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**LARGE RESIDENTIAL
DEVELOPMENT
CORRESPONDENCE FORM**

Appeal No: ABP 322540-25Mr. RyanPlease treat correspondence received on 29/5/25 as follows:

1. Update database with new agent for Applicant/Appellant _____

2. Acknowledge with LRD 203. Keep copy of Board's Letter ☐

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Amendments/Comments

Applicant's Response to Appeal.

4. Attach to file

(a) SHD/LRD Unit ☐ (b) Inspector ☐RETURN TO EO ☐Plans Date Stamped ☐Date Stamped Filled in ☐EO: C. O'KeefeAA: Faithie KhatipovDate: 15/6/25Date: 15/6/25

Dáire

Daragh Cassells

From: Cora Savage <csavage@mhplanning.ie>
Sent: Thursday 29 May 2025 15:17
To: Appeals2
Subject: ABP Ref. ABP-322540-25
Attachments: LTR_250527_Response to Third Party Appeal_CS.pdf

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Good Afternoon,

We act on behalf of the applicant, Reside (Castlepark) Ltd., and wish to respond to the third party appeal lodged by Frank Heffernan of 7 Aldworth Heights, St Joseph's Road, Mallow, Co. Cork on behalf of the local residents of St Joseph's Road, Mallow, Co. Cork against Cork County Councils notification of a decision to grant planning permission for a ten-year planning permission for the following Large Scale Residential Development (LRD) comprising 469 no. residential units, a creche, part demolition and refurbishment of the former lodge to provide an interpretive centre and café, and all associated ancillary development works at Castlepark, Castlelands (townland), St Joseph's Road, Mallow, Co. Cork (Cork County Council Ref. No. 24/6036).

We trust that this submission will be considered in the Boards assessment of the proposed development. Please contact the undersigned if you require any further information.

Kind Regards,
Cora

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The Secretary
An Bord Pleanála
64 Marlborough Street
Dublin 1

29 May 2025

Re: An Bord Pleanála Ref. ABP-322540-25
Response to third party appeal against Cork County Councils decision to grant permission for the following Large Scale Residential Development comprising 469 no. residential units, a creche, part demolition and refurbishment of the former lodge to provide an interpretive centre and café, and all associated ancillary development works at Castlepark, Castlelands (townland), St Joseph's Road, Mallow, Co. Cork.

Dear Sir/Madam,

We act on behalf of the applicant, Reside (Castlepark) Ltd., and wish to respond to the third party appeal lodged by Frank Heffernan of 7 Aldworth Heights, St Joseph's Road, Mallow, Co. Cork on behalf of the local residents of St Joseph's Road, Mallow, Co. Cork against Cork County Councils notification of a decision to grant planning permission for a ten-year planning permission for the following Large Scale Residential Development (LRD) comprising 469 no. residential units, a creche, part demolition and refurbishment of the former lodge to provide an interpretive centre and café, and all associated ancillary development works at Castlepark, Castlelands (townland), St Joseph's Road, Mallow, Co. Cork (Cork County Council Ref. No. 24/6036).

The Board will note that the grounds of appeal are almost identical to issues raised by the appellants in a concurrent appeal (PL04.321927) and during the planning application process and have little or no regard to the assessment of these concerns carried out by the Planning Authority. It is submitted that all issues for the Phase 1 24/4519 application and the LRD application were very carefully considered and addressed by the planning authority in making their decision to grant permission.

In considering this appeal, it is important to point out that the application was accompanied by a detailed and comprehensive set of supporting plans/materials and the Council's decision to grant permission was the culmination of a detailed assessment of all planning matters relevant to the development. The final decision underlines that all identified issues have been addressed. We submit that all the raised grounds of appeal were adequately dealt with by Cork County Council in their assessment of the proposal and the proposed development and this is reiterated in the Executive Planners reports dated December 18th which states *"the proposed residential units/creche are sited on lands zoned for residential development and there is no objection to the proposed development in principle" and "the development aligns with the zoning objective in terms of appropriate land uses."*

Despite our reservations regarding the recurring nature of the issues raised in the third-party appeal, we have summarised the items raised in the appeal below and will respond as follows:

1. **The proposed development will not give rise to any adverse traffic impacts.**
2. **The proposed development will not seriously injure the residential amenities of properties in the vicinity and will enhance Mallow as a whole by providing additional residential units in the town, where there is an acute need for housing.**
3. **The planning application was accompanied by a very comprehensive list of supporting material which was prepared to a very high standard and contains all the information required/sought by the planning authority.**

Our response to the grounds of appeal is outlined below.

