



An
Bord
Pleanála

Record of Meeting ABP-302236-18

Case Reference / Description	Student accommodation comprising 228 no. bed spaces and associated site works. Sandbrook, Doughcloyne (Townland), Wilton, Co. Cork.		
Case Type	Section 5 Pre-Application Consultation Request		
1st/2nd/3rd Meeting	1 st Meeting		
Date:	11 th September, 2018	Start Time	11:30 am
Location	Offices of Cork County Council	End Time	1.20 pm
Chairperson	Tom Rabbette	EO	Cora Cunningham

Representing An Bord Pleanála:

Tom Rabbette, Assistant Director of Planning
Lorraine Dockery, Senior Planning Inspector
Cora Cunningham, Executive Officer

Representing Prospective Applicant:

Andrea Mc Auliffe – McCutcheon Halley Planning
Denis O Flynn – Applicant
Emer Sexton - McCutcheon Halley Planning
Joan Kiely, PJ O'Driscoll & Sons Solicitors
Liam Clifford - Engineer
Paul Butler – Butler Cammoranesi Architects
Tom Halley – McCutcheon Halley Planning

Representing Cork County Council

Greg Simpson, Senior Executive Planner
Giulia Vallone, Senior Executive Architect

Martin McCormick, Executive Engineer
Paul Murphy, Senior Planner
Sean O'Brien, Administrative Officer
Susan Hurley, Executive Planner

Representing Cork City Council

Gillian O'Sullivan, Executive Engineer
John A. Murphy, Administration
Kevin O'Connor, Senior Planner
Simon Lyons, Senior Executive Engineer

Introduction

The representatives of An Bord Pleanála (ABP) greeted the prospective applicant and planning authority (PA), and thanked the planning authority for facilitating the meeting in their offices. The procedural matters were stated:

- A written record of the meeting will be taken
- Digital recording of the meeting is prohibited
- The written record will be placed on the pre-application consultation file and will be made public, along with that file, should an application arise following the conclusion of this consultation process
- The consultation meeting will not involve a merits-based assessment of the proposed development
- The meeting will focus on key site-specific issues at strategic overview level, and whether the documents submitted may require further consideration and/or amendment in order to constitute a reasonable basis for an application
- Key considerations will be examined in the context of the statutory development plan for the area and section 28 Ministerial Guidelines, where relevant
- A reminder that neither the holding of a consultation or the forming of an opinion shall prejudice ABP or the PA concerned in relation to any other of their respective functions under the Planning Acts or any other enactments and cannot be relied upon in the formal planning process or in legal proceedings
- The Inspector dealing with the pre-application consultation request will not deal with the application when it is submitted

The ABP representatives acknowledged the letter dated 14th August, 2018 formally requesting pre-application consultations with ABP.

ABP received a submission from the PA on 28th August, 2018 providing the records of consultations held pursuant to section 247 and its written opinion of considerations related to proper planning and sustainable development that may have a bearing on ABP's opinion.

Agenda

1. **Development strategy for the site to include zoning; connectivity; quantum and distribution of communal facilities; residential amenity and open space**
2. **Traffic and Transportation to include parking and bicycle storage**
3. **Drainage – foul and surface water management/flood risk**
4. **Ecology and Appropriate Assessment**
5. **Any other matters**

1. **Development strategy for the site to include zoning; connectivity; quantum and distribution of communal facilities; residential amenity and open space**

Zoning

ABP sought further elaboration/discussion on:

- Proposed access road located within Cork City Council jurisdiction- PA Opinion that proposal constitutes a material contravention of City Development Plan
- Compliance with the zoning objective and meeting requirements of SHD legislation in the context of the proposal to provide an access road over an area of land zoned for public open space- previous ABP decisions PL28.116872 and PL28.245709 referred to in this regard
- Other landscape designations, in particular, high amenity area (national importance) in County Development Plan
- Consideration of possible alternative locations for proposed access road

Prospective Applicant's response:

- Cork City Council own lands with open space zoning objective, with prospective applicant having legal entitlement to access development site
- Aims to improve open space as part of application with proposal to include shared surfaces, with the creation of an attractive amenity space
- Access not possible through Sandbrook; possible future pedestrian connections to GAA pitches
- Previous refusal (PL28.116872) was for access to residential development, this proposal is for student accommodation
- Currently overgrown and inaccessible area, not considered to be of high amenity value

Cork County Council's comments:

- Want development in order to unlock site, high quality design and amenity connection required
- Overgrown site, large trees which don't appear from visual inspection to be specimen trees
- Legislation/zoning is clear

Cork City Council's comments:

- Refer to PA Opinion, precedent set by previous decisions which consider development over open space zoned lands to be a material contravention of Development Plan

- Concurs with prospective applicant in terms of ownership- PA only own open space area

ABP comments:

- If application is being made, strong justification/rationale required outlining how proposed development is not materially contravening zoning objectives, be cognisant of provisions of SHD legislation
- Previous planning refusals refer to material contravention, show how this application will differ from previous applications
- The Board would be precluded from granting permission for a SHD if the proposed development materially contravenes the City Development Plan in relation to zoning, provision in normal planning appeals to grant permission in relation to same (section (9)(6)(b) of the Planning and Development(Housing) and Residential Tenancies Act 2016.

