

02 July 2020

Senior Planner,
Planning Policy Unit,
Cork County Council,
Floor 13,
County Hall,
Cork

Re: Issues Paper for the Cork County Development Plan 2022 – 2028

A Chara.

Thank you for your authority's work in preparing the Issues Paper for the review of Cork County Development Plan (the plan). The Office acknowledges and welcomes the publication of this paper and your authority's work more broadly in advancing the review of the plan.

In accordance with the provisions of section 31AM of the Planning and Development Act 2000, as amended (the Act), the Office is obliged to evaluate and assess development plans in the context of certain statutory parameters including:

- Matters generally to be contained in a development plan (section 10) and, in particular, section 10(2)(n) in relation to climate change;
- Consistency with the *National Planning Framework* (NPF) and the *Regional Spatial and Economic Strategy for the Southern Regional Assembly* (the RSES);
- Ministerial guidelines under section 28;
- Ministerial policy directives issued under section 29, and,
- Such other legislative and policy matters as the Minister may communicate to the Office in writing.

The Office has set out some broad areas for your authority to consider in formulating the draft development plan.

These observations are offered without prejudice to any observations and recommendations as may be forthcoming from the Office at future stages of the plan making process, and do not affect the obligation on your planning authority to comply with the relevant legislative requirements.

Overall structure of CDP

The Office commends the format of the background papers issued by your authority in terms of the wide range of topics addressed, in view of the legislative, policy and guidelines context of the development plan.

The Office would also comment favourably on the overall format and design of the documentation issued by your authority, as well as the use of accessible language throughout. The documentation provides an appropriate level of detail, is described clearly through accessible language, and is set out in a visually attractive and interesting way which promotes public engagement.

Regarding the proposed format of the future development plan, the Office welcomes the intention to include detailed policy objectives for settlements, including zoning as part of the county development plan, replacing the former approach of 8 municipal LAPs and the town development plans.

This approach will also enable your authority to more easily set out and manage its mandatory climate action objectives under section 10(2)(n). Your authority's proposal to provide standalone volumes of the plan for each of the three coherent geographic regions of the county (North Cork, South Cork and West Cork) is considered reasonable and will improve the relevance and accessibility of the plan to the population of the three said areas.

It is not entirely clear from the Issues Papers that the Cork Metropolitan Area Strategic Plan is contained wholly within the South Cork plan area as the boundary is not overlaid on the map of the municipal districts in Figure 1 of the document. The Office would welcome clarification on the matter.

Core Strategy & Settlement Hierarchy

The formulation of the core strategy in accordance with section 10 of the Act is the most significant element in developing your authority's development plan. A key function of any core strategy is to focus on a preferred approach to both the spatial pattern and quantity of housing delivery over the lifetime of the plan.

The NPF and the RSES for the Southern Regional Assembly (SRA) area, in addition to relevant specific planning policy requirements (SPPRs) specified in Ministerial guidelines under section 28, will be key determinants in making the core strategy for your functional area. The National Policy Objectives (NPOs) under the NPF, and the Regional Policy Objectives (RPOs) under the RSES, including the Cork MASP, will therefore, to a large extent, determine the approach of your authority to the content and detail of the plan.

The overall population target for the county in the Core Strategy is required to be consistent with the NPF Implementation Roadmap and the RSES (MASP section 5.0 Population Projections, and

Appendix 1 of Volume 3, refers). The projected growth of settlements will also be required to be consistent with the policy objectives of the NPF and the RSES concerning the distribution of population growth.

Metropolitan Area Strategic Plan (MASP): In accordance with the provisions of the NPF and the RSES, the role of the Metropolitan Area as the engine of economic and population growth for the county, should be demonstrably supported in the Core Strategy.

The Office notes the RSES does not envisage the reallocation of population growth to the wider metropolitan area during the lifetime of the RSES, notwithstanding the provisions of the NPF NPO68.

The policy objectives for the MASPs (RPO6-RPO10) and for the Cork MASP, specifically, will direct the county development plan within the MASP boundary, with development focused on the regeneration, consolidation and infrastructure led growth of the metropolitan towns.

