

SUBMISSION ON SECTION 4 APPLICATION (STRATEGIC HOUSING DEVELOPMENT)**ABP-313994-22****Kilbarry SHD****RE: Construction of 319 residential units on Cork GAA Lands at Kilbarry, Cork**www.kilbarryshd.ie29th August, 2022

Dear Sir/Madam

I refer to your correspondence in relation to the above. This is a submission under section 8(5)(a) of the Planning and Development (Housing) and Residential Tenancies Act 2016. I include the following:

1. Appendix A

Part 1

The Chief Executive's views on the effects of the proposed development on the proper planning and sustainable development of the area of the authority and on the environment, having regard in particular to the matters specified in section 34(2) of the Planning and Development Act, 2000, as amended, submissions and observations duly received by the Board and the views and opinions of the Elected Members of Cork City Council in relation to the application, and

Part 2

The authority's opinion as to whether the proposed strategic housing development would be consistent with the relevant objectives of the development plan or local area plan, as the case may be, and a statement as to whether the planning authority recommends that permission should be granted or refused, and the reasons for the recommendation.

2. Appendix B

Internal reports.

3. Appendix C

Planning conditions that the planning authority would recommend in the event that An Bord Pleanála decides to grant permission, together with the reasons and grounds for such conditions.

Martina Foley
A/Senior Executive Planner

Fiona Redmond
Senior Planner

Adrienne Rodgers
Director of Services
Community Culture and Placemaking

EXECUTIVE SUMMARY

Description and context

The subject site is located on the northern edge of the built up area of Cork City. It is on the eastern side of the Old Whitechurch Road and to the north of the City North Business Park.

The lands are in the ownership of the Gaelic Athletic Association and are associated with the Delaney's GAA Club, whose pitches and club house are to the east of the site. The northern boundary is with the valley formed by the Glenamought River which flows in a south westerly direction.

Access to the site from the Old Whitechurch Road is via a lane between two residences. Access from the east is via the Delaney's GAA Club.

The proposed development consists of the construction of 319 no. residences and a creche along with the provision of a public park.

Key findings of Chief Executive Report

The planning authority find that the proposed strategic housing development, in its current form and in the absence of the level of detail required for complete assessment, does not accord with the proper planning and sustainable development of the area and should therefore be REFUSED for the following reasons.

1. Having regard to the relevant provisions of the *Cork City Development Plan 2022-2028*, including Strategic Objective 03 Transport and Mobility, which promotes integrated land use and transportation planning to increase active travel, it is considered that the development as proposed due to, the lack of usable public open space, non-compliance with key principles set out in the *Design Manual for Urban Roads and Streets* and the over provision of car parking proposed, which is in excess of the maximum set out in Table 11.3 of the Cork City Development Plan, does not accord with the proper planning and sustainable development of the area.
2. The applicant has not demonstrated, to the satisfaction of the Planning Authority, that the proposed development will not impact negatively upon the environment. The documentation submitted with the application has failed to comprehensively assess the impact of the proposed development upon the receiving environment and in particular upon protected and at risk species including the Marsh Fritillary, an Annex II species, and rare fungi. Accordingly the proposed development does not accord with the proper planning and sustainable development of the area.

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Part 2

The Planning Authority's Opinion

APPENDIX B: Internal Reports in full

Full Internal Reports of Cork City Council, arranged alphabetically.

- Area Engineer
- City Architect
- Drainage
- Environment
- Heritage Officer
- Housing Directorate – Part V
- Infrastructure Development
- Parks and Recreation
- Planning Policy
- Traffic Operations
- Urban Roads and Street Design (Planning)

APPENDIX C: Recommended Conditions

APPENDIX A

Part 1

1.0 Introduction

We refer to correspondence from An Bord Pleanála dated 8 July 2022 in relation to Strategic Housing Development at Cork GAA Lands, Old Whitechurch Road, Kilbarry, Cork City, ABP- 313994-22.

This is a submission under Section 8(5)(a) of the *Planning and Development (Housing) Act 2016*.

This Chief Executive Report sets out Cork City Council’s formal response to this request from An Bord Pleanála and its views on the effects of the proposed development on the proper planning and sustainable development of the area of the Authority and on the environment, having regard in particular to the matters specified in Section 34(2) of the Planning and Development Act, 2000, as amended, and submissions and observations duly received by the Board in relation to the application.

2.0 Background and Development Description

2.1 Subject Site

The subject site is located on the northern edge of the built up area of Cork City. It is on the eastern side of the Old Whitechurch Road and to the north of the City North Business Park.



The lands are in the ownership of the Gaelic Athletic Association and are associated with the Delaney’s GAA Club, whose pitches and club house are to the east of the site. The norther boundary is with the valley formed by the Glenamought River which flows in a south westerly direction.

Access to the site from the Old Whitechurch Road is via a lane between two residences. Access from the east is via the Delaney’s GAA Club.

2.2 Brief Description of Proposed Development

The application documentation sets out the following description of the proposed development:

The proposed development will consist of a strategic housing development of 319no. residential dwellings comprising of 85no. semi-detached units (comprising of 17no. 4-bed units and 68no. 3-bed units), 118no. terraced units (comprising of 8no. 4-bed units, 60no. 3-bed units and 50no. 2-bed units),

53no. duplex units (comprising of 26no. 1-bed units, 25no. 2-bed units and 2no. 3-bed units) and 63no. apartments (in 3no. part 4 storey and part 5-storey blocks and comprising 15no. 1-bed units and 48no. 2-bed units). The development also includes the provision of a crèche facility (519sqm) and a riverside amenity park to the north and northeast of the site. The proposed total gross floor area is 33,738.70sqm.

The proposed development will also consist of the demolition of a disused hurley manufacturing factory and associated out buildings, the removal and replacement of the southern and eastern boundary treatments, as well the creation of formalised walking paths to replace the informal walking paths located to the north of the site, a new through road from the proposed site access on the Old Whitechurch Road to Delaney's GAA Grounds and accessing the Upper Dublin Hill Road, with associated new boundary treatments at Delaney's GAA club, all associated ancillary site development and hard and soft landscaping works, to include the provision of private, communal and public open space, waste storage areas, bicycle, motorcycle and car parking, including EV and disabled parking, esb substations, groundworks, foul drainage works, stormwater drainage proposals including directional drilling for the stormwater outfall, water supply proposals, public lighting, and all new boundary treatments.

The application further states that:

A Natura Impact Statement and Environmental Impact Assessment Report have been prepared in respect of the application.

3.0 Key Documents

The following documents are of note with respect to the proper planning and sustainable development of the area:

- *Project Ireland 2040, comprising National Planning Framework and National Development Plan;*
- *Sustainable Residential Development in Urban Areas, 2009*
- *Design Manual for Urban Roads and Streets, 2013*
- *Rebuilding Ireland – Action Plan for Housing and Homelessness, 2016*
- *Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, 2020*
- *Quality Housing for Sustainable Communities, 2007*
- *Urban Development and Building Heights: Guidelines for Planning Authorities, 2018*
- *Regional Spatial and Economic Strategy 2019-2031*
- *Cork Metropolitan Area Transport Study (CMATS)*
- *Cork Area Strategic Plan (CASP)*
- *Childcare Facilities Guidelines, 2001*
- *The Planning System and Flood Risk Management Guidelines for Planning Authorities, 2009*
- *Cork City Council Development Plan 2022*

4.0 Planning History

As of 31st May 2019 the application area is within the extended boundary of Cork City Council. All application lodged before that date were determined by Cork County Council.

RELEVANT PLANNING HISTORY ON CORK COUNTY GAA LANDS IN KILBARRY
09/7825 Construction of a building to house a hurling alley Outcome Granted 08/03/2010
09/7274 Construction of a hurling wall Outcome Invalid

<p>08/9438 Installation of pitch floodlighting to senior pitch 1 consisting of 6no. masts not exceeding 21m in height above pitch level and having an average light level of 400lux at 1m above pitch level Outcome Granted 20/01/2009</p>
<p>05/3183 Application by the ESB to relocate existing 38kv cable mast, install 80 m of underground cable and retire 80 m of overhead line Outcome Granted 11/08/2005</p>

RELEVANT PLANNING HISTORY ON SITES IN THE VICINITY
<p>21/40047 Permission for construction of new detached dwelling, a site entrance, including connection to existing services along with all associated site works at the side and rear at Winterfell, Old Whitechurch Road Outcome Granted 07/07/2021</p>
<p>20/39479 Application by IDA Ireland for the installation of perimeter security fencing , site entrance security gates and a site information totem sign Outcome Granted 19/11/2020</p>

RELEVANT SHD PLANNING HISTORY IN THE WIDER AREA
<p>Ballyvolane SHD Full Application – ABP Ref. No. 312076 Construction of 275 no. residential (205 no. houses and 70 no. apartments), creche and associated site work Outcome – Granted 25/03/2022</p> <p>Consultation Application – ABP Ref. No. 309554 386 no. residential units (226 no. houses, 160 no. apartments), creche and associated site works Outcome – Requires Further Consideration</p>
<p>Banduff SHD Consultation Application - ABP Ref. No. 311819 162 residential units (74 no. houses, 88 no. apartments), creche and associated site works. Outcome: ABP determination made 10/03/2022 – Is reasonable Application basis</p> <p>Previous Application – ABP Ref. No. 307373 162 no. residential units (74 no. houses, 88 no. apartments), creche and associated site works Refused 06/10/2020 Reason: Cork Metropolitan Area Transport Strategy 2040 (CMATS), published by NTA in 2020 sets out an integrated transport planning policy framework for Cork with supporting investment priorities. The delivery of CMATS is a critical objective of the Regional Spatial and Economic Strategy for the Southern Region and Cork Metropolitan Area Strategy Plan, which came into effect in 2020. Critically important infrastructure identified in CMATS includes a new distributor road on the north side of Cork city, referred to as the Cork Northern Distributor Road (CNDR). The proposed development has the potential to limit route choices on the provision of the Cork Northern Distributor Road as envisaged in the Cork Metropolitan Area Transport Strategy (CMATS) and in the Cobh Municipal District Local Area Plan 2017. Pending determination of the</p>

route of the CNDR, the proposal is considered to be inconsistent with Site Specific Objective NE-R-13 of the Cobh Municipal District Local Area Plan 2017; is considered to be premature and inconsistent with the proper planning and sustainable development of the area.

Longview SHD

Full Application – ABP Ref. 306325

753 no. residential units (531 no. houses, 222 no apartments), creche and associated site works

Granted 27/05/2020

DEVELOPMENT UNDER LOCAL GOVERNMENT LOCAL INFRASTRUCTURE HOUSING ACTIVATION FUND

site to the south west of subject lands, between the Old Mallow Road and the Old Whitechurch Road, has been designated for mixed use residential development of up to 600 units and incorporates a national school. Part 8 facilitatory works were completed under the Housing Activation Fund.

5.0 Submissions

5.1 Summary of Third-Party Submissions

A number of third party submissions have been submitted to the Board. The issues raised therein are summarised below, in no particular order.

Principle of Development

- Many submissions acknowledge the urgent need for housing in Ireland
- Site is the most distant and isolated part of the community on a site furthest from public transport links and most difficult to access by walking and cycling
- Until recently the lands were not part of the city with dwellings of 05.-3 per hectare – the moving of the county bounds does not make them ‘inner urban’
- Housing provision that causes city sprawl is not in keeping with guidelines under the NPD and the RSES or the 15 minute city adopted by Cork City Council in their plan
- The sprawl effect will impact upon the social, cultural and placemaking values of existing communities
- Development will exceed the yield identified in RSES for housing in this area
- Using the debt for Pairc Ui Chaoimh as a reason to fast track this planning is inappropriate
- Given community ethos of the GAA failure to deliver these homes at an affordable rate will not be in line with the ethos of the organisation

Compliance with Development Plan

- Proposal is a material contravention of the Cork City Development Plan 2014 as it encroaches into lands zoned open and recreational space
- Proposed development is below the minimum density allowed anywhere in the city and the amount of parking provided is above the maximum allowed in the city development plan
- Development is being built in a high values landscape area as designated in the Cork County Development Plan
- Planned roads have not been considered in the development plans
- Development does not comply with the housing mix targets set out
- Does not accord with recent proposal to extend the ‘Blue and Greenway’ along the area adjacent to Glenamought Tributary

Design and Layout

- Size, scale and density too big for area
- Proposal out of scale with low density one-off houses on Old Whitechurch Road
- Proposed duplexes on boundary just metres from bungalows and dormers is out of character with the area and more suited to an urban scheme
- Apartments and duplex units at odds with rest of the area which are largely bungalows and one storey dwellings
- Apartments stick out like eyesores and will visually pollute the area
- Development should consist of houses to allow for higher standard of living for residents which are consistent with current environment
- Studios and one bedroom apartments do not constitute lifetime adaptable homes
- Design restricts access by fire appliances
- Fire brigade have limited capacity to manage incidents in tall buildings
- Height of buildings a concern because of stability of ground

Traffic and Transport

- Development will create a car dependent isolated community
- All construction traffic will have to pass through residential areas because of low bridge creating an unacceptable risk to residents
- Bridge needs to be serviced by engineers to accommodate access
- Within 2km there are already 4 other developments underway which will add 4,000 units many of which will lead to the Old Whitechurch Road
- There is only a narrow footpath on one side of the Old Whitechurch Road
- No cycle lane, no bus comes up the Old Whitechurch Road so there is no option but to drive
- Bottom of hill is completely congested at peak time from the Blackpool retail park
- Even if there is a single car for each new residences in area it will cause major traffic issues
- Concerns previously highlighted to City Council but no updates given other than statement that there is no budget for infrastructure
- Entrance on Old Whitechurch road is on a severe bend at the top of a hill
- Extent of sight line achievable at access queried
- Road is already too busy for the volume of traffic and residents have had to put in ramps
- Construction traffic will cause havoc with noise and air pollution
- Noise chapter of EIAR queried – specifically that there will be no increase in noise pollution from predicted 2,707 traffic movements
- Queries methodology of noise chapter as it does not state how estimates of noise impacts from the internal road was undertaken
- Alternative methodology proposed with the conclusion that there will be a 54.2 dB total sound levels in the Whitechurch Road area, exceeding the 53 dB WHO limit.
- Recommends that denying access to site from the Whitechurch Road
- Connectivity between subject site and large City Council residential development at Old Whitechurch Road will impact on safety of existing residents
- Connectivity east to west will create a rat run for HGV, LGV etc
- Closest bus stop at 1 km the bus is not used by the young or elderly because the return walk to the Old Whitechurch Road is via a severe 1 km walk up hill
- There is a lack of educational infrastructure and a lack of employment opportunities in the area which exacerbate the use of private cars
- Cyclist safety issues are not addressed
- Safety of vehicles parked in front of residences on the Old Whitechurch Road queried
- Old Whitechurch Road is outdated and not suitable for traffic to come
- Access from Old Whitechurch road was never an official entrance. It was opened in the 1970's to get material to the club

Natural Heritage and Biodiversity

- Impact on river valley area of outstanding beauty and wildlife refuge
- The site is the highest recreational and nature value area within the community
- Flood risk assessment recommends fencing along site boundary adjacent to the river which will restrict local wildlife
- Development on this site poses significant risks to water bodies and will impact on meeting the requirements of the River Basin management Plan and Water Framework Directive
- The protection of wildlife is not sufficient despite the presence of many species in the area that are governed by the Wildlife Act, the Birds Directive and the Habitats Directive
- Aside from some efforts regarding the Marsh Fritillary butterfly habitat no measures are proposed to ensure no net loss of biodiversity in the area
- Regarding Marsh Fritillary - survey undertaken too early. If undertaken in August when caterpillars are more abundant and easier find – survey should be repeated in 2023
- One detailed submission set out the importance of the subject lands as having waxcap grassland and fungi of national and global conservation significant
- Development is likely to result in the permanent and irreversible regional extinction of waxcap grassland habitat and fungi species of national (and worldwide) conservation significance
- Details of and extracts from a 2001 survey of site, as published in *The fungi of Irish grasslands and their value for nature conservation* (McHugh, R., Mitchel, D., Wright, M., Anderson, R. (2001)), set out in submission
- This ‘fungi’ submission concludes: *Given the number of high quality indicator species that have already been found, it merits a professional team of mycologists surveying and evaluating the site in order to inform the planning process and conservation strategy.*
- This site is in the most isolated location on the top of the plateau, it will therefore have significant light trespass and glare impacts down the valley which will result in negative impacts on light sensitive species such as moths, bats and invertebrates
- Whilst the site does not fall within a designated site the reports give less than adequate consideration to the Birds and Habitats Directives and legislation governing wildlife through the Wildlife Act as well as overall commitments to no net loss of biodiversity
- The drilling, the compaction, soil movement and remodelling of site levels deemed necessary for such a development will have significant impacts on the geological and hydrogeological environments however this is blithely written off in the EIAR as “an unavoidable consequence”
- A masterplan is proposed for the wider area in keeping with sustainable development that has co-benefits for people, nature and climate
- Development should take into consideration view of local residents and lack of urban good quality space for recreation and wildlife like seen in Beaumont Quarry
- Requests that all tree planting is for native mature trees
- Design should include biodiversity areas so those living in housing have connection to environment
- Requests careful consideration of impact of surface water runoff on northern part of the Glenamought as it is likely that utters use the river system
- River margin should be biodiversity area / riparian zones, not just for locals to sit and enjoy, but to limit disturbance to otters, birds and aquatic life
- Impact on bats needs further consideration
- Care required during construction regarding run-off and disturbance and should be monitored
- There are insufficient details available of how the Development will protect the ecology of the sloping area beside the Tributary which has been described as a fen and an important habitat for a vast array of endangered and protected species
- Development should include sustainable management e.g. renewable energy, reuse of storm water etc.

