



An  
Bord  
Pleanála

## **S. 6(7) of Planning and Development (Housing) and Residential Tenancies Act 2016**

### **Inspector's Report on Recommended Opinion ABP-308049-20**

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<b>Strategic Housing Development</b>	229 no. Build to Rent apartments and associated site works.
<b>Location</b>	The Former Hewitt's Mills site, North City Link Road, Blackpool, Co. Cork.
<b>Planning Authority</b>	Cork City Council.
<b>Prospective Applicant</b>	Eichsfeld Limited.
<b>Date of Consultation Meeting</b>	24 <sup>th</sup> November 2020.
<b>Date of Site Inspection</b>	5 <sup>th</sup> November 2020.
<b>Inspector</b>	Daire McDevitt.

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## 1.0 Introduction

Having regard to the consultation that has taken place in relation to the proposed development and also having regard to the submissions from the Planning Authority, the purpose of this report is to form a recommended opinion as to whether the documentation submitted with the consultation request under section 5(5) of the Planning and Development (Housing) and Residential Tenancies Act 2016 - (i) constitutes a reasonable basis for an application under section 4, or (ii) requires further consideration and amendment in order to constitute a reasonable basis for an application under section 4.

## 2.0 Site Location and Description

The proposal which is the subject of this consultation is a composite of 4 sites located in the Blackpool area of Cork city, c.1km from city centre and c.1km from Kent train station. The area is characterised by a mix of residential and commercial uses, varied architectural grain, scale and heights.

I note that there are some discrepancies in the naming used for the individual sites in the prospective applicant's documentation and that the Planning Authority refers to 'parcel' not 'site' in its Opinion. I am using the following naming/labels:

The four sites are identified as

- A) Furniture store site.
- B) Hewitts Mills site.
- C) Island site.
- D) Pope's Hill site.

**Site A (Furniture Store site)** is accessed off Watercourse Road, located on the western side of the N20 and is bounded to the west by Watercourse Road and the east by the N20. At present a vacant building (formerly used as a furniture shop) occupies the site with surface carparking within its curtilage. The building is in a state of disrepair. Watercourse road is predominantly two storey commercial with some new interventions along its southern end with apartment blocks. The site is located within a designated Historic Street Character Area.

**Site B (Hewitt Mills Site)** is located on the eastern side of the N20 and elevated above the road, contains the former Hewitts Mill building (part of the original Watercourse Distillery which closed in 1887 but was in use up to the 1970s as a yeast plant and industrial spirits) which is vacant. A high stone retaining wall forms the western boundary along the N20. Some internal interventions have taken place internal to accommodate former uses as office space with individual uses at ground floor level (eg plumber) but overall it retains many of its original features. Access is off Assumption Road. The Mill is an Archaeological Monument and included in the NIAH. To the south is a substantial apartment development built and owned by the prospective applicant (Seana Mhuilleann).

**Site C (Island Site)** is located on what is best described as left over land after the construction of the N20 and the Revenue Office, located to the north of Site B bounded to the west by the N20 and east by Assumption Road and the Revenue Offices. A pedestrian path that links Assumption Road to the N20 runs along the northern boundary. The site itself is overgrown and fenced off.

**Site D (Pope's Hill site)** is located above Site B is on higher ground at the junction of Assumption Road and Popes Hill. It is overgrown and contains the remnants of a house. It is bounded to the east by a housing scheme characterised by 3 storey units which are not weathering well. The site slopes east to west and is constrained due to its topography.

The Planning Authority in their report refer to 'parcel' not 'site' and there are some discrepancies in the prospective applicant's documentation in relation to labelling/naming of the sites. I am using the naming set out above throughout this report. Discrepancies in the redline boundaries shown in the documentation submitted is also noted.

### 3.0 Proposed Strategic Housing Development

The proposed development is for 229 build to rent apartments arranged in apartment blocks across four sites. The overall area for the combined sites is 0.93 hectares, resulting in a proposed density of 257 uph for the entire scheme. The breakdown for each site is as follows:

#### **Site A (Furniture Store Site):**

**Area:** 0.14ha.

**Proposal:** Demolish existing two storey commercial building and construct one block (31 Apartments).

**Height:** 6 storeys.

**Communal Facilities & Amenities (internal):** Ground floor communal gathering space (c.93.8sq.m).

**Private/Communal/Public Open Space:** Incidental planting and circulation areas.

**Parking:** Car (7) and bicycle (42).

**Access:** Off Watercourse Road.

**Part V:** 31 units (whole block).

#### **Site B (Hewitts Mill Site):**

**Site Area:** 0.44ha.

**Proposal:** Conversion of Mill and construction of a 7 storey separate addition running parallel to the existing building (71 Apartments).

