

	DAVID MULCAHY
	PLANNING CONSULTANTS LTD
	67 The Old Mill Race, Athgarvan, Co. Kildare
	PH: 045 405030/086 350 44 71
	E-mail: david@planningconsultant.ie
	www.planningconsultant.ie
	Company No: 493 133 Directors: D. Mulcahy & M. Mulcahy

RESPONSE TO NOTICE OF LRD OPINION

BALLINACURRA MILL LRD (Ref. PPE22 605)

128 Residential Units, 5 Commercial Units, café, creche & associated site works at Rose Hill House & Ballinacurra Mill, Ballynacorra East, Middleton, Co.Cork

15.1.2026

Introduction

This report has been prepared on behalf of **Ballinacurra Project Limited Partnership** in accordance with Section 32(D) of the Planning and Development Act, 2000 (as amended), and provides a response to the Notice of LRD Opinion issued by Cork County Council on 1st August 2025 (Ref. No: PPE22 605).

This response meets the 6 month deadline for lodging an application post receipt of an LRD Opinion – 1st February 2026.

It is highlighted from the outset that the proposed development has changed from that submitted at s.32B pre-planning stage in response to the LRD Opinion received. The proposed development now involves 128 dwellings, an increase of 7 from that submitted at s.32B stage. The primary change involves a revised layout to the west side of the site in the vicinity of Rose Hill House, with less houses in this area of the site and an increased amount in the eastern portion of the site. Other changes are outlined below.

Please find below a response to each of the items raised in the Council's LRD Opinion.

For clarity, the first section of the LRD Opinion (pg.3) outlines an overall summary of the document/drawing which are deemed not to meet requirements. These are addressed at the end of the Opinion, along with a full list of all documents/drawing which are advised to be provided in the LRD Opinion (pg.4 &5).

As such the response commences by responding to page 6 of the LRD Opinion which is where the Opinion provides a detailed analysis of each issue.

Design and Apartment Guidelines

The Planning Statement and Statement of Consistency is inadequate and should demonstrate compliance with all 'SPPR' requirements of the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024)" and compliance with the Planning Design Standards for Apartments Guidelines for Planning Authorities, 2025 and the County Development Plan 2022. Demonstrate appropriate density, public open space provision, private amenity spaces, vehicular parking and EV charging and covered / secured bicycle storage for apartments.

RESPONSE

It is not stated why the Planning Statement and Statement of Consistency is inadequate. Contact with the Planning Authority noted that the Apartments Guidelines for Planning Authorities have been updated and this is reflected in the revised version of the Planning Statement and Statement of Consistency submitted for planning. Compliance with Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024) is also addressed.

Specific reference is made in the Planning Statement and Statement of Consistency to compliance with density, public open space provision, private amenity spaces, vehicular parking and EV charging and covered / secured bicycle storage for apartments, as required.

Phasing of works

The lack of a detailed strategy illustrating the comprehensive and coherent delivery of all components of the development represents ad-hoc, piece-meal development, contrary to the proper planning and development of the area. The potential that the Protected Structures shall be siphoned off, set aside (or project splitting) to third parties with a likelihood of continued dereliction is unacceptable.

Any sub-division or setting aside of works to RPS structures with the 'town centre' zoned lands would constitute a failure to protect and reuse the protected Maltings (Industrial Buildings), would contravene the MD-T-07 Objective for the site, and similarly, the sub-division or failure to incorporate the redevelopment/ re-use of Rose Hill House would be inappropriate and unacceptable to the planning authority. In general, the

proposals for the existing Residential zoned lands (the truncated curtilage of Rosehill House) is considered to be injurious to the context and setting of the RPS/ RMP designated structure, contrary to the proper planning and sustainable development of the area.

RESPONSE

Please refer the Phasing Drawing prepared by Fourem Architects – entitled Phasing of the Works in page 29 of the Design Statement. It outlines 6 no. phases.

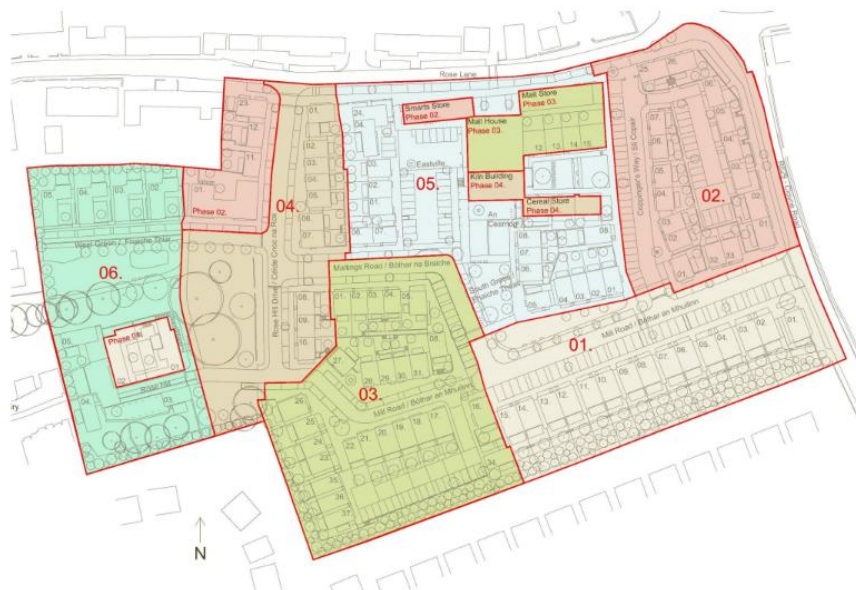
The phasing plan is designed to allow for the delivery of new housing in conjunction with works to Protected Structures and survey of industrial heritage (both in early phases). For clarity, works to Rose Hill House commence in Phase 1 and works to former Malting buildings commence in Phase 2, 3 and 4. The creche is included in Phase 2.

