

Response to An Bord Pleanála Pre-Application Consultation Opinion

For Development at Coolcarron (townland), Fermoy, Co. Cork

on behalf of Cumnor Construction Ltd.

March 2022



Document Control Sheet

Client	Cumnor Construction Ltd.	
Project Title	Response to ABP Opinion	
Document Title	Response to An Bord Pleanála Pre-Application Consultation Opinion	
Document Comprises	Volumes	1
	Pages (Including Cover)	13
	Appendices	N/A
Prepared by	Cora Savage	
Checked by	Sue Cullen	
Office of Issue	Cork	
Document Information	Revision	A
	Status	Final
	Issue Date	December 2021

CORK

6 Joyce House
Barrack Square
Ballincollig
Cork
P31 YX97

T. +353 (0)21 420 8710

DUBLIN

Kreston House
Arran Court
Arran Quay
Dublin 7
D07 K271

T. +353 (0)1 676 6971

www.mhplanning.ie

Contents

1. Introduction	3
2. Statement of Response to Specific Information Requirements	6
2.1 Response to issues raised under Articles 297 and 298	6
2.2 Additional Information requested under Article 285(5)(b).....	9
3. Notification of Statutory Bodies.....	12

1. Introduction

This report addresses the specific information requirements and issues raised by An Bord Pleanála (ABP) in their Notice of Pre-Application Consultation Opinion (Case Ref. ABP-310351-21) issued on 6th October 2021 in relation to the proposed Strategic Housing Development (SHD) at Coolcarron (townland), Fermoy, Co. Cork.

The Opinion issued by the Board was subsequent to a tri-partite meeting which took place on September 27th, 2021. Following the tri-partite meeting the Board issued an Opinion in accordance with Section 6(7) of the Planning and Development (Housing) and Residential Tenancies Act (as amended) and advised that a number of items needed to be addressed in accordance with the requirements of articles 297 and 298 of the Planning and Development (Strategic Housing Development) Regulations 2017, including the following:

1. Development Strategy
2. Residential Amenity
3. Infrastructural Services

A response to the above items is provided in **Section 2.1** of this report. In addition to the items sought under Articles 297 and 298 the following additional information was also requested to be submitted with any application for permission under Article 285(5)(b) of the Regulations:

1. An updated Architectural Design Statement. The statement should include a justification for the proposed development, having regard to, inter alia, urban design considerations, visual impacts, site context, the locational attributes of the area, linkages through the site, pedestrian connections and national and local policy. This statement should specifically address the separation distance between proposed blocks, finishes of the blocks, the design relationship between the individual blocks, finishes of the blocks, the design relationship between the individual blocks within the site, the relationship with adjoining development, in particular, the ESB substation. The statement should be supported by contextual plans and contiguous elevations and sections.
2. A detailed statement, which should provide adequate identification of all such elements and justification as applicable, where / if the proposed development materially contravenes the statutory plan for the area other than in relation to the zoning of lands, indicating why permission should, nonetheless, be granted, having regard to a consideration specified in section 37(2)(B) of the act of 2000.
3. A Housing Quality Assessment that provides details in respect of the proposed apartments set out as a schedule of accommodation, with the calculations and tables required to demonstrate compliance with the various requirements of the 2020 Guidelines on Design Standards for New Apartments. It is important that the proposal meets and preferably exceeds the minimum standards in terms of dual aspect and proportion of apartments which exceed the floor

- area by 10%. In the interests of clarity clear delineation / colour coding of floor plans indicating which of the apartments are considered by the applicant as dual / single aspect, single aspect north facing and which apartments exceeds the floor area by 10%.
4. A schedule of the open space and communal / playground facilities within the development clearly delineating public, semi-private and private spaces. Details of any resolution / agreement with the p.a. in terms of contribution in lieu.
 5. Details of Public Lighting.
 6. Details of a Green Infrastructure Plan, Landscaping Plan, Arboriculture Drawings and Engineering Plans that take account of one another.
 7. Justification of quantum and quality of open space provision, both communal and public open space (POS). clarity with regard to compliance with Development Plan standards and planting details.
 8. A Daylight and Shadow Impact Assessment of the proposed development, specifically with regard to:
 - a. Impact upon adequate daylight and sunlight for individual units, public open space, courtyards, communal areas, private amenity spaces and balconies.
 - b. Impact to any neighbouring properties.
 9. A response to the matters raised within section 4.3 'General Layout Considerations', of the PA Opinion submitted to ABP of the 16th July 2021.
 10. A robust Ecological Impact Statement Report, AA Screening report and NIS, as appropriate, which support and have regard to one another, and which inter alia, consider potential impacts on all of the Qualifying interests (QI's) of all Natura 2000 sites identified as being within the zone of interest.
 11. A site layout plan indicating what areas, if any, are to be taken in charge by the planning authority.
 12. Site Specific Construction and Demolition Waste Management Plan.

