

Response to An Bord Pleanála Pre-Application Consultation Opinion

For Development at Kilmoney (townland), Kilmoney Road, Carrigaline, Co. Cork

on behalf of Reside Investments Ltd.

June 2022



McCutcheon Halley
CHARTERED PLANNING CONSULTANTS

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1. Introduction

This report addresses the specific information requirements and issues raised by An Bord Pleanála (ABP) in their Notice of Pre-Application Consultation Opinion (Case Ref. ABP-311799-21) issued on 22nd February 2022 in relation to the proposed Strategic Housing Development (SHD) at Kilmoney (townland), Kilmoney Road, Carrigaline, Co. Cork

The Opinion issued by the Board was subsequent to a tri-partite meeting which took place on February 2nd, 2022. Following the tri-partite meeting the Board issued an Opinion in accordance with Section 6(7) of the Planning and development (Housing) and Residential Tenancies Act (as amended) and advised that the documents submitted with the request to enter into consultations constitute a reasonable basis for an application for strategic housing development.

The following additional information was also requested to be submitted with any application for permission under Article 285(5)(b) of the Regulations:

1. A detailed statement, which should provide adequate identification of all such elements and justification as applicable, where / if the proposed development materially contravenes the statutory Plan or Local Area Plan for the area other than in relation to the zoning of the land, indicating why permission should, nonetheless, be granted, having regard to a consideration specified in section 37(2)(b) of the Act of 2000.
2. A detailed statement of justification of the height proposed, in terms of edge of town centre location, surrounding land use, the road network, topography of the site and specific local objectives pertaining to the lands contained in the Ballincollig – Carrigaline Municipal District Local Area Plan, 2017.
3. A visual impact assessment of the proposed development that addresses, inter alia, the height, scale and massing of the proposal in the context of the receiving environment. The VIA should include mid range and long range views along Kilmoney Road to the south and from lands to the east.
4. A detailed statement, demonstrating how the proposed development will tie in safely with the wider road network, in particular with respect to pedestrian and cycle routes.
5. A Traffic and Transportation Impact Assessment and Mobility Management Plan.
6. Justification of layout, location and hierarchy and quantum of open space provision. Both communal and public open space (POS). Clarity with regard to compliance with Development Plan Standards.
7. An up to date Ecological Impact Assessment, inclusive of a Bat Survey.
8. Detailed landscape drawing that illustrate hard and soft landscaping, useable communal open space, meaningful public open space, quality audit and way finding. The public open space shall be usable space, accessible and overlooked to provide a degree of natural

- supervision. Details of play equipment, street furniture including public lighting and boundary treatments should be submitted.
9. Details of a Green Infrastructure Plan, Landscaping Plan, Arboriculture Drawings, and Engineering plans that take account of one another.
 10. A Housing Quality Assessment that provides details in respect of the proposed apartments set out as a schedule of accommodation, with the calculations and tables required to demonstrate compliance with the various requirements of the 2020 Guidelines on Design Standards for New Apartments. It is important that the proposal meets and preferably exceeds the minimum standards in terms of dual aspect and proportion of apartments which exceed the floor area by 10%. In the interests of clarity clear delineation / colour coding of floor plans indicating which of the apartments are considered by the applicant as dual / single aspect, single aspect north facing and which apartments exceeds the floor area by 10%.
 11. A Daylight and Shadow Impact Assessment of the proposed development, specifically with regard to:
 - a. Impact upon adequate daylight and sunlight for individual units, public open space, courtyards, communal areas, private amenity spaces and balconies.
 - b. Impact to any neighbouring properties.
 12. A report that addresses issues of residential amenity (both existing residents of adjoining development and future occupants), specifically with regards to potential overlooking, overshadowing and overbearing. The report shall include full and complete drawings including levels and cross sections showing the relationship between the proposed development and adjacent residential development.
 13. A robust Ecological Impact Statement Report, AA screening report and NIS, as appropriate, which considered potential impacts on the Qualifying interests of any Natura 2000 site.
 14. A report on surface water drainage, surface water management strategy and flood risk which deals specifically with quality of surface water discharge.
 15. Where an EIAR is not being submitted the applicant should submit all necessary information referred to in article 299B(1)(b)(ii)(II) and article 299B*(10)(c) of the Planning and Development Regulations 2001-2018 for the purposes of EIAR screening.
 16. A response to matters raised within the PA Opinion submitted to ABP on the 24th November 2021.
 17. A site layout plan indicating what areas, if any, are to be taken in charge by the planning authority.
 18. Site Specific Construction and Demolition Waste Management Plan.
 19. Details of public Lighting.

