

Cork County Council
Comhairle Contae Chorcaí
Coastal Management and Flood Projects Department



Ballyvourney and Ballymakeera Flood Relief Scheme Interim Works

Part 8 Planning Particulars
March 2021

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1. Proposed Development

As part of the Lee Catchment Flood Risk Assessment and Management Study (CFRAMS), Ballymakeera and Ballyvourney were highlighted as an area where a flood relief scheme was required due to flood events generally arising from flooding of the Sullane River. Interim works are now proposed to be carried out pending the finalisation and approval of, and implementation of, a permanent solution.

The subject of this Part 8 planning application is the proposed interim flood mitigation works. The objective of these works is to provide interim defences to defend against a 20-year event, that are practical, safe and do not increase flood risk. The interim hard defences will consist of 1,000kg (10KN) sand bags and/or impermeable liners and other works at Ballymakeera, Co. Cork.

The proposed interim works incorporates the following principal features:

- Interim hard defences are anticipated to consist of 1000kg (10KN) sand bags and impermeable liners.
- Land raising at field access points at three locations, to allow access to/from the existing gateways whilst also mitigating against the 20-year flood levels.
- The fitting of two non-return valves at the outlets of two pipe outfalls. Also, a sump would likely need to be constructed on the dry side of each piped outlet and a pump to be available in times of need.
- Monitoring of the condition of the interim defences will be by way of quarterly inspections. Furthermore, in the event of a flood warning from the national weather services, a site inspection will also be carried out beforehand if required.
- The interim defences will be removed as the construction of the main scheme progresses.

These interim works are to defend parts of the village vulnerable to flooding pending a main flood relief scheme for both Ballymakeera and Ballyvourney.

This application is made under Section 179 of the Planning and Development Act 2000 (as amended) and Part 8 of the Planning and Development Regulations 2001 (as amended).

2. Part 8 Planning Documentation

In accordance with the requirements of the Planning and Development Regulations, 2001 (as amended), details of the proposed development are set out in the Part 8 planning documentation which comprises (i) the Part 8 Planning Documents pack and (ii) the Part 8 Planning Drawings pack which should be read in conjunction with one another. Together, these plans and particulars describe the nature, extent and principal features of the proposed scheme.

2.1. Part 8 Planning Documents

The Part 8 Planning Documents pack contains the following:

- Ballyvourney and Ballymakeera Flood Relief Scheme Interim Works Part 8 Planning Application Report
- Ballyvourney and Ballymakeera Flood Relief Scheme Interim Works OPW Report – Baile Mhic Íre Interim Measures
- Ballyvourney and Ballymakeera Flood Relief Scheme Interim Works AA Screening Report
- Ballymakeera and Ballyvourney Flood Relief Scheme Interim Works AA Screening Determination
- Ballyvourney and Ballymakeera Flood Relief Scheme Interim Works Ecological Impact Assessment
- Ballyvourney and Ballymakeera Flood Relief Scheme Interim Works EIA Screening
- Ballyvourney and Ballymakeera Flood Relief Scheme Interim Works EIA Determination

2.2. Part 8 Planning Drawings

The Part 8 Planning Drawing pack contains the following:

Drawing No.	Title	Revision
BB FRS IW 001	Site Location Map	A
BB FRS IW 002	Site Layout Plan	A
	OPW Report – Map 1	A
	OPW Report – Map 2	A
	OPW Report – Map 3	A

3. Determination in accordance with Section 120(1B)(b)(i) of the Planning and Development Regulations 2001 (as amended)

Cork County Council has prepared an EIA Screening Report in accordance with the requirements of Section 120(1B)(b)(i) of the Planning and Development Regulations 2001 (as amended). On the basis of this report, Cork County Council has completed EIA screening and has determined that there is no real likelihood of significant effects on the environment. Accordingly, it has been determined that EIA is not required in respect of this proposed development.

4. Notice of Proposed Development

Notice of the proposed development will be published in the Irish Examiner on 19th March 2021. Site notices will be displayed on the public road as shown in the Part 8 Planning Drawings.

Plans and particulars of the proposed development shall be available for inspection or purchase at a fee not exceeding the reasonable cost of making a copy during normal office hours on each day and time during which the said offices are open for business during the period commencing on 19th March 2021 and ending on 23rd April 2021, both dates inclusive, at the following offices of Cork County Council:

- Cork County Council, Floor 10 - Lobby, County Hall, Carrigrohane Road, Cork.
- Cork County Council, Macroom Area Office, Macroom, Co. Cork.

Plans and particulars may also be viewed on Cork County Council's website at:

<https://www.corkcoco.ie/planning/municipal-districts-part-8-planning>

5. Submissions

Written submissions or observations with respect to the proposed development dealing with the proper planning and sustainable development of the area in which the proposed development is situated may be made on or before 07th May 2021 as follows:

- **In writing to:**
 - Kevin Costelloe Senior Engineer, Coastal Management & Flood Projects Dept., Floor 10, County Hall, Carrigrohane Road, Cork.

