



An
Bord
Pleanála

Inspector's Report

ABP-322049-25

Development	Construction of two dwellings together with all associated site works.
Location	Chapel Hill, Sleveen East, Macroom, Co. Cork
Planning Authority	Cork County Council
Planning Authority Reg. Ref.	246346
Applicant(s)	Peter & Una Cronin.
Type of Application	Permission.
Planning Authority Decision	Refuse
Type of Appeal	First Party
Appellant(s)	Peter & Una Cronin.
Observer(s)	None.
Date of Site Inspection	21 st May 2025
Inspector	Jennifer McQuaid

Contents

1.0 Site Location and Description	4
2.0 Proposed Development	4
3.0 Planning Authority Decision	4
3.1. Decision	4
3.2. Planning Authority Reports	5
3.3. Prescribed Bodies	6
3.4. Third Party Observations	6
4.0 Planning History	7
5.0 Policy Context	7
5.1. Development Plan	7
5.2. National and Regional Policy	8
5.3. Natural Heritage Designations	9
5.4. EIA Screening	9
5.5. Water Framework Directive	9
6.0 The Appeal	10
6.1. Grounds of Appeal	10
6.2. Applicant Response	12
6.3. Planning Authority Response	12
6.4. Observations	12
6.5. Further Responses	12
7.0 Assessment	12
8.0 AA Screening	17
9.0 Recommendation	18

10.0	Reasons and Considerations.....	18
11.0	Conditions	19
	Appendix 1: Form 1 - EIA Pre-Screening.....	25
	Form 2 - EIA Preliminary Examination.....	27
	Appendix 2: Water Framework Directive Screening	29

1.0 Site Location and Description

- 1.1. The subject site (0.33ha) is located within the settlement boundary of Macroom, County Cork and on lands zoned as “Existing Residential/Mixed Residential and Other Uses”. The subject site is located to the south of “The Orchard” residential estate which is accessed off Chapel Hill. The proposed development will be served by a narrow laneway at the top of Chapel Hill. The site is currently greenfield and it is extremely steep rising to the south with levels varying from 114 metres above sea level (asl) to 119.55 m asl and rises to 134m asl in the southeastern corner. Due to the steep nature of the subject site, the proposal will tower over Orchard estate.

2.0 Proposed Development

- 2.1. The proposed development consists of:
- Construction of 2 no. detached dwellings
 - New entrance
 - Connection to public services.

3.0 Planning Authority Decision

3.1. Decision

Refused for 3 reasons:

1. Having regard to the elevated and sloping nature of the site, it is considered that the proposed development by reason of the extensive excavation works required, would form a highly prominent and obtrusive feature on the landscape and would seriously injure the amenities of the area. Accordingly, the proposed development would be contrary to the proper planning and sustainable development of the area.
2. The proposed development would endanger public safety by reason of traffic hazard because the elevated nature of the site in relation to the public road precludes the construction of a safe means of vehicular access onto the road and because the poorly aligned, narrow roadway serving the site is

inadequate to cater for the extra traffic movements likely to be generated by the proposed development.

3. The proposed development would endanger public safety by reason of traffic hazard because the road in the vicinity does not have any footpaths or public lighting to facilitate the pedestrian traffic which the proposed development would generate.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- The principle of development is acceptable as the site is zoned as “Existing Residential/Mixed Residential and Other Uses”.
- The site is extremely steep rising from 114m above sea level (asl) in the northwest corner to 134m asl in the southeast corner. The proposal consists of 2 no. detached dwelling with a floor area of 177sqm and finished floor level of 115m asl and 117m asl and ridge height of 123.65m asl and 125.65m asl. The sections submitted illustrate a significant level of cut and fill to facilitate the development and the overall height of 8.7m would create a significant visual impact on the landscape at this location.
- A retaining wall is proposed to the rear of the development and thereby creating a significant level of excavation work on the site, to facilitate a relatively flat rear private amenity space area which is indicated to facilitate car parking to the rear of the proposed development.
- The house design is not acceptable.
- The cul de sac to the proposed development is a public road and not wide enough to allow both vehicular and pedestrian access. The access road is steep and particularly narrow adjacent to No. 1 The Orchard, whose garden is under the level of the road.
- Based on excavation volumes, there is approximately 246m³ of excavated material to be removed from the site. There are concerns that the existing road may become undermined by the heavy vehicles required to access and egress the site.