A response to the above items is provided in **Section 2.1** of this report.

The opinion issued by the Board also requested that the following authorities be notified in accordance with Section 8(1)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016:

- Irish Water
- Transport Infrastructure Ireland
- County Childcare Committee

2. Statement of Response to Specific Information Requirements

We will respond to the item requested under Article 285(5)(b) of the Regulations in Section 2.1 (Items 1 to 18) below (Items raised by the Board are highlighted in bold italics).

2.1 Additional Information requested under Article 285(5)(b)

The additional information requested under Article 285(5)(b) of the Regulations is provided under Items 1 to 17 below

- 1. A detailed statement, which should provide adequate identification of all such elements and justification as applicable, where / if the proposed development materially contravenes the statutory Plan or Local Area Plan for the area other than in relation to the zoning of the land, indicating why permission should, nonetheless, be granted, having regard to a consideration specified in section 37(2)(b) of the Act of 2000.***

A Material Contravention Statement is provided by McCutcheon Halley Planning Consultants which provides adequate identification of all such elements and justification as applicable, where the proposed development materially contravenes the statutory Plan for the area other than in relation to the zoning of the land. The statement indicates why permission should, nonetheless, be granted, having regard to a consideration specified in section 37(2)(b) of the Act of 2000.

As outlined in the enclosed the Material Contravention Statement the proposed development is broadly compliant with the provisions of the Cork County Development Plan (CDP) 2014 and the Cork County Development Plan 2022 but is a material contravention of the 2014 CDP in relation to car parking standards and the 2022 CDP in relation to building height. A car parking provision lower than the 2014 CDP standards and building height greater than the 2022 CDP is justified in this instance having regard to the provisions of section 37(2)(b)(i),(ii), and (iii) of the Planning and Development Act 2000.

- 2. A detailed statement of justification of the height proposed, in terms of edge of town centre location, surrounding land use, the road network, topography of the site and specific local***

objectives pertaining to the lands contained in the Ballincollig – Carrigaline Municipal District Local Area Plan, 2017.

A Building Height Rationale is provided by Henry J. Lyons which provides a detailed statement of justification of the height proposed, in terms of edge of town centre location, surrounding land use, the road network, topography of the site and specific local objectives pertaining to the lands contained in the Ballincollig – Carrigaline Municipal District Local Area Plan, 2017.

3. A visual impact assessment of the proposed development that addresses, inter alia, the height, scale and massing of the proposal in the context of the receiving environment. The VIA should include mid range and long range views along Kilmoney Road to the south and from lands to the east.

An Environmental Impact Assessment Report is provided by Enviroguide. Chapter 10 of the EIAR report includes a visual impact assessment by Cunnane Stratton Reynolds which addresses the height, scale and massing of the proposal in the context of the receiving environment. The photomontages provided by GNET and the VIA includes mid-range and long range views along Kilmoney Road to the south and from lands to the east and demonstrate that the proposed development will not have an adverse visual impact on the area.

4. A detailed statement, demonstrating how the proposed development will tie in safely with the wider road network, in particular with respect to pedestrian and cycle routes.

A statement on Pedestrian and Cycle Connectivity prepared by Martin Hanley Consulting Engineer Ltd. is provided as part of the application documents.

