

An Coimisiún Pleanála, 64 Marlborough Street, Dublin 1

Cork County Council Planning File 25/4551.

Large Scale Residential Development at Mountain Road, Kilmoney, Carrigaline, Co. Cork

Observation on appeal by Simon Brewitt, BA, BAI, C.Eng, FIEI Chartered Civil Engineer, Tiaracht, Mountain Road, Carrigaline, Co. Cork ABP-322734-25

We fully endorse and support the appeal made by Simon Brewitt against Cork County Council's decision to grant permission for a Large-Scale Residential Development (LRD) comprising 362 units, creche with community room and café, and associated ancillary development works at Mountain Road, Kilmoney, Carrigaline, Co. Cork, in its entirety.

When considering the appeal by Simon Brewitt against Cork County Council's decision to grant permission for a Large-Scale Residential Development (LRD) comprising 362 units, creche with community room and café, and associated ancillary development works at Mountain Road, Kilmoney, Carrigaline, Co. Cork, we request that the Commission take note of the following points.

1. Laneway on the eastern boundary of the development site

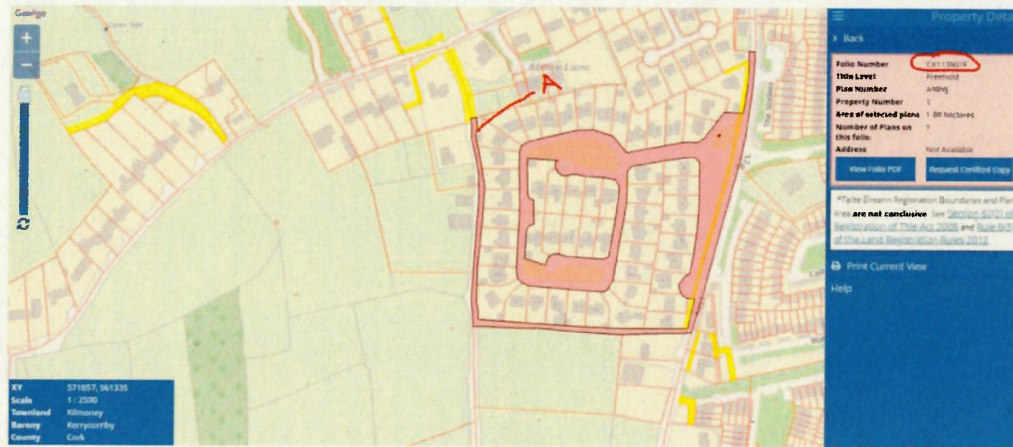
Simon Brewitt's appeal states that *'The drawings and documents show a shared surface pedestrian and cycle link on the eastern boundary of the development site corresponding to the CL-U-08 objective. The landowners of the northern section, along part of the existing laneway where it adjoins Mountain Road (of which I am one) have not been consulted or given permission for either a planning application to be made or for construction of the public walkway/cycle link. This can therefore not be delivered by the applicant and therefore should be omitted.'*

The appeal further states that, in the event whereby planning is granted by An Coimisiun Pleanala, *'A condition is needed to require that permission is obtained from the owners of the laneway on the eastern boundary of the development site prior to any construction work being carried out on the laneway. Similar permission must be obtained if the laneway is to be used as any form of construction access to the development site.'*

We observe that there is another land ownership question for the portion of laneway south of the northern section noted in Simon Brewitt's appeal. It is evident that Hilary & John Loftus have a stake on this portion of the laneway as per Folio A shown in Fig. 1.

Fig. 1 Folio (A) Ownership

Hilary Loftus, (Oakdale, Ballyvolane, Cork), John Loftus (Sallybrook, Glanmire, Co Cork)



We also observe that The County Development Plan highlights an **alternative route** (CL-U-08) passing directly through the proposed development, versus using the laneway on the eastern boundary of the site which runs directly behind long term dwellings in the Wheatfields estate. We respectfully request, that in the event whereby planning is granted by An Coimisiun Pleanala, that a condition is added to make use of this alternative route, to mitigate against land ownership issues and loss of privacy and security to the residents of the dwellings bordering the laneway.

In addition to the above, we observe that the Planning Application drawing 2400/P/003 states that it is proposed to construct a “shared surface pedestrian and cycle link on existing laneway” with reference to said laneway. No construction details for this are provided other than this description, a layout of proposed lighting and an incomplete plan of trees proposed for removal or retention with some existing trees excluded.