The strategic residential and regeneration areas identified under the MASP, Section 7 *Monard* Strategic Development Zone and Strategic Residential Growth Nodes on the Metropolitan Line, and under Section 7.4 Other Metropolitan Towns, will be important drivers of population growth within County Cork and the metropolitan area over the period of the plan.

Key towns: The Issues Paper would not appear to make specific reference to the designation of two Key towns under the RSES, Clonakilty and Mallow, which, along with Cork City, are identified as the only settlements to accommodate population growth in excess of 30% to over the period to 2040, subject to capacity analysis (NPO9 and RPO11, refer). Under the RSES the key towns (Mallow RPO19 and Clonakilty RPO23) will an essential role in driving significant consolidated population and economic growth outside of the Metropolitan Area.

Your authority will be aware that the potential growth of settlements, such as the two key towns, will be dependent on the resolution of existing infrastructural and/or environmental capacity constraints concerning water supply and/or wastewater treatment facilities and the assimilative capacity of the receiving environment in view of protected habitats (Blackwater River SAC, site code ref.002170). In this regard, the Office would highlight, in particular, the potential for conflict to arise with regard to the Fresh Water Pearl Mussel Regulations 2009.

Your authority is encouraged to actively pursue a collaborative approach to the resolution of all such constraints with key stakeholders, including, inter alia, Irish Water, the National Parks and Wildlife Service and the Environmental Protection Agency, in order to ensure that the development plan sets out an overall strategy for the proper planning and sustainable development of the county, that is consistent with provisions of the NPF and the RSES and which is capable of being implemented within the period of the plan.

A tiered approach to zoning is required under the NPF (NPO72a-z, refer). In the event that projected development is not possible within key towns or other settlements over significant periods of the plan due to infrastructure and/or environmental constraints, the plan will need to set out proposed alternative locations and/or the phasing of development to accommodate growth under the Core Strategy, consistent with the NPF and RSES.

The Office would also direct your authority to the provisions of section 8.1 *Sustainable Management of Water Supply and Waste Water Needs* under the RSES and, in particular, the support for the implementation of aligned investments plans (Irish Water Investment Plan) for water services and the settlement strategy and objectives of the RSES and MASP (RPO208 and RPO211; RPO11 is also relevant).

The Office notes the reference, in table 3.3 of the RSES, to the enhanced role of Clonakilty in combination with other West Cork settlements of Skibbereen and Bantry as service centres within the next development plan review. For clarity, the Office would draw the attention of your authority to the provisions of NPO9 in formulating the Core Strategy and would note that Mallow and Clonakilty are the only towns identified outside of the MASP for population growth of greater than 30%.

Other towns and villages: All other settlements of 1500 or more population fall within this category and are to be determined by your authority. Objectives NPO5, NPO6 and NPO7 are of particular relevance to these centres. In addition RPO3 and RPO26 of the RSES, concerning core strategies and the regeneration and revitalisation of settlements, the guiding principles set out under section 3.3 *A Tailored Approach* will direct your Core Strategy in terms of the distribution of future growth across the county's towns and villages

Rural: In view of the expansive rural character of much of the county and the continued high demand for one-off housing in the county (graph on p.16 of the issues paper), the plan will need to actively prioritise the regeneration and rejuvenation of rural villages and towns in accordance with policy objectives of the NPF and the RSES (NPO16, NPO18a and RPO27).

The plan will need to address, in particular, the practical implementation of appropriate policy objectives through suitable land activation approaches and proactive facilitation of the building of homes within the footprint of rural settlements through provision of specific measures, such as serviced sites with appropriate infrastructure, through the development of a programme for 'new homes in small towns and villages'. Investment in town and village renewal initiatives to improve services and liveability, and greater coordination with Irish Water and other stakeholders in the delivery of water supply and wastewater infrastructure will be critical. The implementation of rural settlement networks under RPO28, and investment in improved rural connectivity in line with RPO172 and RPO158 will also assist in the regeneration of rural settlements.

