by the project?</b></p>	<p>An EclA has been prepared for the proposed development to identify the extent and quality of the habitats present on the site. The EclA concludes that following the implementation of appropriate mitigation measures, there will be no adverse effect on surface water quality within and surrounding the subject site and therefore, it can be stated that no wetlands, riparian areas or river mouths will be affected by the proposed development.</p>
<p><b>(d) Is the proposal likely to be highly visible to many people? Are there any areas or features of high landscape or scenic value on or around the location, or are there any routes or facilities that are used by the public for recreation or other facilities which could be affected by the proposal?</b></p>	<p>As with all development, and particularly the development of greenfield sites, visual impacts are inevitable. However, considering all submitted information and the subject site's location in an urban area zoned for residential, it is considered that the proposed development will not have any significant or profound residual landscape or visual impacts except on the individual property dwellings at close proximity accustomed to a rural outlook.</p>
<p><b>(e) Are there any areas or features of historic or cultural importance on or around the location that could be affected by the project?</b></p>	<p>There are no Recorded Monuments or Protected Structures within the site boundary. There is one Recorded Monument located c. 5m to the north of the entrance to the proposed development. The site is a Souterrain that was excavated during the construction of the Old Coach Avenue development c. 2003. There are no proposed works in the area of the Recorded Monument.</p>

<p><b>(f) Are there areas within or around the location which are densely populated or built-up, or occupied by sensitive land uses e.g. hospitals, schools, places of worship, community facilities that could be affected by the proposal?</b></p>	<p>The subject site is located at the edge of the urban settlement and is not located in a position that may have an impact on sensitive land uses.</p>
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<p>(g) <b>Are there any areas within or around the location which contain important, high quality or scarce resources e.g. groundwater, surface waters, forestry, agriculture, fisheries, tourism, minerals, that could be affected by the proposal?</b></p>	<p>An EclA has been prepared for the proposed development to identify the extent and quality of the habitats present on the site. The EclA concludes that following the implementation of appropriate mitigation measures there will be no impacts on local biodiversity features.</p>
<p>(h) <b>Are there any areas within or around the location which are already subject to pollution or environmental damage, and where there has already been a failure in environmental standards that could be affected by the proposal e.g. the status of water bodies under the Water Framework Directive?</b></p>	<p>It has been determined by the EclA that there is no potential for likely significant effects (LSE) to the conservation objectives of the Blackwater River (Cork/Waterford) SAC as there is no direct hydrological connectivity as watercourses are absent within the site. Surface water run-off during the operational phase will be allowed to percolate into the ground via infiltration trenches, 1 no. retention basin and back garden raingardens. Site investigations for infiltration rates have confirmed this proposed system to be adequate. A hydrocarbon interceptor will also be included within the drainage system.</p>
<p>(i) <b>Is the site located in an area susceptible to subsidence, landslides, erosion, or flooding which could cause the proposal to present environmental problems?</b></p>	<p>No.</p>
<p>(j) <b>Are there any additional considerations that are specific to this location?</b></p>	<p>No.</p>

**3. Types and characteristics of potential impacts:**

<p><b>If relevant, briefly describe the characteristics of the potential impacts under the headings below.</b></p> <p><b>(including where relevant the magnitude and spatial extent of the impact (e.g. geographical areas and size of population likely to be affected), nature of impact, intensity and complexity of impact, probability of impact, and duration, frequency and reversibility of the impact):</b></p>	<p><b>If relevant, briefly describe any mitigation measures proposed to avoid or prevent a significant effect.</b></p>	<p><b>Is this likely to result in significant effects on the environment?</b></p>
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***Population and human health:***