A note is included with the phasing diagram which states:

** Works to historic buildings are linked to commence and be completed in various Works Phases of the development to ensure that all works are carried out in reasonable time by the completion of each Phase and by the completion of the entire project. Each Phase relating to the Mill complex begins with the safe retrieval of industrial archaeology and subsequent recording, study, labelling, issuing and storage of found objects.*

7. Phasing of the Works

- **Phase 01.**
Mill Road 01-15
Rose Hill House – External Envelope
- **Phase 02.**
Electricity Substation
Cloyne Road 01-06
Mill Road 32-33
Coppinger's Way 01-07
Rose Lane 25-26
Smarts Store - External Envelope*
Crèche
Rose Hill Drive 11 -12
Rose Lane 23
- **Phase 03.**
Mill Road 16-31 & 34-37
Maltings Road 01-05 & 08
Malt House & Malt Store - External Envelope*
- **Phase 04.**
Rose Hill Drive 01-10
Kiln Building & Cereal Stn. - External Envelope*
- **Phase 05.**
Eastville 01-04
Rose Lane 24
Maltings Road 06-07
South Green 01-08
Coppinger's Way 08
Cafe
Smarts Store - Completion
Malt House & Malt Store - Completion
Kiln Building & Cereal Station - Completion
- **Phase 06.**
West Green 02-05
Rose Hill 03-05
Rose Hill House - Completion



* Works to historic buildings are linked to commence and be completed in various Works Phases of the development to ensure that all works are carried out in reasonable time by the completion of each Phase and by the completion of the entire project. Each Phase relating to the Mill complex begins with the safe retrieval of industrial archaeology and subsequent recording, study, labelling, issuing and storage of found objects.

Figure 7.1 – Works Phases 01 - 06

29

Proposed phasing diagram extracted from Architect's Design Statement

Part V proposals

In general, Approved Housing Bodies (AHB) are averse to mixed-use proposals, and the omission of a contract or commitment from an AHB to acquire said units on completion of the proposed conservation and reconstruction works, and/or agreement around the management and maintenance arrangements of the said buildings, or lack of any commitment to develop the said buildings independently of the applicant; undermines the prospect and feasibility to deliver the Part V units as proposed and as such is unacceptable. Alternative Part V proposals should be furnished.

Please refer to the email from Cluid Housing Association submitted with the application outlining that they will operate and manage the 25 apartment units which will form the Part V element of the scheme. This was discussed with Cork County Council Housing Section in December 2025.

Architectural Conservation

The proposed development fails to adequately protect and conserve the architectural, industrial and scientific importance of the site in accordance with the Development Plan policy objectives.

The demolition of the 'cereal lab' is unacceptable.

The proposed detailing of the rebuild of the upper floors of the maltings/kiln house side (flat zinc roof, zinc finished wall, as opposed to retaining the stone wall and existing opes detailing) is inappropriate and unacceptable. Detailing of proposed lifts and

services is inadequate. Detailed method statements for all interventions is required. Supervision of proposed works by conservation professionals will be a required.

Artifacts, features and fittings associated with the Industrial processes within the mill buildings will need to be surveyed and assessed from an Archaeological and Architectural heritage perspective.

RESPONSE

Fourem Architects undertook a comprehensive review of the approach to protect and conserve the architectural, industrial and scientific importance of the site with revised proposals now included for protection and phasing of the works.

The Cereal Lab is retained and will be converted into 3 no. dwellings.

The approach to the upper floors of the kiln house and elevations has been reconsidered and changed to reflect comments relating to the elevations and material form and quality.

The Malt Store was redesigned to be more in keeping with the historic character. The flat roof & zinc finished walls were removed. The Roof was revised to be a pitched roof more in keeping with the existing buildings. The materials of the façades were reconsidered to be more sympathetic with the historic setting. The elevations (particularly on the north) were redesigned to maintain more of the existing openings & character. Internal layouts have been reconsidered throughout. This addressed the councils concerns re services – for example larger spaces have been provided for bin & bike storage and the stairs layout has been adjusted in the smarts store.