This approach can be expected to have amenity, social and economic benefits for all existing residents of these settlements. It also has the potential to alleviate pressure on the open countryside through provision of a desirable alternative to one-off housing for families who would like to reside close to the facilities, services and amenities available in rural villages and towns whilst maintaining ties to the wider rural community.

Attracting populations back to these settlements will also make it more cost effective for your authority to provide higher quality facilities and services, which in turn will make these settlements more attractive places to live. Furthermore, it has the potential to address the application of section 10(2)(n) in rural areas.

Housing demand: The Issues Paper projects a need for 61,520 units to accommodate population growth of 105,000 to 2040. This equates to an occupancy rate/household size of 1.7 persons, which is significantly below the national average rate of 2.75 for 2016, and the rate of 2.5 for 2040 anticipated in the NPF.

It is important that any calculations for housing demand and, ultimately, for land zoned to accommodate such development, are fully justified and are consistent with the policy objectives of the NPF and the RSES. In accordance with NPO20 and NPO37 (and RPO33) a Housing Need Demand Assessment will be required to determine the future housing requirements during the period of the plan.

Compact growth and regeneration

The information on town centres and urban capacity in the Issues Paper would indicate that the majority of towns and villages in the county and experiencing significant challenges due to contraction in retail and a range of other uses, resulting in high vacancy levels.

The NPF signals the Government's intention to secure a more sustainable and compact urban development pattern into the future (NPO3a). For your county, at least 30% of all new homes targeted in settlements will be delivered within the existing built-up footprint through infill development and use of brownfield sites (NPO3c). The core strategy should identify regeneration areas with urban settlements, including objectives for the delivery of infill and brownfield sites in view of the NPF compact growth targets, and identify strategic initiatives to achieve same within the Cork MASP (RPO10 refers). The policy objectives under the RSES (section 3.11 Regeneration, RPO34-RPO38) will inform your authority's approach under the plan.

The RSES recognises the threat to our cities and other settlements from online retail, in the context of central role retail plays in place-making. Your authority should carefully consider how retail development can best be encouraged and promoted through the development plan, consistent with

the provisions for compact growth and regeneration under the NPF. In this regard, your plan should be consistent with the objective of RSES (RPO55) to ensure that retail development is focused on urban and village centres (and the application of a sequential approach otherwise), planned in an integrated manner (RPO151 refers) and be informed by up to date Retail Strategies and Joint Retail Strategies, as appropriate (RPO55 and Cork MASP PO16, refer) in accordance with Section 28 Retail Planning Guidelines for Planning Authorities (2012).

Implementation

It will be essential that the core strategy for the county is implementable. Your authority should therefore be mindful to identify key locations and opportunity sites, which are capable in terms of delivering physical and social infrastructure over the lifetime of the plan period, in a manner that supports the achievement of wider national and regional planning policies and objectives.

The tiered approach to zoning (NPO72a) and other mechanisms to prioritise the delivery of zoned lands for development (NPO73a-73c) will be important considerations for your planning authority and to any future observations of the Office.

In carrying out the tiered approach to zoning and in considering current infrastructural deficiencies, your authority should take into account its powers of compulsory purchase which may be used to facilitate enabling-infrastructure delivery to prioritised zoned lands to accommodate planned growth, as emphasised by the NPF (NPO73b). The information on the quantity of tier 1 and tier 2 lands provided in the Issues Paper is noted. As noted above, in the event that projected development is not feasible within key towns or other settlements over significant periods of the plan due to infrastructure and/or environmental constraints, the plan will need to set out realisable alternatives to accommodate growth under the Core Strategy, consistent with the NPF and RSES. As your authority will be aware, a major opportunity is currently available to ensure alignment between planning and infrastructure whereby plans at the local level may be supported by capital investment where aligned with the objectives and policies of the regional and national level plans.

In this regard, a central element of the NPF relates to the renewal and consolidation of underutilised parts of regional centres, including key towns, and rural towns and villages (NPO3c refers). These areas can avail of existing infrastructure, or enable the investment in infrastructure for sustainable urban and rural development.

