

MA-027-22

28th April 2022

Development Plan Submissions,
Strategic and Economic Development,
City Hall,
Anglesea Street,
Cork,
T12 T997.

Re: Material Alterations to Draft Cork City Development Plan 2022-2028

A chara,

Thank you for your authority's work in preparing the Material Alterations to the draft Cork City Development Plan 2022-2028 (the MAs to the draft Plan).

As your authority will be aware, a key function of the Office of the Planning Regulator (the Office) is the strategic evaluation and assessment of statutory plans to ensure consistency with legislative and policy requirements relating to planning. The Office has evaluated and assessed the material alterations to the draft Plan under the provisions of sections 31AM(1) and (2) of the *Planning and Development Act 2000*, as amended, (the Act) and within the context of the Office's earlier recommendations and observations.

As outlined in the submission of the Office to the draft Plan, the Office considered the draft Plan to be generally consistent with policies in the National Planning Framework (NPF) and the Regional Spatial and Economic Strategy (RSES) for the Southern Regional Assembly area, inclusive of the Cork Metropolitan Area Spatial Plan (CMASP). It recommended changes to ensure consistency with national and regional policies in the aforementioned, and having regard to the section 28 Ministerial Guidelines.



the Office recommended changes the National Planning Framework (NPF) and the Regional Spatial and Economic Strategy (RSES) for the Northern and Western Regional Assembly area, and having regard to th

The planning authority is advised that section 12(10) of the Act provides the members of the planning authority with scope to make a further modification to a material alteration subject to the limitations set out in subsection 10(c) parts (i) and (ii).

Recommendations issued by the Office relate to clear breaches of the relevant legislative provisions, of the national or regional policy framework and/or of the policy of Government, as set out in the Ministerial guidelines under section 28. As such, the planning authority is required to implement or address recommendation(s) made by the Office in order to ensure consistency with the relevant policy and legislative provisions.

Observations take the form of a request for further information, justification on a particular matter, or clarification regarding particular provisions of a plan on issues that are required to ensure alignment with policy and legislative provisions. The planning authority is requested by the Office to action an observation.

A submission also can include advice on matters that the Office considers would contribute positively to the proper planning and sustainable development of the area. The planning authority is requested by the Office to give full consideration to the advice contained in a submission.

Overview

The Office acknowledges the extensive work undertaken by the planning authority in responding to the many issues raised by the Office in its recommendations and observations and in preparing the material alterations.

In particular, the Office welcomes the determining of a housing supply target in accordance with the 'Housing Supply Target Methodology Guidelines for Planning Authorities' (2020).



Although the Office notes that the target has not been appropriately integrated into the core strategy, it is satisfied that, subject to compliance with MA Recommendations 1 and 2, below, requiring the omission of certain material amendments relating to residential zonings, the core strategy will generally align with the section 28 guidelines and with national and regional policy on population and housing growth.

Having regard to the large number of proposed material amendments, the Office has identified relatively few concerns of significance that warrant additional recommendations at this stage of the plan-making process.

The assessment below does, however, detail the continuing concern of the Office regarding the proposed approach to development in Stoneview and 'Ringwood, Blarney' in light of the infrastructure constraints for these areas over the next 6 years. This is addressed through a further recommendation (MA Recommendation 1). However, the Office welcomes the proposed amendment of residential density standards applicable to Blarney, which will ensure that growth takes place in a compact and sustainable manner consistent with national and regional policy.

The Office also welcomes the replacement of the Tier 3 Residential Neighbourhood zoning objective with ZO 21 City Hinterland and Longer Term Strategic Residential, which aligns the Plan more closely with the provisions of the 'Development Plans, Guidelines for Planning Authorities, Draft for Consultation' (2021).

The Office notes the decision of the planning authority not to include relevant material amendments to comply with Recommendation 6 of the Office's submission to the draft Plan, concerning the ZO 2 New Residential Neighbourhood zoning objective at Carrigrohane, and Recommendation 7, concerning the preparation of a Joint Retail Strategy. These and other matters will be the subject of further consideration by the Office on making of the Plan.

The planning authority will be aware that the proposed amendments to Strategic Employment Site 4 under MA 1.150 and MA no.2.47, and MA.1.307 of objective 10.86 concerning Jacob's Island, have the potential to adversely impact on the strategic road network. The Office recommends that the Plan be made without these



amendments, unless it is demonstrated through the evidence-based approach in advance of making the Plan that development on the zoned lands can be catered for by the junction/interchange and will not adversely affect the national road network in accordance with the *Spatial Planning and National Roads Guidelines for Planning Authorities* (2012). The guidelines advise that the evidence base may entail traffic surveys, traffic modelling and transport assessment.