Or

Online at:

- https://corkcc-dash.achieveservice.com/service/Cork_County_Council_own_development_Part_8s

APPENDIX A. Bodies to whom a Notice and copies of the proposal will be sent as Scheduled in Section 82

A notice in accordance with sub-article (1) shall be sent—	Selected in this Case
a) where it appears to the authority that the land or structure is situated in an area of special amenity, whether or not an order in respect of that area has been confirmed under section 203 (or deemed to be so confirmed under section 268(1)(c) of the Act, or that the development or retention of the structure might obstruct any view or prospect of special amenity value or special interest — to An Chomhairle Ealaíon, Fáilte Ireland, and An Taisce — the National Trust for Ireland,	YES
(b) where it appears to the authority that the development might obstruct or detract from the value of any tourist amenity or tourist amenity works— to Fáilte Ireland,	NO
(c) where it appears to the authority that the development— (i) would involve the carrying out of works to a protected structure or proposed protected structure, or to the exterior of a structure which is located within an architectural conservation area, (ii) might detract from the appearance of a structure referred to in sub-paragraph (i), (iii) might affect or be unduly close to— (I) a cave, site, feature or other object of archaeological, geological, scientific, ecological or historical interest, (II) a monument or place recorded under section 12 of the National Monuments (Amendment) Act, 1994 (No. 17 of 1994), 114 (III) a historic monument or archaeological area entered in the Register of Historic Monuments under Section 5 of the National Monuments (Amendment) Act, 1987 (No. 17 of 1987), (IV) a national monument in the ownership or guardianship of the Minister under the National Monuments Acts, 1930 to 1994, or (iv) might obstruct any scheme for improvement of the surroundings of, or any means of access to, any structure, place, feature or object referred to in sub-paragraph (iii), — to the Minister, the Heritage Council, and An Taisce — the National Trust for Ireland, and in the case of development of a type referred to in subparagraph (i) or (ii), An Chomhairle Ealaíon and Fáilte Ireland,	YES
(d) where it appears to the authority that the area of another local authority might be affected by the development — to that local authority,	NO
(e) where it appears to the authority that the development would not be consistent with or would materially contravene any regional planning guidelines (or any objective thereof) of a regional authority — to that regional authority,	NO
(f) where it appears to the authority that if permission were granted, a condition should be attached under section 34(4)(m) of the Act — to any local authority (other than the planning authority) who would be affected by any such condition,	NO
(g) where it appears to the authority that— (i) the development might cause the significant abstraction or addition of water either to or from surface or ground waters, whether naturally occurring or artificial, (ii) the development might give rise to significant discharges of polluting matters or other materials to such waters or be likely to cause serious water pollution or the danger of such pollution, or 115 (iii) the development would involve the carrying out of works in, over, along or adjacent to the banks of such waters, or to any structure in, over or along the banks of such waters, which might materially affect the waters, — to the appropriate Regional Fisheries Board and, in any case where the waters concerned are listed in Part 1 of Annex 1 of the Schedule to the British-Irish Agreement Act, 1999 (No. 1 of 1999), to Waterways Ireland,	YES
(h) where it appears to the authority that the development might endanger or interfere with the safety of, or the safe and efficient navigation of aircraft — to the Irish Aviation Authority	NO
(i) where it appears to the authority that the development might interfere with the operation and development of a licensed airport, whose annual traffic is not less than 1 million passenger movements — to the airport operator,	NO
(j) where the development may have an impact on bus or rail-based transport — to Córas Iompair Éireann and the Railway Procurement Agency, as appropriate,	NO
(k) where it appears to the authority that— (i) the development consists of or comprises the formation, laying out or material widening of an access to a national road within the meaning of section 2 of the Roads Act, 1993 (No. 14 of 1993), not being a national road within a built up area within the meaning of section 45 of the Road Traffic Act, 1961, or (ii) the development might give rise to a significant increase in the volume of traffic using a national road, — to the National Roads Authority,	NO
(l) where the development might significantly impact on surface transport in the Greater Dublin Area, the Dublin Transportation Office (or any body that replaces that office), 116	NO
(m) where the development comprises or is for the purposes of an activity requiring an integrated pollution control licence or a waste licence — to the Environmental Protection Agency,	NO
(n) where it appears to the authority that the development might have significant effects in relation to nature conservation — to the Heritage Council, the Minister and An Taisce - the National Trust for Ireland,	YES

(o) where the development is in a Gaeltacht area and it appears to the authority that it might materially affect the linguistic and cultural heritage of the Gaeltacht, including the promotion of Irish as the community language — to the Minister for Community, Rural and Gaeltacht Affairs and Údarás na Gaeltachta,	NO
(p) where the development is in the vicinity of an explosives factory, storage magazine or local authority explosives store — to the Minister for Justice, Equality and Law Reform,	NO
(q) where it appears to the authority that the development might have significant effects on public health — to the Health Service Executive,	NO
(r) where the application relates to extraction of minerals within the meaning of the Minerals Development Acts, 1940 to 1995 — to the Minister for Communications, Marine and Natural Resources,	NO
(s) where it appears to the authority that the development might impact on the foreshore — to the Minister for Communications, Marine and Natural Resources,	NO
(t) where the development might— (i) give rise to a significant increase in the volume or type of traffic (including construction traffic) passing under a height restricted railway bridge, or using a railway level crossing, or a bridge over a railway, (ii) because of its proximity to a railway, impact on the structural integrity of railway infrastructure during construction of the development, or 117 (iii) endanger or interfere with the safe operation of a railway, during or after construction, — to the railway operator, the Railway Safety Commission, and, in the case of development which might impact on a light railway or metro, the Railway Procurement Agency,	NO
(u) where the application relates to— (i) the extraction of minerals, other than minerals within the meaning of the Minerals Development Acts 1940-1999, whether by surface or underground means, (ii) the development of, or extensions to, quarries, including sand or gravel pits, for the extraction of earth materials, or (iii) a development which, for other purposes, requires the excavation of earth materials greater than a total volume of 50,000m ³ or the excavation of earth materials on a site area greater than 1 hectare — to the Minister for Communications, Marine and Natural Resources,	NO
(v) where it appears to the authority that the development might impact on the provision of public water services — to Irish Water.	NO