1. The proposed development will not give rise to any adverse traffic impacts.

The appellant states that *"local residents strongly feel that the proposed development is premature" as "the resulting daily traffic density increases detailed within this submission will result in traffic jams on St. Joseph's Road and Spa Glen not to mind gridlock on the south end of Mallow Town and within the town centre also."* We entirely disagree with this statement. A comprehensive Traffic and Transportation Assessment (TTA) by Punch Consulting Engineers was submitted with the application and further information/clarification on traffic was provided at Further Information stage. The TTA and subsequent Further Information response was deemed acceptable by Cork County Council who deemed that *"the report is comprehensive"* and that they were *"satisfied with the response received."*

The TTA assumed a robust development trip generation and concluded that the proposed development is appropriate and *"does not have a significant impact on the junctions within the existing road network local to the proposed development on St Joseph's Road."* With the modal split targets proposed in the Cork County Council Development Plan 2022-2028 achieved, all junctions analysed would be within an acceptable design threshold in the design year 2041 with the proposed development and other large-scale developments in the area in operation.

The TTA and subsequent Further Information response was carefully assessed by the area engineer, Cork County Councils' Sustainable Travel Unit and the Senior planner who stated in his report dated April 11th, 2025, that *"the area engineer has no objections in principle."* The Sustainable Travel Unit further confirmed in their report dated April 4th, 2025, that they *"recommend that planning permission is granted"* based on, inter alia, the sustainable location of the site and the provision of significant walking/cycling infrastructure as part of the proposed development. In considering this appeal serviced nature of the site, we would also like to highlight the fact that the site is liable for the Residential Zoned Land Tax (RZLT) which confirms that all infrastructure is in place to facilitate development of the lands. This includes footpaths, local road networks and junctions.

The appellant has made numerous claims that the proposed development *"will create a further unacceptable traffic hazard"* and will *"endanger public safety in the St Joseph's Road area by reason of traffic hazard"* as the surrounding roads are *"unsafe, unsuitable and dangerous narrow local roads, very poor and unsafe footpaths, and no cycleways in the Saint Joseph's Road area," "there is a crucial and immediate need for new roads to be constructed and existing roads to be upgraded before the development of additional housing anywhere in the St Joseph's Road area" and "St Joseph's Road is not to the required road specifications and dimensions."* The appellant goes on to state that *"no further LRD's should be allowed on St. Joseph's Road or the Spa Glen area until the Mallow Relief Road and associated local roads improvements are provided"* and that *"new and improved roads infrastructure, street lighting, safe pedestrian walkways, cycle paths, public transport, neighbourhood centres, quality local services and supports are a prerequisite to all future LRDs in the St Joseph's Road areas."* We strongly disagree with these statements. It is not within the applicants remit to ensure any road improvements within the wider area are completed prior to them submitting an application for residential development. This is reiterated by the Senior Planner in his report dated April 11th, 2024 which states the following:

"The Mallow Relief Road is on schedule to be submitted through the statutory process in quarter two or quarter three of 2025. This is a State project and the applicant has no control over its implementation. The subject site was zoned in the Development plan as it is serviced, therefore there is a reasonable expectation that the development of the site in full (or at least consent) would take place during the plan period. Additionally, the Development Plan does not provide any restriction on zoned lands in Mallow that requires the development of the Mallow Relief Road prior to construction (or otherwise)."

