



<b>Case Reference / Description</b>	162 residential units (74 no. houses, 88 no. apartments). Banduff Road, Banduff, Mayfield, Co. Cork.		
<b>Case Type</b>	Section 5 Pre-Application Consultation Request		
<b>Date:</b>	23 <sup>rd</sup> February 2022	<b>Start Time</b>	10.00
<b>Location</b>	Via Microsoft Teams	<b>End Time</b>	11:00
<b>Chairperson</b>	Stephen O'Sullivan	<b>Executive Officer</b>	Ashling Doherty

**Representing An Bord Pleanála:**

Stephen O'Sullivan, Assistant Director of Planning
Karen Hamilton, Senior Planning Inspector
Ashling Doherty, Executive Officer

**Representing Prospective Applicant:**

Harry Walsh, HW Planning
John O'Brien, HW Planning
Donncha Loftus, Miate Limited
Eamonn Gahan, DG Architects
Liam Murphy, DG Architects
Brian Loughrey, MHL
Donagh O'Connell, MHL

**Representing Planning Authority**

Michelle Delaney, A/Senior Executive Planner
Simon Lyons, Senior Executive Engineer - Drainage
Gavin Kelly, Executive Engineer – Area Engineer
Sheelagh Guilmartin, Executive Engineer – Infrastructure

Áine McGrath, Executive Engineer, Transportation
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Adrienne Rodgers, Director of Services – Planning
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## **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 25<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 29<sup>th</sup> 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. Previous reason for refusal, *inter alia*, Cork Northern Distributor Road route selection.**
- 2. Traffic and Transport, *inter alia*, Road capacity Carparking**
- 3. Water and Wastewater, *inter alia*, Irish Water Submission, Surface water treatment and Flood Risk Assessment.**
- 4. Design and Layout, *inter alia*, Open space.**
- 5. Any Other Business.**

**1. Previous reason for refusal, inter alia, Cork Northern Distributor road route selection.**

**ABP Comments:**

- Clarification sought if information raised by PA has been included in the draft development plan.
- Clarification sought from the prospective applicant,= if possible changes to zoning in the draft development plan will affect the proposed SHD application.

**Prospective Applicant's Comments:**

- Prospective applicant hopeful the location of the emerging preferred route will be finalised by application stage.
- Confident that zoning objectives will not have a negative impact on the proposed development, have made submissions on draft plan seeking rationalisation of zoning boundaries around the site
- With regard to the public open space north of the Glen River, there is sufficient setback from the proposed development, therefore no amendments will be required to the proposed application if included in the current draft plan.

**Planning Authority's Comments:**

- The Cork Northern Distributor multi mode route is currently at emerging preferred route stage.
- At present the PA are in the final phase of determining the emerging preferred route corridor.
- Non-statutory public consultations to be held by the end of March, with a timeframe of 6 weeks.
- PA have also submitted Strategic Assessment Report under the public spending code and NTA's Project Managements Guidelines.
- Emerging preferred route is likely to run north of the proposed development.
- Official location of route corridor is yet to be decided.
- Having regard to the Cork Development Plan, an amendment may be sought by the PA in relation to the corridor and the emerging preferred route.
- Having regard to the current draft plan there is a strip of land north of the Glen River, which is shown as public open space but is not in current LAP.

**2. Traffic and Transport, inter alia, Road capacity carparking.**

**ABP Comments:**

- With regard to the previous application, a number of issues were raised which included junction analysis and surface carparking which was raised in the inspector's report.
- PA have also raised their concerns in relation to car park space ratio.
- Prospective applicant should highlight anything considerations that might change by time the board reaches the decision stage.
- Concerns raised in relation to the car park spaces due to the close proximity of some to the public open space.

- In relation to the carpark, it is noted that the orientation has been amended and not a reduction in spaces.
- It is recommended that discussions are held between the PA and prospective applicant in relation to traffic and transport concerns.

**Prospective Applicant's Comments:**

- With regard to the distributor road, area to the west of the proposed site has been reserved in the event the road went through the site.
- Will engage with the Infrastructure Department before application is lodged.
- Large scale traffic analysis was carried out for previous application, which contained traffic counts for 2018/2019 which the proposed applicant does not deem appropriate to upgrade.
- Cork Northern distributor road appears not to have a negative impact on the proposed development site.
- Having regard to the Sustainable Transport options and a reduction in car needs, the Ballyvalance strategic transport corridor will have a positive effect on the proposed development site, due to its close proximity of 500m.
- Further transport proposals in close proximity of the proposed development site include a cycle route south of the Glen River.
- In relation to The CMATS, The Traffic and Transport Assessment Report will be required to be revised.
- PA's concerns in relation to transport will be addressed.
- Adjustments to be made to car park layout which will increase public open space and planting element in the public realm.
- Having regard to the City Development Plan a further reduction in spaces is being sought.

**Planning Authority's Comments:**

- Having regard to junction analysis, PA would be seeking a link back to the distributor road.
- Scope within the proposed development site to relocate the car parking spaces, to ensure there is no negative effects on the use and design of the open space.

**3. Water and Wastewater, *inter alia*, Irish Water submission, Surface water treatment and Flood Risk Assessment.**

**ABP Comments:**

- In relation to the Irish Water submission, it is similar to the previously refused application which raises concerns over capacity.
- Changes in guidelines proving challenging for parties involved when considering integrating guidance for drainage and amenities.
- Dof Guide has raised that more natural solutions based for surface water.
- Developments should be moving towards a softer approach for the treatment of surface water.

**Prospective Applicant's Comments:**

- PA's concerns in relation to the Glen River has been noted and will be addressed.
- Flood Risk Assessment Report has been updated which will be submitted with the application.
- Proposed development site has been spilt into 3 areas which includes 3 separate attenuation tanks.
- Clarification sought from the PA if they are seeking a more natural screening modes for pollutants.
- Currently awaiting feedback from IW in relation to the proposed pumping station.
- Further discussions to be held with the PA in relation to a more natural approach to surface water and concerns raised.

**Planning Authority's Comments:**

- Several key flooding concerns need to be addressed, including levels of inundation from The Glen River.
- Application should have regard to the recently published documents of Fisheries Requirements for Urban Watercourses and Nature-based suds for Management of Rain and Surface water in urban areas.
- The Glen River has the potential to be a long-term amenity.

**4. Design and Layout, *inter alia*, Open space.****ABP Comments:**

- No further comments.

**Prospective Applicant's Comments:**

- No further comments.

**Planning Authority's Comments:**

- No further comments.

**5. Any Other Business****ABP Comments:**

- Concerns raised in previous Inspectors Report in relation to lack of information with regards to contaminated lands and a shortfall in creche spaces.
- Any changes or configurations in the application must be in compliance with Development Plan and National standards.

**Prospective Applicant's Comments:**

- No further comments

**Planning Authority's Comments:**

- Recommending the prospective applicants consults with Cork City Childcare, prior to submitting the application.

## 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](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  
March, 2022