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AN COIMISIÚN PLEANÁLA
LDG- 089383-26
ACP-
22 JUL 2026
Fee: € 220 Type: CnG
Time: 14:14 By: COURIER

The Secretary
An Coimisiún Pleanála
64 Marlborough Street,
Dublin 1,
D01 V902

21 July 2026

Re: **Cork County Council Planning Reference 26/1129.**
A Large-Scale Residential Development (LRD) of 240 no. residential units and creche facility at Coolfadda & Kilbrogan (townlands), Bandon, Co. Cork.

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Accreditations
ISO 9001:2015
ISO 14001:2015
ISO 45001:2018

Dear Sir/Madam,

We act on behalf of Wayleaf B Limited, Sea Lodge Hotel, Main Street, Waterville, Co. Kerry, who wish to appeal the special development contributions[1], being sought under Condition No. 77 of Cork County Council's decision to grant permission on June 25th, 2026, for the above LRD at Coolfadda & Kilbrogan (townlands), Bandon, Co. Cork[2]. We request that the appeal be dealt with under the provisions of Section 48 and 139 of the Planning & Development Act 2000 (as amended) and be restricted to consideration of the special development contribution of €540,100 applied in Condition No. 77 only. We enclose the statutory appeal fee payable of €220.

01 Appeal Background & Context

Special Development Contributions Levied

Our clients welcome the decision of the Planning Authority to grant permission for the proposed development and look forward to delivering a high-quality residential scheme which will positively contribute to the urban expansion of Bandon. The application was accompanied by both an Environmental Impact Assessment Report and Appropriate Assessment / Natura Impact Statement, with the Planning Authority granting conditional permission without requesting further information (RFI), demonstrating the comprehensive nature of the application.

However, the inclusion of the special development contributions in Condition No. 77 will have negative implications for the viability of the delivery of the scheme. The special contributions levied of €540,100 are significant in nature, and while committed to working in positive partnership with Cork County Council to deliver the proposed development which includes public realm enhancement measures on Kilbrogan Street[3], the applicants consider that the special development contributions levied in Condition 77 of 26/1129 are unjustified and not in accordance with Section 48(2)(c) of the 2000 Act and 'Development Contributions Guidelines for Planning Authorities' 2013.

[1] Made in accordance with the provisions of Section 48(2)(c) of the Planning and Development Act 2000 (as amended).
[2] Cork County Councils decision for 26/1129 is included as Enclosure 1 of this first party appeal.
[3] Which were included within the application and were subject to a letter of consent from Cork County Council.

The inclusion of Condition No. 77 was recommended by the Councils Executive Engineer, as outlined in the report dated June 22nd 2026[4] and relate to the following upgrades of the existing road network in Bandon.

- Widening and upgrading of the L-2039-0, L-6055-0 and L-95892-1 between the proposed site entrance and Lovell's Cross, over an approximate distance of 1,450 metres.
- Widening and upgrading of the L-95892-1 between the Kilbrogan Cemetery Junction and the Macroom Road (R589) over an approximate distance of 250 metres.
- Localised road realignment and carriageway raising in the vicinity of Kilbrogan Cemetery Junction to improve forward visibility and assist in traffic speed reduction.
- Provision of public lighting at and in the vicinity of Kilbrogan Cemetery Junction to improve road user awareness and enhance road safety.
- Associated drainage, resurfacing, road markings and traffic management works required to facilitate the above improvements.
- Between the Kilbrogan Cemetery Junction and the Macroom Road along the L-95892-1

In total these works amount to the upgrades and widening and upgrade of circa 1,700 metres of existing roads and the upgrades of junctions to the northeast of the subject site. The roads in question are mapped for reference, as per Enclosure 2 of this appeal.

Proposed Development Context

The Commission will note that the subject site's BD-R-01 residential zoning objective in the Cork County Development Plan 2022 (CDP), confirms that no existing road upgrades are required to facilitate residential development of the lands. Zoning Objective BD-R-01 aims to provide.

> ***'Medium A Residential Development** - The site supports habitats of biodiversity value; provision should be made for the retention and protection of the same within any new development where possible. Proposals to demonstrate how the stream is integrated into the layout from a biodiversity and placemaking approach is required.'*

The BDR-01 zoning objective and Table D3 of the CDP *'Residential Lands NPF Tiering'* also confirm that there are no infrastructural impediments to the delivery of the BDR-01 lands, with Table D3 categorising the lands as 'Tier 1'. Section 2.19.4 of the CDP (Volume 1) defines Tier 1 lands that.

[4] Enclosure 3 of this Appeal.

'Tier 1 comprises lands that are able to connect to existing development services, i.e. road and footpath access including public lighting, foul sewer drainage, surface water drainage and water supply, for which there is service capacity available, and can therefore accommodate new development. These lands will generally be positioned within the existing built-up footprint of a settlement or contiguous to existing developed lands. Inclusion in Tier 1 will generally require the lands to be within the footprint of or spatially sequential within the identified settlement'.

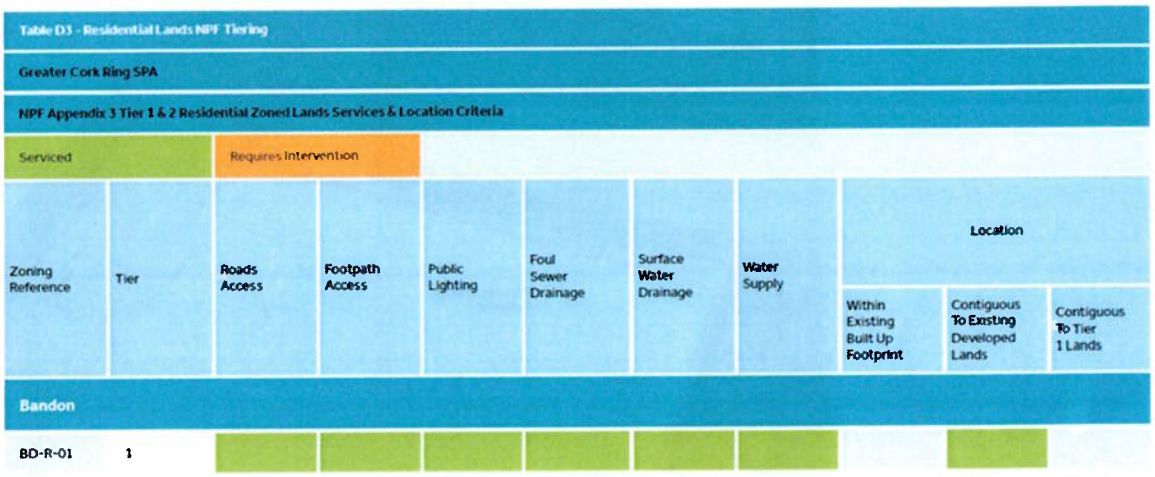


Figure 01 CDP Table D3. Residential Lands NPF Tiering

The proposed development does provide for considerable public realm enhancements in the area, including pedestrian and cycle paths on Convent Hill (L-2011) to the south, the L-2033 local road to the west and to Kilbrogan Street (L-2039) to the east, which includes a raised table, and new footpath to connect to existing footpath infrastructure and provide connectivity to the Town Park. These works were included within the red line boundary of the application and were subject a letter of consent from Cork County Council.

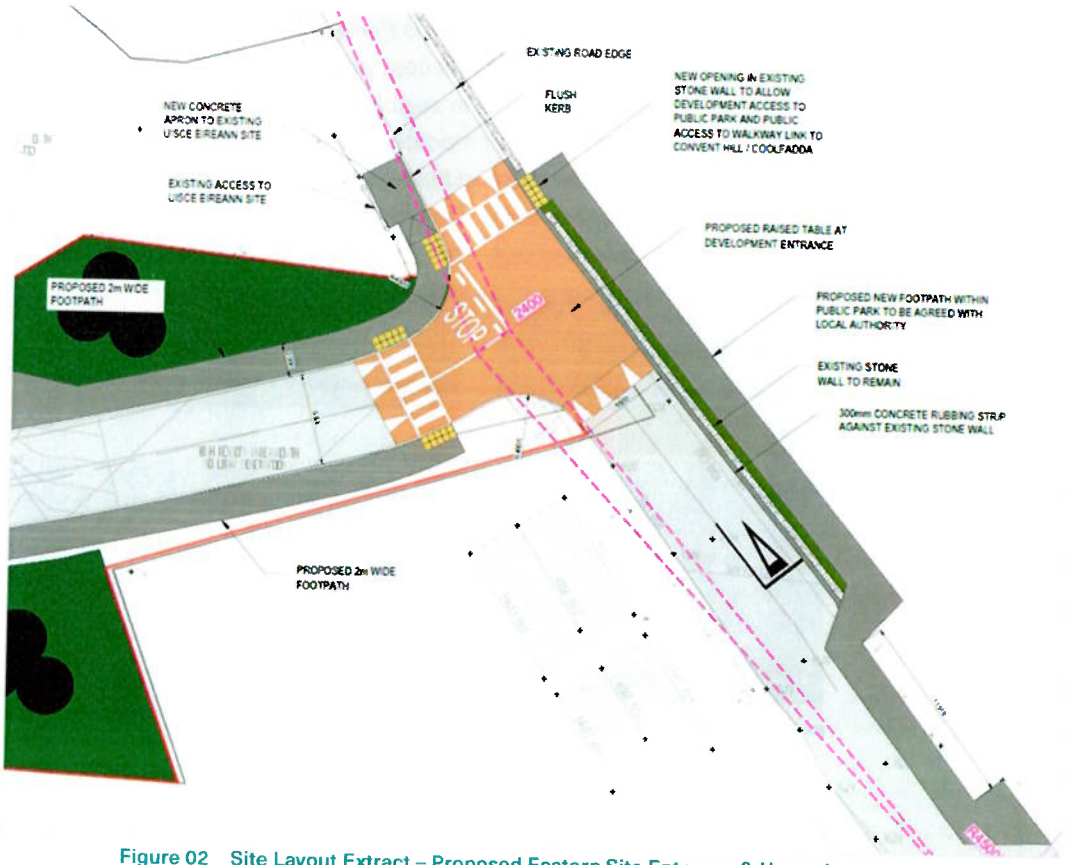


Figure 02 Site Layout Extract – Proposed Eastern Site Entrance & Upgrades to Kilbrogan Street.

The Commission will also note that the road upgrades subject to Condition 77 were not referenced during a Stage 1 (S247 Meeting) which took place on May 6th 2026 regarding the proposed development, with a general reference in the Councils S247 Minutes from the Councils Roads Directorate stating that.

> *'Noted CCC applies special contributions on most of the development in Bandon to improve access/ roads/ footpaths. If the applicants propose to carry out development which benefits the scheme i.e. a through road, the special contribution can be reduced'.*

Neither were they referenced in subsequent Stage 2 LRD Meeting which took place on November 11th 2025. In the Councils Minutes we note the comments of the Area Engineer where it was stated.

> *'Noted that as Kilbrogan Road would be put under pressure from the proposed development a special contribution of €3,000 per residential unit will be allied to carry out beneficial works.'*

Item 3(12) of the Councils subsequent LRD Opinion dated December 12th 2025, did not specify which road and junction upgrades would be subject to the levying of special development contributions, however it was assumed to relate to the future delivery of aspects of the '*Bandon Transportation and Public Realm Enhancement Plan'* (TPREP) scheme in Bandon town centre. Item 3(12) of the LRD opinion stated that.

'A special contribution (per the number of proposed residential units) is required to be provided in line with other developments in the locus, in order to fund the necessary road and junction upgrades required to accommodate the additional traffic volumes generated by the proposed development.'

However as noted in Condition 77, the subject works do not relate to upgrades identified in the TPREP and instead relate to circa 1,700 metres of roads to the north of the town. For convenience the Stage 2 LRD Meeting minutes and subject LRD Opinion are included as Enclosure 4 of this appeal.

The Commission will also note in preparation of the application, the scope of a Traffic & Transport Assessment (TTA) was agreed with the Planning Authority and the projects Traffic Consultants (MHL & Associates). For the TTA, the applicants were not requested to assesses the roads and junctions subject to the levied special contributions in Condition 77. The TTA assessed the following traffic junctions:

- **Junction 1:** T-Junction – The Tannery Rd / L2033 Coolfadda Rd
- **Junction 2:** T-Junction - Convent Hill Rd / Kilbrogan St.
- **Junction 3:** T-Junction - Convent Hill Rd / Macroom Rd
- **Junction 4:** T-Junction - N Main St / Kilbrogan Hill Rd
- **Junction 5:** T-Junction - Cork Rd/ N Main St/ St Finbarr's Place

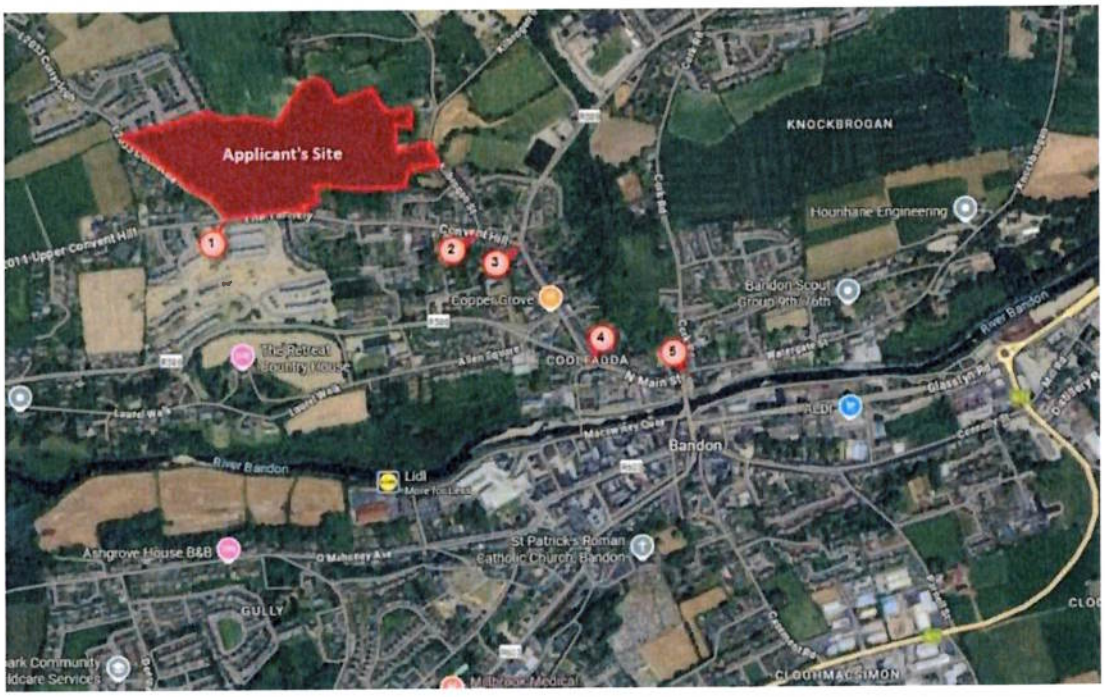


Figure 03 Assessed Junctions 1-5 in submitted TTA

With the TTA concluding that.

