



An
Bord
Pleanála

**Case Reference:
ABP-311382-21**

Planning and Development (Housing) and Residential Tenancies Act 2016

Notice of Pre-Application Consultation Opinion

Proposed Development: Demolition of agricultural sheds and structures, construction of 184 no. apartments, creche and associated site works. Bessborough, Ballinure, Blackrock, Co. Cork.

An Bord Pleanála has considered the issues raised in the pre-application consultation process and, having regard to the consultation meeting and the submission of the planning authority, is of the opinion that the documents submitted with the request to enter into consultations require further consideration and amendment to constitute a reasonable basis for an application for strategic housing development.

An Bord Pleanála considers that the following issues need to be addressed in the documents submitted that could result in them constituting a reasonable basis for an application for strategic housing development.

1. Further consideration of the status of the proposed development as a Strategic Housing Development, as defined in section 3 of the Planning and Development (Housing) & Residential Tenancies Act 2016, as amended, having regard to the land use objectives set out in the Cork City Development Plan 2015-2021 relating to these lands.

A detailed statement of consistency and planning rationale should therefore be submitted, clearly outlining how in the prospective applicant's opinion, the proposed development is in compliance with local planning policies having

specific regard to the zoning objective of a significant part of the site as Z012 'Landscape Preservation Zones' - SE4 Bessborough House – to preserve and enhance the special landscape and visual character of landscape preservation zones.

Justification for the principle of residential development on lands zoned Z012 should have regard to the specific objective of the Development Plan which states, inter alia, that there will be a presumption against development within these zones, with development only open for consideration where it achieves the specific objectives set out in Table 10.2.

2. Having regard to the history of uses on these lands and the findings of the *Commission of Investigation into Mother and Baby Homes* (Final Report October 2020), with regard to the potential for unrecorded burial sites with the wider Bessborough estate lands, the application should provide further elaboration and clarity with regard to the recommendations made in the report on the "*Cultural Heritage Legacy of the Subject Lands, The Farm, Ballinure, Blackrock, Cork City*", (Sept 2021) prepared by John Cronin & Associates. A clear rationale / justification for the recommended approach to these matters should be set out.

The application should clearly establish the planning and legal implications for any development which may be granted planning permission on the site, arising from the identification of any unrecorded burial site during the recommended monitoring exercises. In making recommendations in this regard, the prospective applicants should note the obligations on the Board in attaching conditions to any potential grant of planning permission, including that any such conditions be precise, reasonable and enforceable.

Furthermore, Pursuant to article 285(5)(b) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant is hereby notified that, in addition to the requirements as specified in articles 297 and 298 of the Planning and Development (Strategic Housing Development) Regulations 2017, the following specific information should be submitted with any application for permission:

1. The application should be accompanied by an appropriately detailed Masterplan / Design Statement which should set out a coherent strategy for the overall development of lands within the prospective applicant's ownership at Bessborough. The Masterplan should describe the overall response to the historic context and landscape setting of the lands, and the relationship between developments within different character areas in terms of their design and layout and the influences thereon.
2. The Architectural Heritage Impact Assessment should be revised and supplemented to identify the full extent of works within the curtilage of the protected structure and address in particular, the following items:
 - (i) The potential impact of the development on the relationship and connection between Bessborough House, a protected structure, and its parkland / demesne setting. Regard should be had to the concerns expressed by the PA in their submission to An Bord Pleanála dated 08/10/2021 with regard to the siting of Blocks A, B and C in this regard.
 - (ii) Any works proposed to, or impacts on, the entrance avenue and the original entrance gateway to Bessborough House, including the limestone piers and cast-iron railings and gates.
3. Further analysis of the potential landscape and visual impacts of the proposed development should be undertaken, to include additional photomontages and imagery. Such analysis should include consideration of views from the west of the estate and from the entrance avenue toward the proposed development, as well as views from the rear of the protected structure to the south. The analysis should take account of the varying mitigation of such visual impacts provided by foliage and vegetation at different times of the year.
4. A detailed survey of existing structures to be demolished shall be undertaken and detailed building records, including a drawn and photographic record,

should be prepared for submission to the planning authority and to the Irish Architectural Archive.

5. The Arboricultural Impact Assessment should specifically address the viability of proposed tree retention having regard to potential impacts arising from proximity to site development works, including changes in ground levels and the water table.
6. The application should be accompanied by the following:
 - (i) A detailed Traffic and Transport Assessment (TTA) in respect of the proposed development. In preparing this TTA, regard should be had to the detailed requirements set out in the submission of the planning authority, dated 08/10/2021, and the report of the Transport and Mobility (Traffic Operations) section. The assessment should consider the cumulative impacts of the development with other existing and proposed development within the Bessborough estate and on adjacent lands, including the developments to the north permitted under PA ref. 17/37565 and 18/37820.
 - (ii) A Mobility Management Plan and a Parking Management Strategy.
 - (iii) The application should be accompanied by a Quality Audit in accordance with Annex 4 of DMURS, including a Road Safety Audit.
7. The application should describe how a convenient and quality pedestrian and cycle connection from the proposed development to the Marina and Blackrock - Passage Greenway to the east can be delivered. The ability to achieve such connection independent of other planned development should be clearly demonstrated. The route of such connections should form part of the Quality Audit undertaken in respect of the proposed development.
8. Details of the areas intended to be taken in charge by the Local Authority should be clearly set out.
9. Detail of the relationship of Buildings D and E at The Farm with adjoining lands at the Sacred Heart Convent and the potential for overlooking or impacts on the amenities thereof should be clearly described.
10. The Ecological Impact assessment should include the results of all surveys undertaken in respect of these lands, including in particular Wintering Bird

Surveys and Bat Surveys. Documentation should confirm that all surveys were undertaken at the appropriate times of the year.

The application should be accompanied by an Invasive Species Management Plan.

11. In accordance with section 5(5)(b) of the Act of 2016, as amended, any application made on foot of this opinion should be accompanied by a statement that in the prospective applicant's opinion the proposal is consistent with the relevant objectives of the development plan for the area. Such statement should have regard to the development plan or local area plan in place or, likely to be in place, at the date of the decision of the Board in respect of any application for permission under section 4 of the Act.
12. All documents should be in a format which is searchable.
13. The information referred to in article 299B(1)(b)(ii)(II) and article 299B(1)(c) of the Planning and Development Regulations 2001-2018 unless it is proposed to submit an EIAR at application stage.

Also, pursuant to article 285(5)(a) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant is informed that the following authorities should be notified in the event of the making of an

application arising from this notification in accordance with section 8(1)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016:

- 1. Department of Culture, Heritage and the Gaeltacht (Development Applications Unit)**
- 2. The Heritage Council**
- 3. An Taisce**
- 4. An Chomhairle Ealaíon**
- 5. Fáilte Ireland**
- 6. Irish Water**
- 7. Transport Infrastructure Ireland**
- 8. National Transport Authority**
- 9. Cork City Childcare Committee**
- 10. Minister for Children, Equality, Disability, Integration and Youth**

PLEASE NOTE:

Under section 6(9) of the Planning and Development (Housing) and Residential Tenancies Act 2016, neither the holding of a consultation under section 6, nor the forming of an opinion under that section, shall prejudice the performance by the Board, or the planning authority or authorities in whose area the proposed strategic housing development would be situated, of any other of their respective functions under the Planning and Development Acts 2000 to 2016 or any other enactment and cannot be relied upon in the formal planning process or in legal proceedings.

Stephen O'Sullivan
Assistant Director of Planning
December, 2021