



An  
Bord  
Pleanála

## Record of Meeting ABP-311799-20

<b>Case Reference / Description</b>	224 no. residential units (22 no. houses, 202 no. apartments), creche and associated site works. Kilmoney (townland), Kilmoney Road, Carrigaline, Co. Cork.		
<b>Case Type</b>	Section 5 Pre-Application Consultation Request		
<b>Date:</b>	2 <sup>nd</sup> February 2022	<b>Start Time</b>	2:30 pm
<b>Location</b>	Via Microsoft Teams	<b>End Time</b>	3:45 pm
<b>Chairperson</b>	Tom Rabbette	<b>Executive Officer</b>	Hannah Cullen

### Representing An Bord Pleanála:

Stephen O'Sullivan, Assistant Director of Planning
Fiona Fair, Senior Planning Inspector
Hannah Cullen, Executive Officer

### Representing Prospective Applicant:

Kieran Flynn, Applicant
Keith McMullin, Henry J. Lyons
Kevin Callaghan, Horgan Lynch Consulting Engineers
David Sheedy, Cunnane Stratton Reynolds Planning Consultants
Rodoula Gregoriou, Arup
Liam Gaffney, Enviroguide Consulting
Tom Halley, McCutcheon Halley Chartered Planning Consultants
Cora Savage, McCutcheon Halley Chartered Planning Consultants

### Representing Planning Authority

Thomas Watt, Senior Planner
Greg Simpson, Senior Executive Planner
Kevin O'Regan, Senior Executive Officer

Aaron Higgins, Traffic and Transport
Joy Barry, Executive Planner
Greg Collins, Senior Executive Architect
Madeline Healy, Senior Executive Engineer

## Introduction

The representatives of An Bord Pleanála (ABP) welcomed the prospective applicant, Planning Authority (PA) via Microsoft Teams having regard to the Covid-19 restrictions 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's on **24<sup>th</sup> 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 **28<sup>th</sup> October 2021** formally requesting pre-application consultations with ABP. The prospective applicant advised of the need to comply with definition of SHD as set out in the (Housing) and Residential Tenancies Act 2016, 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. **Development Strategy and compliance with CDP and LAP Policy.**
2. **Visual Amenity.**
3. **Residential Amenity.**
4. **Connectivity, pedestrian and cycle access to the wider area.**
5. **Functionality of open space areas and delivery of the river walkway.**
6. **Ecological Issues.**

- 7. Flood risk, surface water, storm water, water supply and sewerage disposal.**  
**8. Any Other Business**

**1. Development Strategy and compliance with CDP and LAP Policy.**

**ABP Comments:**

- Further justification of the proposal in light of the mix of uses proposed (residential and retail), the 'TC' zoning objective.
- Further justification of how the scheme ties in with the expansion of Carrigaline Town Centre, in particular, in light of a timeframe for completion of the new relief road, connectivity to and from the Main Street, flood risk and adjoining residential development to the south of the site. The subject site represents an expansion of the existing Carrigaline Town Centre area, it is important that the proposed scheme should be highly visually and functionally connected to the town centre development to the east. There needs to be strong permeability within the scheme and into adjoining lands. The proposal needs to integrate successfully with the street, contribute to and enhance the character and identity of the wider area.
- Consideration of the draft Development Plan timelines. Should the new draft plan be adopted while any application is under consideration by the Board it would be subject to compliance with the new plan.
- Ensure consistency throughout all documentation submitted as part of any application to the Board. All information should be accurate in detail, in particular, in relation to figures between interlinking documents there should be no conflicting information.

**Prospective Applicant's Comments:**

- The site is part of town centre zoning and T01 Objective.
- The Draft County Development Plan due to be adopted in June does not propose changes to the zoning of the subject site.
- A flood risk assessment will be prepared and submitted at application stage.
- Site analysis has lead to the design approach. The western inner relief road is currently under construction. Delivery of the relief road to the west of the town will unlock lands and allow for expansion.
- Delivery of the amenity walk and pathway, E – W through the site is important. The cycle way is one aspect, further potential to open lands to the east and west along the river.
- The site is well served by transport with existing and proposed bus routes.
- The proposal includes a large retail unit and two smaller retail units adjacent to the Main Street.
- There are no south facing windows facing to the adjoining properties in close proximity to the site. Minimum distance of 11 m is maintained between proposed and existing units.
- The layout has regard to the sloping nature of the site from south to north to the river. Flood zone and houses to the south. Maximises amenity space along the river, creating street frontages related scale to open space and one-off dwellings to the south. Reducing the scale of the buildings as it moves to the south.