A response to the above items is provided in **Section 2.2** of this report.

The opinion issued by the Board also requested that the following authorities be notified in accordance with Section 8(1)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016:

- Irish Water
- An Garda Siochana
- ESB Networks
- National Transport Authority
- Transport Infrastructure Ireland
- Minister for Housing, Planning and Local Government
- The Heritage Council
- An Taisce

- Failte Ireland
- Cork County Childcare Committee

2. Statement of Response to Specific Information Requirements

We will respond to the items requested under articles 297 and 298 in Section 2.1 (Items 1 to 5) and the additional information requested under Article 285(5)(b) of the Regulations in Section 2.2 (Items 1 to 12) below (Items raised by the Board are highlighted in bold italics).

2.1 Response to issues raised under Articles 297 and 298

1. Development Strategy

- (i) ***Further justification / investigation at application stage for a pedestrian and cycle connectivity strategy, to the north and north west, from the site to the R639 and back to the town of Fermoy, having regard, to inter alia, the comments of the planning authority, at the tripartite meeting on the 27th November 2019.***

The applicant has investigated the possibility for a pedestrian and cycle connectivity strategy, to the north and north west, from the site to the R639 and back to the town of Fermoy. A dedicated pedestrian and cycle path has been provided from the site entrance onto the R639. This will connect with existing footpaths to the north west of the site which will provide a direct route to the town of Fermoy. Future pedestrian and cycle connections have been allowed for on the north west and northern site boundaries.

- (ii) ***Further Clarity with regard to the vehicular access off the R639 and the impact of the development on the garda weigh bridge and lay-by. Clarity on how the proposed development would impact the weigh station and also how the continuation of the operation of the weigh station would impact the access to the proposed development.***

The location of the development access road means that the weigh station lay-by will need to be split as is evident in the MHL & Associates drawings 19099TT-EJL-P01 and 19099-EJL-P02 included with this planning submission. The new proposed layout includes two gates (one on either side of the development access road), road markings, and signage to allow the functioning of the weigh station to continue with minimum safety impact on the proposed development access road. The access layout has been designed to ensure clear sightlines for any vehicles exiting and entering the weigh station via the development access and the one-way directional traffic system in the lay-by will remain therefore minimising traffic movements at the development entrance.

Both gates to be installed between the development access road and the weigh station lay-by will be designed to only open towards the weigh station and not into the lanes of the development access road.

(iii) Further clarity with respect to traffic connection proposed to the lands to the east, the requirement for traffic impact assessment.

The Traffic and Transport Assessment produced by MHL & Associates Ltd. and included in this submission indicates that the proposed development entrance junction will have a maximum RFC of 35% in the year 2042 with development traffic applied. An RFC of 85% on a junction implies that the junction has reached capacity but is still operational with delay incurred. This implies that a further 50% capacity is available at the junction for any further development of the lands east of the proposed development site which would be accessed via the proposed entrance junction.

Outside of background traffic growth applied to the road network for future year scenarios, the Traffic and Transport Assessment submitted in this application does not include any traffic quantities for the lands east of the development. In the case where these lands would be developed, and access proposed via the new junction off Cork Rd., a separate Traffic and Transport Assessment would be required accounting for the increased traffic resulting from that development and whether the Cork Rd. junction as proposed in this submission is adequate for the additional traffic generated.

2. Residential Amenity

(i) Further consideration and / or justification of the documents as they relate to future residential amenity, having particular regard to the proportion of single aspect and north facing units and daylight and sunlight access. particular regard should be had to the requirements of the Sustainable Urban Housing Design Standards for New Apartments Guidelines (2020) Section 3.16 – Section 3.19 in relation to the dual aspect ratio and north facing units.

No apartments are provided within the scheme. 242 no. detached, semi-detached and townhouse units are proposed with a further 94 no. own door duplex / simplex units provided. All units within the scheme are dual aspect units.

A Sunlight, Daylight and overshadowing Report by Passive Dynamics has been prepared and submitted with this application which concludes that the proposed residential

development achieves the best practice industry guidelines in relation to Daylight, Sunlight and Overshadowing.