Connectivity

ABP sought further elaboration/discussion on:

- Connectivity/proximity to third level institutions and submission of Student Demand and Concentration Report- clarity relating to tourist usage during summer months
- Car parking provision in the context of accommodating medical students/tourists, who may have greater need for access to car parking than other third level students
- NPF refers to reducing parking on site like this, however the practicality of how this will work on this site should be considered

Prospective Applicant's response:

- Student accommodation demand in area not met with other extant permissions
- Disabled parking can be facilitated, no proposals to provide parking generally- will ensure parking is appropriately managed

Cork County Council's comments:

- Have regard to pedestrian distances and reliance on bicycles

Cork City Council's comments:

- Concerns of feasibility due to no car parking
- Address possible ad hoc parking in development and neighbouring developments
- Parking provided for mobility impaired residents
- Traffic and Transport Assessment, Mobility Management Plan, Road Safety Audit and Construction Traffic Report required
- Access needs to be designed up to show shared surfaces
- DMURS – sightlines and speed limits proposed need justification
- Proposed development to tie into bicycle improvement currently on Sarsfield Road
- Survey to show if public transport in area has capacity.

ABP comments:

- Student Demand Report to be submitted with application including hospital demand for student accommodation
- Submit with application report detailing proximity of development site to student campus' in area with regard to walking/cycling times; locations of bus stops, frequency of buses etc

Communal Facilities**ABP comments:**

- Quantum and location of communal facility provision at application stage, other SHD applications provide examples of such facilities
- Larger units have combined living space/kitchen/dining space- consider breaking these areas down into smaller spaces in order to facilitate greater amenity

Cork County Council's comments:

- Have regard to the quality of communal space proposed

Residential Amenity**ABP sought further elaboration/discussion on:**

- Residential amenity- in terms of potential impacts on existing and future residents- which included discussion on potential safety issues/supervision of area along length proposed access route
- Consider issues that may be raised in 3rd party submissions at application stage
- Consideration at application stage to mitigation of floodlighting from GAA grounds and noise mitigation in relation to South Ring Road

Prospective Applicant's response:

- Have considered how to create better passive surveillance

Cork County Council's comments:

- Concur with comments of ABP

Cork City Council's comments:

- Proposal will result in change for existing residents, in particular residents of Southbury

Open Space**ABP sought further elaboration/discussion on:**

- Application to address quantum and quality of open space proposed, in terms of its usability and supervision

Cork County Council's comments:

- Usefulness of open space for residents
- Consideration of courtyard area

2. Traffic and Transportation to include parking and bicycle storage

ABP comments:

- Further consideration of bicycle storage ensuring that it is covered and secure
- Parking issues discussed above

3. Drainage – foul and surface water management/flood risk

ABP sought further elaboration/discussion on:

- Foul and surface water management/flood risk having regard to location of site relative to Glasheen River, open drain flowing through site, submission from Irish Water and submission from both planning authorities

Prospective Applicant's response:

- Pumping will be internal on site, 3rd party consents already in place
- Preliminary Flood Risk Assessment submitted as part of pre-application documentation
- Residential area not in flood zone; parts of access road within Zones A and B
- Application will deal with site specifics
- Culvert improvement rather than creating channel
- OPW confirmed funding not currently available to carry out works

Cork County Council's comments:

- Concerns over flooding, proposed development to be built without impact
- Issues in relation to surface water on lands to south of N40, address issues before lodging application
- Culvert to be dealt with by OPW- obtain comments from OPW as to how works can be future proofed

Cork City Council's comments:

- Pumping into city network, PA do not take in charge
- Statement of Design Acceptance to be included in application
- Overgrowth of site may have impact on water levels

ABP comments:

- Further discussions with both PA's and Irish Water prior to lodging application
- Flood Risk Assessment to be submitted with application, show how proposed development will not impact on wider area

4. Ecology and Appropriate Assessment

ABP sought further elaboration/discussion on:

- Tree survey and ecological survey to be included in application
- In terms of AA, proximity of development site to the Cork Harbour SPA was noted, as was proximity of Glasheen River, which as a tributary of the River Lee ultimately feeds into this SPA- address all appropriate assessment issues- ensure all information, including data from any surveys undertaken, is included with application

Cork County Councils comments:

- Concur with ABP comments

Prospective Applicant's response:

- Propose carrying out Bat survey and include compensatory measures

5. Any other Business

ABP comments:

- Consideration in application of materials and finishes, taking in charge, phasing, landscaping, boundary treatment, ecological impact assessment and student demand report
- Quality of elevations and application stage consider including contextual elevations relative to Sandbrook apartments

Cork County Councils comments:

- Consideration of low maintenance materials, way finding measures and waste management

6. Conclusion

The representatives of ABP emphasised the following:

- There should be no delay in making the planning application once the public notice has been published
- Sample notices, application form and procedures are available on the ABP website
- A stand-alone website is required for the planning application. The labelling of documents should be carefully checked
- There is no provision for ABP to seek further information from applicants
- A list of prescribed bodies will be provided with the ABP Opinion
- Irish Water would like prospective applicants to contact Irish Water at cdsdesignqa@water.ie **between the Pre-Application Consultation and Application stages**, to confirm details of their proposed development and their proposed design
- The email address to which applicants should send their **applications** to Irish Water as a prescribed body is spatialplanning@water.ie

Tom Rabbette
Assistant Director of Planning
September, 2018