**Height:** 4 (Mill building) & 7 storeys.

**Communal Facilities & Amenities (internal):** Ground Floor: Cinema/media room (85.7sq.m), function room (86.5sq.m), residential lounge (107.7sq.m). First Floor: gym (264.6sq.m).

**Private/Communal/Public Open Space:** Incidental planting and circulation areas.

**Parking:** Car (22 existing) and bicycle (120).

**Access:** Off Assumption Road.

**Part V:** 0.

**Site C (island Site):**

**Site Area:** 0.20 ha.

**Proposal:** Two blocks (104 Apartments) separated by a public walkway.

**Height:** 7 to 10 storeys.

**Communal Facilities & Amenities (internal):** Ground Floor: Community room (100.7sq.m), function room (64sq.m, First Floor: residents lounge (67.2sq.m), workspace (46.8sq.m). First floor function room (32.9sq,m), Second floor function room (35.6sq.m).

**Private/Communal/Public Open Space:** Incidental planting and circulation areas.

**Parking:** Car (0) and bicycle (260).

**Access:** None.

**Part V:** 0.

**Site D (Pope’s Hill Site):**

**Site Area:** 0.15ha

**Proposal:** One block (23 Apartments).

**Height:** 6 storeys.

**Communal Facilities & Amenities (internal):** None.

**Private/Communal/Public Open Space:** Incidental planting and circulation areas.

**Parking:** Car (0) and bicycle (46).

**Access:** None.

**Part V:** 0.

**Unit Mix:**

	Site A (31 Social Housing units)	Site B	Site C	Site A	TOTAL	% of total
1 bed	19	50	63	14	146	73%
2 bed	12	19	41	9	81	35.37%
3 bed	.....	2	.....	.....	2	0.87%
Total No. Units per block	31	71	104	23	229	100%

## 4.0 Planning History

**Site A (Furniture Store site), 11-13 Watercourse Road:**

**PA Ref. No. 07/32414** refers to a 2007 grant of permission for a two storey extension to the rear of existing store and associated works.

**Site B (Hewitt Mill site):**

**PA Ref. No. 09/34094** refers to a 2009 permission for the retention of a vehicular ramp linking with the adjoining development (Seana Mhuilleann) and ancillary works including retaining walls.

**Site C (Island site)**

The Planning Authority noted in their s.247 discussions an application on this site that was subsequently withdrawn.

**Site D (Pope's Hill site), Shandon Villa, Pope's Hill:**

**PA Ref. No. 17/37623** refers to a 2018 grant of permission for the demolition of a dwelling and construction of 6 no. apartments in 3 no. buildings (each with 1 no. duplex apartment and 1 no. apartment) car parking and all ancillary site development works.

**PA Ref. No. 15/36492** refers to a 2016 grant of permission for the demolition of a dwelling and construction of 4 no. 4 bed 3 storey dwelling houses.

**PA Ref. No. 08/33005** refers to a 2008 grant of permission for the demolition of a dwelling and construction of 4 no. 4 bed houses.

**PA Ref. No. 06/31192 (ABP Ref. No. PL.28.220637)** refers to a 2006 decision to refuse permission for an apartment block consisting of 9 no. 2 bed apartments on the grounds of over development of site and that the proposed development would be injurious to the visual amenities of the area and that of future occupiers.

## **5.0 Section 247 Consultation(s) with Planning Authority**

A copy of the record of the consultations held with the Planning Authority regarding the proposal currently before the Board has been included as part of the planning authority's submission. A meeting was held in respect of the proposal on the 3<sup>rd</sup> February 2020.

## **6.0 Policy Context**

### **6.1 National**

#### **National Planning Framework 2018-2040**

Chapter 4 of the Framework addresses the issue of 'making stronger urban places' and sets out a range of objectives which it is considered will assist in achieving same. National Policy Objective 4 sets out to ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being

The directly relevant National Policy Objectives as contained within the NPF include:

National Policy Objective 3a: Deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements.

National Policy Objective 3b: Deliver at least half (50%) of all new homes that are targeted in the five Cities and suburbs of Dublin, Cork, Limerick, Galway and Waterford, within their existing built-up footprints.