In considering this appeal, it is important to emphasise that the applicant has committed to significant infrastructure improvements/upgrades, details of which were submitted at Further Information Stage. A very detailed and comprehensive 'Infrastructure Upgrade Works Report' by Deady Gahan Architects was submitted which provided details of the site-specific proposals for intervention/improvement works to be undertaken to the existing roads and footpaths within the applicants ownership and works to be undertaken within public areas under the control of Cork County Council. The applicant has committed to carrying out all improvement works proposed on lands within their ownership and have committed to a special development contribution being levied which will allow the Council to undertake the works proposed within their areas of ownership. The Council concluded that *"the report is comprehensive and includes site specific proposals for intervention/improvement works to be undertaken to the existing roads and footpaths"* and that the *"STU report states that these proposals are acceptable."*

The appellant shows a complete disregard to the Infrastructure Upgrade Works Report submitted and to the Council's assessment in relation to traffic. The Sustainable Travel Unit states in their report dated December 17th 2024 that *"while the applicants cannot be expected to 'solve' vehicular congestion issues which pre-date the development under consideration here, the mitigation measures necessary to limit the impact of the additional traffic generated by the development under consideration here are a combination of future infrastructure proposals (improvements to road, rail and public transport infrastructure by relevant Authorities) as well as a change in peoples travel choices (from single car trips to walking and cycling)"* and *"the applicant has proposed significant mitigation measures to encourage sustainable transportation which will be either delivered by him or through a Special Contribution. These are tangible and hard infrastructure deliverables which will greatly assist behavioural change."*

The appellant has also claimed that *"the LRD as proposed will create a further unacceptable traffic hazard, in the local St Joseph's Road area, both at construction stage, by virtue of a large number of movements of heavy commercial vehicles delivering construction materials and general construction traffic."* We disagree with this statement. Construction traffic was comprehensively addressed by the applicant in the submitted Construction Traffic Management Plan. The proposed route for construction traffic was carefully chosen so as not to impact negatively on the existing residents in the Castle Park and the local St. Joseph's Road area. This construction access was deemed acceptable to the Council. This construction access option will minimise impact on existing residents during the construction stage.

Therefore, we would ask the Board to uphold Cork County Council's decision to grant permission as the proposed development will not give rise to any adverse traffic impacts.

2. The proposed development will not seriously injure the residential amenities of properties in the vicinity and will enhance Mallow as a whole by providing additional residential units in the town, where there is an acute need for housing.

The appellant claims that the proposed development will impact negatively on the residents of St Josephs Road and Mallow in general as *"St Joseph's Road currently lacks local community based services, community facilities and neighbourhood amenities, not to mind, the current realities of inadequate roads, poor and unsafe pedestrian footpaths, no cycle paths, and no local public transport"* and *"the location for the proposed LRD in Castle park is remote from all essential services."* We entirely disagree with these statements. Right from

the outset and to ensure that there would not be a negative impact on the residential amenities of the area, the proposed development was very carefully conceived and based on a comprehensive and robust appraisal to ensure that the scheme would be delivered and managed to a very high standard in order to protect the residential amenities of the area and to ensure the provision of additional amenities for both future and existing residents.

The appellant claims that there is a lack of pedestrian and cycle connectivity in the St Joseph's Road area and states that *"there is a severe lack of general accessibility and connectivity for pedestrians and cyclists"* and that *"ease of access to schools and to other essential services to enhance residents quality of living are non-existent and are critical to any LRD in the Spa Glen and St Joseph's Road areas."* We strongly disagree with these statements. As is clear from the submitted documents and Figure 1 below, there are numerous adequate pedestrian and cycle links connecting the area to the town centre, schools and other essential services. There are existing connections running directly from the appellants place of residence, Aldworth Heights, down St. Joseph's Road to the town centre. Additional routes are also available from St Joseph's Road through the Castlepark estate which provides direct access to the existing Riverbank Walk Greenway which also provides access to the town centre. Additional pedestrian and cycle connections are being provided by the applicant through the development site which will tie into the existing greenway to ensure adequate connectivity is provided. In response to the proposed connectivity measures, the area planner in his report stated, *"the provision of a greenway spine to facilitate a pedestrian/cycle link to the parklands/amenity area to the south is a positive aspect."* The Sustainable Travel Unit further reiterates this by stating *"the applicant can and have provided good pedestrian and cycle connectivity throughout the site."*



Fig 1: Existing and proposed pedestrian and cycle connections through the subject site and wider area.