'Overall, the analysis confirms that with the TPREP recommended junction enhancements, all five junctions will continue to function efficiently in both the short

and long term, and the applicant's development will not cause any notable operational problems across the network.'

Accordingly, the applicants feel they have no other option but to appeal the imposition of Condition No. 77. We consider that the special contributions in question, are unjustified, and not in accordance with Section 48(2)(c) of the 2000 Act and 'Development Contributions Guidelines for Planning Authorities' 2013.

Section 48(2)(c) of the 2000 Act states.

'A planning authority may, in addition to the terms of a scheme, require the payment of a special contribution in respect of a particular development where specific exceptional costs not covered by a scheme are incurred by any local authority in respect of public infrastructure and facilities which benefit the proposed development.'

The 2013 Guidelines are unequivocal in stating that Planning Authorities should only impose special development contributions.

'Where specific exceptional costs, which are not covered by the general contribution scheme, are incurred by a local authority in the provision of public infrastructure or facilities which benefit very specific requirements for the proposed development, such as a new road junction or the relocation of piped services. The particular works should be specified in the condition. Only developments that will benefit from the public infrastructure or facility in question should be liable to pay the development contribution.'

As outlined in this appeal, based on a review of the internal Council reports, these criteria have not been satisfied as the works at between the proposed site entrance and Lovell's Cross and between the Kilbrogan Cemetery Junction and the Macroom Road (R589) are neither exceptional nor specific to our client's development. *'Cork County Councils General Development Contributions Scheme 2004'* (GDCS) confirms that the general development contributions imposed with permissions.

*'Reflects the objectives as set out in the County Development Plan, namely: Sanitary Services, **Roads and Traffic Management**, Community and Recreational Amenity.'*

The 2013 Development Contributions Guidelines advise caution in respect of double-charging through general area-based levies which fall outside general development contributions. Specifically, it states that it is essential.

"that planning authorities ensure that there is clear and explicit alignment between areas identified for such treatment in their development contribution scheme and the plan led objectives set out in the core strategy and development plan".

Accordingly, as the upgrades between the proposed site entrance on Kilbrogan Street and Lovells Cross and between the Kilbrogan Cemetery Junction and the Macroom Road are neither exceptional nor specific to the delivery of subject development, are covered by the Council's General Contribution Scheme and Condition no. 77 represents a 'double charge'. The

Commission will note Condition 78 of 26/1129 levies €469, 014 in accordance with the Councils General Contribution Scheme. Condition no. 77 states in full that.

Condition No. 77	Reason
At least one month before commencing development or at the discretion of the Planning Authority within such further period or periods of time as it may nominate in writing, the developer shall pay a special contribution of **€540,100** to Cork County Council, updated monthly in accordance with the Consumer Price Index from the date of grant of permission to the date of payment, in respect of specific exceptional costs not covered in the Council's General Contributions Scheme, in respect of works proposed to be carried out, ➢ **for the provision of road widening and ancillary works required to facilitate the proposed development, between the proposed site entrance on Kilbrogan Street and Lovells Cross along the L-2039-0, L-6055-0 and L-95892-1, and** ➢ **between the Kilbrogan Cemetery Junction and the Macroom Road along the L-95892-1.** The payment of the said contribution shall be subject to the following: (a) where the works in question— (i) are not commenced within 5 years of the date of payment of the contribution (or final instalment if paid by phased payment), (ii) have commenced but have not been completed within 7 years of the date of payment of the contribution (or final instalment if paid by phased payment), or (iii) where the Council has decided not to proceed with the proposed works or part thereof, the contribution shall, subject to paragraph (b) below, be refunded to the applicant together with any interest which may have accrued over the period while held by the Council. (b) Where under sub-paragraphs (ii) or (iii) of paragraph (a) above, any local authority has incurred expenditure within the required period in respect of a proportion of the works proposed to be carried out, any refund shall be in proportion to those proposed works which have not been carried out. (c) payment of interest at the prevailing interest rate payable by the Council's Treasurer on the Council's General Account on the contribution or any instalments thereof that have been paid, so long and in so far as it is or they are retained unexpended by the Council.	It is considered appropriate that the developer should contribute towards these specific exceptional costs, for works which will benefit the proposed development.

02 Grounds of Appeal

The special contribution charges sought under Condition No. 77, for the provision of infrastructure and facilities are neither exceptional nor specific to our clients'

development and are therefore not in accordance with the requirements of Sections 48(2)(c) of the Planning and Development Act 2000 (as amended).

Governing legislation and supporting guidance is unequivocal that special development contributions should only be made in respect of a particular development whereby demands likely to be placed on the public services and facilities are deemed to be 'exceptional', thereby incurring costs not covered by the General Development Contribution Scheme.

Having reviewed the reports of the Councils Executive Engineer dated June 22nd 2026, Area Planners Report and Senior Planners report (both dated June 25th 2026), we note that there is no reference to the need for *'exceptional'* works to make the development acceptable in planning terms. Based on this, we submit that the special development contributions are speculative and not specific to our clients' development.

a) **Road widening and ancillary works required to facilitate the proposed development, between the proposed site entrance on Kilbrogan Street and Lovells Cross along the L-2039-0, L-6055-0 and L-95892-1.**

As outlined in the Councils Executive Engineer dated June 22nd 2026, Condition 77 levied special contributions for the upgrade of approximately 1,450 metres of road between the proposed eastern entrance on Kilbrogan Street and Lovells Cross to the north of Bandon. As outlined above, at no stage during S247 or S32B pre-application discussions were the applicants requested to assess any potential impacts in this area.

The report of the Executive Engineer states that.

> *'A Traffic Impact Assessment (TIA) has been submitted and considered by the Planning Authority. The assessment incorporates the cumulative traffic impacts arising from existing residential developments, developments currently under construction, and those that are either permitted or under consideration within the wider Bandon area.*
>
> *The Area Engineer remains concerned regarding the future operation of the Macroom Road / Convent Hill Junction. The submitted Traffic Impact Assessment confirms that this junction is projected to operate over capacity in future years, thereby validating the concerns previously identified by the Planning Authority.*
>
> *It is reasonable to anticipate that drivers seeking to avoid delays at the junction will utilise alternative routes via Kilbrogan Street and the local road network, including the L- 2039-0 & L-6055-0, in order to access the town centre via Lovell's Cross, or travel towards Crossbarry, or also via L-95892-1 between the Kilbrogan Cemetery Junction and the junction with the Macroom Road. Increased traffic volumes on these roads are likely to arise as a direct consequence of the proposed development.*
>
> *The existing carriageway widths on sections of these roads are inadequate to accommodate the anticipated increase in traffic. However, sufficient width exists between the roadside drainage ditches to facilitate road widening works without the necessity for significant land acquisition.'*

The Commission will note that regarding the Macroom Road/Convent Hill Junction (Junction 3 in the TTA) the TTA Non-Technical Summary (Page 6) confirms that.

> *'Junction 3 will see traffic increases, but the majority of this will come from other developments rather than the applicant's site. Traffic management improvements of this junction may be required beyond the 2032 design horizon. This would also serve to provide improved pedestrian facilities at the location. The Bandon TPREP report recommends that junction improvements should be carried out to improve pedestrian safety, reduce vehicle speeds, and improve control of roadside parking.*

And (Page 47) that

> *'while approaching capacity in the long term, is influenced far more by surrounding developments than the applicant's site. Recommended TPERP junction improvements will improve operations, junction capacity and connectivity for vulnerable road users.'*

The Commission will also note that Cork County Council did not update their adopted general, special, or supplementary contribution schemes in advance of the adoption of the current CDP to reflect the costs or future delivery of the Bandon TPREP scheme. As outlined above, the 2013 Development Contributions Guidelines advise caution in respect of double-charging through general area-based levies which fall outside general development contributions.

Accordingly, as the upgrades to the between the subject sites eastern entrance on Kilbrogan Street and Lovells Cross are neither exceptional nor specific to the delivery of subject development, the inclusion of a special contribution relating to roads and traffic management upgrades are covered by the Council's General Contribution Scheme and Condition no. 77 represents a 'double charge'.

b) Kilbrogan Cemetery Junction and the Macroom Road along the L-95892-1.

Condition 77 relates to the upgrade and widening of circa 250 metres of exisitng road between Kilbrogan Cemetery Junction and Macroom Road. As outlined above these works cannot be considered to satisfy the test as 'specific exceptional costs' necessary to facilitate the permitted development

The contributions levied by the local authority do not accord with the principles of reasonableness or proportionality, as they relate to the permitted development, having regard to the Development Contributions Guidelines for Planning Authorities 2013.

Notwithstanding our position on the non-applicability of the specified special development contributions to the permitted development, the Council have not evidenced any reasonable basis for the levying of the subject special development contributions. Condition No. 78 provides for payment of a contribution of €469, 014 in respect of public infrastructure and facilities benefiting the development. This has been calculated in accordance with the Council's adopted General Development Contributions Scheme (GDCS) 2004. The applicants have no issue paying this sum which will go towards public infrastructure improvements in the area.

Precedent

We note several other recent cases in Bandon where An Coimisiún Pleanála have removed conditions levying special development contributions attached by Cork County Council. These include

- ACP-324173-26 (CCC Planning Reference 25/6376) - Removal of Condition No. 54 which referred to special contributions of €678,000 in respect of works proposed to be carried out, for the provision of junction improvement works at Sean Hales Place Junction to the south and Old Cork Road/Macroom Road Junction to the north.
- ABP-322415-25 (CCC Planning Reference 24/5568) - Removal of Condition No. 52 which referred to special contributions of €66,388.00 in respect of works proposed to be carried out, for the provision of works proposed north of Bandon Bridge to ease town bound traffic congestion and to improve pedestrian connectivity.
- ABP-319115-24 (CCC Planning Reference 23/4015) – Removal of Condition No. 63 which referred to special contributions of €21,000 in respect of works proposed to be carried out, for the provision of car parking spaces.

The Commission will note that in these cases, it was clearly established that ket tests were not met for the levying of special development contributions, namely:

- That such payments were justified in respect of the proposed development;
- That it was clearly demonstrated that specific exceptional costs must be incurred as a result of, or in order to facilitate it, and;
- It was clearly evident that Such costs cannot be covered by a Development Contribution Scheme made under Section 48 or 49 of the Act.

Within this, it has been clearly established in Bandon that the general collection of special contributions to ease congestion and improve connectivity do not represent exceptional and specific costs in terms of public infrastructure within the meaning of Section 48(2)(c) Planning and Development Act 2000, and that attempts to levy same alongside the existence of a General Development Contribution Scheme with an equivalent category component would constitute double-charging and accordingly, would not be warranted.

03 Conclusions

In summary we request that this appeal be dealt with under the provision of Sections 48(13) and Section 139 of the Planning & Development Acts 2000-2010 and be restricted to consideration of Condition No. 77 relating to a Special Development Contribution only. In conclusion the grounds of appeal are:

- The special contribution charges sought under Condition No. 77, for the provision of infrastructure and facilities are neither exceptional nor specific to our clients' development and are therefore not in accordance with the requirements of Sections 48(2)(c) of the Planning and Development Act 2000 (as amended).

- The contributions levied by the local authority do not accord with the principles of reasonableness or proportionality, as they relate to the permitted development, having regard to the Development Contributions Guidelines for Planning Authorities 2013.

Having regard to the foregoing, we submit that the special development contribution charges sought under Condition No. 77 should be omitted in its entirety.

Please do not hesitate to contact us if you have any queries.

Yours Sincerely



John O'Brien
HW Planning

Enclosures

1. Decision of Cork County Council
2. Map of Road / Suggested Upgrade Context
3. Report of Executive Engineer recommending upgrades.