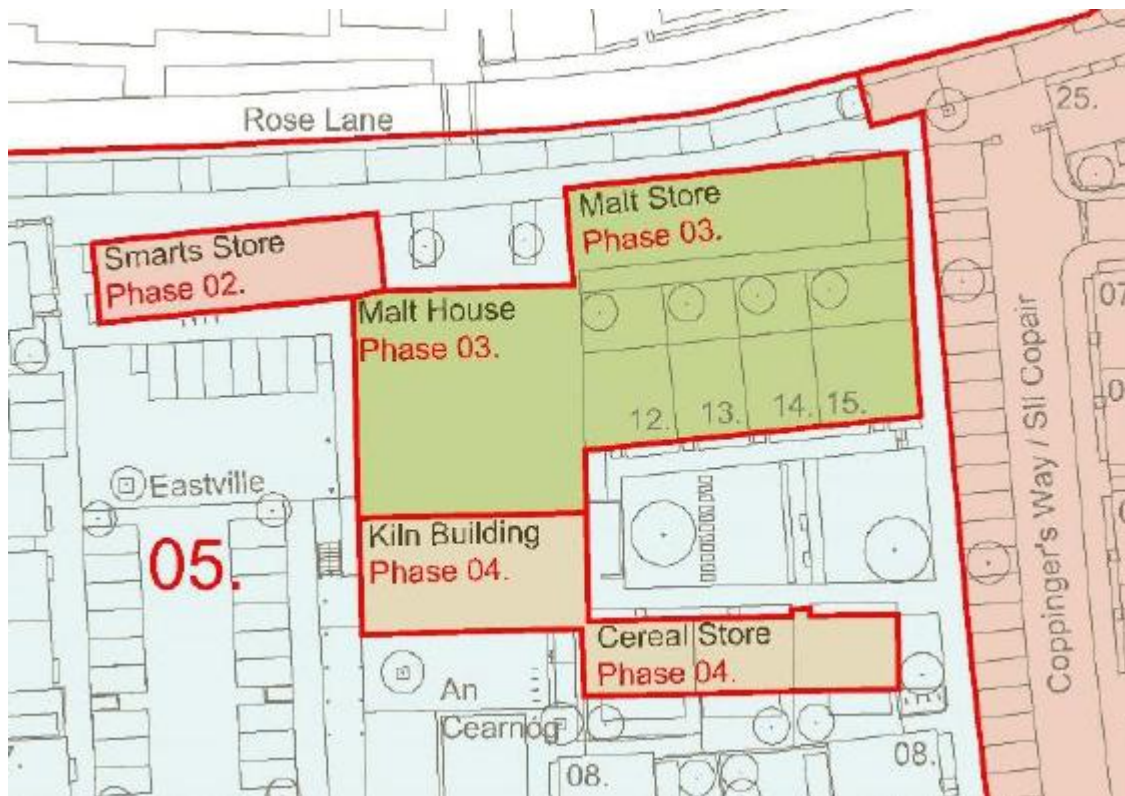


Diagram showing location of Cereal Store and Kiln building.



Drone image of the cereal building dated May 2023.



Drone image of the cereal building dated May 2023.



Proposed ground floor of Cereal Store



View of converted Cereal store from the east end.



View of Kiln Building as viewed from east side.



View of the upper portion of the Kiln Building as viewed from the south.

Archaeological and Industrial Heritage Impact Assessment.

Proposals for the Industrial heritage equipment and machinery that is present. Notwithstanding the content of the report and quote that "Specific recommendations on the retention of industrial heritage features can only be made on the completion of a full archaeological survey at the Maltings complex, in line with the outlined methodology." further details around the survey of these structures and contents is required including timelines of delivery. In accordance with best practice, all industrial heritage should be retained in situ or preserved within the site complex and demonstrable documentary evidence submitted to support and alternative arrangements proposed. The Cereal Testing Station is of international significance in terms of the development of agricultural science, and its contribution to the development of the world brewing industry. Further 'managed exploration' and cataloguing of structures/items should inform proposed intentions to preserve in situ or removal in advance of general site preparation works and be submitted for agreement.

Conservation and development works to Protected Structures should be constitute the initial phase of works to enable wider site works and the 'new build' phases.

The proposed treatment and redefinition of its curtilage and attendant grounds of Rose Hill House is considered to be detrimental to the protected structure, its special character and the integrity of its setting. The proposed insertion of terraced dwellings to the south of Rosehill House is injurious to the context and setting of Rose Hill House, would result in the loss of the mature landscape setting, the loss of mature tree stands

of ecological / bio-diversity value. The terrace to the north of Rose Hill House is considered to be monolithic and over-bearing in scale and massing.

RESPONSE:

The Archaeological and Industrial Heritage Impact Assessment prepared by Shanarc Archaeology Ltd. which includes a preliminary industrial archaeological survey by Dr. Colin Rynne, Department of Archaeology, University College Cork has been revised and updated on foot of the LRD Opinion.

The current state of the site from a safety perspective must be acknowledged. It is not safe to undertake a full survey of archaeological heritage until the site has been made safe by a contractor.

It would also be a major burden on the applicant/developer to make all buildings safe and undertake a survey prior to commencement of development given the significant expense involved. In this regard the proposed phasing plan allows for flexibility whereby some construction works can take place (awa from the mill buildings) at the same time as survey work is carried out on the Mill buildings to identify industrial heritage.

Shanarc Archaeology consider that that the industrial heritage of the site can only be properly surveyed when the site is made safe. The have recommended that a detailed survey be undertaken by an industrial archaeology specialist and the findings notified with the Planning Authority along with a strategy to display these built heritage items within the proposed development, prior to commencement of development on site.

As per the response above, the proposed phasing plan seeks to include works to the Protected Structures in conjunction with the delivery of housing from the outset (i.e Phae 1).

Discussions took place with the Planning Department and the Ecology Department on the issue of Rosehill House in terms of the treatment and redefinition of its curtilage and attendant grounds and the terraced housing to the south. A revised layout from that submitted at s.32B stage is now included in the application to the Council for this portion of the site.

Kearneys Cross

Surveys of existing dwellings (Kearneys Cross - R629 x Rose Lane) proposed to be demolished is required to justify demolition over re-use/ refurbishment. The design of any proposed replacement units at this junction, should be have a stronger vernacular influence.

RESPONSE

A detailed survey of the existing dwellings at Kearneys Cross was undertaken and is reflected in drawings and photographs prepared by Fourem Architects.

The design of the replacement units at this junction has been revised to reflect a stronger vernacular influence.



Existing houses at Kearney's Cross



Replacement dwellings proposed at Kearney's Cross under S.32B.



Replacement dwellings proposed under current application – note changes to ground and first floor windows and omission of the pitched roof stone elements at the gable ends.



Extract from CGI image of the replacement dwellings at Kearney's Cross.

Rose Hill

Real concern in relation to the viability and delivery of the proposed redevelopment of Rose Hill House (RPS) as a single dwelling, in concept and in design of proposal.

The proposed treatment and redefinition of its curtilage and attendant grounds of Rose Hill House is considered to be detrimental to the protected structure, its special character and the integrity of its setting, particularly, by way of the siting of the eastern perimeter and the insertion of the primary public open space within the scheme immediately adjacent to the front elevation (east facing) of the house, (effectively a 'single aspect' house) and the resulting lack of defensible space to the front of the house; and the proposed enclosing/encircling of the House's 'new' perimeter on three sides by extensive hardstanding for vehicular and pedestrian routes and parking bays is inappropriate and unacceptable.

The proposed insertion of terraced dwellings to the south of Rosehill House is injurious to the context and setting of Rose Hill House, would result substantial excavations and the loss of the mature landscape setting, the loss of mature tree stands of ecological/ bio-diversity value. As highlighted at the s247 meeting, this area has been identified as an appropriate (primary and key) element of a wider network of public open space, that would respect the landscape setting of Rose Hill House and define and distinguish the two character areas of the development site, namely, the town centre zoning – maltings complex and the residential zoning dominated and defined by Rose Hill House. This may involve some trade off in the levels of passive surveillance, but it ensures protection of ecology, the mature character and landscape setting of the protected House.