- Impact on Glenamought river has not been assessed
- Birds Protective Sites SPA European Union Directive has not been addressed in the application
- Habitats Directive European Union: new guidance on protected species has not been addressed in the application
- Surface water and Sewage system has not been addressed in relation to Habitats Directive European Union
- Contrary to the target actions and policies of the NPWS
- Objection based on cumulative effect proposal will have with the LIHAF development to flood risk, air and noise pollution and insufficient sampling of illegally dumped material on site
- The EIAR does not include a review of the flood prevention proposals made by Cork City Council regarding the Bride River and Glenamought River
- There is a River Bride Drainage scheme and LAWPRO restoration proposals are not mentioned in the EIAR
- The proposed attenuation tank and head wall do not comply with the recommendations from Inland Fisheries Ireland to Cork City Council
- Proposal contravenes Inland Fisheries guidelines for riparian zones to protect rivers and streams, especially in city areas
- The EIAR does not include a review of the habitat for salmonids in the Glenamought

Contamination / Dumping

- 350,000 tonnes of noxious waste needs to be removed from the site before planning application is approved
- Waste came from the construction of the N20 in the late 1980s and early 1990s which included the demolition of flats
- Remove waste dumped on site as instructed by EU Commission
- A Freedom of Information Act request has been made to the NRA regarding the dumping
- Waste has never been removed despite the requests of local residents and the European Commission ruling
- Copy of 2004 Irish Examiner article regarding dumping provided
- Samples tested were insufficient to assess the illegally dumped material on site

Recreation

- Lands were previously used as a playing pitch and recreational area for decades (prior to 2004)
- Development will be built on existing public rights of way
- Part of proposed development will remove land from current public use and remove recreational playing fields from public use
- Lands should be retained as community recreational and playing fields
- This area need to be remediated and the site restored to sport and recreational lands as they existed prior to the illegal dumping
- This is the only green belt we have in Cork's Northside
- The area should be maintained as a nature reserve for the benefit of the entire community
- The proposed amenity area is on a steep slope which will be inaccessible to parents with small children and buggies or wheelchairs and will not be accessible to the general public, therefore cannot refer to itself as an amenity area
- Fenced area around river queried
- No consideration given to protective measures for the fish and other macro and micro invertebrates in the River Bride nor the Glenamought Rivers
- Role of mature trees to provide shade in time of excessive heat ignored
- Removal of a site for ecological awareness education

- The loss of a site for ecological awareness education and skill development by local scout groups and schools
- Riverside park needs to be fenced as it leads to submitter's house on safety grounds
- Pathways should be done sensitively and with biodiversity and landscape in mind using natural materials

Residential Amenity

- Development with directly overlook private gardens and homes
- High rise buildings will remove privacy enjoyed by local residents
- High rise buildings will remove access to satellite communications to certain residents
- Creche noise will impact on amenity of residents where predicted noise level of 48dB at the nearest dwelling, presumes that residents will not use their back gardens
- Mitigation measures are inadequate and unsightly
- Creche should be relocated nearer to Delaneys GAA Fields
- Fence at creche too weak and not high enough
- 3 metre high palisade fencing requested for adjoining residential sites
- Existing ditch and hedge not to be damaged when palisade fence put in
- Existing dwellings on the Old Whitechurch road will be overlooked and sightline of the prevailing countryside will be lost to residents
- The northside of Cork City continues to rank significantly on the deprivation index and the work of Cork Healthy Cities highlights the need to consider the social determinants of health in planning in the city
- There is no technical data supplied in an EAS as to how the flood lighting from adjoining pitches will be mitigated
- Density of the proposed housing development without adequate local infrastructure to cater for the population bloom that will accompany the development

Built Heritage

- Impact on buildings of historical importance and archaeological sites
- Demolition of hurling factory and 6 cottages not mentioned in planning application

Flooding and other Risks

- Fencing adjacent to the river could contribute to flooding if it becomes blocked by debris, impeding the flow of water
- No mention is made, in the flood risk assessment, of the proposed River Bride (Blackpool) Flood / Drainage Scheme
- Flood risk assessment submitted incorrectly refers to the Glenamought Stream as the River Bride
- Thoroughness of flood risk assessment queried
- Need for housing should be balanced with downstream impacts, where there have been five occasions of flooding in the last 20 years
- Risk of a landslide on the proposed development site would endanger life and other properties in the area
- The wetland areas on either side of the river have traditionally been a natural part of the river management system for decades, holding back water from flooding lower areas along the river
- There is a swamp that needs to be drained when work starts and a sign put up to warn workers

Water Infrastructure

- There are serious shortcomings in respect of water supply and waste water services for the scale of the development

- Impact of run off from development with no green areas at times of sudden and torrential rain queried
- Total flows (Foul and Surface) not included in the EIA
- Concern raised regarding impact of development upon well water used by adjoining resident

Procedural Issues

- List of applications is not kept up to date on the Board's website contrary to Aarhus Convention principle of Access to Information
- Development should take into consideration views of local residents
- Deeds for land transfer restrict use to sports
- Loss of an established right of way to a long held public amenity
- It should be mandatory practice to include consultation with local communities who are impacted by proposed works, particularly when the normal planning process is restricted.

5.2 Summary of Prescribed Body Submissions

Two submissions have been received from prescribed bodies. The following is a summary of each submission:

Irish Water (IW)

- Wastewater
 - An upgrade of approximately 150 of foul sewer on the Whitechurch Road from 225mm to 300mm, at a minimum, is required
 - Further upgrades are likely
 - Current Cork City DAP Stage 3 project aims to confirm capacity in City and details of upgrades will be available at the end of 2022
 - Solution delivery is in IW's investment plan and must be paid for by applicant as part of a connection agreement
 - A first phase of 100 housing units could be facilitated without an sewer upgrade
- Water Supply
 - An upgrade of approximately 750m of watermain on the Whitechurch Road to 250mm is required
 - The applicant will be required to fund this extension as part of a connection agreements
- Design Acceptance – the applicant is responsible for design and construction of all water and / or wastewater infrastructure within the redline boundary necessary to facilitate connections
- Condition – 3 number conditions are requested

Inland Fisheries Ireland (IFI)

- Site is adjacent to and upslope of Glenamought River, a salmonid water
- Potential for significant solids contaminated runoff at construction phase
- Intention of developer to retain wet meadow and woodland habitats closest to the river noted
- Habitats have potential to provide significant buffering
- 4 no. conditions proposed
- Based on IW's indications the IFI contend that it would be premature to construct any more than 100 units on site until such time as the sewer pipe network necessary for the remaining 219 units is installed.
- The IFI requests that IW confirm that there is sufficient capacity within the wastewater treatment plant

6.0 Views of the Elected Members

6.1 Elected Members Briefing

All Council Members were invited to an online meeting, in line with Covid-19 protocols, held on 9th August 2022. This was attended by the Acting Director of Service, Senior Planner, Clerical Officer, and the reporting Area Planner.

A PowerPoint presentation was given to the Members. The Members were advised of the legislation, the details of the application, the consultations that have taken place in relation to the proposed development with the Planning Authority and An Bord Pleanála and the Notice of Opinion issued by An Bord Pleanála.

6.2 Elected Members Attending

The following Elected Members attending the meeting:

- Lord Mayor Cllr Deirdre Forde
- Cllr Ger Keohane
- Cllr Kenneth Collins
- Cllr Mick Nugent
- Cllr Thomas Moloney
- Cllr Tony Fitzgerald
- Cllr Dan Boyle
- Cllr Ted Tynan
- Cllr Oliver Moran
- Cllr Daniel Maher
- Cllr John Sheehan
- Cllr Terry Shannon

6.3 Summary of the Views of Elected Members

The following is a summary of the points raised. The following main concerns were expressed and reiterated by all speakers:

- Call by Cllr Moran for oral hearing supported by other councillors
- Proximity of development to Murphy’s Rock which is a iconic amenity enjoyed by residents for generations
- Five storeys too tall for location and density too high.
- Environmental issues from previous disposal of potentially toxic waste on site.
- Whether current road infrastructure will cope with demand
- Potential flood risk in Blackpool from development upstream by Glenamoy river

The following concerns were expressed by individual councillors:

Cllr Collins

- Whether consideration could be given to retention of part of old ruined factor building on site which is due to be demolished
- Whether apartment blocks would be better if relocated to south of site as encroaching on Murphy’s Rock
- GAA club will thrive with additional funds.

Cllr Nugent

- Queried the need for five storeys. Over intrusive and will dominate landscape.
- Whether apt blocks in rural location is because intention is that developer sells to AHBs or council for social

- Will add to housing supply and funds of Cork County Board
- Concerned at encroachment on Murphy's Rock amenity. Objective in new development plan that it be protected.
- Whether road infrastructure can cope.

Cllr Tynan

- Impact on "iconic" Murphy's Rock of huge concern in area.
- Overdevelopment. Should be at least 50% less
- Concerns with GAA using their lands to get involved with property development and speculation.
- Concerns with waste that was dumped on Delaney's grounds previously. Whether toxic or containing asbestos
- Supports call for oral hearing
- Impact on flood risk in Blackpool

Cllr Sheehan

- Echoes concerns of others size and scale too large
- Whether current road infrastructure will be overloaded
- Whether development close to Glenamoy river will create flood risk in Blackpool
- Calls for oral hearing

Cllr Moran

- Calls for oral hearing to address environmental impact of previous dumping and other issues.
- Unauthorised dumping on waste on site during demolition of Blackpool flats facilitated by GAA
- Potentially positive development. Welcomed that it was to be assessed under new development plan

Cllr Moloney

- Rationale for five storey apt blocks in country area.
- Concerns about GAA move to property development on their lands. Queried how they got the land initially and whether intention was that it would be used for housing rather than sporting use.
- Murphy's Rock needs to be protected from encroachment by development
- Whether road infrastructure is adequate

Cllr Fitzgerald – Concerns about density and proximity to Murphy's Road

Cllr Keohane – Risk of landslide on site given gradient to river

Cllr Maher

- Supports call for oral hearing
- Development should be scaled down to allow a balance with other developments in area
- Investigation needed into waste that was disposed of in site.

Cllr Boyle – Supports call for oral hearing

7.0 Planning Assessment & Key Considerations

It is requested that the following comments be read in conjunction with Cork City Council's Submission to the Board at the consultation stage (ABP Ref. No. 311924) as the report sets out all of the relevant objectives and policies associated with the lands. This CE Report will instead focus primarily on what are considered the key issues for the assessment of this application.

It will first address the key issues arising as set out in the Executive Summary in Cork City Council's Submission to the Board (ABP Ref. No. 311924) before assessing the application against the newly implemented Cork City Development Plan 2022 and addressing other matters arising from our assessment of the proposed development.

7.1 Cork Northern Distributor Road (CNDR) and Ballyhooley to Kilcully Road

Concern was raised regarding the interaction between the CNDR and the Ballyhooley to Kilcully Road link road in Cork City Council's Submission to the Board. It is considered that the issues were adequately addressed at the Tripartite Meeting held as part of the Consultation process (ABP Ref. No. 311924).

The Infrastructure Development Report, which is attached here in Appendix B, indicates that the preferred route for the CNDR abuts the proposed development site. The report and requests that a condition be placed on any grant of permission requiring consultation on boundary treatments on the north east boundary of the site. This condition has not been included in the list of conditions set out in Appendix C as the CNDR has not been finalised and there is no set timeframe for its delivery.

7.2 Compliance with Zoning Objectives of Cork City Development Plan 2022 (CCDP)

The CCDP is now in effect. The Planning Policy Report, set out here in Appendix B, includes a detailed review of the proposed development against the new plan. In particular it is noted that the residential component and creche are now entirely located on appropriately zoned lands.

The residential part of the proposed development is on lands zoned ZO 01 Sustainable Residential Neighbourhoods which has the following objective:

"To protect and provide for residential uses and amenities, local services and community, institutional, educational and civic uses."

The northern part of the site, where the public park is proposed, is zoned as ZO 15 Public Open Space, which has the following objective:

"To protect, retain and provide for passive and active recreational uses, open space, green networks, natural areas and amenity facilities."

We are therefore satisfied that the proposed development therefore now accords with the zoning objectives of the current Cork City Development Plan 2022.

7.3 Compliance with other Objectives of the CCDP

The Statement of Material Contravention submitted with the subject application highlights three instances where the proposed development does not accord with the CCDP – Density, Dwelling Size Mix, and Car Parking Provision.

Table 11.2 of the CCDP requires a target range of density of between 40 and 60 units per hectare. The proposed development has a stated density of 38.77 units per hectare.

Table 11.8 of the CCDP sets out the City Suburb dwelling size mix. The proposed number of three bedroom units exceeds the maximum 25% set out therein.

Table 11.13 of the CCDP sets out the maximum car parking standards for new development. The proposed development exceeds the maximum allowable parking provision by 48 no. spaces.

The Planning Policy Report, attached here in Appendix B, concludes that the lower density proposed and the excess of three bedroom units are marginal and not considered to be significant. I

Regarding the over provision of car parking on site the Report states:

“The proposed car parking provision would not only conflict with Table 11.13 but would also conflict with:

‘Strategic Objective 03 Transport and Mobility

Integrate land-use and transportation planning to increase active travel (walking and cycling) and public transport usage. Enable the key transport projects in the Cork Metropolitan Area Transport Strategy (CMATS) delivering multi-modal usage and smart mobility, accessible for all.

Contrary to Table 4.1 to increase public transport mode share to 25.7% in the city.

Objective 11.1 Sustainable Residential Development

b. Prioritise walking, cycling and public transport, and minimise the need to use cars;’

In this context the provision of car parking would be considered a material contravention of the development plan and is not acceptable in terms of the sustainable development or proper planning.”

I note that the Traffic Regulation & Safety Report states that the proposed car parking provision is in accordance with the new CCDP. I wish however to confirm that, as per the applicants Statement of Material Contravention, there will be an over provision as set out in the Planning Policy Report.

This over provision will be discussed further, in the context of the sustainable development of the site, in the following section.

7.4 Roads, Traffic and Transportation Related Issues

The Urban Roads & Street Design Report, attached here in Appendix B, raises concerns regards compliance with the Design Manual for Urban Roads & Streets (DMURS). It states:

The applicant has submitted a meaningless, ‘tick-box’ exercise DMURS compliant document but has failed to carry out the actual requirements of the manual or even the spirit of the manual which is to create well designed streets at the heart of sustainable communities and to balance the needs of all users. The Quality Audit is a check to promote best practice design solutions. The development contains multiple design features that promote car as the dominant transport mode, such as;

- *Substantial straight sections of Link and Local Streets*
- *Wide carriageways which encourage higher driver speeds*
- *Weak sense of enclosure and lack of active street edges which contribute to a loss of pedestrian/cyclists sense of security and comfort by not dividing the footpath into 3 areas, footway, verges and strips.*

Therefore the development would require a substantial revision to the layout that is supportive to promoting and prioritising sustainable modes over vehicle trips.

The report concludes that in the absence of a Quality Audit *the development is somewhat premature as there is insufficient information to support a grant of permission.*

The Traffic Regulation & Safety Report, attached here in Appendix B, highlights a number of concerns. It concludes:

In general, in terms of Traffic Regulation & Safety aspects of the development, a number of elements are unclear and need to be clarified. It seems that the development is somewhat premature if the development is to be anything other than car based. Based on the application submitted there is not enough information to support a grant of permission for this development

A number of submissions have raised concern regarding the limitation that the railway bridge, at the start of the Old Whitechurch, will have to the public transport. The Infrastructure Development Report sets out a review of the Bus Connects proposal. There is no plan to provide a bus service on the Old Whitechurch Road.

The closest bus service proposed is on Dublin Hill, access to which is via a privately owned road serving industrially zoned lands to the south east of the site. No improvements are proposed to the most easterly section of this road. Given the low quality of this access it is considered that residents are unlikely to feel safe walking this way to access public transport. If they do then the most frequent bus will be the 21 UCC to Dublin Hill / Ballyvolane Loop, an hourly service.

Collectively the Planning Policy, Urban Roads & Street Design, Traffic Regulation & Safety and Infrastructure Development Reports indicate serious concerns relating to the sustainability of the proposed development. There is an over provision of car parking, internal roads are not designed to encourage active travel. The subject site is on the northern edge of the city and not currently served by public transport.

It is considered that the applicant has not provided enough information to demonstrate that the proposed development will be sustainable.

7.5 Environmental Assessment

The subject application includes a Natura Impact Statement (NIS) and Environmental Impact Assessment Report (EIAR). It is acknowledged that the Board is the competent authority for the determination of NIS and EIA requirements.

Regarding the EIAR it is however considered appropriate to highlight a some key concerns that been raised regarding the impact of the proposed development upon the area. Submissions received have highlighted the historic importance of these lands for local recreation and the high quality of the environment, both on the site and along the Glenamought River.