- (ii) Further consideration and / or justification of the documents with regard to Daylight and Shadow Impact Assessment of the proposed development, specifically with regard to impact upon adequate daylight and sunlight for individual units, public open space, courtyards, communal areas, private amenity spaces and balconies.**

A Sunlight, Daylight and overshadowing Report by Passive Dynamics has been prepared and submitted with this application which concludes that the proposed residential development achieves the best practice industry guidelines in relation to Daylight, Sunlight and Overshadowing.

3. Infrastructural Services

- (i) Clarification with respect to upgrade works required to increase the capacity of the storm water drainage network to serve the development. The clarification should include timelines involved, for completion of works relative to the proposed development and consent of third party landowners for wayleaves.**

It is proposed to partially divert the flow in the drainage channel, just before the old stone culvert in the St. Coleman's Sports Grounds, into a new 750mm diameter pipe flowing westward across the northern end of the sports ground to Devlin Street where it will connect to an existing manhole and the 900mm diameter surface water sewer downstream, see WDG drawings no. 19074-P-002-3 and 19074-P-304. It is envisaged that the new 750mm dia. pipe will carry almost all of the surface water westward, however, two 100mm dia. openings shall be constructed in a new head wall at the culvert opening to ensure that the culvert remains active but with a low flow.

It is estimated that the works involved will take 4 weeks to complete as it is proposed to carry out the works in stages in order to allow safe access across the St. Coleman's grounds during construction. A traffic management plan shall be agreed with Cork County Council prior to any works commencing on the public roads and all necessary road opening licenses shall be in hand prior to commencement.

A letter of consent from St Colman's College for the completion of these works is submitted with this application.

- (ii) Clarification with respect to the upgrade of the Fermoy Wastewater Treatment works. Details of the upgrade necessary, who is delivering this upgrade, timelines involved and whether planning consent is required.**

Please refer to Appendix C of the submitted Engineering Report by Walsh Design Group which provides details regarding the discussion held between Wash Design Group and Irish Water in relation to the upgrade of the Fermoy Wastewater Treatment works.

2.2 Additional Information requested under Article 285(5)(b)

The additional information requested under Article 285(5)(b) of the Regulations is provided under Items 1 to 7 below.

- 1. An updated Architectural Design Statement. The statement should include a justification for the proposed development, having regard to, inter alia, urban design considerations, visual impacts, site context, the locational attributes of the area, linkages through the site, pedestrian connections and national and local policy. This statement should specifically address the separation distance between proposed blocks, finishes of the blocks, the design relationship between the individual blocks, finishes of the blocks, the design relationship between the individual blocks within the site, the relationship with adjoining development, in particular, the ESB substation. The statement should be supported by contextual plans and contiguous elevations and sections.***

An Architectural Design Statement is provided by Geraldine Coughlan Architects. The statement includes in section 01 a justification for the proposed development, having regard to, inter alia, urban design considerations, visual impacts, site context, the locational attributes of the area, linkages through the site, pedestrian connections and national and local policy. This statement specifically addresses in the separation distance between the proposed blocks, finishes of the blocks and the design relationship between the individual blocks within the site and the relationship with adjoining development, in particular, the ESB substation.

Contextual plans and contiguous elevations and sections are provided by Geraldine Coughlan Architects and submitted with this application in support of the Architectural Design Statement.

- 2. A detailed statement, which should provide adequate identification of all such elements and justification as applicable, where / if the proposed development materially contravenes the statutory plan for the area other than in relation to the zoning of lands, indicating why permission should, nonetheless, be granted, having regard to a consideration specified in section 37(2)(B) of the act of 2000.***

A Material Contravention Statement is provided by McCutcheon Halley and forms part of this application.

- 3. A Housing Quality Assessment that provides details in respect of the proposed apartments set out as a schedule of accommodation, with the calculations and tables required to demonstrate compliance with the various requirements of the 2020 Guidelines on Design Standards for New Apartments. It is important that the proposal meets and preferably exceeds the minimum standards in terms of dual aspect and proportion of apartments which exceed the floor area by 10%. In the interests of clarity clear delineation / colour coding of floor plans indicating which of the apartments are considered by the applicant as dual / single aspect, single aspect north facing and which apartments exceeds the floor area by 10%.**

A Housing Quality Assessment by Geraldine Coughlan Architects is submitted with this application. No apartments are proposed as part of the submitted scheme. All dwelling houses and duplex/simplex units within the scheme are dual aspect.