**Planning Authority's Comments:**

- Satisfied that the development accords with land use objectives and the LAP, there has been a lot of collaboration on the proposed development with the applicant.

**2. Visual Amenity****ABP Comments:**

- Justification of the height, architectural design / treatment given the sites context to surrounding lands and its location on the periphery of the Town Centre Zone.
- Further consideration of visual impact in terms of views from the immediate surrounding streets, to adjoining residential developments to the south of the site and longer and mid-range views from the south and east of the site.

**Prospective Applicant's Comments:**

- There is no significant town centre development of the proposals scale in the area so a mindful approach of how the development will be viewed from the town centre will be taken, additional viewpoints can be submitted if required.
- The development will be screened from the wide area minimising impacts and direct visibility from the inner relief road and where the town centre has not yet expanded.
- The adjoining Dairy Gold site is private, can approach the owner to get further details, in order to compile CGI's / photomontages.
- There will be direct visibility from the western relief road.
- The proposal is designed to be quite discrete.

**Planning Authority's Comments:**

- Imposing scheme and the photomontages are lacking.
- Viewpoints 4, 5, 6 and 9 require additional imagery of Kilmoney Road and the Dairy Gold site to enable a more complete assessment.
- More regard to be had to two backland cottages to the south and the real impact upon these cottages.

**3. Residential Amenity****ABP Comments:**

- There is a requirement to carry out a daylight and sunlight assessment as part of any future application. The assessment should set out where the proposal complies with relevant BS or BRE standards and any noncompliance or shortfall should be clearly identified, justified and mitigation measures proposed.
- Residential amenity in the context of separation distances between proposed blocks and the duplex units / townhouses.
- Further consideration of over shadowing to amenity spaces within the development and to adjoining properties to the south and its amenity spaces.
- Further consideration of separation distances, overbearance, over shadowing and overlooking, both within the development and to surrounding existing development, or perceived issues around these matters.
- Query if BS/BRE Guidelines are incorporated into the CDP.

**Prospective Applicant's Comments:**

- Potential for overshadowing is greatly mitigated given the nature of the scheme.
- The proposed scheme is to the north of existing houses. It is designed not to have an adverse impact.
- The figures produced from the day/sunlight study are performing well, a full assessment will be submitted at application stage.
- A Masterplan is proposed for the Dairy gold lands and it is hoped it will provide more details.

**Planning Authority's Comments:**

- Difficulty in comprehending the raised plaza area further CGI's should be submitted.
- Further details to be submitted in relation to the walkway from the river to the development in relation to screening and security.
- Overall design concept is responsible and appropriate, typology, mix, type of units, retail, commercial, residential and community building, connections, access has all been well dealt with.
- There is a requirement for a mix of one and two bedroom units.
- Part V units welcomed.
- Careful design of finishes required, maintenance and management of childcare facility required and a robustness of materials and overall deliverability to be demonstrated.

**Agenda items 4 and 5 were dealt with together**

4. **Connectivity, pedestrian and cycle access to the wider area.**
5. **Functionality of open space areas and delivery of the river walkway.**

**ABP Comments:**

- Further justification and clarity required in relation to car parking ratio proposed and capacity and frequency of public transport links to the wider area.
- Further clarity and justification required for creation and delivery of adequate pedestrian and cycle links through the site to the wider area, in particular, east to Carrigaline Main Street, west to the new relief road and north to the river walkway.
- Further analysis and assessment in terms of traffic impact assessment.
- Clarity that rights across third party lands to facilitate the pedestrian walkway and cycle path along the river and letters of consent will be sought in advance of an application.
- Green Infrastructure Plan / Landscaping Plan / Arboriculture drawings, landscape plan and engineering plans to take account of one another.
- Further consideration and justification of useability, quality, location and layout of open space and public realm strategy. A breakdown on the quantum of public open space versus communal open should be submitted as part of any application.
- Clarification is required with respect to taking in charge.

**Prospective Applicant's Comments:**

- There is an existing gap in the building line, there is a letter of consent to improve the residential amenity, currently waiting to view the masterplan of the Dairy Gold site as there may be scope for further linkage.
- The parking provided is all in the one area, surface car parking is minimal at application stage the differentiation of the car parking allocation will be clear.