The terrace to the north of Rose Hill House is considered to be over-bearing in scale and massing and would benefit visual amenity and context of House, if divided into sub-terraces or semi-d's or alternative house design, with varying building line, variation in parking arrangements (such as off-street) and orientation or alternative devises / layout arrangements.

The amenity space between the said (northern) terrace and Rose Hill house would benefit with reduced hardstanding areas and rationed parking provision in order to preserve and protect the existing tree line and so conserve the landscaped setting of the House, which is an important component of the House.

RESPONSE

As noted above, the western portion of the proposed development containing Rose Hill House has been significantly revised from that submitted at s.32B stage including:

- The terrace housing the north replaced with detached houses (of varying height – 1 and 2 storey elements)
- The terrace to the south removed
- The public amenity space around Rosehill House has been increased
- A reduction in the areas of hardstanding



Western portion of the site proposed under at s.32B stage.



Western portion of the site proposed under the current application – note terrace housing to north replaced by detached houses, terrace to the south omitted, existing tree line to the north maintained in situ.



Current condition of Rosehill house



Extract from CGI images of Rosehill House with detached houses to the north and creche visible in background.

Ecology

From an Ecology perspective, the submitted Draft AA Screening Report and Natura Impact Statement; Ecological Impact Assessment; Landscape Plan; Tree Survey & associated report; Construction, Environmental Management Plan; Site Layout Plans and boundary treatments; Engineering Report and drawings are inadequate.

Landscape drawings are ambiguous but illustrate the extensive loss of mature tree stands, tree groups and vegetation, but the mixed broadleaved woodland located to the south-west of the site should be retained along with boundary trees and treelines located to the south of the application site, in particular, given the potential adverse impact on bats and red listed bird species, and the remainder of the site be reviewed.

A Green Infrastructure Strategy is required to identifying how existing green and blue infrastructure is being retained and connects into the wider landscape.

The Ecological Impact Assessment is considered to be inadequate given the 'levels of impact' outlined in relation to impact on Bats and Birds, namely, cited as 'short term, slight negative effect' is considered to be an underestimation, given the high usage of bats, the presence of bat roosting, and presence of red listed birds including breeding birds.

A Derogation licence in respect of Bats is required with the planning application, in accordance with updated Regulation 54 Derogations for Annex IV species, effective 01/07/2025.

In relation to NIS and EclA, and given that the West Ballynacorra stream runs to the north of the site (c.15m from site) and flows towards the Owenacurra Estuary which forms part of the Great Island Channel SAC and Cork Harbour SPA, and that the Owenacurra Estuary is categorised at 'Moderate' status (WFD Status 2016-2021) and identified to be 'At Risk' of not achieving its WFD objectives under the WFD cycle; prepare and submit reasoned confirmation as to whether CEMP mitigations is required in order to prevent impacts on Natura 2000 sites.

Incorporate all mitigations specified with the NIS and EclA into the proposed CEMP/WMP.

An up-to-date confirmation of Feasibility from UÉ is required to confirm that there is adequate capacity within the wastewater infrastructure to accommodate the development.

The limited Natural Drainage Solutions proposed is a missed opportunity from a biodiversity enhancement perspective and further consideration should be given to address same.

RESPONSE

Discussions took place between Mr. Tom O'Donnell and Ms. Joy Barry in Cork County Council in respect of the ecology approach. A revised approach was discussed and this is now reflected in the revised ecology reports.

The amount of trees to be lost has been significantly revised. Instead of 42 trees (out of 49) to be felled only 23 trees are now proposed to be felled as per the Holly Arboriculture report.

A Green Infrastructure Strategy identifying how existing green and blue infrastructure is being retained and connects into the wider landscape has been prepared by Fourem Architects.

The Ecological Impact Assessment prepared by O'Donnell Environmental has been revised accordingly. The EcIA presents the surveys of a robust set of ecological surveys carried out following best practice standards. Avoidance and mitigation measures are proposed (including measures in relation to tree retention, protection of Bee Orchids, lighting, bat roosting, bird nesting opportunities etc. Overall, the EcIA concludes that following completion of construction and establishment of landscaping measures the overall effect of the proposed development on ecological receptors will be a slight, positive effect at a local level.

A Regulation 54 Derogation in respect of Bats was granted by the National Parks and Wildlife Service (Ref: DER/BAT 2025-227) and these licenses permit works which will disturb roosting bats subject to conditions. The license was issued on 25th April 2025 and was valid until 31st December 2025, a new application has been submitted to NPWS. NPWS guidance advises Public Authorities that *"It may be appropriate to ensure, by means of a condition to a consent, that the applicant acquires a revised derogation prior to the commencement of the relevant works"*. The applicant is happy to accept a condition of planning permission that a valid Regulation 54 Derogation must be in place at the time of the proposed works.

The Appropriate Assessment and Natura Impact Statement prepared by O'Donnell Environmental includes specific reference to the CEMP mitigations in the CEMP prepared by MHL Consulting Engineers as required.

All mitigations specified with the NIS and EcIA are now included in the CEMP/ WMP to further ensure that they will be successfully delivered as part of the proposed works.

An up-to-date confirmation of Feasibility from UÉ has been obtained and is included with the application.

In relation to Natural Drainage Solutions the current scheme has a number of SuDS measures proposed as outlined in the Drainage Impact Assessment (DIA). Site investigation carried out shows variable levels of infiltration throughout the site, however the geological area where the site is located is prone to Karst features, such as swallow holes. The Local Ares Engineer requires natural infiltration as a result and requires a sealed system for all site drainage. This is a prudent approach given the documented instances of issues relating to ground conditions arising in the wider Middleton area.

Architecture & Urban design

The design and layout of the public open spaces around Rose Hill House is inappropriate, undermines the defensibility of the House and jeopardises the feasibility of its future use. The scale and extent of the terrace to the north is overly dominant and should be addressed accordingly.