National Policy Objective 11: In meeting urban development requirements, there will be a presumption in favour of development that can encourage more people and generate more jobs and activity within existing cities, towns and villages, subject to development meeting appropriate planning standards and achieving targeted growth.



National Policy Objective 13: In urban areas, planning and related standards, including in particular building height and car parking will be based on performance criteria that seek to achieve well-designed high quality outcomes in order to achieve targeted growth. These standards will be subject to a range of tolerance that enables alternative solutions to be proposed to achieve stated outcomes, provided public safety is not compromised and the environment is suitably protected.

Chapter 6, entitled 'People Homes and Communities' includes 12 objectives among which Objective 27 seeks to ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments, and integrating physical activity facilities for all ages.

Objective 33 seeks to prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location. Objective 35 seeks to increase densities in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration and increased building heights.

National Policy Objective 57 sets out to enhance water quality and resource management, this includes the requirement to ensure that flood risk management informs place making by avoiding inappropriate development in areas at risk of flooding in accordance with The Planning System and Flood Risk Management Guidelines for Planning Authorities.

## **6.2 Section 28 Ministerial Guidelines**

Having considered the nature of the proposal, the receiving environment, the documentation on file, including submission from the planning authority, I am of the opinion that the directly relevant section 28 Ministerial Guidelines are:

- "Urban Development and Building Height, Guidelines for Planning Authorities'. 2018
- 'Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities' 2018

- ‘Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas’ (including the associated ‘Urban Design Manual’)
- ‘Design Manual for Urban Roads and Streets’ (DMURS)
- ‘The Planning System and Flood Risk Management’ (including the associated ‘Technical Appendices’)
- ‘Childcare Facilities – Guidelines for Planning Authorities’
- ‘Architectural Heritage Protection Guidelines for Planning Authorities’, 2011.

### 6.3 Regional

#### **Southern Regional Spatial and Economic Strategy (RSES) 2019-2031**

This provides a long term regional level strategic planning and economic framework, in support of the implementation of the National Planning Framework, and the related Government policies and objectives, for future physical, economic and social developments for the Southern Region.

This includes the **Cork Metropolitan Area Strategic Plan (MASP)** which is a high level and long term strategic vision to identify critical priorities for the sequencing and delivery of growth that supports the core city area.

Policy Objective 8; Key Transport Objectives (subject to the recommendations of Cork Metropolitan Area Transport Strategy).

East-West Light Rail Public Transport Corridor: A strategic public transport corridor from Mahon to Ballincollig via the City Centre, serving CIT, CUH, UCC, Kent Station, Docklands, Mahon Point.

#### **Cork Metropolitan Area Transport Strategy**

CMATS supports the delivery of the 2040 population growth target for the Cork Metropolitan Area. It will provide the opportunity to integrate new development at appropriate densities with high capacity public transport infrastructure in conjunction with more attractive walking and cycling networks and associated public realm improvements.

The strategy proposes the provision of a Light Rail Tram system for the corridor between Ballincollig and Mahon, serving CIT, CUH, UCC, Kent Station, Docklands and Mahon Point. This meets the long-term objective for the CMA for the development of an east-west mass transit, rapid transport corridor

## 6.4 Local Policy

### Cork City Development Plan 2015-2021

The following Land Use Zoning objectives apply:

#### Site A (Furniture Store):

**ZO9 Neighbourhood Centre** with an objective *To protect, provide for and/or improve the retail function of neighbourhood centres and provide a focus for local services.*

**ZO4 Residential, Local Services and Institutional Uses** with an objective *to protect and provide for residential uses, local services, institutional uses and civic uses having regard to the employment policies outlined in Chapter 3.*

The **ZO4** part of the site is also located in a **designated Historic Street Character Area** and **opposite the Blackpool ACA**

#### Site B (Hewitt Mills site), C (Island site) & D (Pope's Hill site):

**ZO4 Residential, Local Services and Institutional Uses** with an objective *to protect and provide for residential uses, local services, institutional uses and civic uses having regard to the employment policies outlined in Chapter 3.*

**Site D** is partially in an **Area of High Landscape Value**.

#### All sites are located within or proximate to protected views:

- **AR3** Blackpool bypass (view of North Cathedral & St. Anne's Church).
- **LT19** Farrenferris College & Surrounding Woodland (view of Richmond Hill).
- **OC2** Dublin Hill (view of North Cathedral & St. Anne's Church).

The Plan sets out policies and objectives for development of the area, these include inter alia.