The appellant claims that *"the construction of the development as proposed will create noise, dust and vibration nuisance for a considerable period, in a manner excessively prejudicial to the residential amenity of existing and nearby residences."* This is not the case. A comprehensive Construction Environmental Management Plan (CEMP) prepared by Enviroguide was submitted with the application. Dust, noise and vibration were comprehensively dealt with in section 6.4 of this report which discussed the potential impacts and provided mitigation measures to alleviate any impact on existing residents. The CEMP was assessed by Cork County Council who raised no issues with its contents or the proposals to deal with dust, noise and vibration.

The appellant claims that the proposed development *"lacks sufficient vehicular parking"* which will ultimately *"lead to loss of parking amenity"* for residents thus creating a *"hazard for pedestrians."* This statement contradicts the appellants concerns regarding increased traffic volumes as a result of the proposed development. As is evident from the submitted documents the applicant has gone to great lengths to encourage a modal shift and encourage residents to walk and cycle to the town centre and nearby amenities which will help address any possible transport and junction capacity issues. The scheme has been developed to minimise parking where possible. The parking provision has been assessed by the area planner and Sustainable Travel Unit who raised no concerns with the level of parking proposed. The area planner states in his report dated December 18th, 2024 *"overall the parking proposals form part of the overall mitigation measure to seek to promote modal shift from cars to active travel modes (thereby reducing congestion). This is consistent with local and national policy and accordingly is acceptable for the proposed development"* and *"the STU have assessed the information submitted and raise no concerns."*

The appellant claims that existing amenities in the area are remote from the proposed development or under pressure which will be exacerbated by the proposed development. They have made specific reference to *"all schools in Mallow are at capacity or near capacity... recreational and community facilities are remote from the proposed Castle park LRD... local bus transport does not exist and the only bus stop is remote"* and *"the railway station is also remote."* These statements are simply untrue. They go on to state that the subject site is not situated within an urban area, is not central and/or accessible and not served by adequate amenities so therefore *"does not seem to adhere"* to the Department of Housing, Planning and Local Government Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities and in particular Section 2.0. We entirely disagree with this.

The proposed development is situated to the immediate east of and within easy walking distance of the town centre of Mallow and is not remote from existing amenities in the area. The site is accessed from Kingsfort Avenue, off St. Joseph's Road. St. Joseph's Road connects the site with Mallow town centre which is a c. 12-minute walk away. The town centre can also be accessed via the existing residential estate to the west via a 14-minute walk from the site to the town centre. A third pedestrian route from the site to the town centre is provided through the park to the south of the site, located along the River Blackwater.

Mallow Train Station is located west of Mallow Town Centre and is a c. 27 minute walk or 10 minute cycle from the subject site. Train services from Mallow connect the town with Cork City, Cobh, Midleton, Tralee, and Dublin. The 522 and 523 bus routes also serve the train station which connect the area with Mitchelstown and Charleville. A second bus stop located along Park Road, a c. 17 minute walk from the site, is served by bus routes 523, 522, 51 and 243. Route 51 connects the area with Galway, Limerick, and Cork and the route 243 connects the site with Newmarket, Doneraile, Charleville, and Cork.

A social infrastructure audit (SIA) was submitted with the application which assessed all available amenities within 15 minutes of the site, including schools, shops, childcare facilities and public transport options. The catchment area for this SIA was set as the area covered within a 15 minute cycle from the site access point. A 15 minute cycle area was chosen as it aligns to the national and local authority policy

objectives of creating urban environments that provide ample services within 15 minute of a dwelling. This catchment used a cycle area instead of a walk area as the subject site is located on a greenfield site which is earmarked as a new extension to the settlement of Mallow. Therefore, a 15 minute walk area would not reflect the access that the subject site has to various social infrastructure and services. To adjust for this, a 15 minute cycle area was chosen as a bicycle was deemed as the next most sustainable form of non-motorised transport.