HW P
hw planning
29 JUN 2026
RECEIVED

CORK COUNTY COUNCIL
PLANNING & DEVELOPMENT ACT 2000 AS AMENDED
NOTIFICATION OF DECISION TO GRANT LRD Permission

Reference Number in Planning Register **26/1129**

Wayleaf B Limited,
C/O HW Planning,
5 Joyce House,
Barrack Square,
Ballincollig, Cork,
P31 KP84

In pursuance of the powers conferred upon them by the above-mentioned Act and for the reason set out in the First Schedule hereto, the Council of the County of Cork has by Order dated 25-June-2026 decided to **GRANT LRD Permission** for the development of land namely:

For: a Large-Scale Residential Development (LRD) at Coolfadda & Kilbrogan (townlands), Bandon, Co. Cork. The proposed development consists of the construction of a residential development of 240 no. residential units comprising 156 no. dwelling houses, 84 no. apartments, a creche facility and all ancillary site development works. The proposed 156 no. dwelling houses comprise of 29 no. 4 bedroom detached/semi-detached dwellings, 126 no. 3 bedroom semi-detached/terraced units and 1 no. 2 bedroom detached dwelling house. The proposed 84 no. apartments will consist of 60 no. 2 bedroom units and 24 no. 1 bedroom units to be accommodated in 4 no. three storey apartment buildings.
Vehicular and pedestrian access to the proposed development will be provided via new entrances from the L-2033 local road which will serve western areas of the proposed development and via Kilbrogan Street (L-2039) which will serve eastern and northern areas of the proposed development. The proposed development also provides for 2 no. shared vehicular entrances from Convent Hill to the south (L-2011) to serve southern areas of the proposed development. The proposed development also provides for public realm enhancements to Kilbrogan Street (L-2039), which include a raised table, and new footpath to connect to existing footpath infrastructure and provide connectivity to the Town Park. Other ancillary site development works include landscape and amenity areas, pedestrian and cycle paths within the site, bicycle parking and bin storage facilities, the removal/demolition of an existing pre-fab structure and a vehicular bridge crossing over an existing watercourse to serve as access for 26 no. of the proposed dwelling houses in northern areas of the site.
An Environmental Impact Assessment Report and a Natura Impact Statement have been prepared in respect of the proposed development.

At: Coolfadda & Kilbrogan (townlands), Bandon, Co. Cork.

In accordance with the plans and particulars submitted by the applicant(s)

On: 01-May-2026 as amended on 26-May-2026

And subject to the conditions (78 No.) set out in the Second Schedule attached hereto. The reasons for the imposition of the said conditions are also set out in the schedule.

An appeal against a decision of the Planning Authority may be made to An Coimisiún Pleanála by any authorised person before the EXPIRATION of the period of FOUR WEEKS beginning on the day of the giving (i.e. Date of Order) of the decision of the Planning Authority. (SEE NOTES ATTACHED).

If there is no appeal against the said decision on expiration of the period, a grant of LRD Permission in accordance with the decision shall be issued as soon as may be, but not earlier than 3 working days after the expiration of the period for the making of an appeal to An Coimisiún Pleanála. It should be noted that until a **Grant of LRD Permission** has been issued the development in question is NOT AUTHORISED.

Signed on behalf of the said Council

Brian Philpott
Senior Staff Officer
Date: 26-Jun-2026

SEE NOTES ATTACHED
Please note that pursuant to S.34(3) of the Act, the Planning Authority has had regard to submissions or observations received in accordance with these Regulations.
In accordance with Article 20, site notice shall be removed on receipt of this notification.

FIRST SCHEDULE

Planning Reference Number 26/1129

Having regard to the development plan objectives for the area and the pattern of development in this area, it is considered that subject to compliance with conditions attached in the Second Schedule, the proposed development would not seriously injure the amenities of the area and would not be prejudicial to public health and, therefore, would be in accordance with the proper planning and sustainable development of the area.

SECOND SCHEDULE

Conditions:

1. The development shall be carried out in accordance with the plans and particulars submitted with the planning application on 01/05/2026, as amended by unfurther information submitted on 26/05/2026, save as may otherwise be required by the following conditions.

   Reason: To clarify the plans and particulars for which permission is granted.

2. (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, as amended, 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 Authority 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: In the interest of orderly development.

3. Prior to commencement of development, or at the discretion of the Planning Authority within such further period or periods of time as it may nominate in writing, the applicant/person or commercial entity with an interest in the land to which the application relates and Part V compliance relates, shall enter into an agreement in writing with the Planning Authority providing for compliance with Section 96 of the Planning and Development Act 2000, (as amended), unless an exemption certificate shall have been applied for and been granted, under Section 97 of the Act, (as amended).

   Reason: To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the Housing Strategy in the development plan for the area.

4. The proposed development shall be revised to provide for the following revisions:
   a) Unit No.17 shall be replaced with 2 no. single-storey 2 bed units.
   b) The central green spine between dwelling Nos. 177/178, 154/155 and 180/181 shall be redesigned to allow for less clutter in respect to the layout of the concrete steps and associated handrails.
   c) The building line of Unit Nos. 17-25 shall be set back and the area of perpendicular parking in front of these units shall be revised to increase overall parking allocation in this area.
   d) The retaining wall to the rear of the proposed childcare facility shall incorporate soft landscaping features to reduce its starkness.
   e) The proposed boundary wall facing onto Convent hill shall be faced in natural stone.
   f) No timber shall be used in the construction of any bin stores.

   - and, before any development commences, or, at the discretion of the Planning Authority, within such further period or periods of time as it may nominate in writing, revised drawings making provision for the above requirements shall be submitted to and agreed in writing with the Planning Authority.

   Reason: In the interests of residential amenity and the proper planning and sustainable development of the area.

5. The residential units proposed in Phase 3 of the development, as detailed on the 'Proposed Development Phasing Plan' Drawing No. PL-110 Revision A, shall not be occupied until such time as the creche within the scheme, and permitted herein, is constructed and made available for use, to the satisfaction of the Planning Authority unless otherwise agreed in advance and in writing with the Planning Authority.

   Reason: In the interest of residential amenity.

6. The Construction Environmental Management Plan (CEMP) shall include the location of any and all archaeological or cultural heritage constraints relevant to the proposed development as set out in Chapter 12 of the EIAR, including but not limited to newly discovered archaeological features, associated buffer zones and mitigation measures following consultation with NMS. The CEMP shall clearly describe all identified likely archaeological impacts, both direct and indirect, and all mitigation measures to be employed to protect the archaeological or cultural heritage environment during all phases of site preparation and construction activity. The CEMP shall be submitted for written agreement with the Planning Authority prior to the commencement of development.

   Reason: To ensure the continued preservation either in-situ or by record of places, caves, sites, features of other objects of archaeological interest.

7. All mitigation measures in relation to the archaeology and cultural heritage as set out in Chapter 12 of the EIAR included in application documents shall be implemented in full. In this regard, the developer shall appoint a suitably qualified archaeologist to establish 10m protective buffer zones/exclusion zones from the outer extent of the Archaeological Features (Fulachta Fiadh x 2) identified in Chapter 12 of the EIAR and Appendix 12.3 (Testing report). The features shall be

preserved in-situ. No groundworks, storage of materials shall take place within the exclusion zones and no machinery shall enter the exclusions zones (save for the formation of the pathway that transects the southern limits of the zones). Protective fencing shall be erected around the buffer zones with appropriate Keep out signage. Only no-dig methodologies shall be permitted within the exclusions zones to form the pathways (including the use of a geogrid or similar) as described in Chapter 12 of the EIAR .

Reason: To ensure the continued preservation in situ of places, caves, sites, features or other objects of archaeological interest.

8. The developer shall engage a suitably qualified archaeologist to monitor (licensed under the National Monuments Acts) all site clearance works, topsoil stripping, groundworks, any required in-stream works, works in the vicinity of the proposed bridge and works to form the pathway within the Exclusion Zones around Fulachta Fia x 2 as identified in Chapter 12 of the EIAR and the implementation of agreed preservation in-situ measures associated with the development. The use of appropriate machinery to ensure the preservation and recording of any surviving archaeological remains shall be necessary. Should archaeological remains be identified during the course of archaeological monitoring, all works shall cease in the area of archaeological interest pending a decision of the planning authority, in consultation with the National Monuments Service, regarding appropriate mitigation [preservation in-situ/excavation]. The developer shall facilitate the archaeologist in recording any remains identified. Any further archaeological mitigation requirements specified by the planning authority, following consultation with the National Monuments Service, shall be complied with by the developer. Following the completion of all archaeological work on site and any necessary post-excavation specialist analysis, the planning authority and the National Monuments Service shall be furnished with a final archaeological report describing the results of the monitoring and any subsequent required archaeological investigative work/excavation required. All resulting and associated archaeological costs shall be borne by the developer.

Reason: To ensure the continued preservation either in-situ or by record of places, caves, sites, features or other objects of archaeological interest.

9. Before any development commences, the developer shall submit a revised Landscape Plan, which shall clearly individually number all trees proposed to be planted. Trees shall be of native species only, in accordance with the All-Ireland Pollinator Plan.

The revised Landscape Plan shall be implemented in full under the supervision of an appropriately qualified and experienced tree specialist within 18 months following completion of the development. Any trees that die or are removed within three years of planting shall be replaced in the first planting season thereafter.

Any protective fencing proposed to the ecological zones shall incorporate mammal gaps of 250mm in height or other such measures to allow mammals to pass through the fencing, unless otherwise agreed in advance and in writing with the Planning Authority.

A compliance report shall be submitted to the Planning Authority at the end of the proposed landscape planting.

Reason: In the interest of protecting biodiversity.

10. Before any development commences, or, at the discretion of the Planning Authority, within such further period or periods of time as it may nominate in writing, the developer shall provide, to the satisfaction of the Planning Authority, security in the amount of **€10, 000.00** to guarantee the satisfactory completion of tree and shrub planting and all other landscaping proposals for the site as required by Condition Number 9. The sum lodged pursuant to this condition shall be refunded only when it is certified by the Planning Authority that the planting and landscaping have been completed to its satisfaction.

    Reason: To ensure the satisfactory completion of the development.

11. All works shall be implemented in accordance with mitigation measures specified in the Natura Impact Statement received by the Planning Authority on the 01/05/2026 and as updated by conditions of planning herein. A compliance monitoring report shall be submitted to the planning authority at the end of the main construction period.

    Reason: In the interest of protecting Natura 2000 sites.

12. All works shall be implemented in accordance with mitigation measures specified in the Biodiversity Chapter of the EIAR received by the Planning Authority on the 01/05/2026 and as updated by conditions of planning herein. A compliance monitoring report shall be submitted to the planning authority at the end of the main construction period.

    Reason: In the interest of protecting biodiversity.

13. All works shall be supervised by an on-site Ecological Clerk of Works who will report on compliance with the relevant mitigation measures. The Ecological Clerk of Works shall be empowered to halt works where he/she considers that the continuation of the works is likely to result in a significant pollution or siltation incident. In the event of a water pollution incident, or of damage to the adjacent river, these reports will be made available to the relevant statutory authorities, and on-site works will cease until authorized to continue by the Planning Authority.

    Reason: In the interest of protecting biodiversity.

14. All works on site shall be implemented in accordance with the Construction Environmental Management Plan (CEMP) received by the Planning Authority on the 01/05/2026. A suitably qualified and experienced person shall be responsible for ensuring the implementation of the CEMP including environmental protection measures. A copy of the CEMP will be kept on site and will be available for inspection during the construction phase. A compliance monitoring report shall be submitted to the planning authority at the end of the main construction period.

    Reason: In the interest of protecting biodiversity.

15. Cutting or removal of trees, hedgerows and clearance of ground vegetation shall not be undertaken between the 1st of March and 31st August.

Reason: In the interest of protecting biodiversity.

16. Prior to the commencement of development activity, protective fencing in accordance with BS 5837, shall be installed under the supervision of an ecologist to protect all trees, hedgerows, and habitats identified to be retained. The fencing shall be installed in such a manner as to provide protection to the critical root zone of trees to be protected and it shall be retained on site until all construction works are completed. No soil, spoil, construction material or waste will be stored or tipped within the fenced off area and no construction plant or vehicles will be parked within the spread of trees/hedgerows identified to be retained. The fencing shall be retained until such time as works are completed.

Reason: In the interest of protecting biodiversity.

17. Trees with bat roosting potential shall be identified by a bat specialist prior the commencement of felling and shall only be felled following examination by and under the supervision of a bat specialist. Trees with bat roost potential shall only be felled in the period from September to mid-October.

Reason: In the interest of protecting biodiversity.

18. Construction activities shall be carried out in accordance with good practice as set out in CIRIA Guidelines Control of Water Pollution from Construction Sites (C532) – Guide to Good Practice.

Reason: In the interest of protecting biodiversity.

19. No stockpiling shall take place within 10m of any open drain, watercourse, or within areas identified to be at risk of flooding.

Reason: In the interest of protecting water quality.

20. Works within or near watercourses which form part of this permitted development shall be notified to Inland Fisheries Ireland and shall only be implemented in accordance with their requirements. No bridging, culverting or works within watercourses, other than those shown on drawings or referenced in the submitted planning documents, are permitted.

Reason: In the interest of protecting aquatic ecology.

21. Prior to the commencement of development, Third Schedule Species (European Communities (Birds and Natural Habitats) Regulations 2011) shall be treated and removed from the site by an IASP specialist, in accordance with the Invasive Alien Species Management Plan submitted on 01/05/2026.
The IASP specialist shall certify to the Planning Authority that the site is free from contamination, prior to the commencement of construction works on the site.

Removal or disposal of Bohemian knotweed or soils potentially contaminated with knotweed species from this site may only be carried out under license from the National Parks and Wildlife Service. The applicant shall submit a copy of this licence prior to removing said contaminated soils.

Reason: To prevent the spread of alien invasive species.

22. Prior to the commencement of works, a protective fence shall be erected along the riparian area proposed for retention and shall remain in situ until the end of the construction stage. The protective fencing shall incorporate mammal gaps of 250mm in height or other such measures to allow mammals to pass through the fencing, unless otherwise agreed in advance and in writing with the Planning Authority.

Reason: In the interest of protecting biodiversity.

23. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance until taken in charge by the local authority of roads, footpaths, public lighting, watermains, drains, public open space, and other services required in connection with the development, coupled with an agreement empowering the Local Authority to apply such security or part thereof to the satisfactory completion or maintenance of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer.