<p>Potential risks to human health could occur during the Construction Phase. This would largely be limited to those associated with traffic, noise and dust. This would be limited to construction phase.</p> <p>Potential risks to human health could occur from foul water and water supply issues.</p>	<p>A CEMP, prepared by the contractor upon engagement and prior to the commencement of construction works and a Traffic and Transportation Assessment that accompanies this application include the mitigation measures where necessary to</p>	<p>No.</p>
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	<p>ensure that the proposed development will not pose a risk to human health.</p> <p>Proposals are included for the management of storm and foul waters from the subject site.</p>	
<p><b>Biodiversity, with particular attention to species and habitats protected under the Habitats Directive and the Birds Directive.<sup>2</sup> *</b></p>		
<p>The closest European site is the Blackwater River (Cork/Waterford) SAC) which is situated approx. 560m to the west of the proposed site for development. The Millstreet Stream is located 220m to the east of the site and the Blackwater River (Cork/Waterford) SAC) is located approx. 2.5km downstream. The Mullaghanish to Musheramore Mountains SPA is located 4.8km to the south. The Killarney National Park, Macgillycuddys Reeks and Caragh River Catchment SAC is located to the south west.</p>	<p>The Habitats Directive Appropriate Assessment Screening Determination states that on the basis of the objective information provided in this report, it is concluded that the proposed project does not pose a risk of causing significant negative affect to any EU site.</p>	<p>No.</p>
<p><b>Land, soil, water, air and climate:</b></p>		
<p>Potential risks to air and climate could occur during the Construction Phase. This would largely be limited to those associated with traffic and dust. This would be limited to construction phase.</p>	<p>A CEMP, prepared by the contractor upon engagement and prior to the commencement of construction works and a Traffic and Transportation Assessment that accompanies this application include the mitigation measures.</p>	<p>No.</p>
<p><b>Material assets, cultural heritage and the landscape:*</b></p>		

<sup>2</sup> -And with particular regard to areas specified in Article 103(3)(a)(v) of the Regulations.

There are no Recorded Monuments or Protected Structures within the site boundary. There is one Recorded Monument located c. 5m to the north of the entrance to the proposed development.	There are no proposed works in the area of the Recorded Monument.	No.
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<b>Cumulative effects:</b>		
There are no current or previous plans or projects in the immediate vicinity that are considered likely in-combination with the proposed development to result in significant impacts on the Natura 2000 sites.	AA screening and EclA have been prepared and submitted.	No.
<b>Transboundary effects:</b>		
Transboundary effects are not applicable to this proposed development.	No mitigation measures are required.	No.
<b>4. Additional Considerations:</b>		
<b>Further relevant information, if any, relating to how the results of any other relevant assessments of the effects on the environment have been taken into account (e.g. SEA, AA screening, AA):</b>	A 'Habitats Directive Appropriate Assessment Screening Determination' report has been provided as part of submitted documents. Based on the Appropriate Assessment Screening process, it has been determined that no likely significant effects will arise on any European sites.	
<b>Other relevant information/ considerations of note:</b>	-	
<b>C. Determination:</b>		
<b>No real likelihood of significant effects on the environment.</b>	EIAR is not required	
<b>D. Main Reasons and Considerations:</b>		
<p>Having regard to the criteria in Schedule 7, the information provided in accordance with Schedule 7A of the Planning and Development Regulations 2001, as amended, and the following:</p> <ul style="list-style-type: none"> <li>(a) The nature and scale of the proposed development,</li> <li>(b) The location of the site on lands predominantly zoned for residential development under the provisions of the Cork County Development Plan 2022,</li> <li>(c) The location of the site in an established residential area within a defined settlement development boundary,</li> <li>(d) The location of the site outside of any sensitive location specified in Article 103(3)(a) of the Planning and Development Regulations 2001 (as amended),</li> <li>(e) The Habitats Directive Appropriate Assessment Screening Determination report and EclA submitted.</li> <li>(f) The mitigation measures set out in the submitted planning application documentation including within the Construction and Environmental Management Plan (CEMP)</li> </ul> <p>It is considered that the proposed development would not be likely to have significant effects on the environment and that the preparation and submission of an environmental impact report is not therefore required.</p>		