**Objective 6.1** sets out general residential strategic objectives.

**Objective 6.8** Housing Mix.

**Objective 6.9** Housing Density.

**Objective 7.7** Childcare Facilities.

**Objective 10.4** Areas of High Landscape Value.

## **Chapter 16 Part B Urban Design**

**Objective 16.3** Urban Design

**Section 16.12** Density.

**Table 16.2** General Public Open Space provision.

**Sections 16.25-26** and 16.34-38 set out the development management standards for tall buildings.

### **Building Height: Section 16.25**

Within the context of Cork City the following building height categories can be identified:

- Low rise building (1-3 storeys in height)
- Medium rise buildings (less than 32m in height, 4-9 storeys approx.).  
Buildings which are taller than the general building height in any area will be considered 'taller' even where they are less than 10 storeys.
- Tall buildings (32m or higher, the approx. equivalent of 10 storey building with a commercial ground floor and residential in the remaining floor).

### **Section 16.27**

Within the suburban areas of the city (developed after 1920) low rise buildings will be considered appropriate (including cases where demolition and replacement of the existing buildings occurs) except in the following areas:

- Major development areas identified in this Development Plan for which a Local Area Plan or Development Brief will be prepared.

- Larger development sites – sites of greater than 0.5 hectares (or one residential block) which are capable of accommodating their own intrinsic character without having an adverse impact on their neighbours.

Map 2 & 7 identifies the locations.

Section 16.38 refers to the requirements for tall buildings as strategic landmarks

**Chapter 16 Part C Residential Development** sets out the residential standards.

**Section 16.9** Sustainable Residential Development.

**Section 16.42** Residential Density.

**Section 16.43-45** Residential Mix.

**Section 16.46** Residential Design.

**Section 16.57** Apartments.

**Section 16.60** Open Space Requirement

**Part C** sets out guidance in relation to (but not limited to) residential mix, dual aspect and unit size.

### **Built Heritage & Archaeology:**

**Objective 9.1** Strategic Objective: Built Heritage and Archaeology.

**Objective 9.4** Archaeological Heritage.

**Objective 9.5** Sites of Established Archaeological Interest.

**Objective 9.7** Preservation of Archaeological remains in situ.

**Objective 9.18** Industrial Archaeology.

**Objective 9.28** Protection of NIAH and other structures of Built Heritage Interest.

## **7.0 Prospective Applicant's Case**

The prospective applicant has submitted information pursuant to section 5(5)(a) of the Planning & Development (Housing) and Residential Tenancies Act 2016 and Article 285 of the Planning and Development (Strategic Housing Development) Regulations 2017.

The information submitted included *inter alia*: completed SHD Pre Application Consultation Request Form, Planning Cover Letter, Planning and Environmental Report, including Childcare Capacity Statement, Statement of Consistency, Mobility Management Strategy, Landscape and Visual Assessment Report, Landscape Design Rationale, Landscape Masterplans for each of the 4 sites, Architectural Design Statement, Sunlight/Shadow Analysis Report, Effects on Daylight Reception Analysis Report, Architectural Heritage and Archaeological Impact Assessment, Photomontages, Site Location Map, Site Layout Map, Architectural drawings, Part V agreement in Principal, Irish Water correspondence.

Section 5(5)(b) of the Act of 2016 requires the submission of a statement that, in the prospective applicant's opinion, the proposal is consistent with both the relevant objectives of the Development Plan or Local Area Plan concerned, and the relevant guidelines issued by the Minister under section 28 of the Act of 2000. This statement has been submitted, as required.

I have reviewed and considered all of the documents and drawings submitted.

## **8.0 Planning Authority Submission**

In compliance with section 6(4)(b) of the 2016 Act the Planning Authority for the area in which the proposed development is located, Cork City Council, submitted a copy of their section 247 consultations with the prospective applicant and also submitted their opinion in relation to the proposal. These were received by An Bord Pleanála on 22<sup>nd</sup> September 2020. The Planning Authority's 'opinion' included the following matters:

Principle of Development:

- The principle of development of the subject lands for high density residential use accords generally with the zoning objectives for the lands concerns.
- The proposal for Parcel C (Pope's Hill) does not accord with objective 10.4 Areas of High Landscape Value which affects part of the site.

#### Design:

Comments from the City Architect are noted and an extract from their report included in the Opinion. This includes commentary on each parcel of land and concluded that the proposal is a welcomed intervention along the N20 and the reuse of the Hewitt's Mill Warehouse is commendable. There needs to be refinement of the scheme in areas highlighted which include inter alia the need to address passive surveillance of access areas, privacy of private amenity spaces.