Reason: To ensure the satisfactory completion and maintenance of the development until taken in charge.

24. Site development and building works shall be carried out between the hours of 08.00 to 19.00 Mondays to Fridays inclusive, between 08.00 to 14.00 on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the Planning Authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

25. Prior to the commencement of development, the developer shall enter into a Connection Agreement(s) with Uisce Éireann to provide for a service connection(s) to the public water supply and/or wastewater collection network.

Reason: In the interest of public health and to ensure adequate water/wastewater facilities.

26. The developer shall be responsible for the maintenance of all roads, footpaths, open spaces, site boundaries and other services within the estate until taken in charge by Cork County Council and/or Uisce Éireann at its discretion.

Reason: In the interest of orderly development.

27. (a) The layout and services for the estate shall comply with the standards set down in DMURS (2019); and (b) Specification details for the below ground works shall comply with the with the standards set down in 'Recommendations for Site Development Works for Housing Areas' (Dept. of the Environment and Local Government, 1998) unless otherwise agreed with the Planning Authority.

Reason:To ensure satisfactory standards of development.

28. The developer shall submit as required by the Planning Authority, accurate record drawings to scale 1/500 of roads, footpaths, and storm sewers including depths and locations of manholes, and locations of house services; public lighting and open space areas.

Reason: In the interest of orderly development.

29. Notwithstanding the submitted details, full details of all boundary treatments as well as the finishes proposed for the houses, apartments and childcare facility shall be submitted for the written agreement of the Planning Authority prior to the commencement of development. In this regard, stone samples shall be erected onsite for examination and agreement by the Planning Authority. All stone finishes shall be of a type and colour that are native to the area unless otherwise agreed in writing with the Planning Authority.

Reason: In the interests of residential and visual amenity.

30. The location, design (including sign off by a chartered structural engineer) and construction details of all retaining walls shall be submitted to and agreed in writing with the Planning Authority prior to commencement of development, or, at the discretion of the Planning Authority, within such further period or periods of time as it may nominate in writing.

Reason: To ensure satisfactory standards of development.

31. 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. The developer shall clean any spillages on the public roads arising from the development, as the need arises or when requested to do so by the Planning Authority.

Reason: In the interest of road safety and orderly development.

32. Wheel washes shall be installed at the site entrance(s). The location and type shall be agreed in writing with the Planning Authority before any development commences, or, at the discretion of the Planning Authority, within such further period or periods of time as it may nominate in writing. All trucks departing from the site shall pass through the wheel wash.

Reason: In the interest of road safety and orderly development.

33. Surface water shall not be permitted to enter the foul sewer.

Reason: To retain capacity in the infrastructure network and encourage nature based SuDS.

34. Prior to the commencement of development, full details of all neighbourhood play areas and local play areas proposals (including low maintenance equipment, natural play features/ facilities and details identifying the full extent, specification and depth of all soft-pour surfacing) within the open space amenity areas shall be submitted for the written agreement of the Planning Authority. In this regard, all children's play areas shall be provided with soft-pour safety surfacing beneath and around all play equipment and within all identified falling zones, unless otherwise agreed in writing with the Planning Authority. Proposals shall have regard to the Recreation and Amenity Interim Policy 2019 of Cork County Council and any successor policy.

Reason: To ensure sufficient and adequate amenities and in the interest of orderly development.

35. (a) Notwithstanding the submitted details, the areas of the development for Taking in Charge shall be agreed in writing with the planning authority, prior to the commencement of development on site.

(b) The areas not intended to be taken in charge by the local authority, shall be maintained by a legally constituted management company.

(c) Details of the management company contract, and drawings/particulars describing the parts of the development for which the company would have responsibility, shall be submitted to, and agreed in writing with, the planning authority before any of the residential units are made available for occupation.

Reason: To provide for the satisfactory future maintenance of the development and in the interest of residential amenity.

36. Proposals for an estate/street name, house numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all estate and street signs, and house numbers, shall be provided in accordance with the agreed scheme unless the planning authority agrees in writing to an alternative scheme. The proposed name(s), which shall be bilingual or in Irish only, shall reflect an individual, place or aspect of local environmental, cultural, topographical, historical or heritage significance and the name(s) should be simple, easily pronounced and in keeping with the location of the site, with justification for the proposed name(s) also provided. No advertisements/marketing signage relating to the name(s) of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name(s).

Reason: To ensure the use of locally appropriate placenames for new residential areas.

37. Prior to the commencement of development, the design of the main structural elements within the road network shall be certified by a qualified and competent person and details submitted to the Planning Authority.

Reason: In the interest of orderly development.

38. The developer shall install traffic calming measures in accordance with current guidelines including the Traffic Management Guidelines and the Design Manual for Urban Roads and Streets. Full details to be submitted and agreed with the Planning Authority prior to the commencement of the development.

Reason: In the interest of road safety.

39. The discharge point of any storm water or other pipe network, to a watercourse shall have a suitable engineered headwall, spillway, Non-return valve and safe access for future mantenance. Erosion control shall also be provided as required. Construction detail of Headwall and spillway shall be to TII Standard Construction Details or equivalent. Additionally, all surface water shall pass through a suitably sized hydrocarbon interceptor prior to discharge to a watercourse.

Reason: To mitigate flood/environmental risk and facilitate maintenance access.

40. In the event of an accidental spillage of wastewater, organic fertiliser, fuel, machine oil or any other substance which may threaten the quality of any watercourse or groundwater body either at construction or operational phase, the planning authority and Inland Fisheries Ireland, shall be notified in writing. A copy of the clean up plan shall be submitted to the planning authority.

Reason: In the interest of environmental protection and public health.

41. No stockpiling shall take place within 10m of any open drain, watercourse, intertidal or coastal area or within areas identified to be at risk of flooding.

Reason: In the interest of protecting biodiversity and water quality.

42. Storm water attenuation and treatment measures utilizing Nature Based Drainage Solutions and SUDS best management practices shall be incorporated into the proposed storm water system.

The developer shall submit a Drainage Impact Assessment (DIA) and SUDS statement per Practice Note No. 2 Surface Water Management (Cork County Council, 2022). This DIA will inter alia demonstrate a net biodiversity gain by the implementation of Nature-Based Solutions (NBS) into the overall drainage solution. Details of the number, location and catchment drained by each element shall be marked on a site SUDS-NBS drawing.

This DIA shall have regard to Best Practice Guidance on the Design of SuDS as contained in The Greater Dublin Strategic Drainage Study (GDSDS) (2005) and Nature-based Solutions to the Management of Rainwater and Surface Water Runoff in Urban Areas – Best Practice Interim Guidance Document (DHLG, 2022) and A development completion stage storm-water audit

shall be carried out within 3 months of substantial occupation of the development to ensure the SUDS/NBS measures were installed and working as designed, no misconnections have taken place and that damage has not occurred to any of the stormwater or foul drainage infrastructure during construction. A CCTV Survey shall be carried out of all stormwater pipes and foul pipes and the survey and report forwarded to the Planning Authority.

Reason: To prevent flooding, and improve the quality of the storm water discharge, and allow some ground water recharge.

43. Prior to the commencement of any works associated with the development hereby permitted, the developer shall submit a detailed Construction Environmental Management Plan (CEMP) for the written agreement of the planning authority. The CEMP shall incorporate details for the following: collection and disposal of construction waste, surface water run-off from the site, on-site road construction, and environmental management measures during construction including working hours, noise control, dust and vibration control and monitoring of such measures. A record of daily checks that the construction works are being undertaken in accordance with the CEMP shall be kept at the construction site office for inspection by the Planning Authority. The agreed CEMP shall be implemented in full in the carrying out of the development.

Reason: In the interest of residential amenities and public health.

44. The storage of oil or fuel shall be prohibited within 30m of a watercourse/ tidal waters (HWM) or 50m from a water abstraction point. Arrangements shall be agreed in writing with the Planning Authority in advance and be in line with current best practice, including bunding , etc.

Reason: In the interests of environmental pollution control.

45. Prior to any construction work (including site clearance, grading, well boring, levelling etc.) at the proposed development site, appropriate surface water management controls shall be in place to prevent the discharge of sediment contaminated water to adjacent water courses. Unvegetated slopes shall be temporarily scarified during construction to minimise runoff velocities. Controls shall be inspected daily and maintained regularly.

Reason: In the interest of preventing water pollution.

46. The level of noise emitted from the site during the construction phases shall not exceed:
    - 55dBA (30 minute LAR) between 0700 and 1900 hours
    - 50dBA (30 minute LAR) between 1900 and 2300 hours
    - 45dBA (15 minute Leq) between 2300 and 0700 hours

    as measured at noise sensitive receptors.

Reason: In the interest of residential amenity.

47. The proposed development shall comply with the following:
a) Full visibility shall be made available for 50 metres on either side of the new entrance to Curryclogh Road (L-2033-0) from a point 2.4 metres back in from the edge of the road carriageway over a height of 1 metre above road level. No structure, boundary or vegetation exceeding 0.9m in height shall be located within the sight distance triangle.
b) Full visibility shall be made available for 50 metres on either side of the new entrance on Convent Hill (L-2011-127) from a point 2.4 metres back in from the edge of the road carriageway over a height of 1 metre above road level. No structure, boundary or vegetation exceeding 0.9m in height shall be located within the sight distance triangle.
c) Full visibility shall be made available for 45 metres on either side of the new entrance onto Kilbrogan Street (L-2039-0) from a point 2.4 metres back in from the edge of the road carriageway over a height of 1 metre above road level. No structure, boundary or vegetation exceeding 0.9m in height shall be located within the sight distance triangle.

Reason: In the interest of road safety.

48. Any utility poles currently within the roadside boundary set back required by other conditions of this schedule shall be repositioned behind the new boundary. The applicant shall be responsible for the costs of relocating these utility poles and for notifying the relevant stator undertakers.

Reason: In the interest of road safety.

49. Access gradient at the point of the access onto the public road shall not exceed 3% for a distance of 5 metres from the edge of the existing public road.

Reason: In the interest of traffic safety and orderly development.

50. The developer shall clean any spillages on the public roads arising from development as the need arises or when requested by Planning Authority or Area Office.

Reason: In the interest of road safety.

51. The disposal of surface water shall comply with the requirements of the Planning Authority for such works and services. A hydro carbon interceptor shall be provided at every water course outfall point and storm water attenuation in accordance with the design submitted with the application shall be provided.

Reason: To prevent flooding and in the interests of sustainable drainage.

52. Prior to the commencement of development, the design to eurocodes of the main structural elements of all new bridges (both traffic and pedestrain) within the development shall be certified by a qualified and competent engineer and details and calculations shall be submitted for the written agreement of the Planning Authority.

Reason: In the interest of orderly development.

53. Apart from the proposed shared path, all pedestrian/cycle paths within the site shall be formed of concrete or dark bituminous layer material only, and constructed in accordance with the TII Specification for Roadworks.

Reason: In the interest of orderly development.

54. Pedestrian/cycle paths within the site shall have removable bollards on either end to prevent a vehicle driving on the path.

Reason: In the interest of orderly development.

55. Prior to the commencement of development, a detailed drawing showing warning signage and road marking for cyclists and motorists at all crossing intersection points as per the recommendations outlined in the submitted Road Safety Audit shall be submitted for the written agreement of the Planning Authority.

Reason: In the interest of road safety.

56. You shall submit a revised layout demonstrating enhanced pedestrian connectivity along Kilbrogan Street for the written agreement of the Planning Authority. This revised layout shall be prepared in consultation with, and agreed in advance with, the Area Engineer.
The submitted design shall ensure that the proposed pedestrian route is fully accessible and free from steps over its entire extent, forming an integral part of the overall street redesign on approach to the entrance to the proposed development. The applicant shall undertake all necessary works, the extent of which shall be increased where required, to achieve a safe, continuous, and universally accessible pedestrian route to the satisfaction of the Planning Authority.

Reason: To provide the necessary pedestrian facilities.

57. On Kilbrogan Street, traffic approaching the proposed entrance shall operate under a yield arrangement on the northbound carriageway only, with priority afforded to southbound (townbound) traffic, unless otherwise agreed in writing by the Planning Authority.

Reason: In the interest of road safety.

58. The applicant shall provide for all necessary additional public lighting to the satisfaction of the public lighting engineer around the Kilbrogan Street entrance and new pedestrian routes to be provided.

Reason: In the interest of road and pedestrian safety.

59. Prior to the commencement of development, detailed structural design drawings and calculations for all reinforced concrete attenuation tanks shall be submitted to and agreed in writing with the Planning Authority. The attenuation tanks shall be designed and certified by a suitably qualified Chartered Engineer in accordance with the relevant Eurocodes and National Annexes. The design shall account for all anticipated imposed loads, including vehicular loading, maintenance activities, construction traffic, groundwater pressures, and any other relevant future loading conditions. The attenuation storage volumes provided shall be no less than those indicated on the Proposed Surface Water Layout Drawing and supporting attenuation calculations submitted with the application.

Reason: To meet eurocodes requirements.

60. The foul sewer pipe crossing the Kilbrogan Watercourse shall be constructed at a suitably low invert level beneath the watercourse bed to ensure adequate cover is provided at all times. Prior to the commencement of development, detailed drawings of the proposed stream crossing, including longitudinal sections, invert levels, cover to pipe, construction methodology, and protection measures, shall be submitted to and agreed in writing with the Planning Authority. The design and construction of the crossing shall fully comply with the current standards and any requirements of Uisce Éireann in relation to river/stream crossings, including minimum cover to the pipe beneath the bed.

Reason: To meet relevant design and construction standards.