The proposed 4-unit residential terrace to the south of Rose Hill House resulting in extensive tree/ vegetation clearance, represents an unacceptable loss to the visual amenity, setting of the Protected Structure and habitat loss to bats and Annex 4 species. Unit should be omitted in order to develop a meaningful open space and secure an appropriate curtilage to the House and outbuildings.

Appropriate landscaped build outs could be used in suitable locations:

- The external road facing design of the 2 no. new dwellings at Kearney's Corner need a more balanced with an improved front elevation.*
- There is potential to move some buildings/ blocks closer (forward) to roadways, to strengthen the sense of enclosure, appropriate to the village setting, and to enlarge courtyards and amenity spaces.*
- The external vertical supporting legs to proposed balconies should be removed from apartment buildings.*
- The design of the Creche is poor, out-dated and uninspiring. This is an opportunity to create a local landmark, a distinct visual design expression.*
- Provision of external street furniture such as seating/ benches to animate the small spaces around the restored Mill buildings in particular*
- Details of proposed surface treatments/ wall finishes in public areas around the protected structures.*

RESPONSE

Kearney's Cross: This junction has been redesigned for simplicity and scale and to reflect the nature of existing house. The proposal creates space required at the junction.

Balconies: The vertical supporting legs have been removed from all the balconies. The requirements for balconies and structural requirements for cantilevered balconies in traditional masonry construction have been examined and the balconies have been redesigned in line with the masonry and context.

4 apartments do not have balconies (ground floor studio & 2 X 1 Bed & 1 X 2 Beds (The 2 Bed is located in the Malt House first floor which has its own atrium which can be used as shared outdoor space for residents on the same floor).

Crèche: The Creche has been redesigned and relocated to address the open parkland.

Street Furniture: Urban spaces have had seating added being mindful not to create clutter.

Surface treatments / wall finishes in public areas around the protected structures: Additional information has been added to the drawings, reports and landscaping documentation to provide more clarity.



View of front elevation of creche building to left side of image



Front elevation of creche building facing south onto the proposed public open space.



Extract from CGI View No.2 showing the strong sense of enclosure and green infrastructure.



Extract from CGI View No.2 showing the strong sense of enclosure and green infrastructure.



Reference map for CGI Views 2 and 12.



Extract from CGI view No.8 showing typical surface finishes.

6.4 Boundaries & Fencing Diagram



Boundaries and fencing diagram in Architectural Design Statement.



View of proposed boundary treatment along the Cloyne Road.

Roads

The proposed reduced carriageway width of the L3625-0 (Upper Road/ Rose Lane) to 5.0 metres is inappropriate and should be re-designed to 5.5metres.

The width of the provisionally named 'Coppingers Way' junction onto Rose Lane is excessive given it is not a vehicular access and the insertion of an additional dwelling would strengthen the streetscape and sense of enclosure at this junction, in keeping with a pedestrian/ cycle route.

The proposed internal road exiting from the R629 (at the eastern end of site) may give rise to speed issues and should be re-designed/ re-aligned to include calming measures such as horizontal deflections, vertical deflections, visually narrowing the combined carriageway/ parking way with particular attention to the entrance of the home zone at western end of the 'straight' (road).

A re-allocation of road space/ or prioritisation to active travel modes at junctions or strategic points would be welcomed.

Further details of the junction improvement works at Kearney's Cross are required, where the R629 should be treated as a bus route.

The proposed courtyard area located in the SW of the site (rear of units no. 17-22) may benefit with the relocation of some parking to front of said units, in parallel parking arrangement and repositioning of building line southwards to accommodate same.

RESPONSE:

Road width along Rose Lane:

A minimum 5.5m carriageway is now retained along Rose Lane.



Extract from CGI View No.4 showing the road treatment along Rose Lane.

Width of the road junction onto Rose Lane:

The width of the non-vehicular junction with Rose Lane to the north east of the site has been narrowed by the insertion of an ESB substation building which encloses the space at the entry point to the site.



Extract from site layout plan showing the junction with Rose Lane



CGI image of the substation building at the entrance onto Rose Lane.

Internal road exiting from the R629 (at the eastern end of site):

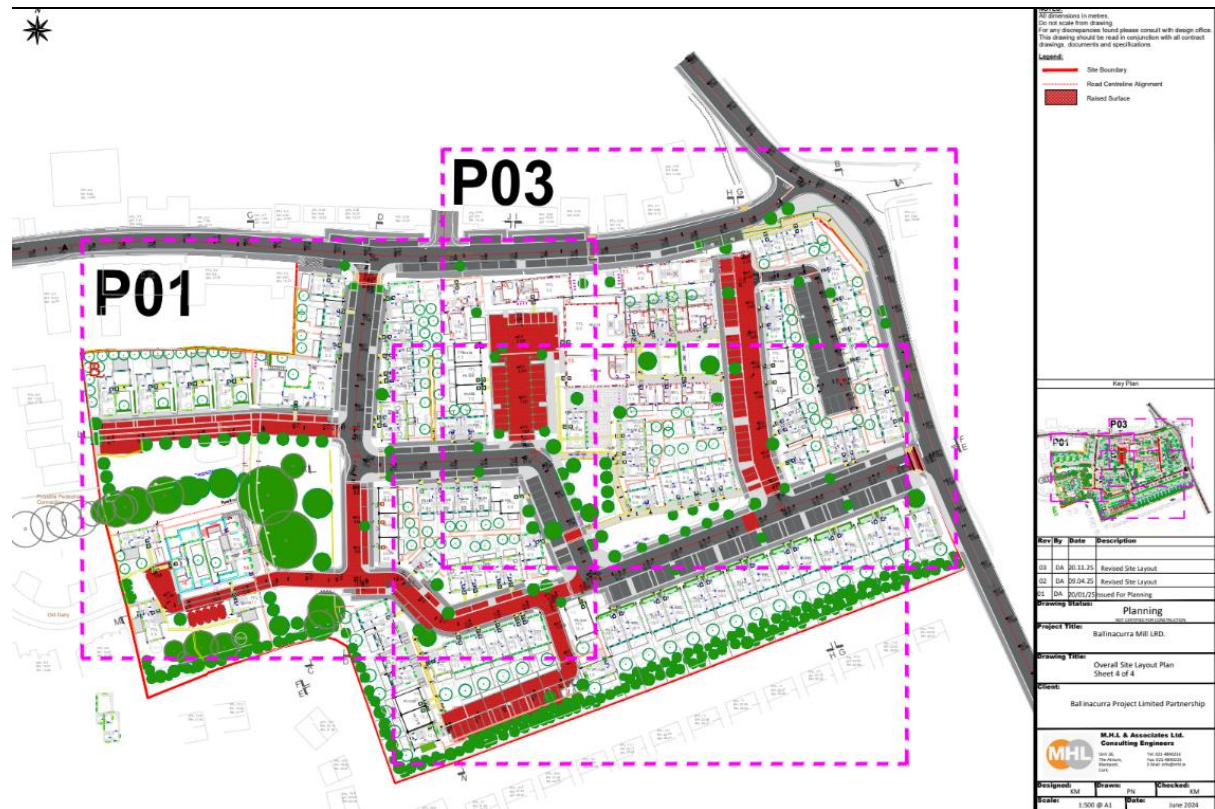
The internal road has been re-designed to include calming measures in the form of a raised pedestrian crossing to deter speeding. The 90 degree turn at the west end and pedestrian crossing at the east end will also serve to slow down traffic speed.