The timing of surveys undertaken has been queried, particularly the survey for the Marsh Fritillary (An Annex II species). The Heritage Officer's Report, attached here in Appendix B, also highlighted concerns regarding the lack of any detail in the EIAR regarding the fungal habitats on site. The Heritage Officer's Report, attached here in Appendix B, states:

I am particularly concerned about the potentially significant detrimental impact this development will have on the waxcap grassland as outlined in the submission by Dr Isobel Abbott and the impact on Ireland's only protected insect, Marsh Fritillary.

The report recommends that the proposed development be refused.

The Parks and Recreation Report, attached here in Appendix B, highlights concerns regarding the lack of detail in the tree survey provided and boundary treatments. It concludes that, in the *absence of a landscape analysis of the entire site, ecological and biodiversity surveys I believe the proposed*

development is premature and cannot be assessed in full to determine the impact it will have on this sensitive rural environment.

The Drainage Report, attached here in Appendix B, commenting on the Flood Risk Assessment (FRA), highlights an additional inconsistency. It states:

Section 5.2 of the FRA recommends a fence is provided at the boundary of the site to prevent any access to the watercourse.

Firstly, there is no mention of the potential impact of this fence on existing ecology, or movement patterns of existing animals (e.g. otters, badgers, foxes etc.) in the EIAR submitted.

Secondly, blockage of the spacings in the fence would also prevent the river from mobilising the adjacent storage areas in the event of a flood event, hence, increasing downstream flood risk, hence, failing the justification test.

Lastly, no details of this fence can be found on any other architectural, landscape or engineering drawings submitted.

Based on the Heritage Officer's, Parks and Recreation and Drainage Reports it is considered that there are a number of issues that have not been adequately addressed. The application does not provide sufficient information to demonstrate that the proposed development will not have an undue impact upon protected species and sensitive habitats in the vicinity of the subject site.

7.6 Public Open Space

The Parks and Recreation Report, attached hereto in Appendix B, states that:

Overall public open space and amenity lands account for over 45% of the site and this is welcome. However, the more formal active and passive areas within the built area are disjointed and not user friendly. As a minimum the playground and kickabout areas should be merged to create a local park, preferably this park should be located in the area containing apartment blocks E and F which is close to the zoned public open space area thereby connecting the active/play area with the more natural passive area.

The absence of usable public open space as highlighted in the Parks and Recreation Report would normally require the submission of revised plans. It is considered that, when combined with the concerns regarding internal layout and compliance with DMURS as highlighted in the Urban Roads & Street Design Report, a redesign of the proposed development is required.

7.7 Design

The following is an extract from the report of the City Architect:

In urban design terms, the overall layout of the streets, public green spaces enclosed by urban blocks of terraced houses and duplex apartments is to be commended, and likewise the Design Objectives of:

- *Design of the layout to discourage anti-social behaviour, particularly by ensuring that the development overlooks all access parking and public open spaces.*
- *Promoting the concepts of enclosure, the clear separation of public/private realm and permeability as the means to achieve a high-quality residential environment.*

The report does however request changes to the proposed apartment blocks with additional landscaping along with alterations to the roof and windows.

In addition to the comments of the City Architect I note that changes have been made to the proposed house types that appear to overcome some of the concerns highlighted in Cork City Council's Opinion / Submission to the Board at the consultation stage. In particular efforts have been made to increase passive surveillance in homes on corners.

It is however noted that there do not appear to be any plans showing terrace configuration. Further it is unclear whether plans for mirrored dwellings (for instance house type B which appears at both ends of terraces) have been provided. Should the Board be mindful to grant we request that a condition be attached to ensure a complete set of plans is provided, in the interest of clarity.

7.8 Housing

Our Housing Capital section has confirmed that the developer has been in discussion, prior to lodgement, with the board and that their proposal was acceptable in principle to the Housing Directorate. Section 96 of the *Planning and Development Act 2000* (as amended) applies to the proposed development. A condition should be attached to any grant of permission requiring that the applicant enter into agreement for the provision of social housing on site.

7.9 Other Issues Arising

As per the concerns raised by the Elected Members and in third party submissions is considered appropriate to request that the Board, in their assessment of the proposed development, be cognisant of the following matters.

Contamination – that the Board is satisfied that, subject to any additional testing required by condition, due consideration is given to the presence of construction / other waste on the subject site in order to ensure the safety of future residents.

Landslide Potential – that the Board is satisfied that the proposed development will not give rise to landslides.

8.0 Planning Assessment Conclusion

To conclude it is the Chief Executive's opinion that, the proposed development, in its current form and in the absence of the level of detail required for complete assessment, does not accord with the proper planning and sustainable development of the area and should therefore be REFUSED.

Part 2

The Planning Authority's opinion as to whether the proposed Strategic Housing Development would be consistent with the relevant objectives of the development plan or local area plan, as the case may be, and a statement as to whether the planning authority recommends that permission should be granted or refused, and the reasons for the recommendation.

The planning authority find that the proposed strategic housing development, in its current form and in the absence of the level of detail required for complete assessment, does not accord with the proper planning and sustainable development of the area and should therefore be REFUSED for the following reasons.

3. Having regard to the relevant provisions of the *Cork City Development Plan 2022-2028*, including Strategic Objective 03 Transport and Mobility, which promotes integrated land use and transportation planning to increase active travel, it is considered that the development as proposed due to, the lack of usable public open space, non-compliance with key principles set out in the *Design Manual for Urban Roads and Streets* and the over provision of car parking proposed, which is in excess of the maximum set out in Table 11.3 of the Cork City Development Plan, does not accord with the proper planning and sustainable development of the area.
4. The applicant has not demonstrated, to the satisfaction of the Planning Authority, that the proposed development will not impact negatively upon the environment. The documentation submitted with the application has failed to comprehensively assess the impact of the proposed development upon the receiving environment and in particular upon protected and at risk species including the Marsh Fritillary, an Annex II species, and rare fungi. Accordingly the proposed development does not accord with the proper planning and sustainable development of the area.

Martina Foley

A/ Senior Executive Planner
Community, Culture and Placemaking

Fiona Redmond

Senior Planner
Community, Culture and Placemaking

Adrienne Rodgers

Director of Services
Community, Culture and Placemaking

APPENDIX B
Internal Reports in full

Full Internal Reports of Cork City Council, arranged alphabetically.

- Area Engineer
- City Architect
- Drainage
- Environment
- Heritage Officer
- Housing Directorate – Part V
- Infrastructure Development
- Parks and Recreation
- Planning Policy
- Traffic Operations
- Urban Roads and Street Design (Planning)

AREA ENGINEER'S REPORT

Cork County GAA Board are applying for planning permission for a strategic housing development at the Cork GAA Lands off the Old Whitechurch Road in Kilbarry, Cork.

The proposed development will consist of a strategic housing development of 319no. residential dwellings comprising of 85no. semi-detached units (comprising of 17no. 4-bed units and 68no. 3-bed units), 118no. terraced units (comprising of 8no. 4-bed units, 60no. 3-bed units and 50no. 2-bed units), 53no. duplex units (comprising of 26no. 1-bed units, 25no. 2-bed units and 2no. 3-bed units) and 63no. apartments (in 3no. part 4-storey and part 5-storey blocks and comprising 15no. 1-bed units and 48no. 2-bed units). The development also includes the provision of a crèche facility (519sqm) and a riverside amenity park to the north and northeast of the site. The proposed total gross floor area is 33,738.70sqm.

The proposed development will also consist of the demolition of a disused hurley manufacturing factory and associated out buildings, the removal and replacement of the southern and eastern boundary treatments, as well the creation of formalised walking paths to replace the informal walking paths located to the north of the site, a new through road from the proposed site access on the Old Whitechurch Road to Delaney's GAA Grounds and accessing the Upper Dublin Hill Road, with associated new boundary treatments at Delaney's GAA club, all associated ancillary site development and hard and soft landscaping works, to include the provision of private, communal and public open space, waste storage areas, bicycle, motorcycle and car parking, including EV and disabled parking, esb substations, groundworks, foul drainage works, stormwater drainage proposals including directional drilling for the stormwater outfall, water supply proposals, public lighting, and all new boundary treatments.

ROADS & TRANSPORTATION

The site is proposed to be accessed from the L-5093 Local Secondary Road (Old Whitechurch Road). There is currently an existing site entrance which the applicant proposes to utilize. The applicant has detailed sightlines in compliance with DMURS of 59m in both directions setback 3m from the edge of the public road at the centre of the proposed site entrance. The sightlines are adequate for an entrance to a Local Secondary Road within the 50 KPH speed limit zone

The applicant proposes to construct pedestrian site entrances to the L-5093 Old Whitechurch road and the L-2980 Dublin Hill Upper.

The L-5093 Local Secondary Road has traffic calming speed ramps installed North and South of the proposed site entrance.

SURFACE WATER

The proposed surface water disposal outlined by the applicant is to attenuate stormwater run off from the site in accordance with sustainable drainage systems. The attenuated discharge from the storage area will be discharged via an open drain to the Glenamought / Bride River North of the site boundary. The discharge is proposed to be piped to the Glenamought / Bride River.

The proposed drainage system includes a hydrocarbon interceptor before outfalling to the Glenamought / Bride River. The proposed rate of surface water discharge from the development will be limited to Q_{bar} (26.26 l/s (3l/sec/ha)) at pre-development greenfield discharge rate.

The entrance road should be drained by road gullies connected to the surface water drainage system.

Please refer to the Drainage section report for additional detail in relation to the onsite drainage system and proposal.

FLOODING

The applicant has submitted a Site Specific Flood Risk Assessment.

The site is located to the South of the River Bride. The river Bride is a tributary to the River Lee and flows in a south westerly direction from the Northern boundary of the site. The applicant states the northern portion of the site is prone to fluvial flooding but no development will occur in this portion of the site. No records of flooding in this area of the site.

The applicant has stated that the site is located within Flood Zone C which is lands with less than 0.1% chance of flooding in any given year (low flood risk).

According to Floodinfo.ie the OPW Flood data the proposed development is abutting an area of high probability of Fluvial Flooding (Zone A) and had approximately a 1 in 10 chance of occurring or being exceeded in any given year (AEP) of 10% which the applicant has highlighted in the Flood risk assessment report. The applicant has addressed this issue by stating no development will occur in this portion of the site but no onsite flood defence measures are proposed.

The applicant states the proposed development will have a negligible impact on the existing flood regime of the area. It is proposed to implement SuDS measures to limit the discharge from the site to the greenfield discharge rates. The proposal is acceptable.

Conclusion

I have no objection to grant of permission subject to the following condition(s) being attached:



Gavin Kelly
04/08/2022

Conditions/Reasons

No.	Condition	Reason
1	Existing roadside drainage arrangements shall be preserved to the satisfaction of the Planning Authority.	To preserve proper roadside drainage and to prevent the flooding of the public road.
2	Existing inlets or drains taking surface water from the public road into the site shall be preserved and maintained.	To prevent flooding of the public road.
3	Surface water shall not be permitted to flow onto the public road from the site.	To prevent the flooding of the public road.

4	Surface water shall not be permitted to enter the foul sewer.	To prevent overloading of the sewer.
5	All surface water run-off from roofs, entrances and parking areas shall be collected and disposed of to storm drains to the satisfaction of the Planning Authority.	To prevent flooding and in the interests of public health.
6	Sight distances of 59 metres, in both directions, at a point 3 metres back from the edge of the public road shall be provided in the centre of the vehicular entrance to the satisfaction of the Planning Authority prior to the commencement of any other development on site.	In the interests of road safety.
7	Sight viewing distance shall be maintained at the entrance to allow safe access and egress from the property and to also warn oncoming vehicles of your exit. No vegetation or structure shall exceed 1m in height within the sight distance triangle.	In the interest of road safety.
8	No dust, mud or debris from the site shall be carried onto or deposited on the public road / footpath. Public roads and footpaths in the vicinity of the site shall be maintained in a tidy condition by the developer during the construction phase.	To protect the amenities of the area and in the interests of road safety.
9	During construction the wheels of all trucks shall be washed prior to their exit from the site in a wheel wash facility. Details of the construction, installation and operation of this facility shall be agreed in writing with the Planning Authority prior to commencement of any development.	To protect the amenities of the area and in the interests of road safety.
10	During construction the developer shall provide adequate off carriageway parking facilities within the curtilage of the site for all traffic associated with the proposed development, including delivery and service vehicles / trucks. There shall be no parking along the public road or footpath.	In the interest of road safety and to protect the amenities of the area.
11	During the construction phase, fixed water sprayers, mobile tankers and a mechanised road sweeper shall be used to suppress dust on site and at the site entrance to the satisfaction of the Planning Authority.	To protect the amenities of the area and in the interests of road safety.
12	Temporary signage shall be erected on the L-5093 Old Whitechurch Road and L-2980 Dublin Hill to warn road users of Construction accesses and the movement of construction traffic as indicated in the Construction Management Plan.	In the interest of Public Road safety.

13	A flap valve shall be included on the Stormwater sewer at the Outfall Headwall to prevent back flow up the pipe into the proposed surface water disposal system. The applicant shall submit details of the proposed flap valve for approval by the Planning Authority prior to commencement of development.	To prevent the flooding of the public road
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CITY ARCHITECT'S REPORT

Comhairle Cathrach Chorcaí Cork City Council



Roinn Ailtire na Cathrach,
Halla na Cathrach,
Corcaigh.

City Architect's Department,
City Hall,
Cork.

Fón/Telephone: 021-4924335
Líonra/Website: www.corkcity.ie
R-Phost/E-mail: city_architect@corkcity.ie

Ref: TD/DOD

Fiona Redmond,
Senior Planner,
Community, Culture & Placemaking.

Re: SHD proposed residential development lands at Kilbarry, Whitechurch Rd., Cork

Existing Site:

These lands are 14.84 ha in area and compromise of two main areas, the central flat area – 8.68 ha is zoned residential, whereas the northern portion of the site 5.18 ha falls to the Glenamought River Valley and is zoned open public space. A portion of the lands in the southern section adjoining industrial lands with an area of 0.94 ha is zoned industrial.

To the north, these lands are bounded by the Glenamought River and Valley, where the lands slope steeply down to the river. To the east, the lands are bounded by the GAA grounds. Along the southern boundary is a roadway running between the GAA club and the Old Whitechurch Road. Further to south, and to the southeast beyond the GAA grounds, lie IDA employment lands within the Kilbarry Business and Technology Park. Cork City Council Whitechurch development lands are to immediate southwest of the site.

Proposed Development:

In urban design terms, the distribution road forms a southern boundary to the site as well as an entrance to the scheme from the Whitechurch Road and future potential link at the south-eastern end of the site, plus an alternative link road to the central development of the site. The entrance route from the Old Whitechurch Road creates an east-west axis spine through the entire scheme having a north-south route which links southwards with the distributary road and northwards to the apartment blocks which bound the northern amenity area and the Glenamought River.

- Low mono-pitched roofed 3 storey duplex buildings form an entrance threshold between the Old Whitechurch Road and the new housing development, and similarly Duplex Block C and D

form entrance gates to the remainder of the housing development. This location is designated as the “Entrance Character Area” and leads into a tree-lined route culminating on an axis with area termed the “Plaza” flanked by an extensive backdrop of trees.

- This surrounding area is termed the “Avenue Character Area”, where terraced and semi-detached two storey housing units form urban blocks of various sizes and are configured to form and enclosed green public, tree lined streets and home zone areas which are appropriately landscaped.
- Similar in layout to the latter “Avenue Character Area” is the “Eastern Character Area” focused on the “Plaza Area” and surrounding landscaped green area. Again, terraced, and semi-detached two storey housing units form urban blocks of various sizes and are configured to form and enclosed green public, tree lined streets and home zone areas which are appropriately landscaped.
- The “Parkland Character Area” consists of 3No. square shaped, split level 4 to 5 storey apartment blocks that act as sentinels overlooking the amenity area and the Glenamought River and form the edge to the northern amenity area.

Seven house types and variants thereof are deployed to act as corner house types as well as for orientation purposes. There is a hierarchy displayed whereby 3 -storey duplex development is nearer the main distributor road, followed by 2-storey terraced housing and semi-detached houses to rear, with apartment buildings forming a northern edge to the northern amenity area. Apartments are brick clad with duplex corner blocks in brick and houses with a part brick element and rendered.

Appraisal:

In urban design terms, the overall layout of the streets, public green spaces enclosed by urban blocks of terraced houses and duplex apartments is to be commended, and likewise the Design Objectives of:

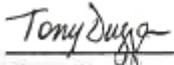
- Design of the layout to discourage anti-social behaviour, particularly by ensuring that the development overlooks all access parking and public open spaces.
- Promoting the concepts of enclosure, the clear separation of public/private realm and permeability as the means to achieve a high-quality residential environment.

Following on from these objectives, the development of corner unit house types as well as embracing the concept of visual enclosure this device assists in creating passive surveillance.

In general the proposed character areas assist in placemaking combined with proposed landscape features. However the 3No. apartments in the “Parkland Character Area”, when views in the context of the ‘before and after’ photomontages proved, are lacking the parkland setting that is presumably intended. It is recommended that the extensive use of tree landscaping is planted to provide a backdrop for these apartments to generate this landscape concept to be successful and provide a strong visual identity for this area as opposed to the semi-suburban nature of the other character areas.