5. A Traffic and Transportation Impact Assessment and Mobility Management Plan.

A Traffic and Transportation Impact Assessment and Mobility Management Plan prepared by Martin Hanley Consulting Engineer Ltd. is provided as part of the application documents.

6. Justification of layout, location and hierarchy and quantum of open space provision, both communal and public open space (POS). Clarity with regard to compliance with Development Plan Standards.

A Landscape Design Rationale Report prepared by Cunnane Stratton Reynolds which provides a Justification of the layout, location, hierarchy and quantum of open space provision, both communal and public open space and clarity with regard to compliance with Development Plan Standards is provided as part of the application documents.

7. *An up to date Ecological Impact Assessment, inclusive of a Bat Survey.*

An Ecological Impact Assessment, inclusive of a Bat Survey prepared by Enviroguide is provided as part of the application documents

8. *Detailed landscape drawing that illustrate hard and soft landscaping, useable communal open space, meaningful public open space, quality audit and way finding. The public open space shall be usable space, accessible and overlooked to provide a degree of natural supervision. Details of play equipment, street furniture including public lighting and boundary treatments should be submitted.*

A Landscape Masterplan, Riverside Pedestrian Link and Landscape Section prepared by Cunnane Stratton Reynolds are provided as part of the application documents. The submitted documents illustrate hard and soft landscaping, useable communal open space, meaningful public open space, quality audit and way finding. The public open space will be usable space, accessible and overlooked to provide a degree of natural supervision. Details of play equipment, street furniture including public lighting and boundary treatments are detailed in the Design Rationale Report by Cunnane Stratton Reynolds and Public Light Report By Horizon Engineering.

9. *Details of a Green Infrastructure Plan, Landscaping Plan, Arboriculture Drawings, and Engineering plans that take account of one another.*

A Green Infrastructure Plan and Landscaping Plan by Cunnane Stratton Reynolds, Arboriculture Drawings by County Tree Care and Engineering plans by Horgan Lynch that take account of one another form part of this application.

10. *A Housing Quality Assessment that provides details in respect of the proposed apartments set out as a schedule of accommodation, with the calculations and tables required to demonstrate compliance with the various requirements of the 2020 Guidelines on Design Standards for New Apartments. It is important that the proposal meets and preferable exceeds the minimum standards in terms of dual aspect and proportion of apartments which exceed the floor area by 10%. In the interests of clarity clear delineation / colour coding of floor plans indicating which of the apartments are considered by the applicant as dual / single aspect, single aspect north facing and which apartments exceeds the floor area by 10%.*

A Housing Quality Assessment (HQA) is provided by Henry J. Lyons and forms part of this application. As outlined in the HQA, the proposed apartments are in compliance with the requirements of the 2020 Guidelines on Design Standards for New Apartments, including the requirements in relation to aspect, where 54% of the proposed units are dual aspect.

11. A Daylight and Shadow Impact Assessment of the proposed development, specifically with regard to:

- a. Impact upon adequate daylight and sunlight for individual units, public open space, courtyards, communal areas, private amenity spaces and balconies.**
- b. Impact to any neighbouring properties.**

A Daylight and Shadow Impact Assessment of the proposed development prepared by Passive Dynamics is provided as part of the application documents. The report specifically has regard to:

- i. Impact upon adequate daylight and sunlight for individual units, public open space, courtyards, communal areas, private amenity spaces and balconies.
- ii. Impact to any neighbouring properties.

As outlined in the Daylight and Shadow Impact Assessment by Passive Dynamics, the proposed development provides adequate daylight and sunlight for the proposed residential units and public/private amenity areas and will not have an adverse impact on any of the neighbouring properties.

12. A report that addresses issues of residential amenity (both existing residents of adjoining development and future occupants), specifically with regards to potential overlooking, overshadowing and overbearing. The report shall include full and complete drawings including levels and cross sections showing the relationship between the proposed development and adjacent residential development.