As noted in our submission, dated 02/05/25, to the Planning Authority, the lack of detailed information on the ownership and treatment of this laneway on the eastern boundary of the site is of serious concern to the residents of the dwellings directly bordering this laneway in the Wheatfields estate. At a minimum, we request clarity on the treatment of this laneway, but also respectfully suggest that a possible solution which one may consider, in the event that the alternative route for (CL-U-08) is implemented, is to transfer legal title for the resulting unused sections of the laneway to the long term residents directly bordering same to prevent this area becoming waste ground.

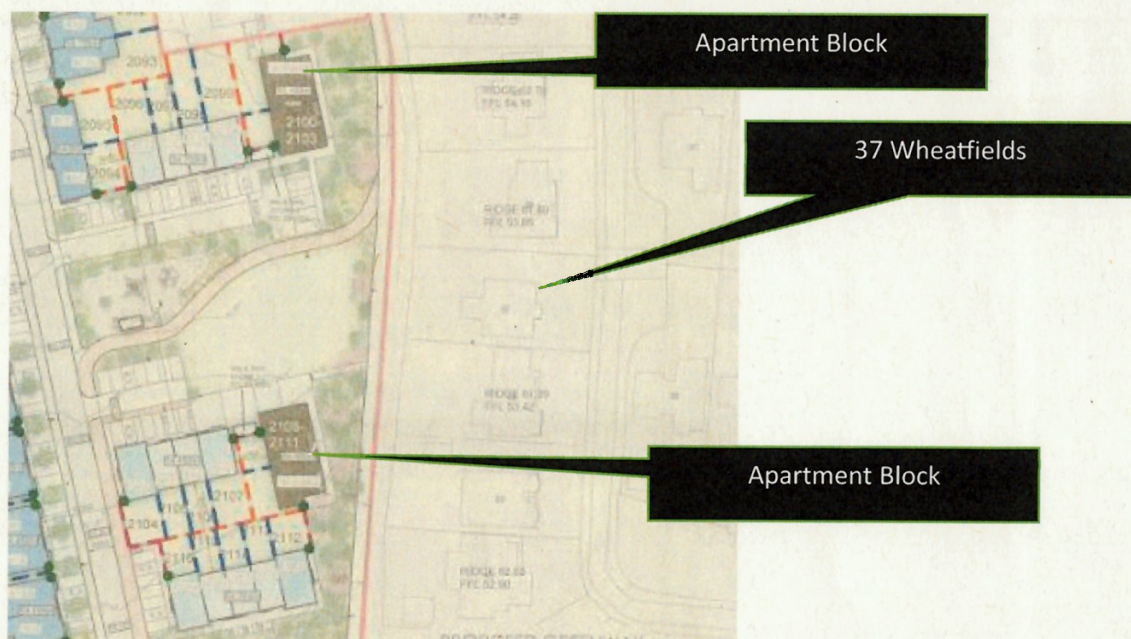
2. **Contravention of objective CL-R-10**

Simon Brewitt’s appeal states that ‘*Objective CL-R-10 which applies to the proposed development site is quite specific in that it states that “Medium B density residential development to include **a mix of house types** accompanied with appropriate landscaping”*’. We observe that the planning application potentially contravenes zoning objective CL-R-10, of the Cork County Development Plan 2022-2028, specifically due to the construction of **apartments** versus ‘**a mix of house types**’.

This raises significant concerns within our community, and we believe it warrants your immediate attention and intervention to ensure that the County Development Plan is upheld and adhered to. The County Development Plan is a crucial document that guides orderly and sustainable development within our county. Any deviations or breaches could have far-reaching consequences, not only for the immediate area surrounding the lane but also for the broader community's development and well-being.

This development will lead to a significant infringement upon, and loss, of our and our neighbours, privacy. We are long term dwellers of our property with more than 17 years, within Wheatfields estate which was developed approximately 20 years ago. The proposed construction of new homes and in particular apartments, would overlook our and neighbouring, rear gardens and would remove our and neighbouring properties privacy. As already highlighted, objective CL-R-10 of the county development plan designates 'a mix of house types', not apartments, which furthermore would not be in keeping with the character of the surrounding area, versus somewhere more suitable such as the centre of Carrigaline town, for example. Images below show the proximity of the proposed apartment blocks and a public greenspace to the rear of our home. The boundary space between is the laneway highlighted in point 1. which borders not just our property, but all properties in this row of the Wheatfields estate. Even allowing for the distance from the proposed apartments to the rear of our properties across the laneway, there would remain a significant impact on our privacy.