- 3 no. soakaways proposed and located near slopes can lead to slope instability and downslope re-emergence of water or waterlogging. A report would be required from a specialist geotechnologist, given the impact on the properties below the site. A trial pit is required to establish the infiltration rate.

3.2.2. Other Technical Reports

- Area Engineer: Refusal recommended on the basis of the elevated nature of the site and road safety. The existing road is not wide enough to allow both vehicular and pedestrian access. Excavation volumes may undermine the existing road by the heavy vehicles required to access and egress the site. The soakaways proposed are at the top of the site and can lead to slope instability and downslope re-emergence of water or waterlogging. A report from specialist geotechnologist is required. A trial pit is required to establish the infiltration rate.
- Public Lighting: Further information required in relation to the design for LED type lights, design to be carried out on Lighting Reality software and submit in colour design and drawings, the design shall make provision for the lighting of the public road along the curtilage of the site and include additional lighting along the road to link with the lighting currently extending up from Chapel Hill Road. The design must comply with Cork County Council Public Lighting Manual and Product Specification 2023 and Cork County Council Public Lighting Manual 2021.
- Water Services: the servicing of the site will require a sewer extension of approximately 80m, in the public road, with manholes placed at any bends or change of direction in the sewer.

3.3. Prescribed Bodies

- None

3.4. Third Party Observations

- None

4.0 Planning History

1154011: Permission granted for an extension of duration for the construction of 37 no. dwelling under planning reference 0654023 and a new vehicular access on the eastern site boundary to connect to adjoining mixed use development permitted under TP 04/54029 and set down area consisting of 8 no. car parking spaces.

0654023: Permission granted for 40 no. dwelling units and all associated site works.

0554099: Outline permission granted for 39 no. dwelling.

5.0 Policy Context

5.1. Development Plan

Cork County Development Plan 2022-2028

The subject site is zoned as “Existing Residential/Mixed Residential and Other Uses”.

Objective ZU 18-9 Existing Residential/Mixed Residential and Other Uses states:

The scale of new residential and mixed residential developments within the Existing Residential/Mixed Residential and Other Uses within the settlement network should normally respect the pattern and grain of existing urban development in the surrounding area. Overall increased densities are encouraged within the settlement network and in particular, within high quality public transport corridors, sites adjoining Town Centres Zonings and in Special Policy Areas identified in the Development Plan unless otherwise specified, subject to compliance with appropriate design/amenity standards and protecting the residential amenity of the area. Other uses/non-residential uses should protect and/or improve residential amenity and uses that do not support, or threatens the vitality or integrity of, the primary use of these existing residential/mixed residential and other uses areas will not be encouraged.

Objective WM 11-10: Surface water, SuDs and Water Sensitive Urban Design.

- a) Require that all new developments incorporate sustainable drainage systems (SuDs). Efforts should be taken to limit the extent of hard surfacing and impermeable paving.
- b) Encourage the application of a Water Sensitive Urban Design approach in the design of new development or other urban interventions. Opportunities to contribute to, protect or reinforce existing green infrastructure corridors or assets should be maximised.
- c) Optimise and maximise the application of Sustainable Urban Drainage Systems (SuDs) to mitigate flood risk, enhance biodiversity, protect and enhance visual and recreational amenity; all in the most innovative and creative manner appropriate and in accordance with best practices. Proposals should demonstrate that due consideration has been given to nature based solutions in the first instance in arriving at the preferred SuDs solution for any development.
- d) Provide adequate storm water infrastructure in order to accommodate the planned levels of growth expected for the County.
- e) Where surface water from a development is discharging to a waterbody, appropriate pollution control measures (eg. Hydrocarbon interceptors, silt traps) should be implemented.
- f) The capacity and efficiency of the national road network drainage regimes will be safeguarded for national road drainage purposes.

Objective WM11-12: Surface Water Management states:

Manage surface water catchments and the use and development of lands adjoining streams, watercourses and rivers in such a way as to minimise damage to property by instances of flooding and with regard to any conservation objectives of European sites within the relevant catchments and floodplains.

