



An  
Bord  
Pleanála

**Case Reference:**  
**ABP-311924-21**

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**Planning and Development (Housing) and Residential Tenancies Act 2016**

**Notice of Pre-Application Consultation Opinion**

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**Proposed Development: Demolition of buildings, construction of 309 no. residential units (197 no. houses, 112 no. apartments), creche and associated site works. Cork GAA Lands, Old Whitechurch Road, Kilbarry, Cork City.**

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) and Residential Tenancies Act 2016, as amended, having regard to the zoning objectives set out in the Cobh Municipal District Local Area Plan, 2017 relating to these lands.

In this regard a detailed statement of consistency and planning rationale should be provided, clearly outlining how, in the prospective applicant's opinion, the proposed development is in compliance with local zoning objectives having specific regard to the location of elements of this residential development within lands zoned Public Open Space (Objective NE-O-03), and the proposed distributor road and creche on lands zoned for Industry (Objective NE-I-01) in the Cobh Municipal District LAP.

It should be noted that section 9(6)(b) of the Act provides that the Board shall not grant permission where the proposed development, or a part of it, contravenes materially the development plan or Local Area Plan relating to the area concerned, in relation to the zoning of the land.

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

2. Further consideration of the documents, and if necessary, justification for the proposed development having regard to the Medium B Residential zoning objective relating to these lands. In this regard the statement of consistency and planning rationale should clearly outline how, in the prospective applicant's opinion, the proposed development is in compliance with this local zoning objective.
3. Further consideration of the documents, and if necessary, justification for the proposed development having regard to the relationship of the proposed development with, and potential impact on the selection of, the route for the proposed Cork Northern Distributor Road which is identified in the Cork Metropolitan Area Transport Strategy 2040 (CMATS), published by NTA in 2020, as a short-term objective and as a 'critical enabler' for the strategy.
4. Further consideration, and possible amendment to the documents in respect of the relationship of the proposed development with the Old Whitechurch Road. Consideration should be given to the design of the junction with the proposed distributor road demonstrating that adequate sightlines can be achieved at this location. In addition, the accommodation of pedestrian / cycle movements from

the development and from the public park to the Old Whitechurch Road, and connections to the footpath network in the area should be fully considered. This may require amendment to the documents and / or design proposals submitted.

5. Further consideration of the documents with regard to the internal street layout and in particular the function and design of the of the proposed east-west distributor route. The application documentation should demonstrate how the proposed layout, building design and streetscapes assist in place making, wayfinding as well as creating a contemporary urban development with a variety of character areas.

Regard should be had to the guidance provided in the Design Manual for Urban Roads and Streets (DMURS) in terms of the creation of sense of place, and section 2.2.1 in particular. The Urban Design Manual – a Best Practice Guide which accompanies the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009) provides further guidance in this regard, including in particular criteria number 2 *Connections* and number 7 *Layout*.

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. A report addressing the matters raised in the report of the Urban Road and Street Design Section of Cork County Council. In addition, the application should be accompanied by the following:
  - (a) A Travel Plan / Mobility management plan, including details of connectivity and accessibility for future residents to Public Transport services.

- (b) A Quality Audit in accordance with Advice Note 4 of DMURS, to include a detailed Road Safety Audit.
  - (c) A review of the location of the proposed childcare facility to the south of the proposed distributor route and its accessibility for residents of the proposed development.
2. In respect of soils and excavation:
- (a) An assessment and statement of the potential for the presence of contaminated soils / materials on the site and a method statement for the resolution of these matters, where appropriate.
  - (b) An assessment of the extent of cut and fill required across the site and a method statement for any rock breaking activity.
3. Detailed section drawings through the lands describing the relationship between the proposed development and adjoining residential properties (existing and permitted) and with the Old Whitechurch Road, and the treatment of existing slopes across the site. Such drawings should clearly identify and illustrate the extent of cut and fill required to facilitate the development.
4. An assessment of the landscape and visual impacts of the development. Such assessment shall, inter alia, identify and assess impacts on views from the Old Whitechurch Road, west of the Bride River, and the impact on the landscape and visual character of works and tree removal along the roadside boundary.
5. A tree survey and Arboricultural Impact Assessment, having regard, inter alia, to proposed works along the boundary with Old Whitechurch Road.
6. The application should include a comprehensive daylight and sunlight assessment examining the proposed dwelling units and amenity / open spaces, as well as potential impacts on daylight and sunlight to adjoining properties. In preparing such assessment regard should be had to the provisions of section 3.2 of the Urban Development and Building Heights Guidelines for Planning Authorities (2018) and to the approach outlined in guides like the BRE 'Site Layout Planning for Daylight and Sunlight' (2nd edition) or BS 8206-2: 2008 – 'Lighting for Buildings – Part 2: Code of Practice for Daylighting'.

The assessment should provide a comprehensive view of the performance of the entire development in respect of daylight provision. Where any alternative, compensatory design solutions in respect of daylight are proposed, these should be clearly identified and justified, and their effect appropriately described and / or quantified.

7. A phasing plan for the proposed development, which should include detail regarding the delivery of associated road and drainage infrastructure and public open spaces.
8. Site layout plans clearly identifying the areas intended to be taken in charge by the local authority. Specific proposals should be provided for the management of drainage / attenuation infrastructure associated with the proposed development located within the public park.
9. A response to the issues raised in the report of the planning authority in relation to Residential Amenity and House Design. Drawings clearly should clearly demonstrate that a satisfactory standard of private residential amenity space is provided for each unit, with particular regard to the quality of provision to corner units in duplex blocks.
10. A review of the relationship of the proposed development with the adjoining sports grounds and associated lands, in order to deliver high levels of residential amenity. Matters to be considered include the layout of housing units backing onto areas of open space and car parking and the potential for improved outlook for proposed dwellings.
11. A report that specifically addresses the proposed materials and finishes to the scheme, 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.
12. 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 which should consider external materials on all elevations. The report shall also address the management and maintenance of public spaces and access routes to the development.

13. A statement as to how the proposed Strategic Housing Development has sought to comply with the principles of Universal Design (to encourage access and use of the development regardless of age, size, ability or disability).
14. The application should confirm that all screening assessments have taken account of the full scope of works required to facilitate the proposed development.
15. 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.

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, as amended:

1. National Transport Authority
2. Cork City Childcare Committee
3. Irish Water
4. An Taisce
5. Heritage Council
6. Minister for Housing, Local Government and Heritage
7. Inland Fisheries Ireland

**PLEASE NOTE:**

Under section 6(9) of the Planning and Development (Housing) and Residential Tenancies Act 2016, as amended, 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 2020 or any other enactment and cannot be relied upon in the formal planning process or in legal proceedings.

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Stephen O'Sullivan  
Assistant Director of Planning  
March, 2021