#### Views & Prospects:

All of the sites are located upon the line of, or proximate to, protected views.

#### Built Heritage:

Parcel A and B have built heritage constraints.

Parcel A (furniture store) would benefit from a varied treatment of surfaces and a varied parapet height to mitigate the impact of the scale of the development.

Parcel B (Mill building): The approach to breaking up the mass of the new elements on the rear (eastern elevation) is welcomed. The treatment of opes on the front (western elevation) is not satisfactory from a conservation perspective. Small windows are a defining feature of the character of industrial buildings and indicative of their former use. The current proposal has a large, negative impact on this landmark structure and the proposed treatment of the window opes is not recommend from a conservation perspective.

#### Archaeology:

The City Archaeologist noted the Architectural Heritage and Archaeological Impact Assessment submitted and has no objections subject to a number of issues being addressed and additional surveys.

Access and Connectivity:

The Planning Authority has referred to extracts from the Transportation Operations Division Report and the Urban Roads & Streets Design (Planning) Report.

The Transportation Operations Division raised issues relating to public transport, CMATS, pedestrian & cyclist access, parking, road safety, Mobility Management Plans, Intelligent Transport Systems (ITS) & public lighting, construction traffic, TTA.

The Urban Roads & Streets Design (Planning) Division raised issues relating to Quality Audits, compliance with DMURS, pedestrian and cyclist connectivity and legibility from the site, CMATS.

Drainage:

The Planning Authority has referred to comments from the Drainage Section.

Drainage raised issues in relation to wastewater, SuDs, flooding (part of site A is located within the extents of the Blackpool Flood Relief Scheme) and construction management in terms of groundwater and surface water.

Other:

- The Heritage Officer recommended that an AA screening report be submitted.
- The Environment Section requires further details relating to noise levels from mechanical equipment such as fans, pumps and plant room.
- More details regarding childcare facilities available in the area are required.
- Further details on Part V required.

The Planning Authority requested that the following items be required in order to assist in a detailed review at application stage:



- Additional photomontage views, to accord with Protected View LT19, as follows:
  - 2 new views to show views of Richmond Hill towards Farrenferris College and from the surrounding woods.
  - 1 additional view from Richmond Hill towards Farrenferris College.
- Revised Schedule of Areas/Housing Quality Assessment to include Parcel C/Pope's Hill.
- Consider as to whether units A.206, A.306, A.406 and A505 should be reclassified as 3 person units as second bedroom of 9.9sq.m is less than the standards of 11.4sq.m for double bedrooms as set out in the Apartment Guidelines.
- Reports regarding the impacts of the development on access to sunlight and daylight upon existing uses in the vicinity has been provided. An assessment of access to daylight and sunlight in proposed apartments and communal amenity areas would be beneficial. This should include, but not be limited to, the single aspect units on northern elevations of the proposal, upon single aspect units on the eastern side of the Hewitt's Mill Building and upon single aspect units on western elevations to the new apartment buildings on Parcel B, including the impact of the proposed walkways linking the new buildings to Hewitt's Mill.

I note that the Planning Authority have included extracts from other technical departments in the main body of their Opinion. Copies of the Reports have not been included with the Planning Authority's Opinion.

## 9.0 Other Submissions

### **Irish Water (23<sup>rd</sup> September 2020):**

Irish Water has assessed and has issued Confirmation of Feasibility for four individual sites within the entire former Hewitt's Mills site totalling 232 units as follows: CDS20002958 (33 units), CDS20003014 (26 units), CDS20003024 (104 units) and CDS200029999 (69 units)

Water – new connections to the existing network are feasible without upgrade however this does not extend to the applicant’s fire flow requirements.

Wastewater -new connections to the existing network are feasible without upgrade.

Ahead of any SHD application, the applicant is required to engage with IW to clarify any proposed phasing for this development and submit detailed design proposals for design vetting by IW.

Where any proposals by the applicant to build over or divert existing water or wastewater services the applicant is required to ensure a confirmation of feasibility of build over/diversion has been issued by IW to the applicant, ahead of any SHD application to the board. All development is to be carried out in compliance with Irish Waters Standards Codes and Practices

## **10.0 The Consultation Meeting**

10.1 A Section 5 Consultation meeting took place via Microsoft Teams on the 24<sup>th</sup> November 2020, commencing at 2:30 PM. Representatives of the prospective applicant, the Planning Authority and An Bord Pleanála were in attendance. An agenda was issued by An Bord Pleanála prior to the meeting.