Cork County Council Planning Guidance and Standards Series Number 2, 1st Edition, May 2011 relates to design guide for residential estate development.

5.2. National and Regional Policy

- National Planning Framework 2018.

- Sustainable Residential Development and Compact Settlement Guidelines.
- Regional Spatial and Economic Strategy for Southern Assembly.

5.3. **Natural Heritage Designations**

The site is not located within any designated area. The closest area:

- The Gearagh SAC and pNHA (site code: 000108) is located approximately 1km south of the subject site.
- Lough Gal pNHA (site code: 001067) is located 5.6km north east of the subject site.
- Glashgariff River pNHA (site code: 001055) is located 8km north east of the subject site.
- Prohus Wood pNHA (site code: 001248) is located 7km west of the subject site.
- Mullaghanish to Musheramore Mountains SPA (site code: 004162) is located 6.5km north of the subject site.

5.4. **EIA Screening**

- 5.4.1. The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 and Form 2 in Appendices of this report). Having regard to the characteristics and location of the proposed development and the types and characteristics of potential impacts, it is considered that there is no real likelihood of significant effects on the environment. The proposed development, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required.

5.5. **Water Framework Directive**

The subject site is located to the south of Macroom town and on zoned lands within the settlement boundary, the nearest waterbody is River Sullane is located 600 metres north of the subject site. The proposed development comprises 2 no dwellings and all associated site works. No water deterioration concerns were raised in the planning appeal. I have assessed the proposed development and have

considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively. The reason for this conclusion is as follows:

- Nature of works, the proposal is relatively small development for 2 no. dwellings and associated site works.
- The nearest waterbody is over 600 metres south of the proposed development and there no on-site water links.

Taking into account WFD screening report, I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

6.0 The Appeal

6.1. Grounds of Appeal

The grounds of appeal have been received from the applicant. The concerns raised are:

- Principle of Development: The site is zoned as “Existing Residential/Mixed Residential and Other Uses”. The site is included in the Residential Zoned Land Tax Map 2025, thus the development of this site for residential uses should be possible as it is identified as being an appropriate location for housing and benefits from investment in the key services to support the delivery of housing. Lands to the east are also zoned for development.

- Visual Impact: the site is at the top of Chapel Hill and by its nature will be visible with any form of development. The proposal consists of 2 modest split level homes and include a low-pitch roof profile. A drawing has been submitted providing a comparison of the contour elevations and the adjacent existing dwellings and the proposed development. The key findings are:
 - The dormer dwelling is located at a higher contour and represents an unreasonable point of comparison to assess the visual impact. The proposal is at a lower elevation and visually less prominent.
 - Significant development between the 110m and 130m contour line, therefore the proposal is consistent with the existing development.
 - Other planning applications in the area granted at higher ridge heights in particular planning reference 236467.
- Excavation: the topography of the site requires an innovative approach to design which includes split-level units built into the slope thereby reducing the amount of cut that would be required for a traditional dwelling. The development is on the lower end of the site. A modest retaining wall of 1.9m is required and is not excessive given the existing topography of the site. Other examples include ABP-319654-24 and ABP-320810-24.
- Traffic: the proposal consists of 2 car parking spaces per dwelling but 2022 Census shows that most (60.8%) households in the urban area own only one car in Macroom. Therefore, the proposal will not generate excessive number of daily trips by car or exceed the vehicular carrying capacity of the road. The site is within 15 min walking distance of numerous facilities and services, therefore walking will be the preferred option.
- Construction Traffic: The applicant has submitted a preliminary Construction Management Plan and states that necessary fortifications to the site access and the site itself will be made prior to commencement. The removal of 250m³ soil will require a minimum of 17 truckloads, which would not exceed the vehicular capacity of the road. The road was capable of allowing the construction of the adjacent housing estate.

- Pedestrian Safety: the proposal was designated in accordance with Cork County Council Planning Guidance and Standards Series Number 2 1st Edition, May 2011. This document allows for the provision of pedestrian/vehicular shared surfaces, provided that the development is within a 30kph network, giving access to not more than 12 dwellings as a cul-de-sac, parking spaces are located outside the minor access way, and the minimum width of the road is not less than 4.8m. Therefore, the provision of a separate footpath is not required. The applicant is willing to work with Cork County Council to address the lack of footpaths and public lighting. Also noted, Public Lighting Report does not infer any potential endangerment of public safety to pedestrians.