61. All edges where a fall from height hazard is present shall be protected by a suitable pedestrian railiing, fence or wall approved by an engineer.

Reason: In the interest of safety.

62. Where a retaining wall exceeding 4.0 metres in height is designed to retain public land, public open space, public infrastructure, roads, footpaths, utility corridors or other assets intended for public use, full details of the proposed construction methodology, including temporary works, excavation support measures, sequencing of works, monitoring arrangements and risk mitigation measures, shall be submitted to and accepted in writing with the Planning Authority prior to the commencement of the retaining wall works.

Reason: To suitably plan for the works.

63. The applicant shall submit a drawing clearly showing the extent of previous infill ground and the depth of fill present for the written agreement of the planning authority.

Reason: To suitably show the extent of made ground on site.

64. An appropriately qualified and experienced geotechnical engineer shall design the foundations for all roads, footpaths and structures in areas of infill or made ground to prevent settlement or subsidence. All design details shall be kept on file. All works shall be carried out in accordance with this design and supervised on site by a suitably qualified engineer. Furthermore, in respect of all roads, footpaths, and structures located within, or forming part of, areas to be taken in charge or otherwise intended for public use, the complete geotechnical design and associated calculations shall be submitted to the Planning Authority for written agreement prior to the commencement of development.

Reason: To ensure all roads, footpath and strutures are suitably designed for.

65. You shall, in consultation with the Area Engineer, undertake a review of the proposed locations of duct route chamber covers associated with the undergrounding of the existing overhead power cable within the shared surface riparian path. Where acceptable and possible, and subject to the approval of the area engineer, the chamber cover shall be kept outside the shared path surface and in the green areas.

Reason: In the interest of cycle safety.

66. You shall review, in consultation with the Area Engineer, the proposed pedestrian crossing layout and road markings to determine whether the crossings are to be categorised as controlled or uncontrolled crossings. A revised drawing shall be submitted for the written agreement of the Planning Authority detailing all road markings, signage and associated pedestrian crossing measures appropriate to the agreed crossing category (controlled or uncontrolled).

Reason: In the interest of road and pedestrian safety.

67. A "NO EXIT" road marking shall be incorporated at the Convent Hill junction to reinforce the one-way traffic system proposed as part of the development.

Reason: In the interest of road safety.

68. The developer shall submit, for the written agreement of the Planning Authority, revised details addressing the concerns identified under Item No. 2.6 – Shared Cycle/Pedestrian Facilities Without Connectivity of the Road Safety Audit submitted with the application.
The submission shall also include details of warning signage to alert motorists to the presence of cyclists, in accordance with Chapter 6 of the Traffic Signs Manual, unless otherwise agreed with the Area Engineer. The approved measures shall be implemented in full prior to the occupation of any dwelling within the development.

Reason: In the interest of cyclists safety.

69. Prior to the commencement of development, the applicant shall review the AutoTrack analysis for a refuse lorry for all proposed junctions onto the public road network with the Area Engineer. Any minor amendments to the junction alignment deemed necessary following this review shall be incorporated into a revised layout drawing and submitted to the Planning Authority for written

approval. The approved drawing shall thereafter be implemented in full.

Reason: In the interest of orderly development.

70. The following shall be provided for in the development:

a. A raised 4m wide shared crossing shall be provided on the north-south internal road at the location where the road intersects with the shared active travel pathway.

b. The surfacing of the proposed shared path shall be 'black-top', with the pavement materials and mixtures to be designed in accordance with the National Cycle Design Manual Table 5.1, on a minimum subgrade bearing of 2.5% CBR.

c. At conflict points between the shared path, footpath & carriageways, tactile paving shall be designed and installed in accordance with Uk Dept. of Transport 'Guidance on the Use of Tactile Paving Surfaces'. All footpaths are to be dished at pedestrian crossing points.

d. The applicant shall include the agreed measures of the Road Safety Audit Stage 1 into the construction of the proposed development site. The applicant shall undertake a Stage 2 and 3 Audit prior to the proposed development site opening to the public and any agreed measures of the audit implemented.

e. The shared path shall be marked with line marking M116, and M111 every 50m. The centre line delineation shall be removed. Signage shall be erected in accordance with the Department of Transport Traffic Signs Manual.

f. The vertical & horizontal alignment of the east-west shared path through the proposed development site shall be designed and constructed within the tolerances set out in the National Cycle Design Manual.

g. The shared active travel path shall incorporate a crossfall of between 1-2%, where possible, and no more than 2.5%.

h. Cyclist dismount signs shall be installed on approach to where the shared path ends.

Reason: In the interest of sustainable transportation and road safety.

71. Prior to the commencement of development, the developer or any agent acting on its behalf, shall prepare a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) including demonstration of proposals to adhere to best practice and protocols. The RWMP and All records (including for waste and all resources) pursuant to the RWMP shall be made available for inspection at the site office at all times.

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

72. Any hazardous or contaminated waste materials arising on the site including any asbestos, shall be recycled as far as possible or disposed. Any hazardous materials exported from the site for recovery, recycling or disposal shall be managed at an approved facility. Adequate on- site arrangements shall be made to the satisfaction of the Planning Authority for the storage of recyclable materials prior to collection.

Reason: To protect the local environment.

73. Any end-of-life equipment shall not be allowed to accumulate on site and any end-of-life equipment waste arising on the site shall be recycled at an approved recycling facility.

Reason: To protect the local environment.

74. Public Lighting in this development shall be designed and constructed in accordance with Cork County Council's Public Lighting Manual and Product Specification 2023; a copy of which is available on Cork County Council's website, www.corkcoco.ie.
Prior to the commencement of development, a revised Outdoor Public Lighting Report shall be submitted for the written agreement of the Planning Authority. The revised Public Lighting Report shall provide for the following:
a. The main spine roads for this development shall be designed to a P3 Class Lighting standard.
b. Provide C4 Class conflict zone at the entrance to the west of the proposed development.
c. The lighting columns located along the 3m shared surface on the West side of the development boundary shall be relocated to the opposite side of the path and face in the direction of the proposed development.
d. Provide public lighting for the proposed footpath in front of Block Type J Apartments which shall be designed to a P4 Class lighting standard.
e. Provide details of maximum load on individual pillar connections, Lux levels, lantern types (LED type) using brands commonly used in, and acceptable to, Cork County Council and lantern colour.
f. Demonstrate that no trees are to be planted within 10m of a public light.
g. Demonstrate that all lighting points shall be accessible by means of a hydraulic hoist, for maintenance purposes. Such a hoist requires a minimum paved vehicular access of 3.0 metres. If such access is not available arrangements shall be made for the use of hinged columns.

Reason: In the interests of clarity and appropriate public lighting provision.

75. Prior to the occupation of any houses / residences, within any phase of new development, the public lights shall be switched on in that phase and on any access roads and shall be kept active and maintained by the developer until taken in charge by Cork County Council. Separate phases within a development shall be designed to be connected to separate midi-pillar circuits, in so far as practicable.

Reason: In the interests of clarity and appropriate public lighting provision.

76. A separate power source for public lighting related to the crèche / apartments shall be provided. This power source shall be from the private development and not from the housing estate public lighting system.

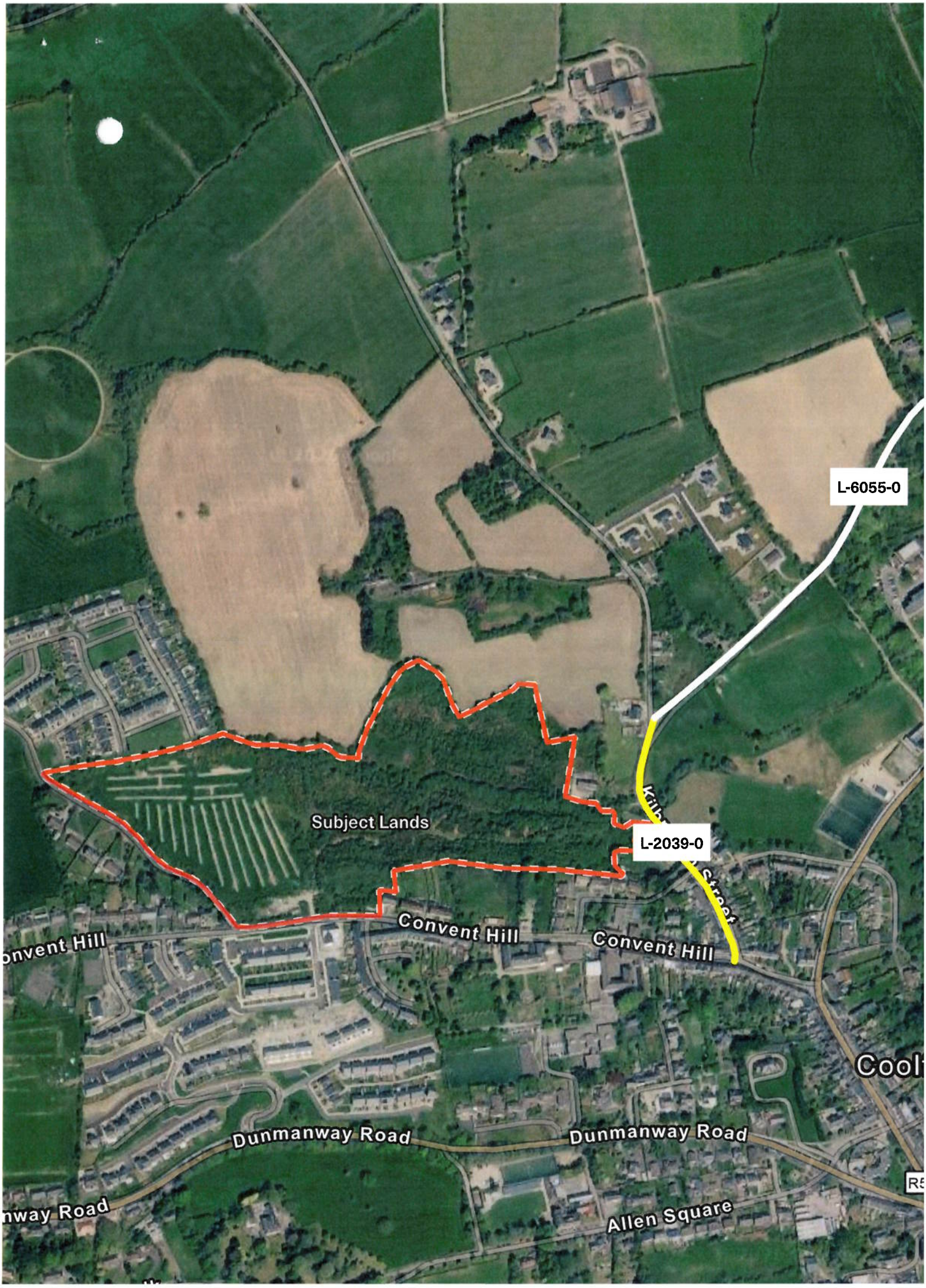
Reason: In the interests of clarity and appropriate public lighting provision.

77. At least one month before commencing development or at the discretion of the Planning Authority within such further period or periods of time as it may nominate in writing, the developer shall pay a special contribution of **€540, 100** to Cork County Council, updated monthly in accordance with the Consumer Price Index from the date of grant of permission to the date of payment, in respect of specific exceptional costs not covered in the Council's General Contributions Scheme, in respect of works proposed to be carried out, for the provision of road widening and ancillary works required to facilitate the proposed development, between the proposed site entrance on Kilbrogan Street and Lovells Cross along the L-2039-0, L-6055-0 and L-95892-1, and between the Kilbrogan Cemetery Junction and the Macroom Road along the L-95892-1.
The payment of the said contribution shall be subject to the following:
(a) where the works in question—
(i) are not commenced within 5 years of the date of payment of the contribution (or final instalment if paid by phased payment),
(ii) have commenced but have not been completed within 7 years of the date of payment of the contribution (or final instalment if paid by phased payment), or
(iii) where the Council has decided not to proceed with the proposed works or part thereof,
the contribution shall, subject to paragraph (b) below, be refunded to the applicant together with any interest which may have accrued over the period while held by the Council.
(b) Where under sub-paragraphs (ii) or (iii) of paragraph (a) above, any local authority has incurred expenditure within the required period in respect of a proportion of the works proposed to be carried out, any refund shall be in proportion to those proposed works which have not been carried out.
(c) payment of interest at the prevailing interest rate payable by the Council's Treasurer on the Council's General Account on the contribution or any instalments thereof that have been paid, so long and in so far as it is or they are retained unexpended by the Council.

Reason: It is considered appropriate that the developer should contribute towards these specific exceptional costs, for works which will benefit the proposed development.

78. At least one month before commencing development or at the discretion of the Planning Authority within such further period or periods of time as it may nominate in writing, the developer shall pay a contribution of **€469, 014** to Cork County Council in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority. The value of this contribution is calculated in accordance with the Council's Development Contributions Scheme on 01/03/2026, and shall be increased monthly at a rate of 8% per annum in the period between the date on which this value was calculated, and the date of payment.

Reason: It is considered appropriate that the developer should contribute towards the cost of public infrastructure and facilities benefiting development in the area of the Planning Authority, as provided for in the Council's Development Contributions Scheme, made in accordance with Section 48 of the 2000 Planning and Development Act, and that the level of contribution payable should increase at a rate which allows both for inflation and for phasing in of the target contribution rates, in the manner specified in that scheme.