In architectural terms there is a consistent architectural language by the use of part brick and render to provide architectural or urban design emphasis regarding townscape. I consider this emphasis could be more strongly accentuated and provide a more coherent vernacular architectural language if the corner element of the 3 No. apartment blocks had mono pitched roofs and also the fenestration of the apartments were of dark colour which would assist in ‘calming’ the fenestration pattern.

In principle this is a proposal of merit and together with the above recommendations, I have no objections to this scheme.



Tony Duggan,
City Architect.

cc Martina Foley Executive Planner

DRAINAGE REPORT

Cork City Council



Project: 313994: Cork GAA Lands, Old Whitechurch Rd, Kilbarry – Full App

Document: Drainage Section Report & Conditions

Project Code: ABP-313994-22	Doc Ref: Rpt-001	Doc Rev: 0	Date: 18/08/2022
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Original Author:	Simon Lyons	Date:	18 August 2022
Original Reviewer:	Simon Lyons	Date:	18 August 2022

Revisions

Rev	Date	Description	Revision Author	Revision Checker
0	18/08/22	DRAFT	Simon Lyons	Simon Lyons

**ABP-313994-22: Cork GAA Lands, Old Whitechurch Rd, Kilbarry SHD – Full Application
Drainage Section Report & Conditions**

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Appendices

Appendix A: Not Used

Appendix B: Not Used

**ABP-313994-22: Cork GAA Lands, Old Whitechurch Rd, Kilbarry SHD – Full Application
Drainage Section Report & Conditions**

1. Stormwater and SuDS

1.1. Qbar and Attenuation

- a. I note the Applicant's proposal to limit storm water discharges to Qbar of 26.26l/s, which has been calculated based on the developable area of the site (i.e. 8.07ha, and not the overall site area of 14.8ha)...this is welcome, as the 6.7ha of undevelopable site area will continue to experience its original greenfield response to rainfall events.
- b. I note the proposal to provide ~295m³ of interception storage, through a combination green roof, permeable paving, bioretention areas and the lower level of the attenuation tank.
- c. I am satisfied with the attenuation volumes proposed, as well as the proposal to use the StormTech attenuation system.

1.2. Storm Drainage Network

- a. The 136m directionally drilled section of 225mm storm sewer beneath the protected butterfly area shall be reduced to the minimum distance possible. The Applicant shall also advise if there is a preferred time of year wherein these works could take place, which would enable this distance to be reduced to the preferred distance of 80m.

A condition to be added.

- b. I have no objection to the Applicant's proposal to discharge storm water to an open drain, prior to outfalling to the River Glenamought through a headwall. The requirements of the TII document entitled: Design of Outfall and Culvert Details (DN-DNG-03071, March 2015) shall be considered and incorporated into any headwall design.

A condition to be added.

- c. The Applicant is requested to minimise the depth of storm manholes wherever feasible to do so.
- d. The Applicant shall submit a site layout drawing clearly demonstrating how access for maintenance will be maintained throughout the lifetime of the project, for access and servicing of the manholes and outfall in the north of the site.

A condition to be added.

1.3. SuDS Design

- a. I am satisfied with the Applicant's "simple index approach" to assessing the effectiveness of various SuDS features on water quality from the various different areas of the site.
- b. The Applicant shall ensure that all stormwater, SuDS and landscaping designs are coordinated, and finalised with regard to recent Department of Housing, Local Government and Heritage Interim Guidance document: "Nature-based Solutions to the Management of Rainwater and Surface Water Runoff in Urban Areas".

A condition to be added, requiring submission of a finalised, coordinated site layout drawing.

**ABP-313994-22: Cork GAA Lands, Old Whitechurch Rd, Kilbarry SHD – Full Application
Drainage Section Report & Conditions**

1.4. Existing Glennamought Watercourse

- a. Where the Applicant's proposes to undertake works adjacent to the River Glennamought, along the northern boundary of the site, they shall be cognisant of the requirements of the Inland Fisheries Ireland document entitled: "Planning for Watercourses in the Urban Environment".

A condition to be added.

**ABP-313994-22: Cork GAA Lands, Old Whitechurch Rd, Kilbarry SHD – Full Application
Drainage Section Report & Conditions**

2. Flooding

2.1. Flood Zoning

- a. Noted that the majority of the site is within Flood Zone 'C'.
- b. Noted that the sections of the northern boundary that bound the River Glenamought (and hence, exist in Flood Zone 'A') are to remain untouched (i.e.: "no development will occur in this portion of the development site").

As such, no loss of flood plain is envisaged.

As such, there is no risk of flooding to the proposed properties being developed.

2.2. Unresolved Flood Risk Management Item

- a. Section 5.2 of the FRA recommends a fence is provided at the boundary of the site to prevent any access to the watercourse.

Firstly, there is no mention of the potential impact of this fence on existing ecology, or movement patterns of existing animals (e.g. otters, badgers, foxes etc) in the EIAR submitted.

Secondly, blockage of the spacings in this fence would also prevent the river from mobilising the adjacent storage areas in the event of a flood event, hence, increasing downstream flood risk, hence, failing the justification test.

Lastly, no details of this fence can be found on any other architectural, landscape or engineering drawings submitted.

A condition to be added, directing that any proposed fence at this location is removed.

**ABP-313994-22: Cork GAA Lands, Old Whitechurch Rd, Kilbarry SHD – Full Application
Drainage Section Report & Conditions**

3. Wastewater

3.1. Irish Water Confirmation of Feasibility / Statement of Design Acceptance

- a. The Applicant is liaising with Irish Water and has received a confirmation of feasibility, dated 11 March 2020, a further confirmation of feasibility with some provisos was issued on 08 December 2021, and a Statement of Design Acceptance was issued on 27 June 2022.

3.2. Existing Wastewater Network Capacity Issues

- a. It is noted that existing Irish Water infrastructure only has capacity for the first 100 houses of the development, and that upgrades are required to 150m of sewer on the Whitechurch Road to facilitate the remaining 209 units.
- b. This, and all other technical aspects of the design shall be overseen by Irish Water, as part of their New Connection Process.

**ABP-313994-22: Cork GAA Lands, Old Whitechurch Rd, Kilbarry SHD – Full Application
Drainage Section Report & Conditions**

4. Construction & Environmental Management

4.1. Existing Development Site Ground Conditions

- a. Based on the recommendations of the Verde Environmental “*Review of Available Ground Investigation Data*” report, the Applicant shall prepare an appropriate Soil and Material Management Plan (SMMP) for all material to be removed offsite, or reused within the development, to ensure any contaminated material is identified and management in the appropriate manner.

As advised in this report, a competent person should be retained to manage and supervise soil excavation and removal from the site, to ensure correct procedures are followed and that waste soils are appropriately logged and tracked using appropriate docketing system.

- b. Notwithstanding these measures, several third-party observations on the SHD planning file make reference to historic illegal dumping of waste construction material at this site...in the order of 350,000 tonnes, in the 1980's and 90's, which was instructed to be remediated by the EU, in 2004; however, no remediation appears to have been carried out.

For such a large volume of fill material, the 5no. samples assessed in the Verde report seems somewhat inadequate.

A condition to be added, requiring the Applicant to:

- a) Agree with the Planning Authority and carry out a full pre-commencement suite of additional sampling and testing throughout the development site, and
- b) Ensure the recommendations of Section 5.2 of the Verde report are implemented in full, throughout the project.

**ABP-313994-22: Cork GAA Lands, Old Whitechurch Rd, Kilbarry SHD – Full Application
Drainage Section Report & Conditions**

5. Environmental Impact Assessment Report (EIAR)

5.1. Review of EIAR

- a. I have reviewed the EIAR specifically Sections 1, 2, 3, 4, 5, 10, 13, 14, 16 and 20, as well as Appendices 13.1, 13.2 & 13.3, and 16.1 – 16.5.
- b. I am satisfied with the contents of the EIAR and have no observations to make, other than those already made elsewhere, in the various individual sections of this report.

**ABP-313994-22: Cork GAA Lands, Old Whitechurch Rd, Kilbarry SHD – Full Application
Drainage Section Report & Conditions**

6. Conclusion and Conditions

6.1. Conclusion

In general, I am satisfied with the proposed drainage, SuDS and flooding information submitted.

6.2. Conditions

I have no objection grant of planning, subject to the following conditions:

Cond	Description	Reason
1	Drainage layouts and details shall be in accordance with drainage layouts, drawings, details and calculations submitted as part of Planning Submission, subject to drainage conditions.	In the interests of public health
2	The Applicant shall submit a finalised SuDS strategy, that addresses the following points: <ul style="list-style-type: none"> • Has regard to the recent Dept of Housing, Local Government and Heritage, interim guidance entitled: <i>"Nature-based Solutions to the Management of Rainwater and Surface Water Runoff in Urban Areas"</i>. • Coordinates the proposed SuDS measures into the landscape strategy. A combined layout plan, coordinating the landscape master plan, stormwater and the proposed SuDS measures shall be submitted to the Planning Authority for approval.	In the interests of public health
3	In general, as well as the control and mitigations measures outlined in the EIAR, its appendices, and the 1 Construction & Environmental Management Plan, all works shall be managed in accordance with the following CIRIA documents: <ul style="list-style-type: none"> • C532 – Control of Water Pollution from Construction Sites; Guidance for Consultants and Contractors • C648 – Control of water pollution from linear construction projects – Technical guidance • C750 – Groundwater control: design and practice (2nd edition)". 	In the interests of public health
4	With reference to the historic dumping of waste construction material on the site, prior to commencement, the Applicant shall agree an extensive suite of sampling and testing throughout the site with the Planning Authority, to ensure any pockets of contaminated material are identified and managed appropriately, before construction activities begin	In the interests of public health

**ABP-313994-22: Cork GAA Lands, Old Whitechurch Rd, Kilbarry SHD – Full Application
Drainage Section Report & Conditions**

Cond	Description	Reason
5	Where it is proposed to reuse excavated material onsite, or dispose of it offsite, the Applicant is reminded of EPA requirements that no asbestos shall be present in soil used as backfill. Therefore, the Applicant shall dispose of any soil containing asbestos offsite, at an appropriately licensed facility.	In the interests of public health
6	With reference to Verde Environmental "Review of Available Ground Investigation Data" report, contained as Appendix 13.1 to the EIAR, the recommendations in Section 5.2 of the report are to be implemented in full.	In the interests of public health
7	The Applicant shall take account of any site-specific requirements of Inland Fisheries Ireland to protect the adjacent salmonid Glennamought River, during the construction phase.	In the interests of public health
8	Where the Applicant proposes to undertake any temporary or permanent works adjacent to the River Glenamought, along the northern boundary of the site, they shall be cognisant of the requirements of the Inland Fisheries Ireland document entitled: "Planning for Watercourses in the Urban Environment"	In the interests of public health
9	Heavily sedimented stormwater run-off arising during the construction works shall not be discharged to the surface water drainage system, except for actual storm water run-off from hardstanding areas that cannot be otherwise managed on site. Any run-off proposed to discharge to either the public sewer or the adjacent watercourse shall undergo extensive coagulation (if required), settlement and desedimentation, in line with Inland Fisheries Ireland requirements, prior to discharge. These measures shall be agreed in detail with the Planning Authority, prior to commencement, and shall be subject to ongoing monitoring	In the interests of public health
10	The 136m directionally drilled section of 225mm storm sewer beneath the protected butterfly area could prove problematic to maintain and should be reduced to the minimum distance possible. The Applicant shall investigate if there is a preferred time of year wherein these works could take place, and hence seek to reduce the length of this section to the preferred distance of 80m.	In the interests of public health
11	Details of the stormwater outfall and headwall shall be agreed with the Planning Authority, prior to commencement. In general, all outfalls shall meet the requirements of the TII document entitled: <i>Design of Outfall and Culvert Details (DN-DNG-03071, March 2015)</i> , as well as avoiding any negative impacts on existing ecology.	In the interests of public health

**ABP-313994-22: Cork GAA Lands, Old Whitechurch Rd, Kilbarry SHD – Full Application
Drainage Section Report & Conditions**

Cond	Description	Reason
12	Prior to commencement, the Applicant shall submit a site layout drawing clearly demonstrating how access for maintenance will be maintained throughout the lifetime of the project, for access and servicing of stormwater manholes and outfall in the north of the site.	In the interests of public health
13	Prior to commencement, the Applicant shall assess the risk of pluvial flooding to all properties within the development whose flood levels are below the adjacent road levels. The assessment shall address the following scenarios: a) surcharging of storm sewers during an exceedance rainfall event, or b) blockages to gullies. Either of which could lead to overland flows. This assessment, and a revised site layout plan, if necessary, shall be submitted to the Planning Authority for approval.	In the interests of public health
14	Section 5.2 of the Flood Risk Assessment recommends a fence is provided at the northern boundary of the site to prevent access to the adjacent Glennamought watercourse. However, there is no mention of potential impacts of this fence on existing ecology using the river (e.g. otters, etc) in the EIAR submitted. Furthermore, blockage of this fence could prevent flood waters from mobilising the adjacent storage areas. Lastly, no details of this fence appear on any other design drawings submitted. Prior to commencement, the Applicant shall address this issue with the Planning Authority, ensuring that any proposed fence at this location is removed from the design proposals, and a suitable alternative put in place.	In the interests of public health



Simon Lyons
Senior Executive Engineer | Drainage
Cork City Council

18 August 2022

ENVIRONMENT REPORT

SHD Kilbarry

Environment Report By Patrick Murphy

Comments:

Based on the reports provided by Verde and Priority Geotechnical noted in the EIAR appendices, it is suggested that there may potentially be minor amounts of hazardous material still present on the site. As a result, additional testing is recommended as per the recommendations section of Verde's report in the EIAR appendices, an additional condition, (e), has been added under the Construction Waste section as a result.

Construction impacts

- (a) Tree felling and clearing of vegetation shall take place outside of the bird nesting season.
- (b) The developer shall ensure that any excavated material stockpiled on site during construction shall be held in a manner such as to ensure that no silt or run-off from these stockpiles enters any watercourse.
- (c) The Developer shall ensure that surface water from the development is free from herbicides, pesticides, fertilisers and other substances which could have a harmful effect on the environment. in the interest of preservation of wildlife

Construction Waste

- (a) Construction waste such as wood, metal, and concrete, shall be segregated and submitted for recycling. Waste Gypsum shall be segregated and delivered to an appropriate facility. Hazardous construction waste such as paint, lubricants, oil, lighting, wood preservative shall be segregated and disposed of at an authorised facility.
- (b) All asbestos arising from the demolition section of this development shall be disposed of in accordance with the procedures of Health and Safety Authority "Guidelines on Working with Materials Containing Asbestos Cement".
- (c) The developer shall ensure that any waste moved off site during site clearance operations or construction works is removed by authorised waste contractors only. The material shall be taken only to sites authorised by a local authority or the Environmental Protection Agency.
- (d) The information provided in the Construction Management Plan and Waste Management Plan is sufficient at present. Prior to the commencement of the development, an updated Construction Management Plan and Waste Management Plan needs to be resubmitted to the Local Authority for agreement when the main contractor has been appointed or when changes have occurred to the previously submitted plans.
- (e) As noted in the EIAR appendices provided with this application, soil analysis indicates that the soil is largely uncontaminated based on sampling with some minor potential of hazardous material being present still. Considering the historic use of the site and concerns raised in relation to it, it is requested that additional testing and analysis should be undertaken prior to, and over the course of the development works, that any excavated material on the site is appropriately identified, classified and recorded by qualified personnel and that a Soil and Material Management Plan is provided prior to the development and updated accordingly where necessary. in the interest of orderly management and disposal of waste.

Noise

- (a) During the construction and demolition phases, the proposed development shall comply with British Standard 5228 "Noise Control on Construction and open sites Part 1. Code of practice for basic information and procedures for noise control." In order to ensure a satisfactory standard of development, in the interests of residential amenity.

Waste Management

(a) Prior to commencement of the development the Developer shall submit to the planning authority for agreement, full details of the waste management proposed for the development. Details shall include proposals on waste reduction, reuse, and segregation, recycling, and vented storage as well as who will manage the waste, dispose of it and present it for collection. The developer shall clearly identify vented bin storage area of appropriate capacity, clearly identifying on the drawing designated location for same with dimensions clearly visible.

The developer should refer to the British standards BS 5906: 2005 in relation to waste management in buildings to ascertain capacity required for development.

in the interest of orderly management and disposal of waste

Environment – Noise

(a) Noise during site clearance and construction shall not exceed 65 dB (A), Leq 30minutes and the peak noise shall not exceed 75 dB (A), when measured at any point off site.

(b) Working hours during site clearance and construction shall be restricted to 0800-1800 hours on Mondays to Fridays and to 0800-1600 hours on Saturdays. Activities outside these hours shall require the prior approval of the Planning Authority.

In the interests of residential amenity.

Environment – General

(a) The Developer shall ensure that no appreciable negative environmental impacts occur because of the construction works associated with this development. The developer shall give particular attention to dust, noise, odour, litter, dirt on public roads, surface water runoff and spillage of fuel oils. Operations liable to produce dust shall be screened and dust suppression devices used where appropriate. Fuel oils and other chemicals shall be adequately banded, with bands having volumes of at least 110% of the volumes of fuel stored.