It will be important that any strategy for the prioritisation of provision of water/wastewater infrastructure is based on the growth strategy objectives under the NPF and the RSES, as referred to above, and existing infrastructural and/or environmental capacity constraints.

In this regard, the Office would highlight the significant capacity constraints for water services in the key towns of Clonakilty (water supply) and Mallow (waste water treatment), with additional surface water assimilative capacity issues arising in respect of the outfall of waste water from Mallow to the River Blackwater, a Special Area of Conservation. Early consultation and agreement with Irish Water, the Department of Culture Heritage and the Gaeltacht and other relevant stakeholders will be critical to the successful implementation of the plan. The devising of an appropriate core strategy and settlement hierarchy, with provision for compact growth consistent with the objectives of the higher order plans and strategies as set out above, will also assist your planning authority in achieving the obligations on in terms of climate action under section 10(2)(n) of the Act.

Economic Development & Employment

A vital aspect of the plan will be the promotion and nurturing of the county's economic and employment base. In accordance with the NPF requirements (NPO10b), the RSES has identified strategic employment development areas within the region, including within the three MASPs and other centres. In Chapter 4 *A Strong Economy*, the RSES sets out an economic strategy region underpinned by five economic principles – Smart Specialisation; Clustering; Placemaking for enterprise development; Knowledge Diffusion, and: Capacity building – which should inform your authority's approach. It also sets out guiding principles to help local authorities to identify locations for strategic development in the development plans.

The inclusion of objectives, policies and mechanisms to assist and secure the development of the strategic economic development locations (subject to any appropriate and necessary safeguards) can therefore be anticipated to form a key element of the development plan.

The Office notes the jobs statistics contained in the Issues Paper, including the striking difference between the distribution of lands zoned industrial and lands zoned business between the four strategic planning areas, and the potential future distribution of jobs between the four strategic planning areas.

The Office welcomes the recognition of the Issues Paper that population growth should be jobs-led and that a greater alignment between where people work and live will reduce the need to travel and facilitate travel a greater proportion of trips to work by active and sustainable modes. Following this approach may assist your authority in achieving its obligations in terms of climate action under section 10(2)(n) of the Act (see below).

The importance and potential of Cork Harbour as an economic driver is recognised in the RSES, through Cork MASP PO 3. In this regard, your authority's attention is also drawn to the objectives of the RSES under section 4.9 Marine and Coastal Assets, including the proposal to prepare a Strategic Integrated Framework for Cork Harbour under RPO79. The development plan provides

the opportunity to build on the unique strengths of the harbour as a significant driver for economic growth, whilst protecting the natural habitats (Cork Harbour SPA), including through the specific planning framework initiative. The Strategic Development Locations identified under 8.3 can be anticipated to be major drivers of economic growth over the period of the plan and beyond.

In addition, given the rural character of much of the county, it will be important that the development plan provides, as much as is feasible, for the enhancement, facilitation and support of rural enterprise.

This may include diversification of the rural economy (NPO21) through inter alia, tourism, the agrifood sector and extractive industries (NPO22 and NPO23), building on the networks identified in section 3.4 of the RSES and the policy objectives in section 4.5 rural development, and through facilitation of delivery of the National Broadband Plan (NPO24) in line with the NPF (and RPO135 and RPO135 of the RSES).

The alignment between where people work and live will also be important in rural locations and your authority should consider how best synergies can be achieved between improved rural enterprise and the regeneration of rural towns and villages.

The NPF recognises the need to protect important reserves of aggregates and minerals from development that might prejudice their utilisation. In this regard, your authority should be mindful of the need to protect access to essential non-renewable resources, such as aggregates and minerals necessary to accommodate construction development within the county. In this regard, appropriate regard should be had to the provisions of the Quarries and Ancillary Activities Guidelines for Planning Authorities (DHPLG, 2004) in the preparation of the plan.