L-6055-0
Subject Lands
L-2039-0
Convent Hill
Convent Hill
Convent Hill
Dunmanway Road
Dunmanway Road
Allen Square

AREA ENGINEER'S PRIMARY REPORT

PLANNING REFERENCE NUMBER	26/1129
APPLICATION RECEIVED	01-May-2026
APPLICANT	Wayleaf B Limited, Wayleaf B Limited
APPLICATION TYPE	LRD Permission
DESCRIPTION	a Large-Scale Residential Development (LRD) at Coolfadda & Kilbrogan (townlands), Bandon, Co. Cork. The proposed development consists of the construction of a residential development of 240 no. residential units comprising 156 no. dwelling houses, 84 no. apartments, a creche facility and all ancillary site development works. The proposed 156 no. dwelling houses comprise of 29 no. 4 bedroom detached/semi-detached dwellings, 126 no. 3 bedroom semi-detached/terraced units and 1 no. 2 bedroom detached dwelling house. The proposed 84 no. apartments will consist of 60 no. 2 bedroom units and 24 no. 1 bedroom units to be accommodated in 4 no. three storey apartment buildings. Vehicular and pedestrian access to the proposed development will be provided via new entrances from the L-2033 local road which will serve western areas of the proposed development and via Kilbrogan Street (L-2039) which will serve eastern and northern areas of the proposed development. The proposed development also provides for 2 no. shared vehicular entrances from Convent Hill to the south (L-2011) to serve southern areas of the proposed development. The proposed development also provides for public realm enhancements to Kilbrogan Street (L-2039), which include a raised table, and new footpath to connect to existing footpath infrastructure and provide connectivity to the Town Park. Other ancillary site development works include

	landscape and amenity areas, pedestrian and cycle paths within the site, bicycle parking and bin storage facilities, the removal/demolition of an existing pre-fab structure and a vehicular bridge crossing over an existing watercourse to serve as access for 26 no. of the proposed dwelling houses in northern areas of the site. An Environmental Impact Assessment Report and a Natura Impact Statement have been prepared in respect of the proposed development.
LOCATION	Coolfadda & Kilbrogan (townlands),, Bandon,, Co. Cork.
DECISION DUE DATE	25-Jun-2026

Site Inspection Report

1. **Date of Visit:** 10 June 2026

2. **Site Notice**: A site notice was present on-site at the time of inspection.

3. **Road Network and Access Arrangements:**

The proposed development incorporates three separate access points, as follows:

- Western Access: Curryclogh Road (L-2033-0)
- Southern Access: Convent Hill (one-way entrance and exit arrangement connecting to L-2011-127)
- Eastern Access: Kilbrogan Street (L-2039-0)

All adjoining roads are subject to an urban speed limit of 50 km/h in the vicinity of the proposed development.

Each access point is designed as a cul-de-sac arrangement, with no provision for through vehicular traffic between different sections of the site.

4. **Sight Distance and Traffic Considerations:**

a) **Design Standards**

In accordance with Cork County Council guidelines, the required desirable sight distance for a new entrance onto a road with a 50 km/h speed limit is 50 metres.

b) **Western Access – Curryclogh Road**

- The required 50 metre sight distance is achievable in both directions.
- Existing road characteristics:
    - Carriageway width: approximately 5.5 metres
    - Additional 1 metre shared surface provision
- A raised table junction is proposed, extending beyond the shared pedestrian surface as indicated in submitted drawings.
- Existing traffic calming features:
    - Raised tables located approximately:
        - 70 metres to the north-west
        - 45 metres to the south-east
- Engineering Assessment:
  The proposed arrangement is considered acceptable, subject to planning conditions.

c) **Southern Access – Convent Hill**

- The required sight distance of 50 metres is achieved at the egress point.
- No significant deficiencies were observed at this location. Planning condition to be added.

d) **Eastern Access – Kilbrogan Street**

- Existing carriageway width at the proposed entrance is approximately 5 metres.
- Available sight distances:
    - Approximately 45 metres to the north
    - Approximately 45 metres to the south
- Engineering Assessment:
  The available visibility is below the desirable standard, however the provision of raised table at the entrance and the yielding traffic northbound approach improved

road safety satisfactorily. The proposal is acceptable subject to planning conditions added.

5. **Parking Provision**

a) **Car Parking**

The proposed car parking provision within the development is considered acceptable and aligns with the requirements set out in the Cork County Development Plan 2022.

b) **Bicycle Parking**

Planning Condition:

The applicant shall submit drawings for the written approval of the planning authority clearly showing that bicycle parking in accordance with County Development 2022 rations have being achieved within the estate. All bicycle parking shall be sheltered and shall be redesigned to be at ground level only not stacked.

6. **Pedestrian and Cycle Connectivity Within The Site**

a) Internal Layout

- A 4 metre wide shared surface route is proposed running east–west across the site, integrated with landscaped and play areas.
- A further 3 metre wide shared surface connection is proposed on the western side, providing access towards Convent Hill.

Planning Conditions – Internal Paths

The following conditions are recommended:

All pedestrian/cycle paths within the site shall be formed of concrete or dark bituminous layer material only, and constructed in accordance with the TII Specification for Roadworks.

Pedestrian/cycle paths within the site shall have removable bollards on either end to prevent a vehicle driving on the path.

Pedestrian/cycle paths. The applicant shall submit a drawing for the written approval of the planning authority showing warning signage and road marking for cyclist and motorist at all crossing intersection points as per recommendations outlined in the road safety audit submitted with the application.

7. External Pedestrian Connectivity:

a) **Kilbrogan Street:**

The proposed design includes a footpath projection onto Kilbrogan Street, resulting in a reduction in carriageway width.

Issues Identified

- The current layout does not adequately accommodate pedestrian movement, particularly:
    - Child buggies
    - Mobility-impaired users
- Existing footpaths include stepped sections, restricting accessibility.

Required Revisions

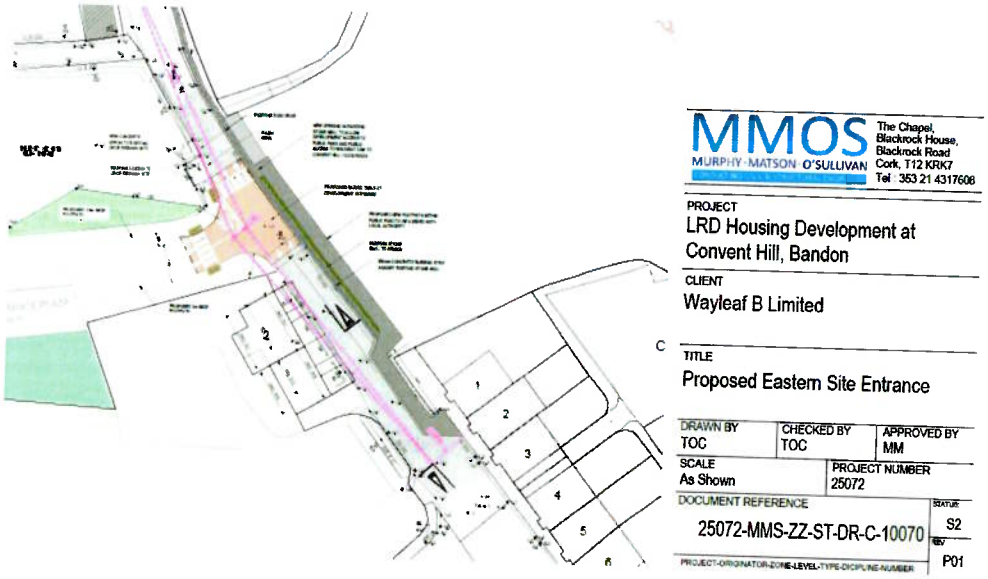
The applicant shall:

- Redesign the layout to provide safe, continuous pedestrian connectivity between Kilbrogan Street & Convent Hill
- Ensure the route shall be step-free and fully accessible for buggies and wheelchair users
- Parking Consideration: Existing on-street parking arrangements should be retained where feasible, unless otherwise agreed with the Area Engineer.

The applicant shall note problem layout and details of the two step locations.



Photos Showing Stepped Path Kilbrogan Street and Proximity to Site Entrance



Currently submitted proposal, screen grab taken from the above drawing.

Planning condition added as follows.

The applicant shall submit a revised layout demonstrating enhanced pedestrian connectivity along Kilbrogan Street for the written agreement of the Planning Authority. This revised layout shall be prepared in consultation with, and agreed in advance with, the Area Engineer.
The submitted design shall ensure that the proposed pedestrian route is fully accessible and free from steps over its entire extent, forming an integral part of the overall street redesign on approach to the entrance to the proposed development. The applicant shall undertake all necessary works, the extent of which shall be increased where required, to achieve a safe, continuous, and universally accessible pedestrian route to the satisfaction of the Planning Authority.

Draft Planning Condition:
On Kilbrogan Street, traffic approaching the proposed entrance shall operate under a yield arrangement on the northbound carriageway only, with priority afforded to southbound (townbound) traffic, unless otherwise agreed in writing by the Planning Authority.

The applicant shall provide for additional public lighting to the satisfaction of the public lighting engineer around the Kilbrogan Street entrance and pedestrian routes to be provided.

b) **Pedestrian Connectivity to Macroom Road via the Town Park**: Pedestrian Connectivity to Macroom Road via the Town Park is alluded to in the planning statement that in the future this connectivity may be available when developed as per zoned land objective for the locus in the current County Development Plan 2022. However there

isn't any current plan to provide the stated pedestrian link in tandem with this development.

c) **Convent Hill, Curryclogh Road**: Pedestrian connectivity to the town is adequate. The new footpath inside the roadside boundary on the Curryclogh Road will provide a safer pedestrian connectivity rather than the current shared surface.

8. **Water Supply**: The applicant has shown a water main drawing which is acceptable. The frequency of hydrants is shown on a drawing and appear acceptable.

9. **Storm Water:**
   - Hard surface stormwater runoff is proposed to discharge to the Kilbrogan Stream following treatment through hydrocarbon interceptors and attenuation measures.
   - The attenuation calculations submitted indicate that the surface water drainage system has been designed to accommodate the 1 in 100-year storm event, including an additional 20% allowance for climate change.
   - Three reinforced concrete attenuation tanks are proposed as part of the site attenuation strategy. The applicant has submitted attenuation calculations within Appendix C of the Engineering Drainage Infrastructure Report, confirming the required attenuation storage capacity. Based on the information submitted, the proposed attenuation volumes appear acceptable.
   - However, the detailed structural design of the attenuation tanks, including tank depths and structural loading considerations, has not been adequately addressed within the submitted documentation. Accordingly, the following planning condition is recommended:
   - **Recommended Planning Condition**

     Prior to the commencement of development, detailed structural design drawings and calculations for all reinforced concrete attenuation tanks shall be submitted to and agreed in writing with the Planning Authority. The attenuation tanks shall be designed and certified by a suitably qualified Chartered Engineer in accordance with the relevant Eurocodes and National Annexes. The design shall account for all anticipated imposed loads, including vehicular loading, maintenance activities, construction traffic, groundwater pressures, and any other relevant future loading conditions. The attenuation storage volumes provided shall be no less than those indicated on the Proposed Surface Water Layout Drawing and supporting attenuation calculations submitted with the application.

   - **SuDS Assessment**
   - The proposed SuDS strategy incorporates permeable paving within the curtilage of individual dwelling houses only. This approach is considered acceptable.

- The proposed swale location is also considered acceptable and integrates appropriately with the overall surface water management strategy for the site.

10. Flood Assessment.

The site has a section of the site within Flood Zone A and Flood Zone B according to County Development Plan 2022 flood zone mapping for the locus. The applicant has being aware of the section of the site in the flood zone during LRD discussions and has submitted a design with all properties outside the flood zone. The Curryclogh Road access is restricted from the northern side during a flood event.
A site specific flood risk assessment has being submitted as part of this application.
It is alluded to in the report that the proposed development will have minimal effect on flood zone mapping which is shown in the report to be unconcerning with regards to the residential development of the site. The proposed road bridge on site is a clear span.
The finished floor levels freeboard over flood events as stated in the flood risk assessment appears acceptable.

11. Foul Sewer:

The applicant has submitted a sewer layout; however, the invert levels of the existing sewer traversing the site have not been established.
The proposed foul sewer from the northern section of the development is indicated to cross the stream and connect to the existing sewer. However, the layout drawing does not confirm the invert levels of the existing foul sewer.
Clarification is required in relation to the existing sewer levels and the feasibility of the proposed connection at the stream crossing.

The foul sewer pipe crossing the Kilbrogan Stream shall be constructed at a suitably low invert level beneath the stream bed to ensure adequate cover is provided at all times. Prior to the commencement of development, detailed drawings of the proposed stream crossing, including longitudinal sections, invert levels, cover to pipe, construction methodology, and protection measures, shall be submitted to and agreed in writing with the Planning Authority. The design and construction of the crossing shall fully comply with the current standards and any requirements of Uisce Éireann in relation to river/stream crossings, including minimum cover to the pipe beneath the bed.

12. Boundary Treatment & Retaining Structures:

Walls and Fences: The proposal on boundary treatment is accepted.
As a planning condition.
All walls and fences within the estate shall be designed by a suitably qualified engineer in accordance with the relevant Eurocodes.
No walls or fences located within areas accessible to the public shall be constructed until detailed design drawings and supporting structural calculations, demonstrating

compliance with the relevant Eurocodes, have been submitted to and accepted in writing by the Planning Authority.
The design shall include, where applicable, adequate provision for piers, expansion joints, and structural supports to ensure stability, durability, and safety.
All walls and fences shall thereafter be constructed in accordance with the approved details and the requirements of the Eurocodes.

Retaining Wall:
There appears to be a significant retaining wall (in the region of 10 metres) to be provided to the rear of the houses which access onto Convent Hill is provided.
As a planning condition.
Retaining Walls
All retaining walls shall be designed in accordance with the relevant Eurocodes by a suitably qualified engineer. Construction shall be carried out under the supervision of a suitably experienced engineer, and full design and construction records shall be retained and made available to the Planning Authority upon request.
Prior to the commencement of development, the applicant shall submit, for the written acceptance of the Planning Authority, full design calculations, drawings and specifications for all retaining walls adjoining or bounding public areas. No such works shall be carried out until written acceptance has been obtained.