Operational

(b) Noise from the premises shall not exceed the background levels by more than 5dB (A) during the period 0800-2200 and by more than 3 dB (A) at any other time when measured at any external position at a noise sensitive premises. The noise level shall be measured as Leq, 15 minutes.

In the interest of residential amenity.

Resource and Waste Management

Prior to the commencement of development, the developer shall prepare a Construction and Demolition Resource Waste Management Plan (RWMP) as set out in the Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for C&D Projects (2021) including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness; these details shall be placed on the file and retained as part of the public record. The RWMP must be submitted to the planning authority for written agreement prior to the commencement of development. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

In the interest of proper planning and sustainable development.

HERITAGE OFFICER'S REPORT

Martina

Due to pressure of time I have not had a chance to write a formal report and have reviewed only some of the reports and submissions that I felt relevant, in my capacity as Heritage Officer

I have taken into consideration Cork City Council's commitments to biodiversity, climate change and green and blue infrastructure, along with the significance of the site from a natural heritage, on a national and EU level, and cultural heritage, at a local level. I am particularly concerned about the potentially significant detrimental impact this development will have on the waxcap grassland as outlined in the submission by Dr Isobel Abbott and the impact on Ireland's only protected insect, Marsh Fritillary. Therefore in my capacity of Heritage Officer I recommend refusal of this proposal.

If it is to be granted I recommend that the following be included as conditions

- Include all mitigation measures as outlined in the EIAR Chapter 10
- Include all conditions from IFI
- Carry out further ongoing surveys for Marsh Fritillary (Annex II species EU Habitats Directive) – ecologist to be appointed to monitor and report at beginning and end of project
- Review and update EIAR to include a survey of the fungal assemblage and waxcap grasslands and methods to protect and conserve this rare and threatened fungi assemblage
- Only remove trees that are absolutely necessary to the development of the project and plant a mixture of young and mature native trees to reduce impact on biodiversity
- Ensure appropriate lighting so no significant impact on bats – details to be submitted before commencement
- Ensure no negative impact on otters in particular due to run off or discharge to local stream – ecologist to be appointed to monitor and report at beginning and end of project
- No works to be carried out during bird nesting season
- Appropriate plan to be put in place for management of alien invasive species

Is mise le meas

[Niamh Twomey]
Heritage Officer | Planning Policy

HOUSING DIRECTORATE - PART V REPORT**Strategic Housing Development (SHD)****Applicant**

Cork County GAA Board

Location

Cork GAA Lands, Old Whitechurch Road, Kilbarry, Cork.

Development Description

Proposed strategic housing development of 319no. residential dwellings comprising of 85no. semi-detached units (comprising of 17no. 4-bed units and 68no. 3-bed units), 118no. terraced units (comprising of 8no. 4-bed units, 60no. 3-bed units and 50no. 2-bed units), 53no. duplex units (comprising of 26no. 1-bed units, 25no. 2-bed units and 2no. 3-bed units) and 63no. apartments (in 3no. part 4 storey and part 5-storey blocks and comprising 15no. 1-bed units and 48no. 2-bed units). The development also includes the provision of a crèche facility (519sqm) and a riverside amenity park to the north and northeast of the site. The proposed total gross floor area is 33,738.70sqm.

Assessment

The applicant's proposal to satisfy the Part V obligation associated with the above development is noted and has broadly been agreed in principle in advance with the applicant.

The transfer of 64 no. housing units (c.20% of the total development) is proposed to satisfy Part V, with the units proposed summarised as follows: One Bed Apartment x 10, Two Bed Apartment x 32, Two Bed House x 10, Three Bed House x 12.

The type and mix of the units proposed are deemed to be satisfactory and will go some way to address the demand for 1 and 2 bed housing units in particular in this area. The location of the apartment units within the development (Block E and Block G) will aid efficiencies in terms of management and maintenance given the large number of units to be transferred. The remaining houses proposed to be transferred are dispersed in small groupings throughout the development. It is acknowledged that the stated costs submitted with the application are estimated, as actual costs cannot be quantified at this stage.

Conclusion

The Part V proposal as set out is deemed acceptable in principle to the Housing Directorate and is capable of complying with the requirements of Part V of the Planning and Development Act, 2000 (as amended) and of Cork City Council's Development Plan and Housing Strategy.

It should be noted that acceptance in principle of the Part V proposal in no way contractually binds Cork City Council or its agents to acquire the stated dwellings, or such other dwellings, or to acquire them at the stated prices, which are acknowledged as being indicative only and subject to full review and evaluation should planning permission be granted. Compliance with Part V is contingent on the negotiation of a final agreement and is subject to agreement being reached on land values, construction/development costs, NMV calculation and internal finishes.

Should permission be granted the following condition should be attached:

The Applicant, or any other person with an interest in the land to which this application relates, shall prior to the lodgement of a commencement notice within the meaning of Part II of the Building Control Regulations 1997, enter into an agreement with the planning authority under Section 96 of the Planning and Development Act, 2000 as amended in respect of the matters referred to paragraphs (a) or (b) of Sub-section (3) of Section 96.

Reason: To comply with the provisions of Section 96 of the Planning and Development Act, 2000 as amended.



Kieran O'Keeffe
Senior Staff Officer
Housing Directorate
Dated: 02/08/2022

INFRASTRUCTURE DEVELOPMENT REPORT

Re: Kilbarry SHD - Infrastructure Development Report

Development Description:

Permission is sought for a strategic housing development of 319no. residential dwellings comprising of 85no. semi-detached units (comprising of 17no. 4-bed units and 68no. 3-bed units), 118no. terraced units (comprising of 8no. 4-bed units, 60no. 3-bed units and 50no. 2-bed units), 53no. duplex units (comprising of 26no. 1-bed units, 25no. 2-bed units and 2no. 3-bed units) and 63no. apartments (in 3no. part 4-storey and part 5-storey blocks and comprising 15no. 1-bed units and 48no. 2-bed units). The development also includes the provision of a crèche facility (519sqm) and a riverside amenity park to the north and northeast of the site. The proposed total gross floor area is 33,738.70sqm.

Infrastructure Development Report:

The documents submitted in support of the above development have been reviewed by the Infrastructure Development Directorate with respect to planned future infrastructure. General issues relating to traffic, access, DMURS compliance, general streetscape etc., are not addressed in this report and shall be reviewed and commented upon by other Directorates.

With respect to travel and transport, the Cork Metropolitan Area Transport Strategy (CMATS) 2040 has been developed by the National Transport Authority (NTA) in collaboration with Transport Infrastructure Ireland (TII) Cork City Council and Cork County Council. CMATS proposes a coordinated land use and transport strategy to cover the period up to 2040 based principally on upgrading and prioritising public transport, walking and cycling in urban areas across the Cork Metropolitan.

The following projects are relevant to this application.

Cork Northern Distributer Multi-modal Route

Cork City Council, in association with the NTA, are in the process of developing, and appraising options for Cork Northern Distributer Multi-modal Route (CNDMR). CNDMR forms part of the Cork Metropolitan Area Transport Strategy (CMATS) and is identified in CMATS as a critical enabler for access to planned development lands in the northside of the city. The preferred route option, which is currently under consideration, abuts the North-East corner of the proposed development site.

An assessment of the documents submitted would indicate that the proposed SHD development while very close to the preferred route for CNDMR, would not prejudice the future delivery of the CNDMR based on the emerging preferred route selected.

Bus Connects

Bus Connects Cork(<https://busconnects.ie/busconnects-cork/>) is a live project and a redesigned bus network was published in June 2022. It is anticipated that the roll out of the changes to bus routing, increased frequencies etc., will begin in 2023.

The nearest routes on the new network serving the proposed development are:

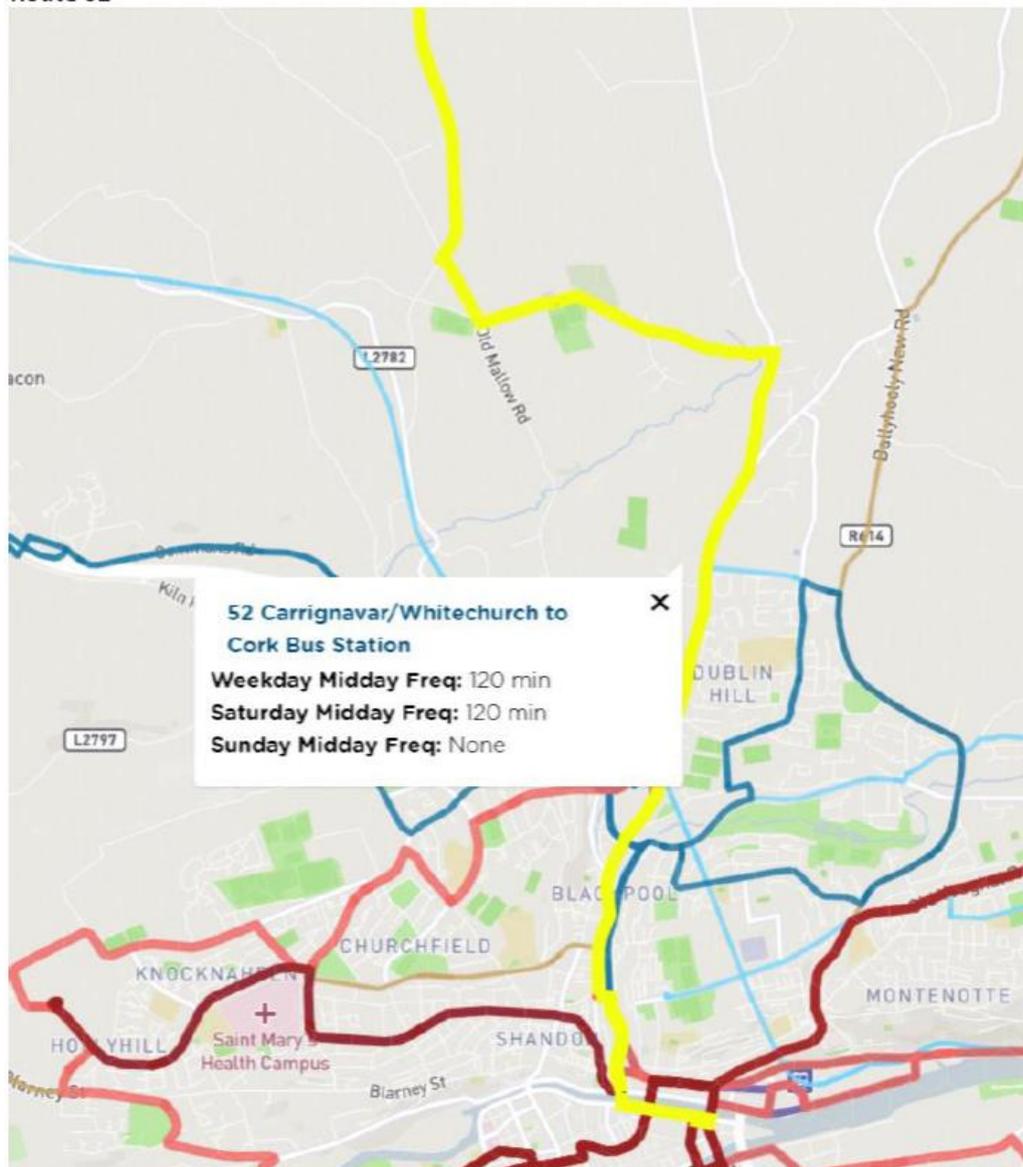
- Route 52 – Carrignavar/Whitechurch to Cork Bus Station – frequency 120 mins
- Route 21 – UCC to Dublin Hill/Ballyvolane (2-way loop) – frequency 60 mins

Screenshots of the relevant bus routes from the Cork Bus Network map are copied in below.

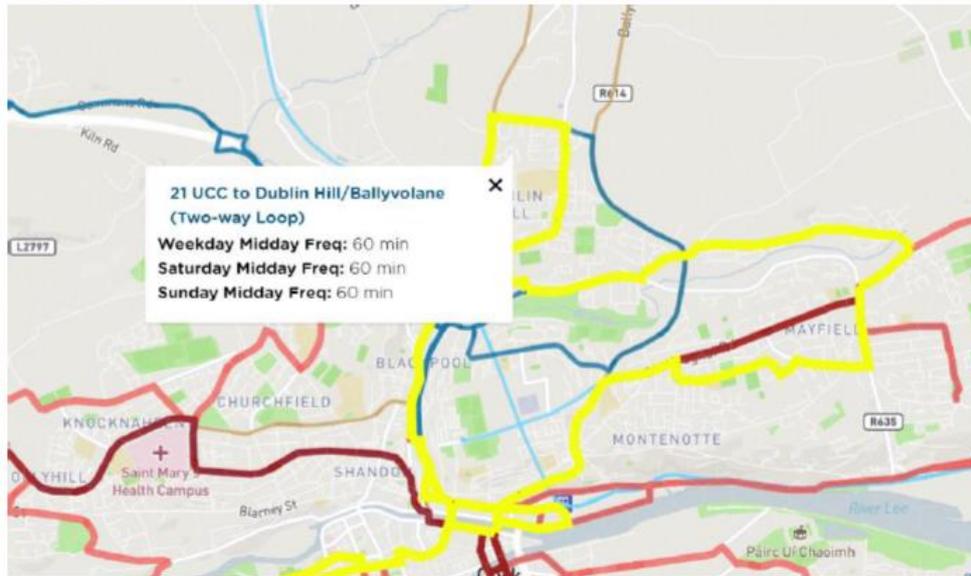
It is noted that the above bus routes are both low frequency routes at this time.

However, frequency and demand for services is reviewed by the NTA on an ongoing basis and increased frequency can be provided as demand increases.

Route 52



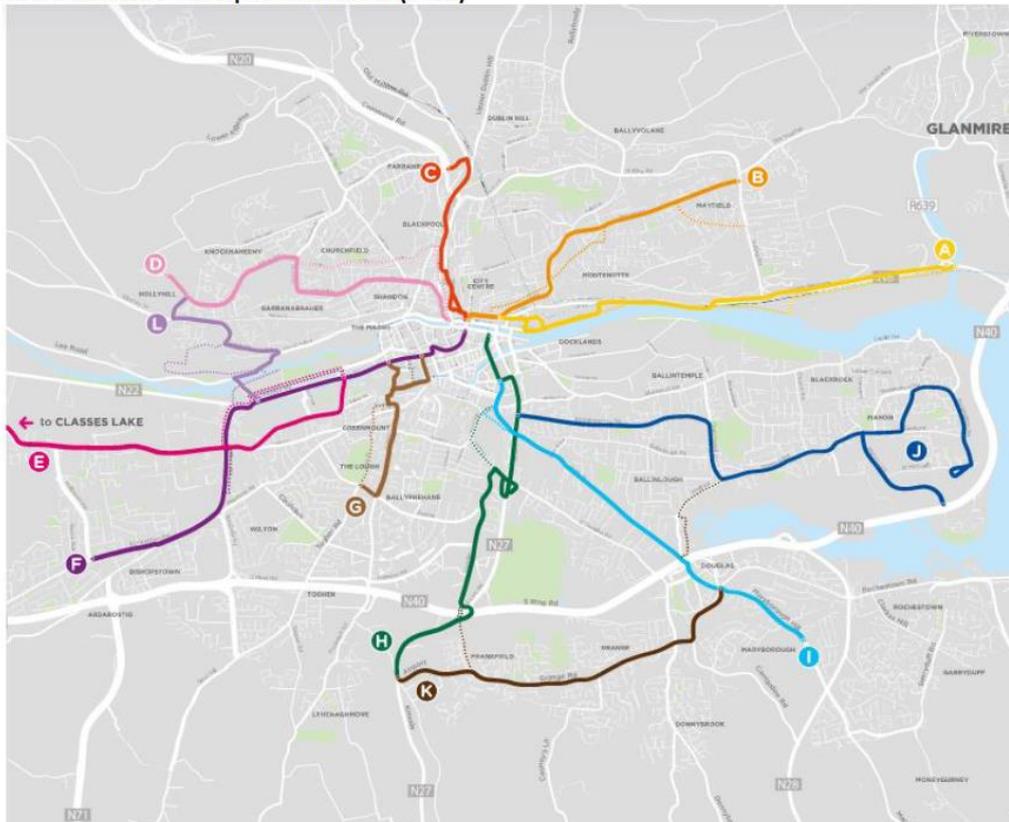
Route 21



The new bus network will be further supported by twelve (12) Strategic Transport Corridors (STC's) which will provide infrastructure for improved bus priority as well as walking and cycling facilities. The public consultation for the twelve STCs was launched on 30th June 2022.

There are currently no STCs proposed that would support the proposed development. A screenshot showing the 12 proposed STCs is copied in below.

12 Sustainable Transport Corridors (STCs)



Recommendation

The Infrastructure Development Directorate has no objection to the grant of permission for the above proposed development subject to the following conditions;

Prior to commencement of development the applicant shall liaise with Cork City Council's Infrastructure Development Directorate to ensure any changes to treatment of the North- East boundary of the site required to accommodate the proposed Cork Northern Distributer Multi-Modal Route.