6.2. Applicant Response

- As above.

6.3. Planning Authority Response

- The site is located within the settlement boundary of Macroom on lands zoned “Existing Residential/Mixed Residential and other uses”. Refusal was recommended on the basis of concerns relating to the elevated nature of the site and traffic hazard and road safety. Cork County Council has no further comments only to reiterate the recommendation made in the planning report.

6.4. Observations

- None

6.5. Further Responses

- None

7.0 Assessment

- 7.1. Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, the report/s of the

local authority, and having inspected the site, and having regard to the relevant local/regional/national policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:

- Design & Visual Impact
- Access & Traffic
- Appropriate Assessment

7.2. Design & Visual Impact

- 7.3. The subject site is located within an area zoned as “Existing Residential/Mixed Residential and Other Uses” and is within the settlement boundary of Macroom town. The adjoining site to the south is zoned as Greenbelt1. The subject site is not located within a High Value Landscape or adjacent/adjoining a scenic route. The site is elevated above Macroom town with extensive views northwards. The Planning Authority refused permission due to the elevated and sloping nature of the site, it was considered that the proposed development by reason of the extensive excavation works required, would form a highly prominent and obtrusive feature on the landscape and would seriously injure the amenities of the area.
- 7.4. The grounds of appeal state that the site is at the top of Chapel Hill and by its nature will be visible with any form of development. The proposal consists of 2 modest split level homes and include a low-pitch roof profile. A drawing has been submitted providing a comparison of the contour elevations and the adjacent existing dwellings and the proposed development. The key findings are that the existing dormer dwelling is at a higher contour, there are significant developments between the 110m and 130m contour line and other permissions granted at higher ridge height.
- 7.5. The grounds of appeal also outlines that due to the topography of the site, it requires an innovative approach to design which includes split-level units built into the slope thereby reducing the amount of cut that would be required for a traditional dwelling. The development is on the lower end of the site. A modest retaining wall of 1.9m is required and is not excessive given the existing topography of the site. Other examples include ABP-319654-24 and ABP-320810-24.
- 7.6. I have assessed the location of the proposed development which is on an elevated site overlooking the town of Macroom. The site is zoned and therefore the principle

of development for residential use is considered acceptable. The applicant is proposing 2 no. detached dwellings and this is well below the density guidelines for zoned lands within Macroom town, which is stated as 20-35 units per hectare, although the CDP also allows for a lower density of 5-20 units per hectare in limited amount of circumstances not exceeding 20% of the new housing requirements as an alternative to one off housing. The Sustainable and Compact Settlement Guidelines also allow in exceptional circumstances to permit densities above or below the recommended standards. I consider due to the nature of topography of this elevated site on the edge of Macroom town the density proposed at 6 units per hectare is considered acceptable.

- 7.7. I note the Planning Authority issued a refusal due to the elevated and sloping nature of the site which requires extensive excavation and will result in a highly prominent and obtrusive feature on the landscape. The subject site is elevated above the housing estate to the north known as “The Orchard” which is located at approximate contours of 110metres. The proposed development of two number dwelling is proposed with a finished floor level (FFL) of 115m and 117m at the front (northern) elevation and 118m FFL and 120m FFL at the rear (southern) elevation. The site rises further to rear from 120m asl to 134m asl, as the site rises the contours are closer and the hill rises steeply. There is a further dwelling constructed at end of the cul de sac, located at a higher elevation and referenced in the appeal. The proposed design consists of split level dwellings, with the two storey section to the front (northern) elevation and single level to the rear, the overall height is noted as 8.7 metres which is similar to the dwellings constructed to the north. Due to the topography of the site, a split level design is required, as this will reduce the amount of cut and fill required, I also consider that due to the topography, the site is not suitable for a greater number of dwellings, this would significantly reduce the amount of usable open space both public and private, therefore I consider the proposed two number dwellings and design approach are appropriate to the site constraints. The subject site is located to the rear of an existing housing estate and I consider the proposed additional 2 number dwellings will read as part of the existing urban development in the area, as the site continues to rise to the rear, the proposal will not dominate/break the skyline of this elevated site.