Extract from site layout plan showing raised pedestrian crossing along internal road to the south of the site

Re-allocation of road space/prioritisation

Refer to Drawings Nos.23072HD-SL-P01, P02, P03 and P04 prepare by MHL Consulting Engineers – extract from P04 included below.



Site layout plan showing raised surfaces where pedestrians have priority prepared by MHL Consulting Engineers.

Junction improvement works at Kearney's Cross:

Refer to layout of junction is as per drawings 23072HD-PRW-PO1, 23072HD-LS-PO1, 23072HD-LS-PO2. The applicant invites a condition of planning permission for detailed design of this junction will be agreed with Local Area Office prior to construction.



Extract from drawing No. 23072HD-PRW-PO1

Proposed courtyard area located in the SW of the site:

It was considered that the relocation of some parking to front of the proposed units in parallel parking arrangement and repositioning of building line southwards to accommodate same would reduce the sense of enclosure at this part of the site.

Increase passive surveillance was achieved by redesign of houses to the west & east of this parking area and road. Bedrooms & living spaces overlook the area in three directions. Landscaping techniques have also been implemented to create a sense of ownership over some of the spaces (house types B).



Rear courtyard to south west of the scheme as submitted at s.32B stage



Rear courtyard to south west of the scheme as now proposed.

Car parking

Adequate, parking, including EV and visitor car parking should be provided, 'pepper-potted' throughout the estate to ensure equitable access by all and accord with Compact Settlement Guidelines/ SPPR standards. Illustrated on site layout plan and as part of MMP.

Please refer to Section 6 of the Design Statement prepared by Fourem Architects which deals with the proposed car parking – 214 spaces (27 no. spaces for commercial/creche element and 187 for residential).

This includes a diagram showing the location of all car parking spaces within the scheme including EV charging spaces (47 no. private EV charging spaces and 23 no. public EV charging spaces).

6.3 Car Parking & Bicycle Parking

Parking Diagram



27

Parking diagram in Architectural Design Statement

Taking-in-charge and Management Company delineation.

The submitted Taking-in-Charge plan is unacceptable and should be revised to exclude mixed-use/ apartment blocks and commercial units and associated services such as amenity spaces, car and bicycle parking, bin storage.

A management company or companies shall be formed to manage apartment and commercial blocks and their associated infrastructural services. Details of same is required, should have regard to the above stated opinion on Part V units.

RESPONSE

Refer to the revised Taking in Charge diagram prepared by Fourem Architects in the Architectural Design Statement. It now excludes mixed-use/ apartment blocks and

commercial units and associated services such as amenity spaces, car and bicycle parking, bin storage.

A Management company will be formed to manage the apartment and commercial blocks as well as associated infrastructural services – refer to the Building Lifecycle Report prepared by Fourem Architects.

For clarity Rosehill House is also proposed to be managed by a management company.

1.5 Public Realm – Taking In Charge



Figure 1.4 – Taking in Charge Diagram

Taking in charge diagram.

Public Open Space

The provision of Public Open Space in qualitative and quantitative terms is considered to be unacceptable. Appropriate and functional open spaces required incl. informal active recreation capable of accommodating a children's kick-about or play areas, or MUGA, accessible to all.

The landscape of Rose Hill House is considered to be the most appropriate location for the key amenity areas, which should ensure the continued preservation of trees/vegetation and protection of setting and character of the protected structure.

The linear strip at the preliminary named 'Eastville' west of the Kiln building, adj. to carparking does not qualify as POS, nor the linear strip to rear of courtyard at southern boundary adj. to rear parking lot, (between units no. 34 and 37).

The spaces around Rose Hill House are dissected by roads and walkways to the detriment of its quality and injurious to the character and setting of Rose Hill House, potentially impacting the viability of its re-use.

The insertion of dwellings to south of Rose Hill House adversely impacts bio-diversity and ecology value of site and is unacceptable.

RESPONSE

Please refer to the revised landscape plan prepared by Fourem Architects in respect of informal active recreation capable of accommodating a children's kick-about and play areas.

The landscape plan also shows provision for a play area to the west of the site north of Roseville House consisting of Hoggin Base and Play Equipment.

In terms of informal kick-about areas the large area of public open space to the front of Roseville House and the two central areas of the public open space, as well as the courtyard style open space east of the mill buildings can accommodate same.

The linear strip at the preliminary named 'Eastville' west of the Kiln building has been excluded from the public open space area.