Sincerely



Gillian O'Sullivan

Senior Executive Engineer

Infrastructure Development Directorate

PARKS AND RECREATION REPORT

**Ms Martina Foley,
Executive Planner,
Planning Development Management.**

24th August 2022

Re: Kilbarry SHD

Martina,

I refer to the above SHD application and advise the following.

The site is zoned ZO-01 Sustainable Residential Neighbourhood and ZO-15 Public Open Space in the 2022 – 2028 Cork City Development Plan.

The proposed built area is situated on the lands zoned ZO-01, however, duplex Block B and apartment Blocks E,F and G are immediately adjacent to the sensitive public open space area to the north and their location may have a damaging impact on this sensitive area.

The area zoned public open space ZO-15 is being retained and there are schematic proposals for access and landscape management.

A tree survey and an arboriculture impact assessment has been carried out and advises that all trees and understorey planting within the ZO-01 area must be removed to facilitate the proposed development. The tree survey does not address the ecological or biodiversity value of the vegetation and this is a major omission. Given the rural location of the site and the sensitive northern portion, an ecological and biodiversity survey is considered essential to ensure any proposed development for this site is carried out in a manner that retains as far as is practicable the landscape characteristics of the entire site.

Overall public open space and amenity lands account for over 45% of the site and this is welcome. However, the more formal active and passive areas within the built area are disjointed and not user friendly. As a minimum the playground and kickabout areas should be merged to create a local park, preferably this park should be located in the area containing apartment blocks E and F which is close to the zoned public open space area thereby connecting the active/play area with the more natural passive area.

There are no landscape proposals for the south and east boundaries to address the interaction with adjoining properties to ensure there is appropriate screening of the commercial properties, sports grounds etc.

In the absence of a landscape analysis of the entire site, ecological and biodiversity surveys I believe the proposed development is premature and cannot be assessed in full to determine the impact it will have on this sensitive rural environment.

**Liam Casey
Senior Parks and Landscape Officer**

PLANNING POLICY REPORT

Kilbarry SHD

The subject site is located in Kilbarry, off the Old Whitechurch Road adjoining Delany GAA training grounds. The site benefits from two site entrances, one from Old Whitechurch Road and a secondary entrance from Upper Dublin Hill via private road. The site being generally level, comprising open green fields and disused hurley factory buildings in the southwest corner. The northern boundary of the site is defined by the Glenamought River, at this location the site is wooded and slopes steeply down to the riverbank.

Forming part of the northern environs the subject site and its immediate surrounds are identified as an important consolidation and expansion area to balance development on the northside. These lands in particular benefit from access and proximity to various employment and serve locations; located to the south is the city north business park and the west link business park, c.1.1km is Blackpool Shopping Centre which functions as a district centre for the wider catchment area, and existing residential estates along Upper Dublin Hill and planned new residential development further east in Ballyvolane.

Policy Assessment

National Planning Framework

The proposed development is generally in accordance with the National Planning Objectives to achieve compact growth and sustainable development, specifically:

NPO 4

NPO 6

NPO 11

Which seek to encourage attractive and well designed places, encourage more people in line with targeted growth and would contribute to the overall regeneration of the area.

It would also comply with:

NPO 33

NPO 35

To support increased residential density at appropriate locations and at a scale suitable to the area.

RSES

The Southern Regions Regional Spatial and Economic Strategy (RESES) sets out a range of key regional targets that all proposed developments must comply with. Blackpool/Kilbarry is identified in the Strategy having major regeneration opportunity, the approach to which should be influenced by sustainable transport like the planned Kilbarry railway station. This is set out in Cork MASP 8.

CMATS

The CMATS sets out the overarching transport objectives and policies for Cork Metropolitan area, in this context the subject site is strategically located with access to the planned Kilbarry railway station, CMATS states:

*The over-arching objective of the enhanced suburban rail services is to maximise development opportunities offered by the existing railway line in order to support a greater level of coordination between land use and transport planning. **The consolidation of development***

within an easily walkable and cycleable catchment area of existing and proposed stations is critical to the success (or otherwise) of this Strategy.

It is considered that the proposed development given its close proximity to the proposed Kilbarry/Blackpool train station/transport hub is compatible with the main aims as set out in the CMATS.

Additionally, the subject site will also be served by a “strategic transport corridor” at Upper Dublin Hill and notably the planned Northern Distributor Road as currently planned will be located to the north of this site. As such the site will be appropriately served by sustainable transport options and will support the delivery of such services by building capacity.

Adopted Cork City Development Plan 2022-2028

The new Cork City Development Plan 2022-2028 came into effect on the 8th of August 2022, replacing the Cork County Development Plan 2014 policies which previously governed these lands.

In this respect the site boundary includes a mixture of zoning, the majority of the site being zoned ZO 01 Sustainable Residential Neighbourhoods having the following objective:

“To protect and provide for residential uses and amenities, local services and community, institutional, educational and civic uses.”

The proposed residential development is limited to this part of the site only, subject to finalisation of the Development Plan from the draft plan, as such the proposed use is compliant with the ZO 01 zoning objective.

This zoning objective also permits a number of ancillary uses which contribute to sustainable residential development, in this context the proposed creche is considered an appropriate ancillary use permissible under this zoning objective.

The northwestern part of the site is zoned as ZO 15 Public Open Space, having the following objective:

“To protect, retain and provide for passive and active recreational uses, open space, green networks, natural areas and amenity facilities.”

Paragraph ZO 15.1 states that *“The primary purpose of this zone is to preserve all land in this zone for open space and amenity use”* and paragraph ZO 15.2 which states *“There is a presumption against developing land zoned Public Open Space for alternative purposes.”*

No development is proposed within the lands zoned for Public Open Space, save for limited landscaping and foot/cycle paths. In this context the treatment of the public open space lands is considered appropriate and does not conflict with the zoning objective.

Subject to the finalisation of the Development Plan the northern portions of the 3 no. apartment buildings no longer encroach the public open space lands, as such it is considered that there is no conflict between the proposed uses and the zoning of the site. The principle of the proposed development is therefore acceptable.

Nature of the proposed development

The following policy objectives are worth noting in relation to new development in Blackpool/ Kilbarry generally, emphasis added.

Objective 10.78
Blackpool / Kilbarry Expansion Area

Objective 10.81
Blackpool / Kilbarry Development Objectives

The proposed development is generally consistent with the above objectives to support consolidated growth in areas identified city expansion area and supported by sustainable transport options.

As proposed the scheme has an over provision of 48 no. car parking spaces, greater than the maximum allowable in Table 11.13. Having regard to the strategic vision to promote public transport it is the view that the proposed overprovision of car parking is inappropriate at this location and would negatively impact integrated land use and transport planning and generally the objectives to support uptake of sustainable transport in the area.

It should also be noted, in Table 2.6 Summary of Key Objectives states priority for public transport should form part of new developments in city suburbs; *“Prioritise walking, cycling and public transport access. Deliver uses, layouts and densities that enhance existing local character. Deliver high quality sustainable transport orientated development in combination with high frequency bus routes, the new commuter station at Blackpool (Kilbarry) and prioritised cycling and walking routes set out in CMATS.”*

Over providing for car parking would not promote use of sustainable transport, contrary to the above.

Notably, the northern part of the site is zoned for use as public open space where the Glenamought River creates a natural boundary. The Glenamought River Park Project is listed in Table 6.4 as one of several city wide green and blue infrastructure project:

18. Glenamought River Valley Park Project

To establish the Glenamought River Valley Park as a key green and blue infrastructure asset by safeguarding and enhancing its function as a linear wildlife corridor and riverside amenity. Development within this area shall safeguard access to the riverside, protect biodiversity and preserve this ecological and visually sensitive asset. Consideration will be given to existing historic, cultural and social landmarks and their integration into any enhanced future riverside park.

Table 6.4: City Scale Green and Blue Infrastructure Opportunities.

In this context the northern portion of the subject site forms part of the river corridor area. The site layout plan and landscape plan provided indicate that this part of the site will be retained as a river amenity area, the river bank to be retained as the existing wet meadow and retaining the existing woodlands. Minor changes are proposed to create pathways south of the river, bounding the proposed apartment blocks, in my opinion the extent of works proposed is consistent with the objective of table 6.4 to safeguard the river as a public space. As proposed, the landscape plan indicates access to adjoining sites has been incorporated and as such is compliant with the overall objective to safeguard public access to the river corridor.

In this context, it is my view that the treatment of the northern boundary is consistent with the objectives for a river park set out in the Development Plan.

Development Plan compliance

Principle of development

The proposed development is welcomed in principle and is supported by the Core Strategy, land use and transport strategy, land use zoning objective and will support planned investment in infrastructure to enable the development of the Kilbarry / Blackpool neighbourhood.

Policy compliance

The *Statement of Material Contravention* sets out that residential density, dwelling mix and car parking are not in compliance with the development plan.

Residential density

Having regard to the residential density, it is considered that the achieved density at 38.77 units per hectare although falls below the 40 uph outlined in Table 11.2 the difference of 1.23uph is marginal and is not considered to be materially significant. Given that the density achieved is above 35 uph, and is above the prevailing 25uph in the area, therefore the density achieved is considered will positively contribute to the compact growth.

Dwelling size mix

In terms of dwelling mix, the provision of 3 bedroom units is in excess of the standards set out in Table 11.8 a maximum of 38% for 3 bedroom units. Considering the difference in this case is marginal thus, is not considered materially significant. Additionally, given the mixture of house types provided within the scheme otherwise contributing to the overall mix of dwellings generally in this area.

Car Parking provision

Car parking provision is not in compliance with the development plan, as set out above. The proposed development includes exceeds the maximum allowable parking provision in the amount of 48 no. car parking spaces. In their *Statement of Material Contravention* the Applicant states that the over provision arises from the allocation of 2 no. car parking spaces being provided for the 50 no. number proposed 2 bedroom houses incorporated in the scheme.

Given the location of the proposed development, having access to existing bus services and planned public transport upgrades in BusConnects and suburban Railway, the proposed over provision of car parking is contrary to the strategic objectives of the Development Plan and the wider area. To support the proposed increased level of car parking would establish an undesirable development precedent and would only serve to discourage uptake in public transport in future, thus undermining the strategic vision for better integrated land use and transport planning.

The proposed car parking provision would not only conflict with Table 11.13 but would also conflict with:

Strategic Objective 03 Transport and Mobility

Integrate land-use and transportation planning to increase active travel (walking and cycling) and public transport usage. Enable the key transport projects in the Cork Metropolitan Area Transport Strategy (CMATS) delivering multi-modal usage and smart mobility, accessible for all.

Contrary to Table 4.1 to increase public transport mode share to 25.7% in the city.

Objective 11.1 Sustainable Residential Development

b. Prioritise walking, cycling and public transport, and minimise the need to use cars;

In this context the provision of car parking would be considered a material contravention of the development plan and is not acceptable in terms of the sustainable development or proper planning.

Please note that a Variation to the new development plan is currently being prepared in relation to car parking policy, with a view to amending the maximum car parking standards to those in the City Plan 2015 and County Plan 2015.



Deirdre Kiernan
Assistant Planner
Strategic Economic Development

TRAFFIC REGULATION & SAFETY REPORT

Access

Details of the vehicular accesses to the development are unclear. A number of items have been raised in the Road Safety Audit which will need to be incorporated into the development. Details of the vehicular accesses to be agreed with the local authority in advance of commencement of development. It is not clear from the documents if the access road is to form part of the Northern Distributor road or otherwise. Infrastructure Development Directorate should comment on the NDR and the developments compatibility with same.

TTA

The traffic modelling results show that, with and without development traffic, the junctions 1, 2, 4, and 5 operate within capacity up to and including the design year 2040. 9.7.2 Analysis of Junction 3: Redforge Rd./ Dublin Hill shows that the junction will reach capacity in 2025 without the introduction of the proposed development traffic. With development traffic included, the junction reaches capacity in 2024. A suggested mitigation of increased signal timings by the Local Authority for junction 3 is proposed, however no further mitigations are proposed.

MMP

While a Mobility Management Plan is submitted, it serves to highlight the inaccessibility of the development in terms of active travel modes.

Car parking

For the overall development there is a proposed 534 car parking spaces with 2 spaces per house and 1 space per apartment which is the maximum allowable level for a development of this type based on Zone 2 maximum allowable levels in the 2022 CDP. Given the location of the development, and the current level of walking, cycling and public transport facilities, it is hard to see residents using active travel modes in favour of the private car and the development is likely to be car based. A reduction in car parking is unlikely to be effective given the location of the development

Cycle parking

A total of 124 bike parking spaces are proposed. The breakdown of the bike parking spaces is not clear and it seems that sufficient bike parking is not proposed for the apartment and duplex units.

Bike parking facilities provided for the apartment and duplex units shall be provided in accordance with the quantum, design and location recommended in the Sustainable Urban Housing Design Guidelines for New Apartments. The number of bike parking spaces shall be at a rate of 1 per bedroom and 0.5 per unit for visitor parking. The bike parking shall be in a dedicated facility of permanent construction, within the building footprint. Cycle parking areas shall also be designed so that cyclists feel safe and shall be directly accessible from the public road or from a shared private area that gives direct access to the public road avoiding unnecessarily long access routes with poor passive security or, slopes that can become hazardous in winter weather. A management plan shall

be put in place that ensures the effective operation and maintenance of cycle parking. All outdoor bike parking spaces are to be covered.

Conclusion

In general, in terms of Traffic Regulation & Safety aspects of the development, a number of elements are unclear and need to be clarified. It seems that the development is somewhat premature if the development is to be anything other than car based. Based on the application submitted there is not enough information to support a grant of permission for this development, however given that there is a requirement to provide conditions at this stage the following conditions are recommended:

1	All recommendations of the road safety audit are to be incorporated into the development at the expense of the developer. A Stage 3/4 audit is to be carried out at the appropriate stage and all recommendations to be incorporated into the works at the applicant's expense.	In the interest of traffic safety
2	Proposals to mitigate against effects of the development on the capacity of Junction 3 are to be agreed in advance of commencement of development with the local authority. Recommendations are to be carried out as part of the development at the applicant's expense	In the interest of traffic safety.
3	Access junction details to be agreed with the planning authority prior to commencement of development and resultant works carried out at the applicant's expense.	In the interest of traffic safety.
4	All roadmarkings and signage proposed as part of the development to be agreed in advance of commencement of construction with the local authority.	In the interest of traffic safety.
5	(a) The total car parking supply for the development shall not exceed 534 car parking spaces as outlined in the submitted documents 5% of the communal car parking spaces are to be disabled spaces 5% of the communal car parking spaces are to be EV charging spaces	In the interest of traffic safety.

	<p>All spaces are to be ducted to allow for future fit out of EV charging</p> <p>(b) A minimum of 256 cycle parking spaces are to be provided for the development broken down as follows:</p> <p>Apartments & Duplex 252</p> <p>Creche 4</p> <p>Bike parking facilities provided for the apartments and duplex units shall be provided in a dedicated facility of permanent construction, within the building footprint. Cycle parking areas shall also be designed so that cyclists feel safe and shall be directly accessible from the public road or from a shared private area that gives direct access to the public road avoiding unnecessarily long access routes with poor passive security or, slopes that can become hazardous in winter weather. A management plan shall be put in place that ensures the effective operation and maintenance of cycle parking. All outdoor bike parking spaces are to be covered.</p>	
6	<p>A Construction Traffic Management Plan for the proposed development including dedicated haulage routes, a protocol to be followed by HGV drivers and allowable operational times for the HGV's on the city's road network shall be agreed with Cork City Council in consultation with An Garda Síochána before works commences on site.</p>	<p>In the interest of traffic safety.</p>
7	<p>All public lighting requirements associated with the proposed development shall be agreed with the Planning Authority prior to commencement of development. These works are to be undertaken and paid for by the applicant.</p>	<p>In the interests of traffic safety</p>

	<p>Public Lighting must be designed in line with the following documents</p> <ol style="list-style-type: none"> 1. Cork City Council Exterior Lighting Design Requirements Revision 10. 2. Code of practice BS 5489-1:2020. Design of road lighting - Lighting of roads and public amenity areas. 3. BS EN 13201 - Road lighting. 	
8	<p>All external lighting requirements associated with the proposed development including lighting associated with the construction stage shall be designed collectively with any existing lighting (including public lighting) requirements. The external lighting requirements shall also optimise energy efficiency, incorporate glare control and be agreed with the Planning Authority prior to commencement of development. The works are to be undertaken and paid for by the applicant.</p>	In the interests of traffic safety.

URBAN ROADS & STREET DESIGN REPORT

Ms. Martina Foley
Development Management
Cork City Council
City Hall
Cork

10th August 2022

RE: Assessment of Strategic Housing Development Application. The Construction of 319no. dwellings, a creche and a riverside amenity park at Cork GAA Lands, Old Whitechurch Road Kilbarry, Cork

A Chara,

I recommend the inclusion of the following items to address concerns in relation to Urban Roads & Street Design (Planning):

Quality Audit

The applicant has blatantly ignored the request for a Quality Audit which is part of the Design Manual for Urban Roads & Streets (DMURS) requirements and is a mandatory design document for street design.

