



Case Reference / Description	374 no. residential units (224 no. houses, 150 no. apartments), creche and associated site works. Coolcarron (townland), Fermoy, Cork.		
Case Type	Section 5 Pre-Application Consultation Request		
Date:	27 th September 2021	Start Time	2:30 pm
Location	Remotely via Microsoft Teams	End Time	4:00 pm
Chairperson	Tom Rabbette	Executive Officer	Helen Keane

Representing An Bord Pleanála:

Tom Rabbette, Assistant Director of Planning
Fiona Fair, Senior Planning Inspector
Helen Keane, Executive Officer

Representing Prospective Applicant:

Eddie O'Mahony, Cumnor Building and Civil Engineering Contractors
Geraldine Coughlan, Geraldine Coughlan Architects
Cathal O'Meara, Cathal O'Meara Landscape Architects
Michael Walsh, Walsh Design Group
Susan Cullen, McCutcheon Halley Planning Consultants
Cora Savage, McCutcheon Halley Planning Consultants

Representing Planning Authority

Niall O Donnabháin, Senior Planner
Noel Sheridan, Senior Executive Planner
Paul Killeen, Area Planner
Alan Costello, Senior Executive Scientist

Greg Collins, Senior Executive Architect
Joy Barry, Executive Planner, Ecology
Jonathan Cahill, Executive Engineer, Traffic & Transport
Kevin O Regan, Senior Executive Officer, Planning & Development
Brendán O' Gormáin, A/Senior Executive Engineer

Introduction

The representatives of An Bord Pleanála (ABP) welcomed the prospective applicant, Planning Authority (PA) and introductions were made. The procedural matters relating to the meeting were as follows:

- The written record will be placed on the pre-application consultation file and will be made public once the Opinion has issued,
- ABP received a submission from the PA on 16th June 2021 providing the records of consultations held pursuant to section 247 of the Planning and Development Act, 2000, as amended and its written opinion of considerations related to proper planning and sustainable development that may have a bearing on ABP's decision,
- 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 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 ABP representatives acknowledged the letter dated 28th May 2021 formally requesting pre-application consultations with ABP. The prospective applicant advised of the need to comply with the definition of SHD as set out in the (Housing) and Residential Tenancies Act of 2016, as amended, in relation to thresholds of development. The representatives of ABP advised that the Inspector dealing with the pre-application consultation request would be different to the Inspector who would deal with the application when it was submitted. Recording of the meeting is prohibited.

Agenda

1. Quantum of Development, Density, Layout and Design
 - Specific issues raised in section 4.3 of the CE Opinion, in particular separation between blocks, set back off boundaries, buildings addressing main roads and depth of rear gardens.
 - Implications of Serviced Lands Initiative (SLI) for development on the site.
 - Car parking quantum and layout.
2. Phasing, connectivity and overall integration with wider area.
 - Access arrangement and land ownership
 - Implications for layby and weight station

- Delivery of pedestrian and cycle connections to R639 to the north west of the site and pedestrian connection to playing pitches to the north.
- 3. Infrastructure – wastewater capacity & surface and storm water proposals.
- 4. Requirement for EIAR
- 5. Any Other Matters

1. Quantum of Development, Density, Layout and Design

- **Specific issues raised in section 4.3 of the CE Opinion, in particular separation between blocks, set back off boundaries, buildings addressing main roads and depth of rear gardens.**
 - **Implications of Serviced Lands Initiative (SLI) for development on the site.**
 - **Car parking quantum and layout.**
- **ABP Comments:**
 - The prospective applicant is to refer to specific issues raised in the PA's Opinion.
 - Have consideration for the draft development plan timelines. Should a new draft plan be adopted while any application is under consideration by the Board it would be subject to compliance with the new plan.
 - Have consideration for any Material Contraventions, must be advertised.
 - Provide a daylight/sunlight assessment.
 - Have consideration to any specific separation distance requirement from the ESB substation.
 - Address the implications of the Serviced Lands Initiative (SLI) for development on the site, clarify if these issues are no longer applicable.
 - Any lower density would need to be justified at application stage..
- **Prospective Applicant's Comments:**
 - The prospective applicant is expecting to lodge the application towards the anticipated February 2021 deadline for SHDs.
 - The prospective applicant has chosen a distinctive colour but will have further consideration of breaking up the character areas.
 - Variety and extensive housing typologies is provided in the unit mix.
 - A high proportion of the proposed units are dual aspect. Corridors in apartments can be adjusted to allow for more natural light.
 - The prospective applicant notes that there are some contradictions in the PA's Opinion, with respect to density on the southern portion of the site and with respect to relocating Block A closer to the entrance.
 - The school is to the north of the proposed development.
 - Apartment Block A has been designed to have no rear elevations per se. It has a separation distance of 16m to Block E4. Aligned perpendicular. Concerns raised will be addressed by way of submitted further sections.
 - Further sections of separation distances between Block G and the houses to the west will be provided.
 - Design of house units 177 – 184 can be adjusted.

- There are no windows at first floor on the rear elevation of houses backing onto the ESB substation site.
- Houses are designed to turn corners.
- The prospective applicant is not aware of a specific separation distance requirement from the ESB substation but will liaise with the ESB regarding same.
- Will endeavour to get connection via path to school lands to the north.
- Will provide more clarity on the Serviced Lands Initiative (SLI) at application stage. Relates to foul sewer connection and general servicing of the site.