Transport & accessibility

Based on the Issues Paper, it is evident that the achievement of a sustainable modal split for journeys in line with Government targets in Smarter Travel (or any replacement policy) will present a significant challenge for your authority.

The identification by your authority of the measures necessary to implementing the Avoid-Shift-Improve approach to achieving sustainable transport is an important step to engendering change, but a clear strategy for the implementation of these measures through carefully considered objectives through the development plan will be essential.

In view of the greenhouse gas (GHG) emissions from transport (which are second only to agricultural emissions) and the energy use for transport (highest energy use by sector, accounting for 43% total final consumption in 2017), it will be essential for your authority to achieve a significant modal shift in the county in order to meet the requirements under section 10(2)(n) of the Act. In view

of same, the Office would encourage your authority to include modal shift targets to be achieved over the plan, aligned to relevant implementation measures, in order to achieve meaningful improvements in GHG emissions and energy use in line with section 10(2)(n).

In this regard, the Office would draw the attention of your authority to the need for an integrated land use transport approach with reference to, inter alia, NPO27, NPO28 and NPO64 in the NPF, Cork MASP PO 7 in the RSES, and to the recently published Cork Metropolitan Area Transport Strategy (RPO164 requires alignment with the CMATS). Through an integrated approach, your authority should consider how best the plan will maximise benefits from the CMATS through phasing the delivery of key transport infrastructure (Cork MASP PO 8, refers).

A thoroughly-considered integrated land use transport approach will be essential if your authority it to attain sustainable compact settlements which meet the '10-minute' city and town concepts in line with RPO176 and referenced throughout the RSES. The implementation of the '10 minute' city / settlement will help implement the Avoid-Shift-Improve approach to modal change. It will also require a proactive, infrastructure led approach to the promotion of active modes, such as is proposed under Cork MASP PO17.

In addition, the Office notes the Framework for the Integration of Transport Planning with Spatial Planning Policies under s.6.3.3.2 of the RSES, and the hierarchy of plans and strategies set out under able 6.1, against which transport policy in the SRA area is formulated and implemented. This includes Local Transport Plans for the key towns of Clonakilty and Mallow, and for other towns, including those within the Cork MAPS as identified by the local authority (RPO157 refers).

Regarding the wider area, including rural towns and villages and the open countryside, it will be important for the development plan to address any potential for the integration of existing and future proposed greenways, blueways and peatways (acknowledged, in the NPF, as key future planning and development and place-making policy priorities for this Region) with settlements and facilities across the county.

Ensuring that all settlements, including rural towns and villages are walkable, with appropriate scaled footpaths and pedestrian facilities, will have benefits in terms of pedestrian safety and also quality of the urban environment of the settlements, as is recognised in the Issues Paper.

In this regard, the provisions and objectives of the RSES concerning sustainable transport including, in particular, walking and cycling (RSES section 6.3.10, refers) and the development of greenways, blueways and peatways (RSES section 7.2.7, refers), will provide direction to your authority. The Local Link Rural Transport Programme Strategic Plan 2018-22 will also be pertinent for rural areas, as well intra-regional rural connectivity (RPO 158, refers).

Commitment to the proactive implementation of the Design Manual for Urban Roads and Streets (as revised) in the required locations, consistent with RPO 151, will also assist sustainable and active

transport modes, in addition to improvement in the street environment and overall quality of life of urban areas and settlements of all sizes.

Climate Action and Renewable Energy

Climate action: The Office welcomes the acknowledgement of climate change as one the key issues to be addressed in the development plan and the referencing of the Government's Climate Action Plan 2019, which supports the adoption of a net zero target for carbon emissions by 2050 at EU level. The overall reduction of carbon emissions and energy use will necessarily be a crosscutting planning policy issue to be addressed in the development plan.

Your authority will be aware that the Office is required under section 31AM(2)(a) of the Act to address, in particular, the legislative and policy matters within the scope of section 10(2)(n) in its evaluations and assessments of your development plan. This subsection concerns the inclusion of objectives for the promotion of sustainable settlement and transport strategies for both urban and rural areas, which include the promotion of measures to reduce energy demand, to reduce GHG emissions and to adapt to climate change through, in particular, the location, layout and design of new development.