A Residential Amenity Report is provided by Henry J. Lyons and forms part of this application. The report includes full and complete drawings including levels and cross sections showing the relationship between the proposed development and adjacent residential development.

13. A robust Ecological Impact Statement Report, AA screening report and NIS, as appropriate, which considered potential impacts on the Qualifying interests of any Natura 2000 site.

An Environmental Impact Assessment Report which includes an Ecological Impact Assessment Report and an AA Screening and NIS by Enviroguide is provided as part of the application documents.

14. A report on surface water drainage, surface water management strategy and flood risk which deals specifically with quality of surface water discharge.

An Engineering Services Report prepared by Horgan Lynch Consulting Engineers and a Flood Risk Assessment prepared by Arup which provides details on surface water drainage, surface water

management strategy and flood risk which deals specifically with quality of surface water discharge is provided as part of the application documents.

15. Where an EIAR is not being submitted the applicant should submit all necessary information referred to in article 299B(1)(b)(ii)(II) and article 299B*(10)(c) of the Planning and Development Regulations 2001-2018 for the purposes of EIAR screening.

An Environmental Impact Assessment Report prepared by Enviroguide is provided as part of the application documents.

16. A response to matters raised within the PA Opinion submitted to ABP on the 24th November 2021.

A response to matters raised within the PA Opinion submitted to ABP on the 24th November 2021 is provided in section 3 of this report.

17. A site layout plan indicating what areas, if any, are to be taken in charge by the planning authority.

A Taking in Charge Plan (Drawing ref. P-1062) is provided by Henry J. Lyons Architects and forms part of this application.

18. Site Specific Construction and Demolition Waste Management Plan.

A Site Specific Construction and Demolition Waste Management Plan is provided by Horgan Lynch Consulting Engineers and forms part of this application.

19. Details of public Lighting.

A public lighting scheme by Horizon Engineers provided as part of the application documents.

3. Response to PA Opinion submitted to ABP on the 24th November 2021

We will respond to the issues raised in the PA Opinion in this section below (Items raised by the Board are highlighted in bold italics).

Item/Issue Raised	Response
The CGI Images could be more detailed and show the impact of the development on the existing dwellings on the Kilmoney Rd more accurately as one looks from the Co-Op entrance along the Kilmoney road in a Westerly direction	The CGI Images have been updated to show the impact of the development on the existing dwellings on the Kilmoney Rd more accurately as one looks from the Co-Op entrance along the Kilmoney road in a Westerly direction
The landscape and public realm strategy is welcomed but is lacking in detail regarding the interface with the Owenabue river.	Please refer to DWG Ref. 21623-2-210 by Cunnane Stratton Reynolds which provides detail regarding the interface with the Owenabue river.
Apartment floor plans, seek provision of natural day light / natural ventilation connections from the various long internal corridors to the external to reduce the need for artificial lighting / ventilation	Please refer to Section 4.7 of the Design Statement by Henry J.Lyons.
Detailed method to minimise overlooking potential from the raised podium in the direction of the existing dwellings located to south of the site	
Given the nature of the size of this mixed use development, careful consideration has to be given to the design in terms of the successful integration of building services / plant in order to minimise / eliminate any interference with the quality of the residential privacy and amenity	
Method of noise suppression from building plant and traffic (deliveries to retail), odours from air-handling plant, careful management of disposal of flat roof rainwater, concealment of service ducts /	