Pathways around Rosehill House have been moved and reduced

The dwellings to the south of Rosehill House have been significantly altered and reduced.

4. Landscape Plan



Figure 4.1 – Proposed Green Infrastructure & Landscape Plan

Proposed landscape plan showing the distribution of public open space, communal open space and additional areas of planting and visual relief.



Proposed open space around Rosehill house.

Drainage Impact Assessment

A comprehensive Drainage Impact Assessment is required. This shall consider the impact of the proposed discharges to the West Ballynacorra stream which is tide locked at higher spring tides and / or tidal surge events resulting in the stream overtopping onto the lower part of Main Street. Attenuation tanks, where proposed shall be of reinforced concrete design to permit internal inspection, maintenance, and repair. Full details are required to include details of lockable covers, etc.

A Drainage Impact Assessment has been prepared by MHL Consulting Engineers. Attenuation tanks will be of reinforced concrete design to permit internal inspection, maintenance, and repair. Full details are provided are requested.

Street/ Estate name

The indicated estate/ street names is inappropriate given the Council's requirement for bilingual names with prominence to Irish language and heritage relevance.

Suggested street names have been provided on the drawings in order to assist with reading the drawings. The applicant welcomes a condition of planning permission for street names to be agreed with the Planning Authority post planning the normal manner.

CGI

The Computer-Generated Images (CGI) and 'contiguous elevations' and 'cross section' scaled drawings is considered inadequate to illustrate the relationship of contiguous extant structures, in particular, as viewed from street level, around the perimeter and viewed from within the site illustrating extent developments.

RESPONSE

An increased number of Computer-Generated Images (CGI) are now submitted with the application as well more context attributed to the 'contiguous elevations' and 'cross section' scaled drawings. 13 no. CGI images are provided in total including 2 no. aerial views.

Creche

The School Demand and Childcare Demand Statements are satisfactory. However, the design of the Creche is a missed opportunity, its location is inappropriate given its proximity to the site entrance onto Rose Lane, and the adjacent internal road junctions, the extent of its curtilage and provision of parking, potential impacts on traffic movements and its relationship to the adjoining residences. An alternative location within the site, such as within adjoining the core of Mill Buildings / mixed-uses would support legibility and place-making, or an enlarged site curtilage to achieve a 'better fit' and opportunity to mitigate potential adverse amenity and noise issues.

RESPONSE

The creche has been redesigned to increase its presence within the proposal and to reorientate to the open space to the south. The redesign allows for a completely private outdoor play space with no overlooking. Moving to the mill complex area was considered by Fourem Architects but the delivery of associated private outdoor space proved problematic.



Extract from site layout plan showing the creche building facing onto the public open space to the south.

EIA

EIA screening should have regard to recent development in Ballinacurra and lands south of the N25.

RESPONSE

Refer to the revised EIA Screening prepared by O'Donnell Environmental.

Construction, Demolition and Environmental Management Plan

A revised and site specific Construction, Demolition and Environmental Management Plan having regard to above, is required. In this regard, identification of necessary compounds' locations and car parks (on or off-site) aligned with agreed detailed phasing plan and avoiding proposed public open space locations or locations that may inhibit early delivery of RPSs.

RESPONSE

Please refer to the revised and site-specific Construction, Demolition and Environmental Management Plan prepared by MHL Consulting Engineers.

It includes compounds' locations and carpark aligned with agreed detailed phasing plan and avoids proposed public open space locations and locations that may inhibit early delivery of Protected Structures.

Documents/Drawings which need to be amended to meet requirements

It is considered that the suite of submitted documents/drawings do not meet requirements.

<i>No Drainage Impact Assessment submitted.</i>
Refer to Drainage Impact Assessment prepared by MHL Consulting Engineers
<i>No Green Infrastructure Strategy submitted.</i>
Refer to Green Infrastructure Strategy in the Green Infrastructure & Landscape Strategy prepared by Fourem Architects
<i>No detailed Phasing Plan submitted, and submission fails to indicate sequence and required detailing of conservation works to the Mill complex, and the RPS listed residential houses within the context of enabling works and construction of new units.</i>
Refer to Phasing Plan prepared by Fourem Architects which includes indicate sequence and required detailing of conservation works to the Mill complex, and the RPS listed residential houses within the context of enabling works and construction of new units.
<i>The Architectural Design Statements and Conservation Reports fails to demonstrate protection of all structures, including the curtilage and attendant grounds of all structures listed in the Record of Protected Structures within the development site, contrary to County Development Plan objective HE16-14; nor to adequately protect the industrial heritage of the site.</i>
County Development Plan objective HE16-14 states that:

**County Development Plan Objectives
HE 16-14: Record of Protected Structures**

- a) The identification of structures for inclusion in the Record will be based on criteria set out in the Architectural Heritage Protection Guidelines for Planning Authorities (2011).
- b) Extend the Record of Protected Structures in order to provide a comprehensive schedule for the protection of structures of special importance in the County during the lifetime of the Plan as resources allow.
- c) Seek the protection of all structures within the County, which are of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest. In accordance with this objective, a Record of Protected Structures has been established and is set out in **Volume Two Heritage and Amenity, Chapter 1 Record of Protected Structures**.
- d) Ensure the protection of all structures (or parts of structures) contained in the Record of Protected Structures.
- e) Protect the curtilage and attendant grounds of all structures included in the Record of Protected Structures.
- f) Ensure that development proposals are appropriate in terms of architectural treatment, character, scale and form to the existing protected structure and not detrimental to the special character and integrity of the protected structure and its setting.
- g) Ensure high quality architectural design of all new developments relating to or which may impact on structures (and their settings) included in the Record of Protected Structures.
- h) Promote and ensure best conservation practice through the use of specialist conservation professionals and craft persons.
- i) In the event of a planning application being granted for development within the curtilage of a protected structure, that the repair of a protected structure is prioritised in the first instance i.e. the proposed works to the protected structure should occur, where appropriate, in the first phase of the development to prevent endangerment, abandonment and dereliction of the structure.

