

Response to An Bord Pleanála Pre-Application Consultation Opinion

For Development at Old Fort Road, Ballincollig, Cork
on behalf of O'Flynn Construction Company Unlimited Company

May 2022



McCutcheon Halley
CHARTERED PLANNING CONSULTANTS

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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-311773-21) issued on 22nd March 2022 in relation to the proposed Strategic Housing Development (SHD) at Old Fort Road, Ballincollig, Cork

The Opinion issued by the Board was subsequent to a tri-partite meeting which took place on March 2nd, 2022. 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 the documents submitted with the request to enter into consultations constitute a reasonable basis for an application for strategic housing development.

The following additional information was requested to be submitted with any application for permission under Article 285(5)(b) of the Regulations:

1. Provide further justification in relation to the layout of the overall proposal in relation to the impact on the residential amenity of the existing occupants. In this regard an updated Sunlight/Daylight/Overshadowing analysis is required showing an acceptable level of residential amenity for existing residents, which includes details on the standards achieved within the proposed residential units, in private and shared open space, and in public areas within the development and in adjacent properties. This report should address the full extent of requirements of BRE209/BS2011, as applicable.
2. In accordance with section 5(5)(b) of the Act of 2016, as amended, any application made on foot of this opinion should be accompanied by a statement that in the prospective applicants opinion the proposal is consistent with the relevant objectives of the development plan for the area. Such statement should have regard to the development plan or local area plan in place or, likely to be in place, at the date of the decision of the Board in respect of any application for permission under section 4 of the Act.
3. The information referred to in article 299B(1)(b)(ii)(II) and article 299B(1)(c) of the Planning and Development Regulations 2001-2018, unless it is proposed to submit and EIAR at application stage.

A response to the above items is provided in **Section 2.1** 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
- Cork City Childcare Committee

2. Statement of Response to Specific Information Requirements

We will respond to the items requested under Article 285(5)(b) of the Regulations in Section 2.1 (Items 1 to 3) below (Items raised by the Board are highlighted in bold italics).

2.1 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 3 below:

- 1. Provide further justification in relation to the layout of the overall proposal in relation to the impact on the residential amenity of the existing occupants. In this regard an updated Sunlight/Daylight/Overshadowing analysis is required showing an acceptable level of residential amenity for existing residents, which includes details on the standards achieved within the proposed residential units, in private and shared open space, and in public areas within the development and in adjacent properties. This report should address the full extent of requirements of BRE209/BS2011, as applicable.***

A Sunlight, Daylight and Overshadowing Analysis is provided by BPC Engineers which shows an acceptable level of residential amenity for existing residents and includes details on the standards achieved within the proposed residential units, in private and shared open space, and in public areas within the development and in adjacent properties. This report addresses the full extent of requirements of BRE209/BS2011.

- 2. In accordance with section 5(5)(b) of the Act of 2016, as amended, any application made on foot of this opinion should be accompanied by a statement that in the prospective applicants opinion the proposal is consistent with the relevant objectives of the development plan for the area. Such statement should have regard to the development plan or local area plan in place or, likely to be in place, at the date of the decision of the Board in respect of any application for permission under section 4 of the Act.***

A statement of Consistency is provided by McCutcheon Halley Planning Consultants which outlines the proposals compliance with the relevant objectives of the development plan for the area. The Statement of Consistency has regard to the 2014 Cork County Development Plan, 2017 Ballincollig Carrigaline Local Area Plan, the 2015 Cork City Development Plan and the 2022 Draft Cork City Development Plan.

3. The information referred to in article 299B(1)(b)(ii)(II) and article 299B(1)(c) of the Planning and Development Regulations 2001-2018, unless it is proposed to submit an EIAR at application stage.

An EIAR Screening Report and a Statement on EIA Screening Process Pursuant to Article Section 299B of the Planning and Development Regulations 2001 is provided by Malone O'Regan 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. Cork City Childcare Committee