- 7.8. In relation to the excavation works required, unfortunately due to the steep sloping nature of the site, excavation works are required to develop this site. I consider that the proposed excavation works are kept to a minimum due to the proposed split level design. I have reviewed the submitted Construction Management Plan which states that excavated materials will be stored on-site to be reused as a fill, the expected quantity of spoil to be removed from the site is 250m³, which will require 17 to 20 truckloads to remove off site. I consider that this is not exceptional in terms of the elevated nature of the site and is acceptable.
- 7.9. The Planning Authority also had concerns regarding the proposed retaining wall of 1.9m located to the rear of the site, the retaining wall will consist of concrete and will establish the area's existing slope to the south. I do not consider that the retaining wall is an exceptional height in terms of a sloping site and is required in order to provide a livable and usable space at the lower contours.
- 7.10. I do however, have concerns regarding the design of the front (northern) two storey elevation of the proposed dwellings, the elevation consists of large windows of all shapes and sizes along with a huge portion of blank plaster at first floor level. The overall design does not aesthetically enhance the proposed dwellings. However, I consider this can be addressed by way of a condition. If the Board are mindful to grant permission, the applicant shall be conditioned to amend the northern elevation with mixture of finishes and alteration to the fenestration.
- 7.11. Having regard to the constraints of this elevated and sloping site, the proposed development of two number split level dwellings is considered as the most appropriate design and layout for this difficult site. The proposal will not dominate the site, as the site continues to rise steeply to the rear and therefore the proposal will read as an urban extension to the existing housing estate on zoned lands within the development boundary of Macroom.
- 7.12. **Access & Traffic**
- 7.13. The subject site is located at the end of Chapel Hill road, where the road turns into a single car access road to a single dwelling at the end of the cul de sac. The access point for the proposed development is narrow at approximately 3 metres in width and the surface dressing is substandard. The Planning Authority refused permission for two reasons in relation to the access road, the first being the proposed development

would endanger public safety by reason of traffic hazard due to the elevated nature of the site and the public road due to its poor alignment and narrow precludes the construction of a safe means of vehicular access onto the road. The second reason the road in the vicinity of the site does not have any footpaths or public lighting to facilitate the pedestrian traffic which the proposed development would generate.

- 7.14. The grounds of appeal state that the proposal consists of 2 car parking spaces per dwelling but 2022 Census shows that most (60.8%) households in the urban area own only one car in Macroom. Therefore, the proposal will not generate excessive number of daily trips by car or exceed the vehicular carrying capacity of the road. The site is within 15 min walking distance of numerous facilities and services. The road was capable of allowing construction of the adjacent housing estate and the proposal will require construction vehicular movement and the removal of soil will require a minimum of 17 truck movements. In regard to pedestrian safety, the proposal was designated in accordance with Cork County Council Planning Guidance and Standards Series Number 2 1st Edition, May 2011, and the provision of a separate footpath is not required. The applicant will welcome a condition to work with Cork County Council.
- 7.15. I note the refusal reason of the Planning Authority and I will carry out an assessment of the proposed entrance and access route to the subject site. The site layout plan submitted indicates sightlines of 23 metres in both directions at a set back of 2.5 metres, reduced sightlines are acceptable along a cul de sac with limited traffic, which is the case at the subject site as one number dwelling existing at the end of the cul de sac. The existing cul-de-sac is 5 metres in width at the northern end and narrows as you continue south. The applicant has provided an entrance width of 4.5 metres to the proposed development which will allow cars to pass each other into the estate before proceeding onto the cul de sac. The applicant proposes to upgrade this short section of the cul de sac from Chapel Hill road to the proposed site entrance. It is noted that the cul de sac is a public road and will require a Road Opening Licence in order to carry out any works.
- 7.16. The engineer of Cork County Council raised concerns regarding the stability of the road to allow for the removal of excavation materials via heavy vehicles. The Construction Management Plan outlines that a new suitably reinforced road surface capable of supporting construction vehicles and long-term use will be installed. I

consider that an appropriate condition can be attached in order for the applicant to consult with the Area Engineer prior to construction and to agree a suitable reinforced road surface.