The applicant has submitted a meaningless, 'tick-box' exercise DMURS compliant document but has failed to carry out the actual requirements of the manual or even the spirit of the manual which is to create well designed streets at the heart of sustainable communities and to balance the needs of all users. The Quality Audit is a check to promote best practice design solutions. The development contains multiple design features that promote car as the dominant transport mode, such as;

- Substantial straight sections of Link and Local Streets
- Wide carriageways which encourage higher driver speeds
- Weak sense of enclosure and lack of active street edges which contribute to a loss of pedestrian/cyclists sense of security and comfort by not dividing the footpath into 3 areas, footway, verges and strips.

Therefore the development would require a substantial revision to the layout that is supportive to promoting and prioritising sustainable modes over vehicle trips. It is worth noting at this juncture, that a further aim of DMURS is to put well designed streets at the heart of sustainable communities. Well designed streets can create connected physical, social and transport networks that promote real alternatives to car journeys. The current layout proposed is not a 'well designed street' as it does not promote real alternatives to car journeys as its' car centric design supports vehicle modes above other modes. The applicant should consider the pedestrians perspective to their approach to street design: Connectivity, Comfort, Safety and Up designing. The applicant should have an integrated approach to incorporate elements of urban design and landscaping to intuitively alter peoples travel behaviour. This approach can include:

- Street networks that are simpler in structure with higher levels of connectivity thus reducing travel distances
- Higher quality street environments attract pedestrians and cyclists, promoting the use of more sustainable forms of transport
- Self-regulating streets manage driver behaviour and calm traffic, promoting safer streets
- Streets and junctions are more compact, providing better value for money

To address these items a Quality Audit is again requested to be carried out and incorporated into the design of the new community area.

An independent Quality Audit shall be carried out at the developers expense for the development in accordance with the Design Manual for Urban Roads & Streets (DMURS) Guidance and TII (Transport Infrastructure Ireland) standards. The DMURS Advice Note No.4 was published in May 2019. It provided designers with guidance in relation to the preparation and content of Quality Audits in Ireland. This includes guidance in relation to a DMURS Street Design Audit, that can be submitted as a component of a Quality Audit for larger projects such as the subject site (or as a stand-alone audit process for smaller projects.) The Quality Audit should consist of two major parts:

- Individual Design Audits: these will consist of a *DMURS Street Design Audit* and other individual Design Audits, that assess different aspects of street design, as required, such as Road Safety Audits and Pedestrian/Cyclist Audits.
- Quality Audit Report: which summarises the issues raised within each individual Design Audit, identify any potential conflicts between audits and propose solutions. All solutions should be measures against the main objectives of the project and presented as a series of recommendations.

The use of DMURS in urban areas is mandatory and the DMURS Street Design Audit is an auditing tool that can be used to ensure that the relevant issues contained within DMURS have been duly considered. It is worth noting that the Quality Audit Report as per DMURS guidance should be signed off the Project Manager and be carried out independently or by a person(s) with a broad skill set. Also the Quality Audit should be carried out at two key stages; the initial design stage and the detailed design stage.

Set Down Area

There is a concern that kerb side activity of parents/guardians opening car doors onto footpaths introduces conflicts between pedestrians and parents/guardians who are negotiating getting their children to/from the crèche. It is unclear where drivers will carry out turning manoeuvres or where the drop off area for the creche is located.

Prior to the development commencing the applicants shall submit to and agree in writing with the Planning Authority full details of the set down/drop off area including materials, finishes and other measures to ensure that pedestrians have priority.

Conclusions

The development has failed to adhere to the Design Manual for Urban Roads & Streets requirements of carrying out and implementing in full the recommendation of a Quality Audit. The objective of a Quality Audit is to act as an auditing tool to ensure the relevant issues contained within DMURS have been duly considered and is a check to promote best practice design solutions of supporting & encouraging sustainable modes instead of a car centric development. In the absence of this document and its' recommendations, the development is somewhat premature as there is insufficient information to support a grant of permission for this development, however given that there is a requirement to provide conditions at this stage the following conditions are recommended:

Conditions for development to be applied should ABP decide to grant permission:

1. **Quality Audit:** An independent Quality Audit, which includes a Street Design Audit and Accessibility Audit, shall be carried out at the developers expense for the development in accordance with the Design Manual for Urban Roads & Streets (DMURS) Advice Note 4. The Quality Audit shall integrate auditing processes which promote 'best practice' design solutions and expand its' scope to fully embrace a multi-disciplinary approach to street design. All findings of the Quality Audit at the initial and detailed design stage shall be closed out, signed off and incorporated into the development and paid for by the applicant in full unless the Planning Authority approves any departure in writing.

Reason: In the interest of pedestrian safety and convenience

2. Prior to the development commencing the applicants shall submit to and agree in writing with the Planning Authority full details of the set down/drop off area to the creche including materials, finishes and other measures to ensure that pedestrians have priority. All road modifications and improvements shall be carried out by the applicant at the applicant's expense, to the detail agreed with the Planning Authority.

Reason: In the interest of pedestrian safety.

3. Prior to the development commencing the applicant shall submit to and agree in writing with the Planning Authority full details of the materials, finishes and other measures in relation to shared surfaces to ensure the objectives of shared space are achieved. These being inclusive environment, ease of movement, safety & public health, quality of place and economic benefit. All amended vehicular and pedestrian access points and shared surfacing shall be designed in accordance with the Design Manual for Urban Roads and Streets (DMURS). All road modifications and improvements shall be carried out by the applicant at the applicant's expense, to the detail agreed with the Planning Authority.

Reason: In the interest of pedestrian safety.

4. Prior to the development commencing the applicants shall submit to and agree in writing with the Planning Authority full details of cycling infrastructure which delivers: a high quality of service, legible, **incorporate verges** and strips to **appropriately segregate from other road users**, suitable for the future and latent cyclist demand, and transition to the receiving environment. All amended cyclist access points and facilities shall be designed in adherence with the Principles of Sustainable Safety, in accordance with the National Cycle Manual (NCM) and be compatible with the principles of the Design Manual for Urban Roads and Streets (DMURS). In addition, full details of a pedestrian network that adheres to DMURS objectives shall be submitted and agreed with the Planning Authority prior to commencement of development. Details must be submitted and agreed with Cork City Council prior to commencement of development. All road modifications and improvements shall be carried out by the applicant at the applicant's expense, to the detail agreed with Cork City Council.

Reason: In the interest of cyclist safety

5. Before the development is commenced, the developer shall lodge with the planning authority a bond or such other security as may be accepted by the planning authority, in a sum to be determined by Cork City Council to secure the provision and satisfactory completion and maintenance until taken in charge (or completed to taking in charge standard) by Cork City Council of roads, footpaths, open spaces and amenities, car parks, public lighting, surface water drainage systems and communal waste storage required in connection with the proposed development. The bond or security shall provide for the adjustment on a monthly basis, in accordance with the Consumer Price Index of the Central Statistics Office, of the amount of bond as approved by Cork City Council.

Reason: To ensure the satisfactory completion of the development.

6. The applicant or developer shall enter into water and/or wastewater connection agreement(s) with Irish Water prior to the commencement of this development.

Reason: To ensure the satisfactory completion of water supply and waste water collection infrastructure.

7. Prior to the commencement of the proposed development, the developer shall pay or enter into an agreement with the planning authority to pay a financial contribution to Cork City Council in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development

Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

8. Prior to the development commencing the applicants shall submit to and agree in writing with the Planning Authority full details of a legally incorporated management company which shall be responsible for the future maintenance and upkeep of all services within the development site including roads, footpaths, open spaces and amenities, car parks, public lighting, surface water drainage systems and communal waste storage.

Reason: To ensure the satisfactory maintenance of the site in the interest of visual and residential amenity.

9. The developer shall submit to the Planning Authority a drawing (hardcopy and electronically) showing the areas that would be proposed for Taking In Charge, prior to commencement of development. This drawing shall also show the public facilities typically considered by the Planning Authority for Taking In Charge such as: public lighting, roads, footpaths, open spaces and surface water systems. The area on the drawing that would be considered for "Taking In Charge" shall be finalised to the satisfaction of the Planning Authority.

Reason: To ensure the satisfactory maintenance of the subject area in the interest of visual and residential amenity.

Mise le meas,



Valerie Fenton

A/Senior Executive Engineer

Community, Culture & Placemaking

APPENDIX C

Recommended Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development, and the development shall be carried out and completed in accordance with the agreed particulars. In default of agreement the matter(s) in dispute shall be referred to An Bord Pleanála for determination.

Reason: In the interest of clarity.

2. Prior to commencement the applicant shall submit, for agreement with the Planning Authority, a full set of house type plans, including all terrace configurations and mirrored dwellings.

Reason: In the interest of clarity.

3. Prior to commencement the applicant shall submit, for agreement with the Planning Authority, revised plans to show the following changes:
 - (a) Mono pitched roofs to the 3 no. apartment blocks
 - (b) Darker window treatments for the 3 no. apartment blocks

Reason: In the interest of visual amenity.

4. Prior to commencement the applicant shall submit, for agreement with the Planning Authority, a revised landscaping plan to show the following changes:
 - (a) Mature tree planting between the 3 no. apartment blocks and the park to their north

Reason: In the interest of visual amenity.

5.
 - (a) Prior to commencement of development the developer shall retain the services of a suitably qualified archaeologist at his expense to advise regarding the archaeological implications of the development site. Notification of these arrangements shall be submitted to and agreed with the Planning Authority prior to commencement of any development.
 - (b) The developer shall employ the archaeologist to test the site prior to development. Facilities such as may be required shall be made available to the archaeologist for this purpose.
 - (c) The archaeologist shall submit a report to the Planning Authority outlining the results of the investigation and their reports on any archaeological finds.
 - (d) If, in the opinion of the Planning Authority, significant archaeological remains are uncovered, and in so far as these remains are subject to disturbance by foundations for pilecaps, walls, floors, drainage etc., then archaeological preservation of the site (either *in-situ* or by record) shall be required.
 - (e) The archaeologist shall submit a report to the Planning Authority outlining the results of the investigation.

Reason: To ensure the continued preservation (either *in situ* or by record) of features of archaeological significance.

6. (a) Prior to the commencement of any house or duplex unit in the development as permitted, the applicant or any person with an interest in the land shall enter into an agreement with the planning authority (such agreement must specify the number and location of each house or duplex unit), pursuant to Section 47 of the Planning and Development Act 2000, that restricts all houses and duplex units permitted, to first occupation by individual purchasers i.e. those not being a corporate entity, and/or by those eligible for the occupation of social and/or affordable housing, including cost rental housing.
- (b) An agreement pursuant to Section 47 shall be applicable for the period of duration of the planning permission, except where after not less than two years from the date of completion of each specified housing unit, it is demonstrated to the satisfaction of the planning authority that it has not been possible to transact each specified house or duplex unit for use by individual purchasers and/or to those eligible for the occupation of social and/or affordable housing, including cost rental housing.
- (c) The determination of the planning authority as required in (b) shall be subject to receipt by the planning and housing authority of satisfactory documentary evidence from the applicant or any person with an interest in the land regarding the sales and marketing of the specified housing units, in which case the planning authority shall confirm in writing to the applicant or any person with an interest in the land that the Section 47 agreement has been terminated and that the requirement of this planning condition has been discharged in respect of each specified housing unit.

Reason: To restrict new housing development to use by persons of a particular class or description in order to ensure an adequate choice and supply of housing, including affordable housing, in the common good.

7. Prior to the commencement of the proposed development, the developer shall pay or enter into an agreement with the planning authority to pay a financial contribution to Cork City Council in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

Housing Conditions

8. The Applicant, or any other person with an interest in the land to which this application relates, shall prior to the lodgement of a commencement notice within the meaning of Part II of the Building Control Regulations 1997, enter into an agreement with the planning authority under Section 96 of the Planning and Development Act, 2000 as amended in respect of the matters referred to paragraphs (a) or (b) of Sub-section (3) of Section 96.

Reason: To comply with the provisions of Section 96 of the Planning and Development Act, 2000 as amended.

Heritage Officer's Conditions

- 9.** The development shall be carried out as per details and particulars of the Environment Impact Assessment Report, and Natura Impact Statement submitted with the planning application, including the mitigation measures set out therein.

Reason: In the interests of the control and mitigation of the environmental impacts of the proposed development on the and surrounding area.

- 10.** (a) Prior to commencement the developer shall submit, for the written agreement of the planning authority, a Marsh Fritillary monitoring programme, to be undertaken at seasonably appropriate times both before the start of works and upon completion.
(b) Prior to occupation Marsh Fritillary monitoring reports shall be submitted to the Planning Authority for the review and written agreement of the planning authority.

Reason: To protect and conserve the Marsh Fritillary

- 11.** Prior to commencement the developer shall submit, for the written agreement of the planning authority, a detailed fungi survey and impact report prepared by a suitably qualified person at a seasonably appropriate time.

Reason: To protect and conserve rare fungi

- 12.** Prior to commencement the developer shall submit, for the written agreement of the Planning Authority, surface water discharge monitoring reports, at two stages of development, before the start of works and prior to occupation. These shall be prepared by a suitably qualified ecologist.

Reason: To protect and conserve otter habitats

- 13.** Prior to commencement a site plan shall be submitted that identifies all existing trees to be removed and to be retained for the written agreement of the Planning Authority.

Reason: In the interest of clarity.

- 14.** Prior to the commencement of the development the tree protection measures, as outlined the Tree Survey – Arboricultural Impact Assessment submitted with the application, shall be implemented in full.

Reason: In the interest of the protection of biodiversity.

- 15.** Prior to commencement a report, prepared by a suitably qualified ecologist, shall be submitted for the written agreement of the Planning Authority, confirming that the external lighting proposed confirms with best practice and will not unduly impact upon bats and other sensitive fauna in the vicinity of the site.

Reason: In the interest of the protection of biodiversity.

- 16.** All feasible measures will be taken to avoid introduction or spread of invasive alien species into the site. Where these species are found on the site effective and appropriate management measures will be taken to control such species. A mitigation workplan shall be submitted to and agreed with the Local Authority prior to the commencement of works at the site. The workplan

shall provide for appropriate eradication, disposal and maintenance activities, including the need for specialist personnel where necessary.

Reason: To prevent the spread of invasive alien species.

17. Where feasible the planting of native pollinator friendly species of plants and trees shall be incorporated into the landscape plan

Reason: To protect and conserve pollinators

Urban Road & Street Design Conditions

18. Quality Audit: An independent Quality Audit, which includes a Street Design Audit and Accessibility Audit, shall be carried out at the developers expense for the development in accordance with the De-sign Manual for Urban Roads & Streets (DMURS) Advice Note 4. The Quality Audit shall integrate auditing processes which promote 'best practice' design solutions and expand its' scope to fully embrace a multi-disciplinary approach to street design. All findings of the Quality Audit at the initial and detailed design stage shall be closed out, signed off and incorporated into the development and paid for by the applicant in full unless the Planning Authority approves any departure in writing.

Reason: In the interest of pedestrian safety and convenience

19. Prior to the development commencing the applicants shall submit to and agree in writing with the Planning Authority full details of the set down/drop off area to the creche including materials, finishes and other measures to ensure that pedestrians have priority. All road modifications and improvements shall be carried out by the applicant at the applicant's expense, to the detail agreed with the Planning Authority.

Reason: In the interest of pedestrian safety.

20. Prior to the development commencing the applicant shall submit to and agree in writing with the Plan-ning Authority full details of the materials, finishes and other measures in relation to shared surfaces to ensure the objectives of shared space are achieved. These being inclusive environment, ease of movement, safety & public health, quality of place and economic benefit. All amended vehicular and pedestrian access points and shared surfacing shall be designed in accordance with the Design Man-ual for Urban Roads and Streets (DMURS). All road modifications and improvements shall be carried out by the applicant at the applicant's expense, to the detail agreed with the Planning Authority.

Reason: In the interest of pedestrian safety.

21. Prior to the development commencing the applicants shall submit to and agree in writing with the Planning Authority full details of cycling infrastructure which delivers: a high quality of service, legible, incorporate verges and strips to appropriately segregate from other road users, suitable for the future and latent cyclist demand, and transition to the receiving environment. All amended cyclist ac-cess points and facilities shall be designed in adherence with the Principles of Sustainable Safety, in accordance with the National Cycle Manual (NCM) and be compatible with the principles of the De-sign Manual for Urban Roads and Streets (DMURS). In addition, full details of a pedestrian network that adheres to DMURS objectives shall be submitted and agreed with the Planning Authority prior to commencement of development. Details must be submitted and agreed with Cork City Council prior to commencement of

development. All road modifications and improvements shall be carried out by the applicant at the applicant's expense, to the detail agreed with Cork City Council.

Reason: In the interest of cyclist safety

- 22.** Before the development is commenced, the developer shall lodge with the planning authority a bond or such other security as may be accepted by the planning authority, in a sum to be determined by Cork City Council to secure the provision and satisfactory completion and maintenance until taken in charge (or completed to taking in charge standard) by Cork City Council of roads, footpaths, open spaces and amenities, car parks, public lighting, surface water drainage systems and communal waste storage required in connection with the proposed development. The bond or security shall provide for the adjustment on a monthly basis, in accordance with the Consumer Price Index of the Central Statistics Office, of the amount of bond as approved by Cork City Council.

Reason: To ensure the satisfactory completion of the development.

- 23.** The applicant or developer shall enter into water and/or wastewater connection agreement(s) with Irish Water prior to the commencement of this development.

