



An
Bord
Pleanála

Record of Meeting ABP-311685-21

Case Reference / Description	299 no. residential units (185 no. houses, 114 no. apartments), creche and associated site works. Annabella (townland), Mallow, Co. Cork.		
Case Type	Section 5 Pre-Application Consultation Request		
Date:	7 th December, 2021	Start Time	2:30 pm
Location	Via Microsoft Teams	End Time	4:00 pm
Chairperson	Stephen O'Sullivan	Executive Officer	Hannah Cullen

Representing An Bord Pleanála:

Stephen O'Sullivan, Assistant Director of Planning
Conor McGrath, Senior Planning Inspector
Hannah Cullen, Executive Officer

Representing Prospective Applicant:

Kieran Flynn, Applicant
Eamon Gahan, Deady Gahan Architects
Arianna Visconti, Deady Gahan Architects
Jim Kelly, CSR Land Planning and Design
Michael O'Connor, PUNCH Consulting Engineers
Julie Tiernan, PUNCH Consulting Engineers
Tom Halley, McCutcheon Halley Chartered Planning Consultants
Cora Savage, McCutcheon Halley Chartered Planning Consultants
Sean O'Riordan, BPC Engineers

Representing Planning Authority

Thomas Watt, Senior Planner
Kevin O'Regan, Senior Executive Officer
John Tierney, S/Senior Executive Planner

Introduction

The representatives of An Bord Pleanála (ABP) welcomed the prospective applicant, Planning Authority (PA) and introductions were made via Microsoft Teams having regard to the COVID-19 restrictions.

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 **15th November, 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 **18th October, 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. Land Use and Development Principle & Development Strategy**
- 2. Access and connectivity, including Kennel Hill and N72 junction.**
- 3. Design and layout, incl. residential amenity**
- 4. Drainage**
- 5. Any Other Business**

1. Land Use and Development Principle & Development Strategy

ABP Comments:

- Clarity regarding the status of the current Draft County Development Plan.
- PA should identify their expectations for the zoning objective for these lands with regard to the provision community / school infrastructure.
- Compliance with the land use objective should be demonstrated at application stage.
- Any statement of consistency should address the plan likely to be in effect at application decision stage.
- Clarity is required regarding the relationship with and ownership of adjoining lands.
- Further information sought in relation to a wayleave that runs along the north boundary including its purpose and ownership.

Prospective Applicant's Comments:

- The County Development plan is at draft stage. A submission has been made on this and amendments are due to be released in January 2022.
- The earliest date for the plan to be adopted looks to be 6th June 2022, therefore, it is likely a decision on any application would be made under the current zoning/plan.
- The proposed density is appropriate under the current zoning and is in accordance with national guidance for such sites.
- It is not proposed to include a school in the development, however; a creche and other amenities are to be provided across the site.
- Phase 1 (15/6119) lands are in the ownership of a separate entity. The prospective applicant, Kieran Flynn, has been appointed to manage their development.
- The site of 15/6970 is in separate ownership and that permission has expired.
- One wayleave runs east to Railway Road. The wayleave along the northern boundary provides for future capacity/ connections to the west of the site.

Planning Authority's Comments:

- An audit of community infrastructure should be carried out and submitted as part of an application.

2. Access and connectivity, including Kennel Hill and N72 Junction.

ABP Comments:

- Confirm whether any Traffic and Transportation Plan for the town has been developed since the 2017 LAP was adopted.
- Regard should be had to the requirement for a wider / strategic view of access to this area of the town.
- Further clarity is required in relation to how the development on the site can be properly served and integrated into the town's street network given the current nature of the road along Kennel Hill.
- The documentation should address consent to deliver these connections.
- The prospective applicant should address planning authority concerns regarding the deliverability of the northeastern pedestrian route.

- Describe proposals for the upgrade of the Kennel Hill / N72 junction to facilitate this development and permitted development in the Northwest Urban Expansion Area.
- Responsibility for completion of works should be clarified.
- Provide clarity on the figures used in assessment of traffic impacts, including the proposed phasing and level of permitted development considered.

Prospective Applicant's Comments:

- Various discussions have been held with the transportation department of the PA.
- There are improvement works as part of phase 1 (15/6119) on Kennel Hill. Footpath works are currently being constructed as part that scheme.
- The ability to undertake or complete these works as part of this application can be further looked into and clarified for application stage.
- Railway Lane is a public road.
- Proposed improvement works at the Kennel Hill/ N72 junction would be undertaken by the PA.
- The works do not appear extensive. There is scope for development contributions to be considered and the applicants can work alongside the PA on these improvements.
- A roundabout would not be appropriate at this junction. A signalised junction has been explored as it works best for this type of development.
- The additional loading of traffic arising from this development would not be significant in the context of existing high background levels.
- The additional traffic generated at the Annabella Roundabout would not be significant.
- Further validation of the project trip generation will be provided.
- The prospective applicants are focussed on what can be delivered for the area at this time.

Planning Authority's Comments:

- No update of the Traffic and Transportation Plan for the town has been undertaken.
- The planning authority is broadly supportive of the proposal but note the zoning of these lands as strategic reserve in the draft development plan.
- The applicant should take a collaborative approach with the different landowners.
- There are deficiencies in the existing Kennel Hill footpath, particularly in terms of width to Railway Road junction.
- The connection to the northeast of the site should be considered, particularly with regard to attractiveness, safety and its deliverability alongside issues of ownership / consents required.
- There is a capacity issue in linking these lands to the town, it is critically important these junctions can be delivered.
- More data and modelling would be required to determine any question of prematurity.

3. Design and layout, incl, residential amenity

ABP Comments:

- Clarity to be provided in relation to the calculation of public open space areas.
- Consideration should be given to the requirements of the Recreational Amenity Strategy 2019.

- Elaborate on the design approach to provision of childcare facilities, having regard to permitted facilities on adjoining sites and issues of viability. Scope for a combined approach should be examined.

Prospective Applicant's Comments:

- The net development area excludes the wayleave and access route, coming to a figure of 14.2%. There is above 12% usable space within the net developable area.
- The goal for the scheme is to be self-sufficient and therefore a creche is proposed within this development. The prospective applicants do not want to rely on existing facilities, there is scope for possible future amalgamation of childcare facilities.

Planning Authority's Comments:

- Recreational usable amenity and its quality is to be further considered.
- The planning authority are supportive of the design and layout of development.

4. Drainage

ABP Comments:

- Clarity of the scope of upgrade works Irish Water have identified to facilitate the proposed development.
- Describe the relationship with the permitted drainage and services networks serving PA ref. 15/6119.

Prospective Applicant's Comments:

- Further upgrades are required at the Woodview Drive outfall point. They will liaise further with Irish Water in relation to potential upgrades required and are currently waiting for a response.
- The drainage network for 15/6119 was sized to accommodate flows from later phases of development.

Planning Authority's Comments:

- The 2018 Annual Environmental Report has been cited in application documentation. A copy of the 2020 report is available and should be referenced.
- In support of natural drainage solutions, if surface water is being redirected to the existing stream this will need to be addressed in AA Screening/NIS.

5. Any Other Business

ABP Comments:

- Any further items can be raised under this agenda item not previously addressed.

Prospective Applicant's Comments:

- No further comments to raise.

Planning Authority's Comments:

- Reference was made to a challenge to a grant of planning permission to the east of the town on issues of water quality and appropriate assessment, which may be relevant to this case.

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.

Stephen O'Sullivan
Assistant Director of Planning
December, 2021