- The current 2014 County Development Plan refers to the minimum standard, the draft plan refers to maximum car parking standards.
- This location benefits from sustainable transport, it is well served in terms of public transport and active travel. There are two bus stops approximate, a 9 min walk and a 3 minute walk.
- Pedestrian and cycle access through the site to the new relief road to the town centre.
- There is future potential pedestrian and cycle access to the north via a bridge, which has headroom of 3m clearance and 16m between buttress and weir. The bridge connection and proposed future link will be attractive, safe and secure.
- A traffic and transport assessment will be submitted.

#### **Planning Authority's Comments:**

- Further information is required in relation to the allocation of parking and how spaces will be allocated / distributed between retail and residential elements.
- Have concerns that the level of car parking proposed is insufficient to serve the development.
- Carrigaline is a large commuter town, however, the area is still quite rural in nature, question in relation to the frequency of the public transport.
- The PA is supportive of reducing car parking where appropriate, major satellite towns like Ringaskiddy. However it is considered Carrigaline does not have a high frequency public transport service.
- Mobility management plan required.
- CEMP required.
- In general happy with the development of these backlands and E-W development, connectivity, proposals for river walkway
- There is a Part 8 for the main street – traffic management measures and enhancements, all proposals to have regard to same.

## **6. Ecological Issues**

#### **ABP Comments:**

- The applicant should ensure to address all comments raised within the PA Report.
- Requirement for a Habitats Directive Screening Report which identifies possible risks to any Natura sites.
- Analysis and assessment of the proposed development in terms of a construction method statement.
- Further clarification and justification that the documentation submitted draws a clear distinction between local ecology and Natura 2000 sites, in relation to any future Natura Impact Statement.

#### **Prospective Applicant's Comments:**

- Carrying out an assessment on the river proximate to the development, there will be a substantial buffer provided.
- Approach taken to survey the site. Regard will be had to Cork Harbour SPA and protected bird species.

- Regard is had to proximity to Owenbue River, conscious that any development would not reduce water quality.
- Ecological surveys and winter surveys are currently underway, and an assessment will be submitted.
- NIS will address all issues with respect to breeding birds, mammals and amphibians.
- Regard will be had to the flood zone and proximity to the river, this is reflected in the design and layout of the proposal. Amenity lands to the north.

**Planning Authority's Comments:**

- Interface of mitigation within the ecological impact assessment and the appropriate assessment in the construction management plan.
- Need to consider compound and construction parking.

**7. Flood risk, surface water, storm water, water supply and sewerage disposal.**

**ABP Comments:**

- Technical details can be discussed further offline between the PA and the applicant.
- A report on surface water drainage, surface water management strategy and flood risk which deals specifically with quality of surface water discharge.
- Clarification that all items raised by the PA in their report submitted to the Board are addressed.

**Prospective Applicant's Comments:**

- Aware there are flood zones onsite, a flood risk assessment and EIA screening are ongoing and will be submitted at application stage.

**Planning Authority's Comments:**

- Nothing further to add, applicant should ensure all items raised in the PA report is addressed at application stage.

**8. Any Other Business**

**ABP Comments:**

- Further consideration of the requirement for an EIA, in terms of the PA opinion on the matter, and Schedule 5 Part 2(10) (b) (iv) 'Infrastructure Projects' of the Planning and Development Regulations, 2001, as amended, which requires mandatory EIA for 'urban development which would involve an area greater than 2 hectares in the case of a business district'. Whether the site is in a business district will be matter for EIA screening, documentation submitted with application should address this.
- Clarity that all documentation is reviewed in terms of inaccuracies and that all submitted reports and supporting documentation has cognisance to each other, and any inconsistencies are resolved.

**Prospective Applicant's Comments:**

- Site not considered to be in a business district. It is the applicant's opinion that the lands albeit zoned TC are not commercial, but a backland vacant brownfield site.
- The application will most likely be decided under the new Development Plan which is more favourable to this scheme.

**Planning Authority's Comments:**

- Environmental impact assessment should be carried out for this development. Regard being had to Schedule 5 Part 2(10) (b) (iv) 'Infrastructure Projects' of the Planning and Development Regulations, 2001, as amended, which requires mandatory EIA for 'urban development which would involve an area greater than 2 hectares in the case of a business district'.

**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
- Irish Water would like prospective applicants to contact Irish Water at [cdsdesignqa@water.ie](mailto: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](mailto:spatialplanning@water.ie)

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Stephen O'Sullivan  
Assistant Director of Planning  
February, 2022