Reason: To ensure the satisfactory completion of water supply and waste water collection infrastructure.

- 24.** Prior to the commencement of the proposed development, the developer shall pay or enter into an agreement with the planning authority to pay a financial contribution to Cork City Council in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

- 25.** Prior to the development commencing the applicants shall submit to and agree in writing with the Planning Authority full details of a legally incorporated management company which shall be responsible for the future maintenance and upkeep of all services within the development site including roads, footpaths, open spaces and amenities, car parks, public lighting, surface water drainage systems and communal waste storage.

Reason: To ensure the satisfactory maintenance of the site in the interest of visual and residential amenity.

- 26.** The developer shall submit to the Planning Authority a drawing (hardcopy and electronically) showing the areas that would be proposed for Taking In Charge, prior to commencement of development. This drawing shall also show the public facilities typically considered by the Planning Authority for Taking In Charge such as: public lighting, roads, footpaths, open spaces

and surface water systems. The area on the drawing that would be considered for “Taking In Charge” shall be finalised to the satisfaction of the Planning Authority.

Reason: To ensure the satisfactory maintenance of the subject area in the interest of visual and residential amenity.

Traffic Regulation & Safety Conditions

- 27.** All recommendations of the road safety audit are to be incorporated into the development at the expense of the developer. A Stage 3/4 audit is to be carried out at the appropriate stage and all recommendations to be incorporated into the works at the applicant’s expense.

Reason: In the interest of traffic safety

- 28.** Proposals to mitigate against effects of the development on the capacity of Junction 3 are to be agreed in advance of commencement of development with the local authority. Recommendations are to be carried out as part of the development at the applicant’s expense

Reason: In the interest of traffic safety

- 29.** Access junction details to be agreed with the planning authority prior to commencement of development and resultant works carried out at the applicant’s expense.

Reason: In the interest of traffic safety

- 30.** All roadmarkings and signage proposed as part of the development to be agreed in advance of commencement of construction with the local authority.

Reason: In the interest of traffic safety

- 31.** (a) The total car parking supply for the development shall not exceed 534 car parking spaces as outlined in the submitted documents
5% of the communal car parking spaces are to be disabled spaces
5% of the communal car parking spaces are to be EV charging spaces
All spaces are to be ducted to allow for future fit out of EV charging

(b) A minimum of 256 cycle parking spaces are to be provided for the development broken down as follows:

Apartments & Duplex 252

Creche 4

Bike parking facilities provided for the apartments and duplex units shall be provided in a dedicated facility of permanent construction, within the building footprint. Cycle parking areas shall also be designed so that cyclists feel safe and shall be directly accessible from the public road or from a shared private area that gives direct access to the public road avoiding unnecessarily long access routes with poor passive security or, slopes that can become hazardous in winter weather. A management plan shall be put in place that ensures the effective operation and maintenance of cycle parking. All outdoor bike parking spaces are to be covered.

Reason: In the interest of traffic safety

- 32.** A Construction Traffic Management Plan for the proposed development including dedicated haulage routes, a protocol to be followed by HGV drivers and allowable operational times for the HGV's on the city's road network shall be agreed with Cork City Council in consultation with An Garda Síochána before works commences on site.

Reason: In the interest of traffic safety

- 33.** All public lighting requirements associated with the proposed development shall be agreed with the Planning Authority prior to commencement of development. These works are to be undertaken and paid for by the applicant. Public Lighting must be designed in line with the following documents

1. Cork City Council Exterior Lighting Design Requirements Revision 10.
2. Code of practice BS 5489-1:2020. Design of road lighting - Lighting of roads and public amenity areas.
3. BS EN 13201 - Road lighting.

Reason: In the interest of traffic safety

- 34.** All external lighting requirements associated with the proposed development including lighting associated with the construction stage shall be designed collectively with any existing lighting (including public lighting) requirements. The external lighting requirements shall also optimise energy efficiency, incorporate glare control and be agreed with the Planning Authority prior to commencement of development. The works are to be undertaken and paid for by the applicant.

Reason: In the interest of traffic safety

Drainage Conditions

- 35.** Drainage layouts and details shall be in accordance with drainage layouts, drawings, details and calculations submitted as part of Planning Submission, subject to drainage conditions.

Reason: In the interests of public health

- 36.** The Applicant shall submit a finalised SuDS strategy, that addresses the following points:
- Has regard to the recent Dept of Housing, Local Government and Heritage, interim guidance entitled: "Nature-based Solutions to the Management of Rainwater and Surface Water Run-off in Urban Areas".
 - Coordinates the proposed SuDS measures into the landscape strategy.
- A combined layout plan, coordinating the landscape master plan, stormwater and the proposed SuDS measures shall be submitted to the Planning Authority for approval.

Reason: In the interests of public health

- 37.** In general, as well as the control and mitigations measures outlined in the EIAR, its appendices, and the 1 Construction & Environmental Management Plan, all works shall be managed in accordance with the following CIRIA documents:
- C532 – Control of Water Pollution from Construction Sites; Guidance for Consultants and Contractors
 - C648 – Control of water pollution from linear construction projects – Technical guidance
 - C750 – Groundwater control: design and practice (2nd edition)".

Reason: In the interests of public health

- 38.** With reference to the historic dumping of waste construction material on the site, prior to commencement, the Applicant shall agree an extensive suite of sampling and testing throughout the site with the Planning Authority, to ensure any pockets of contaminated material are identified and managed appropriately, before construction activities begin

Reason: In the interests of public health

- 39.** Where it is proposed to reuse excavated material onsite, or dispose of it offsite, the Applicant is reminded of EPA requirements that no asbestos shall be present in soil used as backfill. Therefore, the Applicant shall dispose of any soil containing asbestos offsite, at an appropriately licensed facility.

Reason: In the interests of public health

- 40.** With reference to Verde Environmental “Review of Available Ground Investigation Data” report, contained as Appendix 13.1 to the EIAR, the recommendations in Section 5.2 of the report are to be implemented in full.

Reason: In the interests of public health

- 41.** The Applicant shall take account of any site-specific requirements of Inland Fisheries Ireland to protect the adjacent salmonid Glenamought River, during the construction phase.

Reason: In the interests of public health

- 42.** Where the Applicant proposes to undertake any temporary or permanent works adjacent to the River Glenamought, along the northern boundary of the site, they shall be cognisant of the requirements of the Inland Fisheries Ireland document entitled: “Planning for Watercourses in the Urban Environment”

Reason: In the interests of public health

- 43.** Heavily sedimented stormwater run-off arising during the construction works shall not be discharged to the surface water drainage system, except for actual storm water run-off from hard-standing areas that cannot be otherwise managed on site. Any run-off proposed to discharge to either the public sewer or the adjacent watercourse shall undergo extensive coagulation (if required), settlement and desedimentation, in line with Inland Fisheries Ireland requirements, prior to discharge. These measures shall be agreed in detail with the Planning Authority, prior to commencement, and shall be subject to ongoing monitoring

Reason: In the interests of public health

- 44.** The 136m directionally drilled section of 225mm storm sewer beneath the protected butterfly area could prove problematic to maintain and should be reduced to the minimum distance possible. The Applicant shall investigate if there is a preferred time of year wherein these works could take place, and hence seek to reduce the length of this section to the preferred distance of 80m.

Reason: In the interests of public health

- 45.** Details of the stormwater outfall and headwall shall be agreed with the Planning Authority, prior to commencement. In general, all outfalls shall meet the requirements of the TII document entitled: Design of Outfall and Culvert Details (DNDNG- 03071, March 2015), as well as avoiding any negative impacts on existing ecology.

Reason: In the interests of public health

- 46.** Prior to commencement, the Applicant shall submit a site layout drawing clearly demonstrating how access for maintenance will be maintained throughout the lifetime of the project, for access and servicing of stormwater manholes and outfall in the north of the site.

Reason: In the interests of public health

- 47.** Prior to commencement, the Applicant shall assess the risk of pluvial flooding to all properties within the development whose flood levels are below the adjacent road levels. The assessment shall address the following scenarios:
- a) surcharging of storm sewers during an exceedance rainfall event, or
 - b) blockages to gullies.
- Either of which could lead to overland flows.
This assessment, and a revised site layout plan, if necessary, shall be submitted to the Planning Authority for approval.

Reason: In the interests of public health

- 48.** Section 5.2 of the Flood Risk Assessment recommends a fence is provided at the northern boundary of the site to prevent access to the adjacent Glenamought watercourse. However, there is no mention of potential impacts of this fence on existing ecology using the river (e.g. otters, etc) in the EIAR submitted. Furthermore, blockage of this fence could prevent flood waters from mobilising the adjacent storage areas. Lastly, no details of this fence appear on any other design drawings submitted. Prior to commencement, the Applicant shall address this issue with the Planning Authority, ensuring that any proposed fence at this location is removed from the design proposals, and a suitable alternative put in place.

Reason: In the interests of public health

Area Engineer's Conditions

- 49.** Existing roadside drainage arrangements shall be preserved to the satisfaction of the Planning Authority.

Reason: To preserve proper roadside drainage and to prevent the flooding of the public road.

- 50.** Existing inlets or drains taking surface water from the public road into the site shall be preserved and maintained.

Reason: To prevent flooding of the public road.

- 51.** Surface water shall not be permitted to flow onto the public road from the site.

Reason: To prevent flooding of the public road.

- 52.** Surface water shall not be permitted to enter the foul sewer.

Reason: To prevent overloading of the sewer.

- 53.** All surface water run-off from roofs, entrances and parking areas shall be collected and disposed of to storm drains to the satisfaction of the Planning Authority.

Reason: To prevent flooding and in the interests of public health.

- 54.** Sight distances of 59 metres, in both directions, at a point 3 metres back from the edge of the public road shall be provided in the centre of the vehicular entrance to the satisfaction of the Planning Authority prior to the commencement of any other development on site.

Reason: In the interests of road safety.

- 55.** Sight viewing distance shall be maintained at the entrance to allow safe access and egress from the property and to also warn oncoming vehicles of your exit. No vegetation or structure shall exceed 1m in height within the sight distance triangle.

Reason: In the interests of road safety.

- 56.** No dust, mud or debris from the site shall be carried onto or deposited on the public road / footpath. Public roads and footpaths in the vicinity of the site shall be maintained in a tidy condition by the developer during the construction phase.

Reason: To protect the amenities of the area and in the interests of road safety.

- 57.** During construction the wheels of all trucks shall be washed prior to their exit from the site in a wheel wash facility. Details of the construction, installation and operation of this facility shall be agreed in writing with the Planning Authority prior to commencement of any development.

Reason: To protect the amenities of the area and in the interests of road safety.

- 58.** During construction the developer shall provide adequate off carriageway parking facilities within the curtilage of the site for all traffic associated with the proposed development, including delivery and service vehicles / trucks. There shall be no parking along the public road or footpath.

Reason: In the interest of road safety and to protect the amenities of the area.

- 59.** During the construction phase, fixed water sprayers, mobile tankers and a mechanised road sweeper shall be used to suppress dust on site and at the site entrance to the satisfaction of the Planning Authority.

Reason: To protect the amenities of the area and in the interests of road safety.

- 60.** Temporary signage shall be erected on the L-5093 Old Whitechurch Road and L-2980 Dublin Hill to warn road users of Construction accesses and the movement of construction traffic as indicated in the Construction Management Plan.

Reason: In the interest of Public Road safety.

- 61.** A flap valve shall be included on the Stormwater sewer at the Outfall Headwall to prevent back flow up the pipe into the proposed surface water disposal system. The applicant shall submit details of the proposed flap valve for approval by the Planning Authority prior to commencement of development.

Reason: To prevent the flooding of the public road

Environment Conditions

- 62.** Construction impacts

- (a) Tree felling and clearing of vegetation shall take place outside of the bird nesting season.
- (b) The developer shall ensure that any excavated material stockpiled on site during construction shall be held in a manner such as to ensure that no silt or run-off from these stockpiles enters any watercourse.
- (c) The Developer shall ensure that surface water from the development is free from herbicides, pesticides, fertilisers and other substances which could have a harmful effect on the environment.

Reason: In the interest of preservation of wildlife

- 63.** Construction Waste

- (a) Construction waste such as wood, metal, and concrete, shall be segregated and submitted for recycling. Waste Gypsum shall be segregated and delivered to an appropriate facility. Hazardous construction waste such as paint, lubricants, oil, lighting, wood preservative shall be segregated and disposed of at an authorised facility.
- (b) All asbestos arising from the demolition section of this development shall be disposed of in accordance with the procedures of Health and Safety Authority "Guidelines on Working with Materials Containing Asbestos Cement".
- (c) The developer shall ensure that any waste moved off site during site clearance operations or construction works is removed by authorised waste contractors only. The material shall be taken only to sites authorised by a local authority or the Environmental Protection Agency.
- (d) The information provided in the Construction Management Plan and Waste Management Plan is sufficient at present. Prior to the commencement of the development, an updated Construction Management Plan and Waste Management Plan needs to be resubmitted to the Local Authority for agreement when the main contractor has been appointed or when changes have occurred to the previously submitted plans.
- (e) As noted in the EIAR appendices provided with this application, soil analysis indicates that the soil is largely uncontaminated based on sampling with some minor potential of hazardous material being present still. Considering the historic use of the site and concerns raised in relation to it, it is requested that additional testing and analysis should be undertaken prior to, and over the course of the development works, that any excavated material on the site is appropriately identified, classified and recorded by qualified personnel and that a Soil and Material Management Plan is provided prior to the development and updated accordingly where necessary.

Reason: In the interest of orderly management and disposal of waste.

64. Noise

(a) During the construction and demolition phases, the proposed development shall comply with British Standard 5228 “Noise Control on Construction and open sites Part 1. Code of practice for basic information and procedures for noise control.”

Reason: In order to ensure a satisfactory standard of development, in the interests of residential amenity.

65. Waste Management

(a) Prior to commencement of the development the Developer shall submit to the planning authority for agreement, full details of the waste management proposed for the development. Details shall include proposals on waste reduction, reuse, and segregation, recycling, and vented storage as well as who will manage the waste, dispose of it and present it for collection. The developer shall clearly identify vented bin storage area of appropriate capacity, clearly identifying on the drawing designated location for same with dimensions clearly visible. The developer should refer to the British standards BS 5906: 2005 in relation to waste management in buildings to ascertain capacity required for development.

in the interest of orderly management and disposal of waste
Environment – Noise

(a) Noise during site clearance and construction shall not exceed 65 dB (A), Leq 30minutes and the peak noise shall not exceed 75 dB (A), when measured at any point off site.

(b) Working hours during site clearance and construction shall be restricted to 0800-1800 hours on Mondays to Fridays and to 0800-1600 hours on Saturdays. Activities outside these hours shall require the prior approval of the Planning Authority.

Reason: In the interests of residential amenity.

66. Environment – General

(a) The Developer shall ensure that no appreciable negative environmental impacts occur because of the construction works associated with this development. The developer shall give particular attention to dust, noise, odour, litter, dirt on public roads, surface water runoff and spillage of fuel oils. Operations liable to produce dust shall be screened and dust suppression devices used where appropriate. Fuel oils and other chemicals shall be adequately bunded, with bunds having volumes of at least 110% of the volumes of fuel stored.

Operational

(b) Noise from the premises shall not exceed the background levels by more than 5dB (A) during the period 0800-2200 and by more than 3 dB (A) at any other time when measured at any external position at a noise sensitive premises. The noise level shall be measured as Leq, 15 minutes.

Reason: In the interest of residential amenity.

67. Resource and Waste Management

Prior to the commencement of development, the developer shall prepare a Construction and Demolition Resource Waste Management Plan (RWMP) as set out in the Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for C&D Projects (2021) including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness; these details shall be placed on the file and retained as part of the public record. The RWMP must be submitted to the planning authority for written agreement prior to

the commencement of development. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

Regards: In the interest of proper planning and sustainable development.

68. Irish Water

- a. The applicant shall sign a connection agreement with Irish Water prior to any works commencing and connecting to the Irish Water network.
- b. Irish Water does not permit any build over of its assets and separation distances as per Irish Waters Standards Codes and Practices shall be achieved.
 - (i) Any proposals by the applicant to build over/near or divert existing water or wastewater services subsequently occurs, the applicant shall submit details to Irish Water for assessment of feasibility and have written confirmation of feasibility of diversion(s) from Irish Water prior to connection agreement.
- c. All development shall be carried out in compliance with Irish Water Standards codes and practices.

Reason: To aid in the provision of, and to protect, water related infrastructure.

69. Inland Fisheries Ireland

- a. Prior to the commencement of any construction activity the wet meadow and woodland habitats should be fenced to prevent the entry of any construction related plant or machinery. No storage or stockpiling of soil or other construction related products or by-products should be permitted in these areas or in any lands in close proximity to the Glenamought River.
- b. Prior to the commencement of any construction activity effective silt fencing or other silt control measures should be installed and maintained at the site along all site boundaries to prevent the escapement of solids contaminated site runoff to surface waters.
- c. During construction all solids contaminated site water should be treated on site to a maximum of 20 mg/l before being released to any surface water network.
- d. There should be no interference with, bridging, draining, cleaning, maintaining, or culverting of the Glenamought River or any watercourse, their banks or bankside vegetation to facilitate this development without prior approval of IFI.

Reason: To protect surface water bodies.