10.2 The main topics raised for discussion at the tripartite meeting were based on the Agenda that issued in advance and contained the following issues:

- 1. Development Strategy** to include inter alia site layouts and architectural approach, density, design, including heights, massing and materials, public realm, connectivity and permeability between the sites and the wider area, open space strategy and overall Masterplan for the 4 sites.
- 2. Architectural Conservation** in particular having regard to Site A (Furniture Store) and B (Hewitt Mill site) and issues raised by the Conservation Division.
- 3. Archaeological Heritage** in particular having regard to Site B (Hewitt Mill site) and other issues raised by the Archaeology Section.

4. **Visual Impact Assessment** to include inter alia, Protected Views & Prospects, streetscape and cumulative impact.
5. **Residential Amenities** to include inter alia impact of adjoining properties (site A Furniture Store), access to and distribution of communal facilities & Amenities, sunlight/daylight.
6. **CMATS** and issues raised by **Transportation Division** (contained in the Planning Authority Opinion received on 22<sup>nd</sup> September 2020).
7. Issues raised by **Drainage Division** (contained in the Planning Authority Opinion received on 22<sup>nd</sup> September 2020).
8. **Any Other Business.**

10.3 In relation to **Development Strategy** ABP representatives sought further elaboration/discussion on:

- The interaction and integration of the four sites and their uses, in particular site A as the only site separated from the rest by the N20.
- Clarification of densities for each site, in particular Site C (Island Site).
- Clarification on site assembly and ownership.
- Clarification on red line boundary for the Pope's Hill site appears to include the road and open space serving an adjoining residential development.
- Rationale for layouts and overall architectural approach,
- Design, including heights, massing and materials,
- Interface with public realm and adjoining sites/properties,
- Connectivity and permeability through the sites, between the sites and the wider area,
- Open Space Strategy
- Overall Masterplan for the 4 sites and phasing.

10.4 In relation to **Architectural Conservation in particular having regard to Site A (Furniture Store) and B (Hewitt Mill site) and issues raised by the Conservation Division**, ABP representatives sought further elaboration/discussion on:

- Clarity on the status of the Mill building and the extent of the protection to the monument (Mill building) under legislation.
- Ensure correct language and terminology is used to describe the building within the reports as there appears to be discrepancy's as to which category the Mill falls under.
- Treatment of window opes and western elevation.

10.5 In relation to **Archaeological Heritage** ABP representatives sought further elaboration/discussion on:

- In the absence of a representative from the Archaeology Division being available to attend the meeting its was advised that (if there were no further comments to be made by the PA other than those mentioned in the submitted report) it may be of benefit if the prospective applicant liaises further with the Planning Authority prior to lodging an application.

10.6 In relation to **Visual Impact Assessment**, ABP representatives sought further elaboration/discussion on:

- the proposal impinging on Protected Views and Prospects identified in the Development Plan.
- Requirement for localised views to be included in any assessment

10.7 In relation to **Residential Amenities** ABP representatives sought further elaboration/discussion on:

- Inter alia impact of adjoining properties (site A Furniture Store), access to and distribution of communal facilities & Amenities, sunlight/daylight.
- Further detail required for shared amenity spaces within the four sites that form the development.
- Implications for adjoining developments due to window positioning (site A).
- Accessibility for residents of Site A to the shared facilities.
- Sunlight/Daylight Assessment.
- Noise/vibration Impacts.

10.8 In relation to **CMATS and issues raised by Transportation Division (contained in the Planning Authority Opinion received on 22<sup>nd</sup> September 2020)**, ABP

representatives sought further elaboration/discussion on:

- Car Parking Strategy
- Impact on parking serving existing business that uses the surface car park at Site A.
- Implications of CMAT for the site and development proposed.
- Issues raised by the Transportation Division.

10.9 In relation to **issues raised by Drainage Division (contained in the Planning Authority Opinion received on 22<sup>nd</sup> September 2020)**, ABP representatives

sought further elaboration/discussion on:

- Irish Water submission.
- Issues raised by the Drainage Division.

10.10 In relation to **any other business** ABP representatives sought further elaboration/discussion on:

- At application stage ensure that a full suite of drawings and documentation is submitted and that all technical reports and documentation correlate.
- If Material Contravention arises, ensure this is addressed in the documentation and notices.
- Address all outstanding technical matters as no recourse for further information under SHD.