The SIA found a total of 224 facilities located within the catchment area of the proposed development. More than a third (86) of the SIA facilities identified were retail facilities, which was the highest count of any SIA category. This large number of facilities across 7 categories indicates that this area abounds with social infrastructure facilities and services.

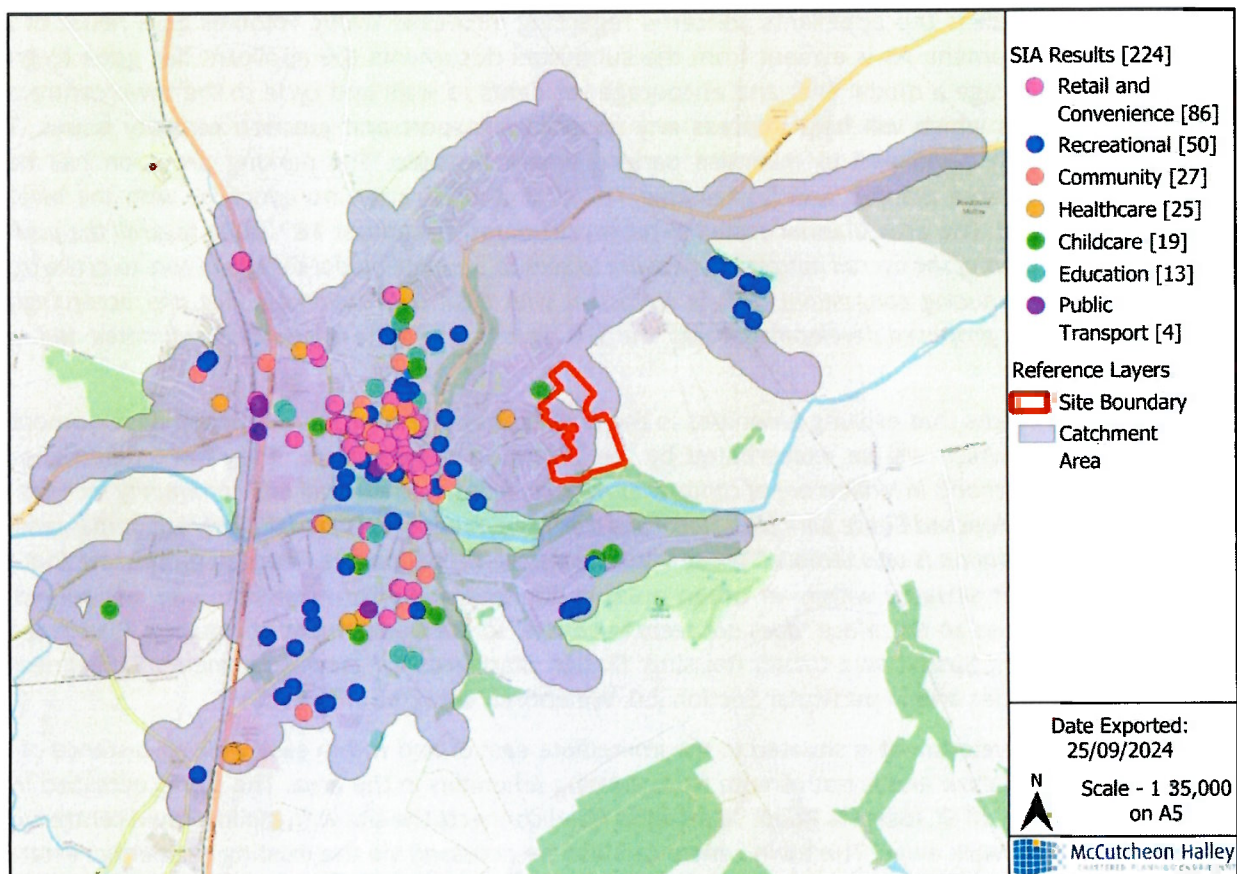


Fig 2: Social Infrastructure Facilities.

