



An
Bord
Pleanála

**Case Reference:
ABP-311685-21**

Planning and Development (Housing) and Residential Tenancies Act 2016

Notice of Pre-Application Consultation Opinion

Proposed Development: 299 no. residential units (185 no. houses, 114 no. apartments), creche and associated site works. Annabella (townland), Mallow, 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 how the constraints on development in the Northwestern Urban Expansion Area, identified in the Kanturk Mallow Municipal District Local Area Plan 2017, have been addressed in order to facilitate this development, and in particular those constraints relating to transport and connectivity to the rest of the town.

In this regard, further consideration is required in respect of the capacity of the surrounding road network to accommodate the vehicular, pedestrian and cycle movements arising from the proposed development, and other permitted development in this area. Details to be provided with any application should, inter alia, address the following matters:

- a)** An assessment of the quality, width and alignment of roads and footpaths on Kennel Hill.
- b)** Detailed proposals to connect the proposed development to the existing footpath network on Kennel Road, which should be achievable independent of any other planning permission / proposed developments in this area. Such proposals should include evidence of the consent of any third parties affected by such works.
- c)** An assessment of the capacity of the Kennel Hill / N72 junction and the N72 / N20 junction to accommodate the pedestrian, cycle and vehicular traffic movements likely to be generated by the proposed development, and other permitted developments in the area.
- d)** Detailed proposals and design specifications of identified improvement works required at these junctions, to include details with regard to:
 - i.** Any planning consent, or other consents, likely to be required in respect of such works.
 - ii.** The party responsible for the carrying out of the works.
 - iii.** A timetable for completion of works.
 - iv.** Details of the funding of works; and
 - v.** Evidence of any necessary third-party consent required for their completion.

This may require amendment to the documents and / or design proposals submitted.

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 the following:
 - i. A Traffic Impact Assessment (TTA) and a preliminary Construction Traffic Management Plan. The TTA should have clear regard to the extent of existing, permitted and proposed development in this area. The assessment should provide a clear justification and validation for the trip rates used in the assessment of traffic likely to be generated by the proposed development, and on the surrounding road network.
 - ii. A Mobility Management Plan, which should identify mechanisms and responsibility for its on-going implementation and monitoring.
 - iii. A quality audit in accordance with Annex 4 of DMURS, including a Road Safety Audit. The quality audit should address internal roads and connections through the development as well as external connections between the development and the town.
2. The application should describe the overall design approach to accommodate the varying levels across the site in order to minimise the wider visual impacts of the development, and the use of retaining walls. Particular regard should be had to the interface of northern public open space with structures at Apartment Blocks 1 & 2.
3. Detailed design proposals should be provided in respect of Sustainable Drainage Systems (SUDS) measures that will be implemented to address issues of surface water quality and volume, which should include measures such as permeable paving, swales, green roofs, rainwater harvesting, detention basins, ponds and wetlands. Proposals in this regard should address the issues raised in the report of Cork County Council received by An Bord Pleanála on 15/11/2021.

4. The application should clearly identify any amendments which may be required to the development previously permitted under PA ref. 15/6119, ABP Ref. PL 04.246853 (and extended under PA ref 20/6130), particularly with regard to the design and layout of access roads and water and drainage services.
5. The application should provide further detail with regard to the design and treatment of the proposed north-eastern pedestrian and cycle connection which traverses adjoining lands, including an area of public open space. Such detail should include routing and landscaping measures to ensure that the proposal does not unduly fragment or otherwise erode the amenity value of the public open space, and that the residential amenities of no.'s 15 – 29 Woodview Drive are not impacted by these proposals. The treatment of levels along the route should be clearly described.
6. A public lighting scheme should be provided which shall include lighting along Kennel Hill Road and along the route of the proposed north-eastern pedestrian and cycle route.
7. The application should demonstrate how pedestrian connections through the development, and connections from the proposed development to existing and permitted adjacent residential developments, will be suitably overlooked and supervised.
8. A report that specifically addresses the proposed materials and finishes to the scheme should be submitted, including specific detailing of external finishes, landscaping and paving, pathways, entrances and boundary treatments. Particular regard should be had to the requirement to provide high quality, durable and sustainable finishes which have regard to the context of the site. In this context, the report should address in particular, the proposed materials and finishes to Apartment Blocks 1 & 2, which include extensive areas of cement render finish.

9. A Building Lifecycle Report in accordance with section 6.13 of the Sustainable Urban Housing, Design Standards for New Apartments, Guidelines for Planning Authorities (2020) guidelines should also be submitted and shall detail the appropriate use of external materials on all elevations. The report shall also address the management and maintenance of public spaces and access routes to the development
10. The application should clearly identify the areas intended to be taken in charge by the Local Authority.
11. The application should describe the relationship between the proposed development and existing and permitted residential properties adjoining the site, and how the development will ensure that satisfactory standards of residential amenity and privacy will be maintained.
12. A survey of existing trees on the site should be undertaken and a detailed Arboricultural Impact Assessment of the proposed development should be provided with any application. Accompanying plans should clearly identify existing trees to be retained or removed, and their condition and value. The viability of retaining identified trees should be clearly established, having regard to the extent of site works proposed.
13. The application should demonstrate compliance with the requirement of the MW-R-09 zoning objective to give consideration to, and where necessary provide for school and/or other desirable community infrastructure required for this area of the town.

The conclusions of the Childcare Demand Report are noted, however, an assessment of childcare facilities in this area should also have regard to the permitted facility on adjoining lands under PA ref. 16/6023, and should give consideration as to how the cumulative demand arising from existing, permitted and proposed development in this area can be met in a rational and efficient manner. Regard should also be had to the provisions of the Sustainable Urban Housing: Design Standards for New Apartments (2020) in this regard.

- 14.** The application should demonstrate how the proposed phasing strategy will ensure that adequate levels of residential amenity and open space, and accessibility to the town centre, are achieved for residents of the initial phases of development. The phasing strategy should also address the timing of road infrastructure upgrades required to facilitate the proposed development.
- 15.** The Ecological Impact Assessment Report should include the results of all surveys undertaken in respect of these lands, including in particular breeding bird surveys, and mammal and bat surveys. Documentation should confirm that all surveys were undertaken at the appropriate times of the year.
- 16.** 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.
- 17.** 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. Transport Infrastructure Ireland**
- 2. Irish Water**
- 3. Inland Fisheries Ireland**
- 4. Minister for Housing, Local Government and Heritage**
- 5. Heritage Council**
- 6. An Taisce**
- 7. County Childcare Committee**
- 8. Irish Rail**

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