- 7.17. In regard to the provision of pedestrian access, I have reviewed Cork County Council Planning Guidance and Standards Series Number 2 1st Edition, May 2011 which allows for the provision of pedestrian/vehicular shared surfaces, provided that the development is within a 30kph network, giving access to not more than 12 dwellings as a cul-de-sac, parking spaces are located outside the minor access way, and the minimum width of the road is not less than 4.8m. In my opinion, the proposed development complies with this criteria as the development is for 2 no. dwellings, parking is located outside the minor access, the road width is 5 metres, I note the speed limit for the area is 50km/h, however, given the gradient of the cul de sac and alignment speed limits will be in the range of 30km/p, therefore, I consider that the provision of a separate footpath is not required along this short section of cul de sac.
- 7.18. In relation to public lighting, I consider that this can be dealt with by way of an appropriate condition, the applicant shall be conditioned to consult with the public lighting section of Cork County Council prior to commencement.
- 7.19. Having regard to the location of the proposed development along a low trafficked cul de sac and the limited number of dwellings proposed and taking into account the proposed works to be undertaken by the applicant as outlined in the Construction Management Plan, I consider that the proposed development will not result in a traffic hazard for vehicle or pedestrians and that suitable conditions can be applied in order to provide a safe and acceptable access to the proposed site.

8.0 AA Screening

- 8.1. I have considered the proposed development in light of the requirements S177U of the Planning and Development Act 2000 as amended. The proposed site is not located within a designated site, The Gearagh SAC and pNHA (site code: 000108) is located approximately 1km south of the subject site.

The proposed development comprises of two number dwellings and all associated site works. No nature conservation concerns were raised in the planning appeal.

Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site.

The reason for this conclusion is as follows:

- Scale and size of the proposed development
- Distance to the nearest European site at over 1km to The Gearagh SAC.
- The lack of connections to any watercourse, it is noted the groundwater status at the site is good and not at risk. Soakaways will be installed on site in accordance with BRE 365.
- The proposal will be connected to public water and public sewer.

I conclude, on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required.

9.0 Recommendation

I recommend that planning permission should be granted, subject to conditions as set out below.

10.0 Reasons and Considerations

- 10.1. Having regard to the location of the subject site on lands zoned as Existing Residential/Mixed Residential and Other Uses” as per Cork County Development Plan 2022-2028 and within the urban setting of Macroom town, it is considered that the proposed development of two number detached dwellings will not negatively affect the visual amenity of the area or negatively affect the traffic safety of the area. The proposed development is considered to be appropriate for this elevated zoned site within the development boundary of Macroom town. The proposed development

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

11.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application received by the planning authority on the 10th day of December 2024, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. (a) Prior to commencement the applicant shall agree in writing with the Planning Authority a revised mixture of materials, finishes and fenestration to the northern elevation of the proposed dwellings. (b) Roof colour shall be blue-black, black, dark brown or dark grey in colour only.

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

3. Details of the road network to be used by construction traffic including detailed arrangements for the protection of the access and egress of the site, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of road safety and to ensure the satisfactory reinstatement of the road surface, if necessary.

4. Public lighting shall be provided in accordance with a scheme which shall be submitted to, and agreed in writing with the planning authority prior to the commencement of development. Such lighting shall be provided prior to the making available for occupation of any residential unit.

Reason: In the interest of amenity and public safety.

5. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including:
- (a) Location of the site and materials compound(s) including area(s) identified for the storage of construction refuse;
 - (b) Location of areas for construction site offices and staff facilities;
 - (c) Details of site security fencing and hoardings;
 - (d) Details of on-site car parking facilities for site workers during the course of construction;
 - (e) Details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site;
 - (f) Measures to obviate queuing of construction traffic on the adjoining road network;
 - (g) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;
 - (h) Alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works;
 - (i) Provision of parking for existing properties during the construction period;
 - (j) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;
 - (k) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater;
 - (l) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;

(m) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.

(n) A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be available for inspection by the planning authority;

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

6. All public service cables for the development, including electrical and telecommunications cables, shall be located underground throughout the site.

Reason: In the interest of visual amenity.