Prior to the commencement of any retaining wall exceeding 4.0 metres in height, a construction methodology shall be prepared and approved by a suitably qualified and experienced Chartered Engineer. The methodology shall demonstrate how adjoining lands, structures, services and property will be protected against subsidence, instability, settlement or collapse during all phases of construction.
The approved methodology shall be communicated to all affected third-party landowners prior to the commencement of works.
Where a retaining wall exceeding 4.0 metres in height is designed to retain public land, public open space, public infrastructure, roads, footpaths, utility corridors or other assets intended for public use, full details of the proposed construction methodology, including temporary works, excavation support measures, sequencing of works, monitoring arrangements and risk mitigation measures, shall be submitted to and accepted in writing with the Planning Authority prior to the commencement of the retaining wall works.

Where requested by an adjoining landowner, the developer shall, prior to the commencement of construction of any high retaining wall, engage a suitably qualified Chartered Engineer to carry out and document a structural condition assessment of all adjoining third-party structures that may be affected by the proposed works.

13. Bridge Construction:

A condition to be added as a B.23 of the council standard condition on both the traffic and pedestrian bridges.

14. **Foundations in Made Ground:**
Regarding all road, footpath and structures to be constructed on ground which infilled with waste in the past, the applicant shall submit the following.

The applicant shall submit a drawing clearly showing the extent of previous infill ground and the depth of fill present for the written approval of the planning authority.

An appropriately qualified and experienced geotechnical engineer shall design the foundations for all roads, footpaths and structures in areas of infill or made ground to prevent settlement or subsidence. All design details shall be kept on file. All works shall be carried out in accordance with this design and supervised on site by a suitably qualified engineer. Furthermore, in respect of all roads, footpaths, and structures located within, or forming part of, areas to be taken in charge or otherwise intended for public use, the complete geotechnical design and associated calculations shall be submitted to the Planning Authority for written acceptance prior to the commencement of development.

15. **Undergrounding of Overhead Power Lines.**
The applicant is proposing to under ground overhead power lines within the site in the shared path along the riparian walkway . The area engineer is seeking to see if it is feasible to have any duct covers set off the walkway/cycleway.

The applicant shall, in consultation with the Area Engineer, undertake a review of the proposed locations of duct route chamber covers associated with the undergrounding of the existing overhead power cable within the shared surface riparian path. Where acceptable and possible and to the approval of the area engineer, the chamber cover shall be kept outside the shared path surface and in the green.

16. **Invasive Species – Knotweed:**
It has being detailed in reports submitted that knotweed is present in at least 2 contained locations in the site. Details on procedures to eradicate have being stated. It is sought that the environment section will review any planning condition to be added

17. **Landscape Area:**

(a) Children's Play Areas

All children's play areas shall be provided with soft-pour safety surfacing beneath and around all play equipment and within all identified falling zones, unless otherwise agreed

in writing with the Planning Authority. Prior to the commencement of development of the play areas, a detailed layout drawing clearly identifying the full extent, specification and depth of all soft-pour surfacing shall be submitted to, and agreed in writing by, the Planning Authority.

(b) Play Area Safety and Durability Assessment

Prior to the completion of the development, all children's play areas shall be assessed by a suitably qualified and competent person to confirm that the equipment, surfacing and associated infrastructure comply with relevant standards for children's play facilities and are designed to provide a safe, durable and low-maintenance environment suitable for future taking in charge by the Local Authority. A copy of the assessment report, together with details of any recommended amendments and the measures undertaken to address same, shall be submitted to the Planning Authority for its records and written agreement.

(c) Landscape Area Footpaths

All footpaths and pedestrian routes within public landscape areas shall be constructed using dark-coloured bituminous bound material unless otherwise agreed in writing with the Planning Authority. Alternative surface finishes shall not be permitted without the prior written approval of the Planning Authority.

18. **Gradient of the Entrance:** As a condition of this planning, in all locations, the gradient of all entrance shall not be more than 3% for the initial 5 metres back from the edge of the public road,

19. **Bin Storage:**

The following condition is to be added.

Bin Storage Provision

Prior to the commencement of development, the applicant shall submit, for the written agreement of the Planning Authority, details demonstrating that adequate refuse and recycling storage provision has been made for the development in accordance with the requirements of BS 5906:2005 Waste Management in Buildings – Code of Practice. The submission shall include calculations demonstrating the required and proposed refuse and recycling storage capacities for all designated or communal bin storage areas which are not located within the curtilage of individual dwelling houses. A detailed site layout drawing shall also be submitted clearly identifying the location and dimensions of all bin storage areas, including communal bin stores and bin storage areas located within the curtilage of individual dwelling houses. The agreed bin storage facilities shall be provided in full prior to the occupation of any dwelling.

20. Road Safety Audit:

Item No. 2.1 – Width of Road for Agricultural Vehicles to Pass Yield Line

The Area Engineer has requested that a yield control be provided on the town centre side only, by means of a planning condition. Based on a review of the submitted layout, there appears to be sufficient carriageway width on the town centre side to accommodate large agricultural vehicles passing the yield point safely.

As outlined elsewhere in this report, a condition is proposed requiring a review of the pedestrian layout along Kilbrogan Street. This review, to be undertaken in consultation with the Area Engineer, can also incorporate and address the concerns raised within the Road Safety Audit regarding this matter.

Item No. 2.2 – Appropriate Signage

The provision of appropriate signage can be accommodated within the final design of the Kilbrogan Street vehicular and pedestrian layout.

Item No. 2.3 – Junction Road Markings

This item appears to be satisfactorily addressed within the road marking drawings submitted as part of the application.

Item No. 2.4 – Pedestrian Crossing Road Markings

The proposed pedestrian crossing ramps are considered acceptable.

However as raised in a 3rd Party Submission, the use of stepped crossing needs to be reviewed as the crossing points on raised tables may only be uncontrolled crossing thus steps not applicable.

The following condition to be added.

The applicant shall review, in consultation with the Area Engineer, the proposed pedestrian crossing layout and road markings to determine whether the crossings are to be categorised as controlled or uncontrolled crossings. A revised drawing shall be submitted for the written approval of the Planning Authority detailing all road markings, signage and associated pedestrian crossing measures appropriate to the agreed crossing category (controlled or uncontrolled).

Item No. 2.5 – Convent Hill Junction

The Convent Hill junction details are illustrated on the submitted road marking drawings.

The following Draft Condition to apply.

A **"NO EXIT"** road marking shall be incorporated at the Convent Hill junction to reinforce the one-way traffic system proposed as part of the development.

Item No. 2.6 – Shared Cycle/Pedestrian Facilities Without Connectivity

Having reviewed the information submitted with the application, together with the findings of the Road Safety Audit, the following draft condition is proposed:

Draft Condition
The developer shall submit, for the written agreement of the Planning Authority, revised details addressing the concerns identified under *Item No. 2.6 – Shared Cycle/Pedestrian Facilities Without Connectivity* of the Road Safety Audit submitted with the application. The submission shall also include details of warning signage to alert motorists to the presence of cyclists, in accordance with Chapter 6 of the Traffic Signs Manual, unless otherwise with the Area Engineer. The approved measures shall be implemented in full prior to the occupation of any dwelling within the development.

Item No. 2.7 – Public Lighting
The Public Lighting Engineer shall review and comment on the proposals relating to public lighting.

21. Swept Path Analysis.
Planning Condition to be added.

Prior to the commencement of development, the applicant shall review the AutoTrack analysis for a refuse lorry for all proposed junctions onto the public road network with the Area Engineer. Any minor amendments to the junction alignment deemed necessary following this review shall be incorporated into a revised layout drawing and submitted to the Planning Authority for written approval. The approved drawing shall thereafter be implemented in full.

22. Traffic Impact Assessment & Special Contribution:
It is noted that there has significant 3rd Party Submissions on traffic congestion as a result of the development proceeding.
A Traffic Impact Assessment (TIA) has been submitted and considered by the Planning Authority. The assessment incorporates the cumulative traffic impacts arising from existing residential developments, developments currently under construction, and those that are either permitted or under consideration within the wider Bandon area.
The Area Engineer remains concerned regarding the future operation of the Macroom Road / Convent Hill Junction. The submitted Traffic Impact Assessment confirms that this junction is projected to operate over capacity in future years, thereby validating the concerns previously identified by the Planning Authority.
It is reasonable to anticipate that drivers seeking to avoid delays at the junction will utilise alternative routes via Kilbrogan Street and the local road network, including the L-

2039-0 & L-6055-0, in order to access the town centre via Lovell's Cross, or travel towards Crossbarry, or also via L-95892-1 between the Kilbrogan Cemetery Junction and the junction with the Macroom Road. Increased traffic volumes on these roads are likely to arise as a direct consequence of the proposed development.
The existing carriageway widths on sections of these roads are inadequate to accommodate the anticipated increase in traffic. However, sufficient width exists between the roadside drainage ditches to facilitate road widening works without the necessity for significant land acquisition. Accordingly, the Planning Authority proposes to levy a Special Contribution in respect of specific exceptional costs that will be incurred in providing infrastructure necessary to mitigate traffic congestion arising from the development.

The proposed works will comprise:

- Widening and upgrading of the L-2039-0, L-6055-0 and L-95892-1 between the proposed site entrance and Lovell's Cross, over an approximate distance of 1,450 metres.

- Widening and upgrading of the L-95892-1 between the Kilbrogan Cemetery Junction and the Macroom Road (R589) over an approximate distance of 250 metres.

- Localised road realignment and carriageway raising in the vicinity of Kilbrogan Cemetery Junction to improve forward visibility and assist in traffic speed reduction.

- Provision of public lighting at and in the vicinity of Kilbrogan Cemetery Junction to improve road user awareness and enhance road safety.
- Associated drainage, resurfacing, road markings and traffic management works required to facilitate the above improvements.

The Planning Authority considers that these works are necessary to accommodate development-generated traffic, provide a viable alternative route to the constrained Macroom Road / Convent Hill Junction, and contribute towards the long-term efficient operation of the wider road network in Bandon. Consequently, it is considered appropriate that the developer make a Special Contribution towards the cost of these specific and exceptional infrastructure works.
The desirable road width to be provided is 5.5 metres. The existing road width is circa 3.5 metres in average.

New road construction shall be to a depth of not less than 600mm below the existing road surface to soil of a suitable bearing capacity and shall consist of the following.

350mm depth minimum of crushed stone aggregate 6F1.

150mm of Clause 806 material sub-base.

100mm of Bituminous Bound Layer,

Surface dressing wearing course.

Stormwater drainage infiltration shall be allowed for.

Calculations as follows

Total area of road widening from the site to Lovells Cross is 2950 square metres.

Total area of road widening from the site Kilbrogan Cemetery Junction is 500 square metres.

Linear stone filter drain, 1700 linear metres, assume on one side of the road.

Rate for road construction per square metre

Earthworks	€30
350mm depth of Stone Placing	€30
150mm of Clause 806 material limestone	€25
100mm layer of dense bituminous macadam	€25
Surface Dressing	€8
Sub Total =	€118 per square metre,

Total Road Widening Area – 3.450 Square Metres

Cost Road Widening = €118 by 3,450 square metres	€407,100.
Drainage stone – €40 per linear metre by 1700 linear metres	€68,000.
Traffic management, Supervision, Overheads for all work	€40,000.
Raised Table by Kilbrogan Cemetery Junction	€15,000.
Public Lighting at Kilbrogan Cemetery Junction	€10,000.
Total Cost of Special Contribution	€540,100.

23. **Gradient of the Entrance:** As a condition of this planning the gradient of all entrance shall not be more than 3% for the initial 5 metres back from the edge of the public road.

24. **Submissions**

Concerns on traffic congestion are consistent in all submission and have being considered as outlined in the traffic impact assessment section of this report.
Other issues unless have being considered where relevant to the scope of this area engineers report as drafted.

Jacinta Warren submission concerns legal agreement as part of sale of land in 2005 which appears to be included in the site.
The location of concern to Jacinta Warren is located north of the stream running through the site and at the western end. Outlined in the submission are easements to possible connection to the road in the estate, service connections and the provision of a 2 metre high boundary walls agreed to and site boundary over the access lane to existing houses.
Regarding the lane access, it is noted that applicant has submitted a Tailte Map as part of the application, the accuracy of the tailte map against the site boundary map may need to be considered.
It is requested that the area planner shall review details of the submission regarding the previous sale of land agreements and consider the best course of action in the context of this application.

All other concerns raised in this file have being considered where applicable to the area engineers report.

25. **OVERALL ASSESSMENT & CONCLUSION.**

There is no objection to permission being granted with the attachment of the following condition(s):

Conditions/Reasons

1. Curryclogh Road New Entrance (L-2033-0): Full visibility shall be made available for 50 metres on either side of the entrance from a point 2.4 metres back in from the edge of the road carriageway over a height of 1 metre above road level. No structure, boundary or vegetation exceeding 0.9m in height shall be located wihtin the sight distance triangle.

   Reason: In the interest of traffic safety.

2. Convent Hill New Entrance (L-2011-127): Full visibility shall be made available for 50 metres on either side of the entrance from a point 2.4 metres back in from the edge of the road carriageway over a height of 1 metre above road level. No structure, boundary or vegetation exceeding 0.9m in height shall be located wihtin the sight distance triangle.
   Reason: In the interest of traffic safety.
3. Kilbrogan Street (side) New Entrance (L-2039-0): Full visibility shall be made available for 45 metres on either side of the entrance from a point 2.4 metres back in from the edge of the road carriageway over a height of 1 metre above road level. No structure, boundary or vegetation exceeding 0.9m in height shall be located wihtin the sight distance triangle.