Item/Issue Raised	Response
<p>pipework and considered placement of fire control access / plant and equipment, etc as well as secure access to roof / plant / delivery areas</p>	
<p>Design details of proposed pedestrian route across third party lands to the east connecting with the town core</p>	
<p>Details of riverside seating, viewing, meeting areas, etc. and how the route transverses the Co-Op yard and how it ultimately connects in with the main street. Is route aspirational or deliverable</p>	
<p>Provision for strategically located bus stops/ terminus for future service routes</p>	
<p>A site-specific flood risk assessment is to be prepared, to take account of all floor risks including fluvial and groundwater</p>	<p>A site-specific flood risk assessment by Arup is prepared.</p>
<p>Acknowledge the Summary Ecology Note, but the proposal is deficient in terms of ecology. Site surveys, Ecological Impact Assessment and Appropriate Assessment (Stage 1 and 2) should be carried out to inform the development</p>	<p>An Environmental Impact Assessment Report which includes an Ecological Impact Assessment Report and an AA Screening and NIS by Enviroguide is provided as part of the application documents.</p>
<p>Acknowledge the Outline CEMP but assessments set out above are required to inform a site specific and detailed CEMP</p>	<p>A site specific and detailed CEMP by Enviroguide is provided as part of the application documents.</p>
<p>Detailed site-specific CEMP should provide details of the measures to prevent atmospheric, ground and surface water pollution, and risks to public health over the course of construction, with details of any/all off-site soil and stone movement. Particular regard to Owenabue protection measures will be required during site clearance and construction</p>	<p>A Detailed site-specific CEMP by Enviroguide is provided as part of the application documents and provides details of the measures to prevent atmospheric, ground and surface water pollution, and risks to public health over the course of construction, with details of any/all off-site soil and stone movement.</p>

Item/Issue Raised	Response
<p>CEMP shall also be mindful to protect species associated with the river such as Otter having regard to impacts associated with noise and vibration.</p> <p>Pre connection enquiries with Irish Water should be followed up and status of required connection agreements be clarified</p>	<p>The CEMP ensures the protection of species associated with the river such as Otter having regard to impacts associated with noise and vibration.</p> <p>Pre connection enquiries with Irish Water are provided in appendix C of the Engineering Services Report by Horan Lynch</p>
<p>Services infrastructure, water supply and wastewater and surface water should have particular regard, to the site's hydrological connection to European sites downstream</p>	<p>The services infrastructure, water supply and wastewater and surface water has particular regard, to the site's hydrological connection to European sites downstream. Pleaser refer to the engineering report and associated drawings by Horgan Lynch.</p>
<p>In relation to the proposed pumping station, confirmation is required that it will be taken in charge, and that it complies with IW Codes of Practice for Developers</p>	<p>The pumping station is constructed and will be taken in charge by Irish Water.</p>
<p>We note the Feasibility of Connection refers to another pumping station being required to facilitate this connection, and the permission of that developer will be required. This requires confirmation by the developer</p>	<p>The pumping station referred to is under constriction by Cork County Council and will be taken in charge. The southern pumping station is complete and will be taken in charge by Irish Water.</p>
<p>A Noise Impact Assessment should ensure the Western Relief Road will not impinge on residential amenity. Planting along boundary should be such that some amelioration of traffic emissions could be provided</p>	<p>A noise impact assessment forms part of the Environmental Impact Assessment Report prepared by Enviroguide.</p>
<p>We note an Archaeological Assessment has been carried out. Ideally a geophysical survey and comprehensive testing should be carried out at this stage to inform the design process and proposed layout</p>	<p>Please refer to the Archaeological Impact Assessment by John Cronin & Associates.</p>

Item/Issue Raised	Response
A Mobility Management Plan should be prepared and submitted to support same	A Mobility Management Plan by Martin Hanley Consulting Engineer is prepared and submitted with the application.
A retail impact assessment is considered prudent and warranted	A retail impact assessment nu McCutcheon Halley is submitted with the application.

4. Cork County Council Notification of Statutory Bodies

Pursuant to article 285(5)(a) of the Planning and Development (Strategic Housing) Development Regulations 2017 and the Board's Notice of Pre-Application Consultation Opinion, the prospective applicant has notified the following authorities of the making of the SHD application in accordance with Section 8(1)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016.

1. Irish Water
2. Transport Infrastructure Ireland
3. County Childcare Committee