In this regard, the adoption of the Climate Change Adaptation Strategy by Cork County Council in 2019, and the commitment to mainstream adaptation measures into the development plan would contribute to your authority meeting the requirements under the Act. The Office also notes the recognition of the importance of climate change considerations on water services, including the failure of the Clonakilty water supply in summer 2018.

Regarding climate change mitigation measures pertinent to section 10(2)(n) of the Act, the objectives of the RSES under section 6.35 *Regional Policy Objectives for the Integration of Transport and Spatial Planning Policies* (in addition to NPO28, NPO30, NPO54 and NPO64) and under section 1 *Climate action and transition to a low carbon economy* of Chapter 5 are relevant. The objective (RPO176) to attain compact settlements within the '10-minute' city and town concept, noted above, is also consistent with the requirement for sustainable settlement and transport strategies under section 10(2)(n) of the Act.

Your authority is required to ensure that development plan provides sufficient clarity and certainty in terms of the measures proposed under section 10(2)(n) to direct the preparation of future local area plans made consequent to the development plan.

The Office understands that forthcoming updates by the Department to the section 28 Development Plan Guidelines will initiate a process of enhanced guidance for the preparation of development plans. This will include guidance on the requirements under section 10(2)(n) of the Act.

Renewable Energy: Your authority will note that both the NPF (NPO55) and the RSES (inter alia, RPO221) promote and support renewable energy generation, which will contribute to achieving a net zero carbon economy by 2050.

The promotion of renewable energy sources within the county in accordance with the section 28 Wind Energy Development Guidelines (2006), Interim Guidelines for Planning Authorities on Statutory Plans, Renewable Energy and Climate Change and Wind Energy Development Guidelines 2006 – Update on Review (July 2017) subject of Circular Letter PL 5/2017, or any replacement guidelines issued by the Minister, will also be critical to ensure Ireland meets its national targets and commitments to increase renewable energy supply and reduce greenhouse gas emissions.

In this regard, the attention of your authority is drawn, in particular, to the special planning policy requirement (SPPR) under the aforementioned interim guidelines in the preparation of the development plan. This requires, inter alia, that the planning authority indicate how the implementation of the relevant development plan or local area plan over its effective period will contribute to realising overall national targets on renewable energy and climate change mitigation, and in particular wind energy production and the potential wind energy resource (in megawatts).

Summary

In conclusion, the Office would commend your authority on the range of key issues considered in its background papers and its approach to engagement with the public through its publishing of well-considered, formatting and accessible Issues Papers. The Office would advise that your authority to pay particular attention to the following issues in the formulating of the development plan:

- The provisions and objectives for population growth, compact growth and regeneration under the NPF, the NPF Implementation Roadmap and the RSES (and the Cork MASP) for the Southern Regional Assembly (SRA) area, in determining the core strategy, including the settlement hierarchy and constraints in respect of same, for your functional area;
- The range of practical measures that will be undertaken to enable the implementation of the core strategy during the period of the plan;
- The coordination of economic development and employment with population growth, for both urban and rural areas.
- The implementation of integrated land use transport planning for your planning authority, in coordination with the neighbouring planning authorities.
- The promotion of sustainable settlement and transport strategies for urban and rural areas
 with measures to reduce GHG emissions, reduce energy usage and to adapt to climate
 change, in particular, through the location, layout and design of new development.

The NPF and the RSES for the Southern Region will play pivotal roles in informing the preparation of the Cork County Development Plan 2022-2028. The Office looks forward to continued positive engagement with the County Council in implementation of national and regional policies at county and local level.

Please feel free to contact the staff of the Office in the context of your authority's responses to the above, which we would be happy to facilitate. Contact can be initiated through the undersigned or at plans@opr.ie.

Yours sincerely,



Deputy Regulator and Director of Plans Evaluations, Office of the Planning Regulator

087 689 4771

AnneMarie.OConnor@opr.ie