7. (a) All surface water generated within the site boundaries shall be collected and disposed of within the curtilage of the site. No surface water from roofs, paved areas or otherwise shall discharge onto the public road or adjoining properties. (b) The access driveway to the proposed development shall be provided with adequately sized pipes or ducts to ensure that no interference will be caused to existing roadside drainage.

Reason: In the interest of traffic safety and to prevent pollution.

8. Prior to commencement of development, the developer shall enter into water and/or wastewater connection agreement(s) with Uisce Eireann.

Reason: In the interest of public health.

9. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Friday inclusive, and between the hours of 0800 to 1400 on a Saturday and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

10. No dust, mud or debris from the site shall be carried onto or deposited on the public road/footpath. Public roads and footpaths in the vicinity of the site shall be maintained in a tidy condition by the developer during the construction phase.

Reason: To protect the amenities of the area and in the interests of road safety.

11. During construction the developer shall provide adequate off carriageway parking facilities for all traffic associated with the proposed development, including delivery and service vehicles/trucks. There shall be no parking along the public road or footpath.

Reason: In the interests of traffic safety.

12. (a) Prior to the commencement of the development as permitted, the applicant or any person with an interest in the land shall enter into an agreement with the planning authority (such agreement must specify the number and location of each house or duplex unit), pursuant to Section 47 of the Planning and Development Act 2000, that restricts all relevant residential units permitted, to first occupation by individual purchasers i.e. those not being a corporate entity, and/or by those eligible for the occupation of social and/or affordable housing, including cost rental housing.
- (b) An agreement pursuant to Section 47 shall be applicable for the period of duration of the planning permission, except where after not less than two years from the date of completion of each specified housing unit, it is demonstrated to the satisfaction of the planning authority that it has not been possible to transact each of the residential units for use by individual purchasers and/or to those eligible for the occupation of social and/or affordable housing, including cost rental housing.

(c) The determination of the planning authority as required in (b) shall be subject to receipt by the planning and housing authority of satisfactory documentary evidence from the applicant or any person with an interest in the land regarding the sales and marketing of the specified housing units, in which case the planning authority shall confirm in writing to the applicant or any person with an interest in the land that the Section 47 agreement has been terminated and that the requirement of this planning condition has been discharged in respect of each specified housing unit.

Reason: To restrict new housing development to use by persons of a particular class or description in order to ensure an adequate choice and supply of housing, including affordable housing, in the common good.

13. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or such other security as may be acceptable to the planning authority, to secure the reinstatement of public roads which may be damaged by the transport of materials to the site, coupled with an agreement empowering the planning authority to apply such security or part thereof to the satisfactory reinstatement of the public road. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

Reason: In the interest of traffic safety and the proper planning and sustainable development of the area.

14. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to

commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer, or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

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

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

Jennifer McQuaid
Planning Inspector

10th June 2025

Appendix 1: Form 1 - EIA Pre-Screening

Case Reference	ABP-322049-25
Proposed Development Summary	Construction of two number dwellings and all associated site works.
Development Address	Chapel Hill, Sleveen East, Macroom, Co. Cork
	In all cases check box /or leave blank
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	☒ Yes, it is a 'Project'. Proceed to Q2.
	☐ No, No further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
☐ Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	State the Class here
☒ No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
☐ No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road	

development under Article 8 of the Roads Regulations, 1994. No Screening required.	
☐ Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	State the Class and state the relevant threshold
☒ Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	Schedule 5, Part 2, Class 10b(i) Construction of more than 500 dwelling units.

4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes ☐	Screening Determination required (Complete Form 3)
No ☒	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____ Date: _____

Form 2 - EIA Preliminary Examination

Case Reference	ABP-322049-25
Proposed Development Summary	Construction of two number dwellings and all associated site works.
Development Address	Chapel Hill, Sleveen East, Macroom, Co. Cork
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	The proposed development consists of the construction of two number dwellings and all associated site works within an urban setting. The development will consist of typical construction and related activities and site works. This will not result in the production of significant waste, emissions or pollutants. Excavation works are required with removal of 250m ³ , this is not considered significant in order to warrant an EIA. Surface water will be discharged to an on-site soakaway. Wastewater and water will be connected to public system.
Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).	The proposed site is located within a rural area, there are no significant sensitivities in the immediate area. The subject site is not located within a designated site, the nearest are as follows: • The Gearagh SAC and pNHA (site code: 000108) is located approximately 1km south of the subject site. • Lough Gal pNHA (site code: 001067) is located 5.6km north east of the subject site. • Glashgarriff River pNHA (site code: 001055) is located 8km north east of the subject site. • Prohus Wood pNHA (site code: 001248) is located 7km west of the subject site. • Mullaghanish to Musheramore Mountains SPA (site code: 004162) is located 6.5km north of the subject site.