It is not stated exactly what the concern is in respect of fails to demonstrate protection of all structures, including the curtilage and attendant grounds of all structures listed in the Record of Protected Structures. However, reading the wider Opinion it appears to relate to Roseville House.

As noted above significant changes have now taken place to the western portion of the site around Roseville House. The Architectural Design Statements and Conservation Reports have been updated to reflect same.

The Archaeological and Industrial Heritage Impact Assessment prepared by Shanarc Archaeology Ltd. and Dr. Colin Rynne, Department of Archaeology, University College Cork has been updated in respect of the protection the industrial heritage of the site. Refer also to the Phasing Plan prepared by Fourem Architects on pg.29 of the Architectural Design Statement.

The Planning Statement and Statement of Consistency is inadequate and should demonstrate compliance with all 'SPPR' requirements of the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024)" and compliance with the Planning Design Standards for Apartments Guidelines for Planning Authorities, 2025 and the County Development Plan 2022.

It is not stated why the Planning Statement and Statement of Consistency is considered inadequate. Contact with the Planning Authority noted that the Apartments Guidelines for Planning Authorities have been updated and this is

reflected in the revised version of the Planning Statement and Statement of Consistency submitted for planning.
<i>In relation to Ecology, the submitted Draft AA Screening Report and Natura Impact Statement; Ecological Impact Assessment; Landscape Plan; Tree Survey & associated report; Construction, Environmental Management Plan; Site Layout Plans and boundary treatments; Engineering Report and drawings do not constitute a reasonable basis on which to make an application for permission for the proposed LRD and it is considered to be contrary to County Development Plan Objective BE 15 - 2 which seeks to protect sites, habitats and species and CDP Objective BE 15 - 8 which seeks to protect trees and woodlands.</i>
It is not stated why the ecology, architectural, landscaping or engineering reports are considered not to constitute a reasonable basis. Clarity was sought from the Planning Authority and Ecology Department and the relevant reports and drawings have now been revised accordingly.
<i>The architectural detail, urban design and layout of the proposed scheme is deficient in a number of areas, including the provision of public open space, details of which is set out in this report.</i>
The layout has been revised in response to the LRD Opinion, particularly in the western portion, around Rose Hill House.
<i>The Part V proposal to provide all units as apartments within the Mill complex, mixed-use building including commercial premises is unacceptable to the planning authority.</i>
Please refer to the email from Cluid Housing Associates referred to above and included with the application.
<i>An up-to-date confirmation of Feasibility from UÉ is required to confirm that there is adequate capacity within the wastewater infrastructure to accommodate the development.</i>
An up-to-date confirmation of Feasibility from UÉ has been obtained.
<i>The Computer-Generated Images (CGI) and 'contiguous elevations' scaled drawings is inadequate to illustrate the relationship of contiguous extant structures, in particular, as viewed from street level, around the perimeter and viewed from within the site illustrating extent developments.</i>
The number of CGIs prepared by Vinden Visual has been significantly increased as part of the application.
The number of Contiguous Elevations have also been increased.

Documents/Drawings Required to be Provided with Application

<i>Planning Statement & Statement of Consistency with the County Development Plan 2025; The Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024)" and The Planning Design Standards for Apartments Guidelines for Planning Authorities, 2025; and all relevant Ministerial Planning Guidelines.</i>	✓
<i>School Demand Statement</i>	✓
<i>Childcare Demand Statement</i>	✓
<i>Revised Architectural and Design Maps including Layouts, Plans, Elevations, Section Drawings and Reports including</i>	✓

A reconfigured layout to the 'Exiting Residential Zoned' lands including reconfigured public open spaces, reconfigured and redefined perimeter or curtilage to Rose Hill House, including appropriate defensible space to the front elevation, in particular, and the continued protection of the mature landscape setting and visual amenities of the house, and ecology and biodiversity value of this area.	✓
Architectural Design statement & HQA having regard to attached comments and advices	✓
Conservation and detailed method statements for works to Protected Structures and setting	✓
Surveys of structures proposed to be demolished	✓
Landscaping including hard landscape details and proposals to use industrial heritage items	✓
Historic landscaping	✓
Building lifecycle report	✓
Revised Part V proposals	✓
Revised Taking in Charge plans	✓
Phasing Plan, incorporating the timely delivery of the re-use and refurbishment of all Protected Structures, and obviating the subdivision of the site and setting aside of same in line with the regeneration objectives for the site.	✓
Engineering Reports and drawings including	✓
Drainage including a Drainage Impact Assessment achieving greenfield runoff rate and 20% climate change factor. Details of Nature based solutions/ SuDS	✓
Flood risk report aligned with drainage / SW management and conveyance	✓
Up-to-date Confirmation of Feasibility from UE	✓
Public Lighting scheme	✓
Autotrack to revised road network	✓
Site investigation	✓
CEMP & WMP – site specific, aligned with requisite ecology/ environmental mitigations, identified locations of compounds, avoiding proposed POSs and an agreed redefined curtilage / perimeter for Rosehill House.	✓
Road safety audit	✓
TTA MMP	✓
Archaeological & Industrial Heritage Impact Assessment including detailed and informed proposals to protect the Industrial heritage equipment and machinery that is present on site.	✓
Ecological Impact Assessment	✓
NIS	✓
EIA Screening report having regard to accumulative development in the area, i.e. developments off Bailick Road and the R630- south of N25.	✓
NPWS Derogation Licenses.	X reapplied for
Daylight & Sunlight Analysis by H3D	✓

<i>Tree Survey & Arboricultural Report & Drawings</i>	✓
<i>Tree constraints, removal and protection drawings</i>	✓
<i>Tree planting plans and demonstration of compliance with Net Biodiversity Gain objective</i>	✓
<i>CGI images by Vinden Visual and more detailed contiguous elevations and cross sections focussing on the interfaces between the site and the extant adjoining developments/ structures, as opposed to full longitudinal sections.</i>	✓