Notwithstanding this, the application includes a creche, interpretive centre, café, greenway and other amenities all within a 15-minute walk of each house, thereby ensuring that all essential services and amenities are available to both the residents of the development and the existing residents in the area. Therefore, the existing and future residents will have access to all essential social infrastructure and services. The Council reiterated this in their report dated December 18th which states *"the proposed development will add a childcare facility and a café/interpretive centre to the local area. The site is well located to utilise the existing retail, cultural, recreational and social infrastructure in Mallow Town and its surrounds."*

In addition to the SIA a School Demand Report was also submitted with the application which assessed the current capacity of schools within the catchment area and also the likely demand to be generated from the proposed development. The report concluded that there is sufficient existing capacity in the primary and post-primary schools within the catchment area. Furthermore, the review of land zoned for

educational use found that there are 2 parcels of land zoned for education purposes with both parcels near to the site of the proposed development.

Therefore, if the proposed development does generate a demand above the estimated figures, there is provision to accommodate this overflow. The report thus found that the proposed development does not necessitate the provision of a primary or a post-primary school in the short term. However, the parcels of land zoned for education close to the proposed development must be safeguarded to ensure that there are available locations for the addition of post primary schools and primary schools to accommodate the long-term growth of Mallow.

Therefore, we would ask the Board to uphold Cork County Council's decision to grant permission as the proposed development will not injure the residential amenities of properties in the vicinity and will enhance Mallow as a whole by providing additional residential units to the area.

3. The planning application was accompanied by a very comprehensive list of supporting material which was prepared to a very high standard and contains all the information required/sought by the planning authority.

The appellants claim that the submitted TTA *"does not take into account all of the proposed other additional LRD's on St Joseph's Road and Spa Glen."* This is simply not true. It is clear from the TTA submitted and from the Council's assessment of same, that all committed and future large scale developments in the area have been taken into account in section 5 of the TTA. The area engineer and area planner have acknowledged this and state *"Committed / Future Planned Developments are included within Section 5 of the revised Traffic and Transportation Assessment. Developments proposed in the general Mallow Environs anticipated to have an impact on the junctions included within the Traffic and Transportation assessment have been included in the modelling."*

The TTA and all documents contained in the planning pack that were submitted to Cork County Council were prepared to a very high standard by an experienced design team and contained all the relevant information required in relation to the proposed development. A full set of detailed architectural drawings, engineering drawings, and landscaping drawings were also submitted.

Cork County Council requested Further Information seeking additional material in response to the appellants submissions including additional information relating to traffic impacts all of which were comprehensively addressed by the applicant.

All documents submitted to the Council were prepared by competent professionals to a high standard. Cork County Council assessed the submitted documents and were satisfied that the material submitted at the initial planning application stage and further information stage, provided them with all the relevant information required to approve the development. Moreover, the planning application was developed in a collaborative approach with Cork County Council where discussions took place prior to both the application and further information being lodged to ensure a high standard of development for the area.

Summary and Conclusion

To conclude, Cork County Councils' decision to grant permission for the proposed development was made on the basis that it was fully consistent with policy and suitable in terms of use and overall design. The fact that permission was granted for the proposed development by Cork County Council is a testament to the quality of the proposal. We would again like to highlight that the site is applicable for the Residential Zoned Land Tax which confirms that all infrastructure (internal & external) is in place to facilitate development of these lands. This includes capacity with the local road networks and junctions.

In relation to the grounds of the third party appeal against Cork County Councils decision to grant permission under Ref. 24/6036, our response to the issues raised is summarised as follows:

1. The proposed development will not give rise to any adverse traffic impacts.
2. The proposed development will not seriously injure the residential amenities of properties in the vicinity and will enhance Mallow as a whole by providing additional residential units in the town, where there is an acute need for housing.
3. The planning application was accompanied by a very comprehensive list of supporting material which was prepared to a very high standard and contains all the information required/sought by the planning authority.

We trust that this submission will be considered in the Boards assessment of the proposed development. Please contact the undersigned if you require any further information.

Yours sincerely,



Cora Savage

McCutcheon Halley