10.11 Both the prospective applicant and the Planning Authority were given an opportunity to comment and respond to the issues raised by the representatives of ABP. Those comments and responses are recorded in the 'Record of Meeting 308049' which is on file. I have fully considered the responses and comments of the prospective applicant and planning authority in preparing the Recommended Opinion hereunder.

## 11.0 Assessment

- 11.1 Based on the entirety of the information before me, it would appear that the proposed development falls within the definition of Strategic Housing Development, as set out in section 3 of the Planning and Development (Housing) and Residential Tenancies Act 2016 and as amended by Section 50 of the Planning and Development (Amendment) Act 2018.
- 11.2 I have examined all of the information and submissions before me including the documentation submitted by the prospective applicant, the submissions of the Planning Authority and the discussions which took place at the tripartite meeting. I have had regard to both national policy, via the s.28 Ministerial Guidelines, and local policy, via the statutory plan for the area.
- 11.3 Having regard to all of the above, I recommend that further consideration and/or possible amendment of the documents submitted are required at application stage as set out in the recommended Opinion below.
- 11.4 Having regard to the above, I recommend that the Board serve a notice on the prospective applicant, pursuant to Section 6(7)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016, stating that it is of the opinion that the documentation submitted with the consultation request under section 5(5) of the Act requires **further consideration and amendment in order to constitute a reasonable basis for an application** under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016.
- 11.5 I would also recommend that the prospective applicant be notified, pursuant to article 285(5)(b) of the 2017 Regulations, that specified information (as outlined hereunder) be submitted with any application for permission that may follow. I believe the specified information will assist the Board at application stage in its decision making

process. I am also recommending that a Prescribed Body (as listed hereunder) be notified by the prospective applicant of the making of the application.

## 12.0 Recommended Opinion

An Bord Pleanála refers to your request pursuant to section 5 of the Planning and Development (Housing) and Residential Tenancies Act 2016. Section 6(7)(a) of the Act provides that the Board shall form an opinion as to whether the documents submitted with the consultation request (i) constitute a reasonable basis for an application under section 4 of the Act, or (ii) require further consideration and amendment in order to constitute a reasonable basis for an application under section 4.

Following consideration of the issues raised during the consultation process, and having regard to the opinion of the planning authority, An Bord Pleanála is of the opinion that the documentation submitted requires **further consideration and amendment to constitute a reasonable basis** for an application for strategic housing development to An Bord Pleanála.

In the opinion of An Bord Pleanála, the following issues need to be addressed in the documents submitted to which section 5(5) of the Act of 2016 relates that could result in them constituting a reasonable basis for an application for strategic housing development:

### 1. Design Strategy

Further consideration and/or justification of the documents are they relate to the development strategy for the site in respect of:

- The interface of the proposed development on Site C (Island Site) with Assumption Road and the N20.
- The interface of the proposed development on Site D (Pope's Hill Site) with Assumption Road and pope's Hill.
- Connectivity through the sites and between the four plots which make up the overall site and interface with public realm.
- Open Space Strategy.

This should include a detailed Landscaping Plan for the site (ie all 4 plots which comprise the overall site) which clearly differentiates between areas of public, communal and private open space and which details exact figures for same. Details should also include proposals for hard and soft landscaping including street furniture, where proposed, which ensures that areas of open space are accessible, usable and available for all. Pedestrian permeability through, linking the site and beyond the sites should be outlined. Details of the interface between private and communal areas should also be detailed.

- A Masterplan which clearly shows the relationships the inter-connectivity and integration of the four sites and how the development will be delivered in a cohesive manner as a single SHD proposal.

The further consideration of these issues may require an amendment to the documents and/or design proposals submitted at application stage.

## **2. Architectural & Archaeological Heritage**

Further consideration and/or justification of the documents are they relate to:

- A response to the issues raised by the Conservation Division contained in the Planning Authority's Opinion received by An Bord Pleanála on the 22<sup>nd</sup> September 2020.
- A response to the issues raised by the Archaeology Division contained in the Planning Authority's Opinion received by An Bord Pleanála on the 22<sup>nd</sup> September 2020.

The further consideration of these issues may require an amendment to the documents and/or design proposals submitted at application stage.

## **3. Transportation & Car Parking**

Further consideration and/or justification of the documents as they relate to:

- The implication of the Cork Metropolitan Area Transport Strategy (CMATS) for the sites.
- The provision of safe vehicular, pedestrian and cycle access to the development with regard to DMURS and to the safe provision of accessible



car parking and cycle parking, to include consideration of a proposed set down area.