	My appropriate assessment screening concludes that the proposed development would not likely have a significant effect on any European Site. The subject site is located outside any flood risk area for coastal and fluvial flooding.
Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).	The site size measures 0.330ha. The size of the development is not exceptional in the context of a urban environment. There are existing dwellings adjacent to the proposed site. No concerns were raised in relation to the location of the proposed dwellings to the existing dwellings. The proposal is relatively small development in the urban context. There is no real likelihood of significant cumulative effects within the existing and permitted projects in the area.
Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA
There is no real likelihood of significant effects on the environment.	EIA is not required.

Inspector: _____ **Date:** _____

DP/ADP: _____ **Date:** _____

(only where Schedule 7A information or EIAR required)

Appendix 2: Water Framework Directive Screening

WFD IMPACT ASSESSMENT STAGE 1: SCREENING			
Step 1: Nature of the Project, the Site and Locality			
An Bord Pleanála ref. no.	ABP-322049-25	Townland, address	Chapel Hill, Sleveen East, Macroom, Co. Cork
Description of project		Construction of two dwellings and all associated site works.	
Brief site description, relevant to WFD Screening,		The site is located within the urban area of Macroom town, the site is zoned and connection to public water and public sewer is possible. 3 no. on site soakways are proposed. The site is extremely elevated and will require significant excavation. There are no water features on site or adjacent the subject site. The site is not within a flood zone area.	
Proposed surface water details		Surface water will be disposed off on site via 3 no. soakaways.	
Proposed water supply source & available capacity		Public water available down gradient. Road Opening Licence required.	
Proposed wastewater treatment system & available capacity, other issues		Public Sewer available 80 metres down gradient. Road Opening Licence required.	

Others?						
Step 2: Identification of relevant water bodies and Step 3: S-P-R connection						
Identified water body	Distance to (m)	Water body name(s) (code)	WFD Status	Risk of not achieving WFD Objective e.g.at risk, review, not at risk	Identified pressures on that water body	Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater)
e.g. lake, river, transitional and coastal waters, groundwater body, artificial (e.g. canal) or heavily modified body.	The site is 600metres south of the River Sullane.	The site is in the Lee, Cork Harbour and Youghal Bay (ID 19) and subcatchment Sullane_SC_010	Groundwater status is described as Good (period for GW 2016-2021)	Groundwater is described as Not At Risk.	None identified	Potential surface water run-off

		Groundwater Body is Ballinhassig West (code: IE_SW_G_005)					
Step 4: Detailed description of any component of the development or activity that may cause a risk of not achieving the WFD Objectives having regard to the S-P-R linkage.							
CONSTRUCTION PHASE							
No.	Component	Water body receptor (EPA Code)	Pathway (existing and new)	Potential for impact/ what is the possible impact	Screening Stage Mitigation Measure*	Residual Risk (yes/no) Detail	Determination** to proceed to Stage 2. Is there a risk to the water environment? (if 'screened' in or 'uncertain' proceed to Stage 2.
1.	Surface	River Sullane 060	Possibly existing drainage ditches	Siltation, pH (Concrete), hydrocarbon spillages	Standard construction practice CEMP	No - due to distance to watercourse	Screened out
2.	Ground	Ballinhassig West (code:	Pathways exists but poor drainage characteristics	Spillages	Standard constructio	No	Screened Out

		IE_SW_G_005)			n practice CEMP		
OPERATIONAL PHASE							
3.	Surface	River Sullane 060	Possibly existing drainage ditches	hydrocarbon spillages	Suds features	No	Screened out
4.		Ballinhassig West (code: IE_SW_G_005)	Pathways exists but poor drainage characteristics	Spillages	SuDs features	No	Screened Out
DECOMMISSIONING PHASE							
5.	N/A						