   Reason: In the interest of traffic safety.
4. Any utility poles currently within the roadside boundary set back required by other conditions of this schedule shall be repositioned behind the new boundary. The applicant shall be responsible for the costs of relocating these utility poles and for notifying the relevant stator undertakers.

   Reason: In the interest of road safety.

5. Access gradient at the point of the access onto the public road shall not exceed 3% for a distance of 5 metres from the edge of the existing public road.

   Reason:In the interest of traffic safety and in the interest of orderly development.
6. The developer shall clean any spillages on the public roads arising from development as the need arises or when requested by Planning Authority or Area Office.

   Reason: In the interest of road safety.
7. 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. The developer shall clean any spillages on the public roads arising from the development, as the need arises or when requested to do so by the Planning Authority.

   Reason: In the interest of road safety and orderly development.

8. Wheel washes shall be installed at the site entrance(s). The location and type shall be agreed in writing with the Planning Authority before any development commences, or, at the discretion of the Planning Authority, within such further period or periods of time as it may nominate in writing. All trucks departing from the site shall pass through the wheel wash.

   Reason: In the interest of road safety and orderly development.
9. Prior to the commencement of development, the developer shall enter into a Connection Agreement(s) with Uisce Éireann to provide for a service connection(s) to the public water supply and/or wastewater collection network.

   Reason: In the interest of public health and to ensure adequate water/wastewater facilities.
10. The disposal of surface water shall comply with the requirements of the Planning Authority for such works and services. A hydro carbon interceptor shall be provided at ever water course outfall point and storm water attenuation in accordance with the design submitted with the application shall be provided.

    Reason: To prevent flooding and in the interests of sustainable drainage.
11. Prior to the commencement of development, the design to eurocodes of the main structural elements of all new bridges (both traffic and pedestrain) within the development shall be certified by a qualified and competent engineer and details and calculations submitted to the Planning Authority.

    Reason: In the interest of orderly development.
12. The applicant shall submit drawings for the written approval of the planning authority clearly showing that bicycle parking in accordance with County Development 2022 rations have being achieved within the estate. All bicycle parking shall be sheltered and shall be redesigned to be at ground level only not stacked.

    Reason: To meet County Development Plan 2022 Requiements
13. All pedestrian/cycle paths within the site shall be formed of concrete or dark bituminous layer material only, and constructed in accordance with the TII Specification for Roadworks.

    Reason: To meet council requirements.
14. Pedestrian/cycle paths within the site shall have removable bollards on either end to prevent a vehicle driving on the path.

Reason: Orderly Development.

15. The applicant shall submit a drawing for the written approval of the planning authority showing warning signage and road marking for cyclist and motorist at all crossing intersection points as per recommendations outlined in the road safety audit submitted with the application.

    Reason: Road safety.

16. The applicant shall submit a revised layout demonstrating enhanced pedestrian connectivity along Kilbrogan Street for the written agreement of the Planning Authority. This revised layout shall be prepared in consultation with, and agreed in advance with, the Area Engineer.
    The submitted design shall ensure that the proposed pedestrian route is fully accessible and free from steps over its entire extent, forming an integral part of the overall street redesign on approach to the entrance to the proposed development.
    The applicant shall undertake all necessary works, the extent of which shall be increased where required, to achieve a safe, continuous, and universally accessible pedestrian route to the satisfaction of the Planning Authority.

    Reason: To provide the necessary pedestrian facilities.

17. On Kilbrogan Street, traffic approaching the proposed entrance shall operate under a yield arrangement on the northbound carriageway only, with priority afforded to southbound (townbound) traffic, unless otherwise agreed in writing by the Planning Authority.

    Reason: Road Safety.

18. The applicant shall provide for all necessary additional public lighting to the satisfaction of the public lighting engineer around the Kilbrogan Street entrance and new pedestrian routes to be provided.

    Reason: Road and Pedestrian Safety.

19. Prior to the commencement of development, detailed structural design drawings and calculations for all reinforced concrete attenuation tanks shall be submitted to and agreed in writing with the Planning Authority. The attenuation tanks shall be designed and certified by a suitably qualified Chartered Engineer in accordance with the relevant Eurocodes and National Annexes. The design shall account for all anticipated imposed loads, including vehicular loading, maintenance activities,

construction traffic, groundwater pressures, and any other relevant future loading conditions. The attenuation storage volumes provided shall be no less than those indicated on the Proposed Surface Water Layout Drawing and supporting attenuation calculations submitted with the application.

Reason: To meet eurocodes requirements.

20. The foul sewer pipe crossing the Kilbrogan Watercourse shall be constructed at a suitably low invert level beneath the watercourse bed to ensure adequate cover is provided at all times. Prior to the commencement of development, detailed drawings of the proposed stream crossing, including longitudinal sections, invert levels, cover to pipe, construction methodology, and protection measures, shall be submitted to and agreed in writing with the Planning Authority. The design and construction of the crossing shall fully comply with the current standards and any requirements of Uisce Éireann in relation to river/stream crossings, including minimum cover to the pipe beneath the bed.

Reason: To meet relevant design and construction standards.

21. All walls and fences within the estate shall be designed by a suitably qualified engineer in accordance with the relevant Eurocodes.
No walls or fences located within areas accessible to the public shall be constructed until detailed design drawings and supporting structural calculations, demonstrating compliance with the relevant Eurocodes, have been submitted to and accepted in writing by the Planning Authority.
The design shall include, where applicable, adequate provision for piers, expansion joints, and structural supports to ensure stability, durability, and safety.
All walls and fences shall thereafter be constructed in accordance with the approved details and the requirements of Eurocodes.

Reason: To meet eurocodes design requirements.

22. All edges where a fall from height hazard is present shall be protected by a suitable pedestrian railiing, fence or wall approved by an engineer.

Reason: Safety Reasons

23.

All retaining walls shall be designed in accordance with the relevant Eurocodes by a suitably qualified engineer. Construction shall be carried out under the supervision of a suitably experienced engineer, and full design and construction records shall be

retained and made available to the Planning Authority upon request.
Prior to the commencement of development, the applicant shall submit, for the written acceptance of the Planning Authority, full design calculations, drawings and specifications for all retaining walls adjoining or bounding public areas. No such works shall be carried out until written acceptance has been obtained.

Reason: To meet eurocodes design standards.

24. Prior to the commencement of any retaining wall exceeding 4.0 metres in height, a construction methodology shall be prepared and approved by a suitably qualified and experienced Chartered Engineer. The methodology shall demonstrate how adjoining lands, structures, services and property will be protected against subsidence, instability, settlement or collapse during all phases of construction. The approved methodology shall be communicated to all affected third-party landowners prior to the commencement of works.
Where a retaining wall exceeding 4.0 metres in height is designed to retain public land, public open space, public infrastructure, roads, footpaths, utility corridors or other assets intended for public use, full details of the proposed construction methodology, including temporary works, excavation support measures, sequencing of works, monitoring arrangements and risk mitigation measures, shall be submitted to and accepted in writing with the Planning Authority prior to the commencement of the retaining wall works.

Reason: To suitably plan for the works.

25. Where requested by an adjoining landowner, the developer shall, prior to the commencement of construction of any high retaining wall, engage a suitably qualified Chartered Engineer to carry out and document a structural condition assessment of all adjoining third-party structures that may be affected by the proposed works.

Reason: To protect the interest of 3rd Party Property.

26. The applicant shall submit a drawing clearly showing the extent of previous infill ground and the depth of fill present for the written approval of the planning authority.

Reason: To suitably show the extent of made ground on site.

27. An appropriately qualified and experienced geotechnical engineer shall design the foundations for all roads, footpaths and structures in areas of infill or made ground to prevent settlement or subsidence. All design details shall be kept on file. All works shall be carried out in accordance with this design and supervised on site by a suitably qualified engineer. Furthermore, in respect of all roads, footpaths, and structures located within, or forming part of, areas to be taken in charge or otherwise intended for public use, the complete geotechnical design and associated calculations shall be submitted to the Planning Authority for written acceptance prior to the commencement of development.

    Reason: To ensure all roads, footpath and strutures are suitably designed for.
28. The applicant shall, in consultation with the Area Engineer, undertake a review of the proposed locations of duct route chamber covers associated with the undergrounding of the existing overhead power cable within the shared surface riparian path. Where acceptable and possible and to the approval of the area engineer, the chamber cover shall be kept outside the shared path surface and in the green.

    Reason: Cyclist safety.
29. All children's play areas shall be provided with soft-pour safety surfacing beneath and around all play equipment and within all identified falling zones, unless otherwise agreed in writing with the Planning Authority. Prior to the commencement of development of the play areas, a detailed layout drawing clearly identifying the full extent, specification and depth of all soft-pour surfacing shall be submitted to, and agreed in writing by, the Planning Authority.

    Reason: Safety reasons.
30. Prior to the completion of the development, all children's play areas shall be assessed by a suitably qualified and competent person to confirm that the equipment, surfacing and associated infrastructure comply with relevant standards for children's play facilities and are designed to provide a safe, durable and low-maintenance environment suitable for future taking in charge by the Local Authority. A copy of the assessment report, together with details of any recommended amendments and the measures undertaken to address same, shall be submitted to the Planning Authority for acceptance.

    Reason: To meet standards in children play areas and meet the councils requirements.

31. All footpaths and pedestrian routes within public landscape areas shall be constructed using dark-coloured bituminous bound material unless otherwise agreed in writing with the Planning Authority. Alternative surface finishes shall not be permitted without the prior written approval of the Planning Authority.

    Reason: To reduce maintenance cost in the future.
32. Prior to the commencement of development, the applicant shall submit, for the written agreement of the Planning Authority, details demonstrating that adequate refuse and recycling storage provision has been made for the development in accordance with the requirements of BS 5906:2005 Waste Management in Buildings – Code of Practice. The submission shall include calculations demonstrating the required and proposed refuse and recycling storage capacities for all designated or communal bin storage areas which are not located within the curtilage of individual dwelling houses. A detailed site layout drawing shall also be submitted clearly identifying the location and dimensions of all bin storage areas, including communal bin stores and bin storage areas located within the curtilage of individual dwelling houses. The agreed bin storage facilities shall be provided in full prior to the occupation of any dwelling.

    Reason: To ensure adequate bin storage areas are allowed for in the developement.
33. The applicant shall review, in consultation with the Area Engineer, the proposed pedestrian crossing layout and road markings to determine whether the crossings are to be categorised as controlled or uncontrolled crossings. A revised drawing shall be submitted for the written approval of the Planning Authority detailing all road markings, signage and associated pedestrian crossing measures appropriate to the agreed crossing category (controlled or uncontrolled).

    Reason: Road and Pedestrian Safety.
34. A "NO EXIT" road marking shall be incorporated at the Convent Hill junction to reinforce the one-way traffic system proposed as part of the development.

    Reason: Road Safety.
35. The developer shall submit, for the written agreement of the Planning Authority, revised details addressing the concerns identified under Item No. 2.6 – Shared Cycle/Pedestrian Facilities Without Connectivity of the Road Safety Audit submitted with the application.
    The submission shall also include details of warning signage to alert motorists to the presence of cyclists, in accordance with Chapter 6 of the Traffic Signs Manual,

unless otherwise with the Area Engineer. The approved measures shall be implemented in full prior to the occupation of any dwelling within the development.

Reason: Cyclists Safety

36. Prior to the commencement of development, the applicant shall review the AutoTrack analysis for a refuse lorry for all proposed junctions onto the public road network with the Area Engineer. Any minor amendments to the junction alignment deemed necessary following this review shall be incorporated into a revised layout drawing and submitted to the Planning Authority for written approval. The approved drawing shall thereafter be implemented in full.

Reason: Orderly Development.

37. At least one month before commencing development or at the discretion of the Planning Authority within such further period or periods of time as it may nominate in writing, the developer shall pay a special contribution of €540,100 to Cork County Council, updated monthly in accordance with the Consumer Price Index from the date of grant of permission to the date of payment, in respect of specific exceptional costs not covered in the Council's General Contributions Scheme, in respect of the road widening and ancillary works required to facilitate the proposed development, between the proposed site entrance on Kilbrogan Street and Lovells Cross along the L-2039-0, L-6055-0 and L-95892-1, and between the Kilbrogan Cemetery Junction and the Macroom Road along the L-95892-1. The basis for the Special Development Contribution, including the justification for its application and the detailed cost calculations, is set out in the Area Engineer's Primary Report dated 22 June 2026.

The payment of the said contribution shall be subject to the following: : -

(a) where the works in question—

(i) are not commenced within 5 years of the date of payment of the contribution (or final instalment if paid by phased payment),

(ii) have commenced but have not been completed within 7 years of the date of payment of the contribution (or final instalment if paid by phased payment), or

(iii) where the Council has decided not to proceed with the proposed works or part thereof,

the contribution shall, subject to paragraph (b) below, be refunded to the applicant together with any interest which may have accrued over the period while held by the Council.

(b) Where under sub-paragraphs (ii) or (iii) of paragraph (a) above, any local

authority has incurred expenditure within the required period in respect of a proportion of the works proposed to be carried out, any refund shall be in proportion to those proposed works which have not been carried out.
(c) payment of interest at the prevailing interest rate payable by the Council's Treasurer on the Council's General Account on the contribution or any instalments thereof that have been paid, so long and in so far as it is or they are retained unexpended by the Council.

Reason: It is considered appropriate that the developer should contribute towards these specific exceptional costs, for works which will benefit the proposed development.



Signed by Tom White on 22/06/2026

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Executive Engineer (Bandon & Kinsale Municipal District, Bandon Roads Office.)