- Provision of a positive contribution to the public realm at Assumption Road, the N20 and Watercourse Road.
- A response to the issues raised by the Transportation Division contained in the Planning Authority's Opinion received by An Bord Pleanála on the 22<sup>nd</sup> September 2020.
- Justification/rationale for the proposed car parking strategy for the proposed development, having particular regard to the quantum of parking proposed and its context, how it is intended to be assigned and managed and measures proposed to address shared carparking with the adjoining uses at Site A.

The further consideration of these issues may require an amendment to the documents and/or design proposals submitted at application stage.

#### **4. Residential Amenities**

Further consideration and/or justification of the documents are they relate to:

- Daylight/Sunlight analysis, showing an acceptable level of residential amenity for future occupiers of the proposed development, which includes details on the standards achieved within individual rooms within the development, in communal open spaces and in public areas within the development. The impact on adjoining lands and residential properties and uses should also form part of the assessment.
- The impact on residential amenities (in particular Sites A and D) in terms of overlooking of adjoining properties. The proposed development should to be designed to avoid direct overlooking of adjacent residential properties.
- The development should be designed so as not to have a negative impact on any potential redevelopment of adjoining lands.
- Noise Impact Assessment/Mitigation measures.

This should include a report that addresses issues of residential amenity (both existing residents and future occupants) and full and complete drawings including levels and cross sections showing the relationship between the development and adjacent residential units, where applicable. Contextual elevations should be provided where appropriate.

The further consideration of these issues may require an amendment to the documents and/or design proposals submitted at application stage.

Pursuant to article 285(5)(b) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant is hereby notified that, in addition to the requirements as specified in articles 297 and 298 of the Planning and Development (Strategic Housing Development) Regulations 2017, the following specific information should be submitted with any application for permission:

1. A detailed Schedule of Accommodation (Housing Quality Assessment) which shall indicate compliance with relevant standards in the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities' 2018, including its specific planning policy requirements. Particular attention shall be directed to the provision of adequately designed and an appropriate quantum of dual aspect apartments.
2. A Building Life Cycle Report shall be submitted in accordance with section 6.3 of the Sustainable Urban housing: Design Standards for New Apartments (2018). The report should have regard to the long term management and maintenance of the proposed development.
3. Wind micro-climate study, including analysis of balconies, pedestrian areas and amenity areas.
4. A Landscape and Visual Impact Assessment, to include inter alia impact on Protected Views and Prospects identified in the current City Development Plan, Long views of the site and localised impact at street level.

5. A report identifying the demand for school and childcare places likely to be generated by the proposal and the capacity of existing schools and childcare facilities in the vicinity to cater for such demand.
6. A Taking in Charge Layout.
7. A response to the issues raised by the Drainage Division contained in the Planning Authority's Opinion received by An Bord Pleanála on the 22<sup>nd</sup> September 2020.
8. Site Specific Construction and Demolition Waste Management Plan.
9. Where the applicant considers that the proposed strategic housing development would materially contravene the relevant development plan or local area plan, other than in relation to the zoning of the land, a statement indicating the plan objective (s) concerned and why permission should, nonetheless, be granted for the proposed development, having regard to a consideration specified in section 37(2)(b) of the Planning and Development Act 2000. Notices published pursuant to Section 8(1)(a) of the Act of 2016 and Article 292 (1) of the Regulations of 2017, shall refer to any such statement in the prescribed format.

Pursuant to article 285(5)(a) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant is informed that the following authorities should be notified in the event of the making of an application arising from this notification in accordance with section 8(1)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016:

1. Irish Water
2. Transport Infrastructure Ireland
3. National Transport Authority
4. Department of Culture, Heritage and the Gaeltacht
5. Heritage Council
6. An Chomhairle Ealaíon
7. Fáilte Ireland
8. An Taisce-the National Trust for Ireland
9. Cork City Childcare Committee

PLEASE NOTE:

Under section 6(9) of the Planning and Development (Housing) and Residential Tenancies Act 2016, neither the holding of a consultation under section 6, nor the forming of an opinion under that section, shall prejudice the performance by the Board, or the planning authority or authorities in whose area the proposed strategic housing development would be situated, of any other of their respective functions under the Planning and Development Acts 2000 to 2016 or any other enactment and cannot be relied upon in the formal planning process or in legal proceedings.

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Dáire McDevitt  
Planning Inspector

14<sup>th</sup> December 2020