- **Planning Authority's Comments:**

- The draft development plan is expected to be adopted in June 2022; however, it is subject to change.
- The prospective applicant's response to the issues raised is good but the PA would like to see further revisions.
- Some of the design is bland and repetitive. Need to distinguish character areas. More potential to vary design in elevations and use of different colour brick.
- Long corridors create problems of limited light, poor ventilation, heating and security issues.
- The prospective applicant is to provide as much passive surveillance as possible.
- Have consideration for privacy, amenity, appropriate parking, variation in design, pedestrian permeability.
- Block A is likely to generate more cars, transient population, given tenure mix proposed.
- Provide as much residential amenity as possible, green spaces visually integrated, pedestrian routes and green infrastructure connected and safe.
- This is a large scheme and cognisance should be had to pedestrian permeability and DMURS.
- Good connectivity is provided along the Nuns Walk.
- The PA is open to further liaising with the prospective applicant.
- Fermoy is a main town (County town) in north Cork.
- The Serviced Lands Initiative (SLI) has been superseded. It was a government scheme which withered.

2. Phasing, connectivity and overall integration with wider area.

- **Access arrangement and land ownership**
- **Implications for layby and weight station**
- **Delivery of pedestrian and cycle connections to R639 to the north-west of the site and pedestrian connection to playing pitches to the north.**

- **ABP Comments:**

- The prospective applicant should provide more clarity at application stage on the wayleave.
- There should be consistency across all documentation at application stage.
- Provide a traffic impact assessment.
- Traffic connection to lands to the east needs to be further investigated.

- Phasing proposed needs to be justified.
- More detail needs to be provided on how pedestrian/cycle connectivity will be provided, to the north and north west onto the regional road (R639) and back to Fermoy town, this is currently unclear.
- Refer to national policy.
- Requirement for EIAR, site area in excess of 10 ha, traffic impact, noise, visual impact and other impact considerations need to be addressed.

- **Prospective Applicant's Comments:**

- The prospective applicant will take the PA's concerns in relation to providing connectivity into consideration.
- Will have consideration for the weigh station and will provide more detail at application stage.
- Have been working with third parties in relation to providing connectivity.

- **Planning Authority's Comments:**

- The proposed development is a large-scale scheme.
- There are concerns in relation to the provision of pedestrian and cycle links.
- It is important that cycle and pedestrian connections are established. If it cannot be guaranteed that the connections can be established the development is compromised
- The weigh station is on council lands but is used only by An Garda Síochána.
- Its level of use varies according to garda, not dictated by the council.
- A minimum of four gates are required for the weigh station. How is it to work, trucks traversing the estate entrance.
- How does the development impact the weigh station operation.
- The PA can facilitate a meeting between the prospective applicant and An Garda Síochána.
- The prospective applicant is to clarify if the weigh bridge is to be included in the redline boundary.
- There is a need to justify the phasing.

3. Infrastructure – wastewater capacity & surface and storm water proposals.

- **ABP Comments:**

- The prospective applicant is to provide third party consents at application stage.
- Any confusion over what is required for the wastewater treatment plant is to be resolved before an application is submitted.
- Are works exempted?
- Potential issues around AA need to be considered.

- **Prospective Applicant's Comments:**

- The prospective applicant is in ongoing discussions with Irish Water.
- The prospective applicant is hopeful that capacity issues in the wastewater treatment plant can be identified and resolved.
- There is some confusion over what is required for the wastewater treatment plant.

- The site is located approx. 1 Km from the Blackwater and guidance from an ecologist will be observed in respect of AA as appropriate.
- Wetlands are designed to maintain integrity of the corridors running through the site. The agricultural drain is heavily modified.
- There is an area of flooding to the SE portion of the site. Natural drainage solution to increase hydrological flow to Blackwater. The EW corridor is being retained and the existing watercourse, open space is being provided along these features.
- **Planning Authority's Comments:**
- The wastewater treatment plant is operating off two different streams of treatment.
- The PA is unsure as to what capacity can be brought off stream.
- Possible that a minor upgrade is required, unsure, and IW needs to confirm this.
- PA wants to see a scenario of allowing capacity for more than just this site.
- There may be potential for pedestrian and cycle connectivity to the NW, as currently there are on-going pre planning discussions with respect to a site to the NW. This avenue should be pursued by the applicant.

4. Requirement for EIAR

- **ABP Comments:**
- The application documentation should draw a clear distinction between local ecology protection and Natura 2000 sites, in relation to AA.
- Everything is interconnected and any conflicts or contradictions can cause difficulties.
- **Prospective Applicant's Comments:**
- The prospective applicant can submit a separate ecological impact report as part of the application.
- **Planning Authority's Comments:**
- The potential presence of otters, assessments will provide if they are present or not.
- The PA can liaise further with the prospective applicant.

5. Any Other Matters

- **ABP Comments:**
- The prospective applicant is to have consideration for the delivery of pedestrian and cycle connections to R639 to the north-west of the site.
- **Prospective Applicant's Comments:**
- The prospective applicant will have consideration for the delivery of pedestrian and cycle connections to R639 to the north-west of the site.
- Have included permeable paving and attenuation and would contest that there is inadequate Sustainable Drainage Systems (SuDS) design.
- The proposed open space is usable and more planting will be provided.

- Not proposing pitches as the lands are surrounded by open space. There are playing pitches to the north and indoor and outdoor pitches.
- **Planning Authority's Comments:**
- The prospective applicant is to have further consideration for the level of open space provision.
- Address the SuDS methodology.
- It is preferable to have recharge rather than attenuation.
- There is an area of flooding to the southeast of the proposed development site. The PA would welcome natural drainage solutions.
- Demonstrate compliance with amenity requirements and the development plan, provide justification where compliance is not demonstrated.

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.
- A Schedule of Documents and Drawings should be submitted with the Application.
- Sample notices, application form and procedures are available on the ABP website.
- 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
October, 2021