- 4. A schedule of the open space and communal / playground facilities within the development clearly delineating public, semi-private and private spaces. Details of any resolution / agreement with the p.a. in terms of contribution in lieu.**

A Landscape Design Report which provides a schedule of the open space and communal / playground facilities within the development clearly delineating public, semi-private and private spaces is provided by Cathal O'Meara Landscape Architects and forms part of this application.

- 5. Details of Public Lighting.**

Street Lighting Drawings (DWG Ref. 19074-P-004-1 and 19074-P-004-2) and a Street Lighting Report is provided by Walsh Design Group and forms part of this application.

- 6. Details of a Green Infrastructure Plan, Landscaping Plan, Arboriculture Drawings and Engineering Plans that take account of one another.**

A Green Infrastructure Plan and Landscaping Plan by Cathal O'Meara Landscape Architect, Arboriculture Drawings by Arbor Care and Engineering Plans by Walsh Design Group that take account of one another are provided and submitted with this application.

- 7. Justification of quantum and quality of open space provision, both communal and public open space (POS). clarity with regard to compliance with Development Plan standards and planting details.**

Communal open space has not been provided, instead there is ample public and private open space. Public open space of 1.7ha (15.2% of net developable area) has been provided, which is within the 12-18% recommended by the Cork County Development Plan 2014. Landscaping and public open space are an integral part of the

scheme. The distinctive existing landscape features on the site, specifically the existing Alder tree line that runs east west and the existing stream and wetlands area that runs North South, are retained and incorporated into the public open space. A biodiversity corridor has been developed along the eastern boundary, which provides an active amenity space for local residents. The line of Alder trees and the water drain are retained and incorporated into a landscaped pedestrian desire line. The central urban square provides an attractive and sheltered open area, easily accessible for pedestrians. Areas of public open space, including play areas, have been dispersed throughout the scheme, providing local pockets of open space, overlooked by neighbouring residents.

8. A Daylight and Shadow Impact Assessment of the proposed development, specifically with regard to:

- a. Impact upon adequate daylight and sunlight for individual units, public open space, courtyards, communal areas, private amenity spaces and balconies.**
- b. Impact to any neighbouring properties.**

A Sunlight, Daylight and overshadowing Report is provided by Passive Dynamics and forms part of this application. The Sunlight, Daylight and overshadowing Report has specific regard to:

- a. The impact upon adequate daylight and sunlight for individual units, public open space, courtyards, communal areas and private amenity spaces. No balconies are proposed as part of the development.
- b. Impact to any neighbouring properties.

9. A response to the matters raised within section 4.3 'General Layout Considerations', of the PA Opinion submitted to ABP of the 16th July 2021.

A response to the matters raised within section 4.3 'General Layout Considerations', of the PA Opinion submitted to ABP of the 16th July 2021 is provided by Geraldine Coughlan Architects and forms part of this application.

10. A robust Ecological Impact Statement Report, AA Screening report and NIS, as appropriate, which support and have regard to one another, and which inter alia, consider potential impacts on all of the Qualifying interests (QI's) of all Natura 2000 sites identified as being within the zone of interest.

An NIS and Ecological Impact Statement Report (included as part of the submitted Environmental Impact Assessment Report), which support and have regard to one another, and which consider potential impacts on all of the Qualifying interests of all Natura 2000 sites identified as being within the zone of interest are provided by Kelleher Ecology Services and forms part of this application.

11. A site layout plan indicating what areas, if any, are to be taken in charge by the planning authority.

A Taking in Charge layout (Drawing ref. PL09) is provided by Geraldine Coughlan Architects and forms part of this application.

12. Site Specific Construction and Demolition Waste Management Plan.

A Site-Specific Construction and Demolition Waste Management Plan is provided by Walsh Design Group and forms part of this application.

3. Notification of Statutory Bodies

Pursuant to article 285(5)(a) of the Planning and Development (Strategic Housing) Development Regulations 2017 and the Board's Notice of Pre-Application Consultation Opinion, the prospective applicant has notified the following authorities of the making of the SHD application in accordance with Section 8(1)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016.

1. Irish Water
2. An Garda Siochana
3. ESB Networks
4. National Transport Authority
5. Transport Infrastructure Ireland
6. Minister for Housing, Planning and Local Government
7. The Heritage Council
8. An Taisce
9. Failte Ireland
10. Cork County Childcare Committee