Fig. 2 Extract from Site Plan showing location of apartment blocks relative to 37 Wheatfields.



We respectfully request that An Coimisiun Pleanála investigate this matter thoroughly and take the necessary actions to rectify any breaches of the County Development Plan. It is imperative that the integrity of the plan is maintained to ensure fair and consistent development practices.

3. Flooding Risk

We have serious concerns regarding surface water drainage and the risk of flooding to our property and in the general area. The land in Wheatfields and the surrounding area contains clay soil which retains water and has required us and our neighbours to invest heavily in garden drainage and mitigation measures to minimise garden flooding. Page 11 of the Site Specific Flood Risk Assessment, Figure 9, shows the land in Wheatfields as being at less risk of flooding than this new development and we are already living the reality of the impact of the clay soil here. Page 10 of the Site Specific Flood Risk Assessment states that the Geological Survey of Ireland (GSI) classifies the aquifer vulnerability in the site area as having a '*moderate to extreme vulnerability rating*'.

The planning application form for this development contains a question as to whether the site has ever flooded before – the response selected in the form is 'NO'. Wheatfields residents can attest to the fact that the site has flooded in the recent past and into the gardens of Wheatfields properties along the southeastern boundary of the proposed development site.

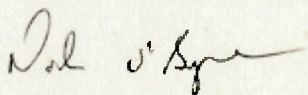
Page 6 of the DMURS compliance statement indicates that '*a small portion of the site (southeastern portion) drains eastwards from circa 58.0mOD to the eastern boundary at an elevation of approximately 52.5m OD*'. Figure 9 on page 11 shows moderate to extreme vulnerability.

The Site Specific Flood Risk Assessment document suggests that the site drainage would flow towards the northeastern corner of the site (towards our houses) and that this would then drain from 'the main hydrological feature of the area is an existing stream/drain which runs along the northern boundary of the site and flows north' (ref page 10 Site Specific Flood Risk Assessment section 3.1). I, Nicola O'Byrne, was caught in a flood on the Forrest Road in 2009 in the exact location where this stream overflowed. Given the trajectory of climate change we can assume that the flood risk here can only be worse today.

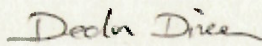
Page 17 of the Landscape Concept shows an attenuation pond in the same location as the green space directly behind our home. We request clarification as to whether this pond will be implemented and if not, then what surface water strategy will be implemented instead?

All of the above issues were brought to the attention of the Planning Authority in our submission dated 02/05/25. We respectfully request that An Coimisiun Pleanála consider the above observations regarding ownership and treatment of the laneway between this development site and Wheatfields, potential breaches of the county development plan regarding the construction of apartments and the potential flooding risks.

Observation submitted by: Nicola O'Byrne and Declan Dineen, 37 Wheatfields, Carrigaline, Co. Cork



Nicola O'Byrne

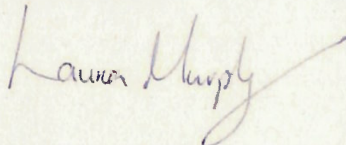


Declan Dineen

This observation is also endorsed by the following who previously submitted individual objections.

Laura Murphy,

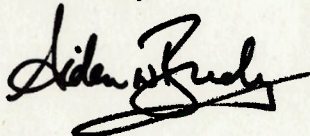
24 Wheatfields, Carrigaline. Co. Cork



Signed.....

Aidan Brady,

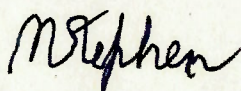
40 Wheatfields, Carrigaline. Co. Cork



Signed.....

Mike Stephen,

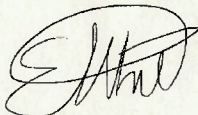
39 Wheatfields, Carrigaline. Co. Cork



Signed.....

Eoin Whyte,

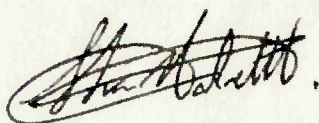
38 Wheatfields, Carrigaline. Co. Cork



Signed.....

Shane Hartnett

25 Wheatfields, Carrigaline. Co. Cork



Signed.....