Having regard to conflict with compact growth and with the implementation of sustainable settlement and transport strategies under section 10(2)(n), the Office recommends the omission of employment lands at Rathpeacon proposed under amendment MA no.28.

In view of the provisions of the Cork Metropolitan Area Transport Strategy, which envisages very significant investment in the planning and provision of high quality infrastructure for public transport and active travel in tandem with the implementation of highly ambitious growth targets for the city, the proposed amendments to the car parking standards are considered unsustainable, inconsistent with national and regional policy objectives and contrary to the requirement to implement sustainable settlement and transport strategies in accordance with section 10(2)(n).

The Office notes proposed amendment MA no.1.339, which limits the permissible uses within flood risk zones A and B to 'water compatible' uses and' less vulnerable' uses, as appropriate to the particular flood zone, outside of the city centre and docklands.

It is within this context the submission below sets out 7 recommendations under the following 6 themes:

| Key theme | MA Recommendation |
|--|------------------------------|
| Core strategy and Settlement strategy | MA Recommendation 1 |
| Sustainable Development and Regeneration | MA Recommendation 2, 3 and 4 |
| Economic Development and Employment | MA Recommendation 5 |
| Sustainable Transport and Accessibility | MA Recommendation 6 |



| Climate Action and Renewable Energy | - |
|-------------------------------------|---------------------|
| Flood Risk Management | MA Recommendation 7 |

1. Core Strategy and Settlement Strategy

1.1 Housing and population targets

The Office welcomes, through MA no.1.57, the inclusion of a revised housing supply target in table 3.2 of the draft Plan to better align with the section 28 *Housing Supply Target Methodology Guidelines* (2020) (the HSTGs). The housing target of 16,236, determined by the planning authority, is generally consistent with that determined by the Office, as per point D of the HSTG methodology.

The Office also welcomes the inclusion of a single core strategy table in the draft Plan under MA no.1.27. The revised population target of 266,902 (an increase of 6,708 on the draft Plan target) is also noted as consistent with the ambitious growth targets for the city under the RSES and the Cork MASP.

However, the new housing supply target has not been incorporated into the new core strategy table and does not appear in the core strategy chapter, contrary to the recommendations of the chief executive in the report on submissions under section 12(4) of the Act. Further, the new housing supply target has not been used in the allocation of housing units across the settlements and/or to determine the area of land required to accommodate housing development in those settlements. Rather, the core strategy table includes a figure that appears to be the potential housing yield of proposed residential zoned lands, but is referred to as 'net units required for the plan period'.

This figure of 22,544 is approximately 40% higher (c.6,300 units) than the housing supply target, 16,236. It also represents a significant increase (c.3,800 units) in the potential housing yield of 18,741 in table 2.3 Cork City Growth Strategy in the draft Plan.

The core strategy has therefore not been prepared consistent with the HSTGs and the *Development Plans*, *Guidelines for Planning Authorities - Draft for Consultation*



(2021), as a tool to determine the area of zoned land required to accommodate planned growth. Notwithstanding the opinion of the chief executive expressed in the section 12(5)(aa) Notice, the Office does not consider that the draft Plan, inclusive of the Material Alterations currently complies with Recommendation 1(i) of the Office's submission to the draft Plan in terms of the alignment between the housing supply targets and the extent of zoned land.

The Office has, however, identified a number of instances where the proposed rezoning of land for residential use is peripherally located relative to services and facilities, is not well served by public transport or be easily accessed by active modes and would not, therefore, deliver good planning outcomes for Cork.

The Office is satisfied that by making the final Plan without the specified additional land use zonings specified in MA Recommendations 1 and 2 below, the planning authority will also ensure that the core strategy generally aligns with the aforementioned section 28 guidelines by providing a sufficient supply of zoned land in locations that provide for a sustainable pattern of development and which are well served by physical and social infrastructure.

It follows that the Plan would also then comply with Recommendation 1 of the Office's submission to the draft Plan.

1.2 Settlement Hierarchy and distribution of growth

The proposed material amendments to the core strategy and associated tables under MA no.1.26 and MA no.1.27 entail significant changes to the distribution of population and housing growth to the Urban Towns of Ballincollig, Blarney and Glanmire.

It is noted that the housing allocation to Ballincollig is not materially changed and is commensurate with the need for growth to support the provision of future Light Rail Transit. There is, however, an inconsistency in the core strategy between the population and housing core strategy allocations and the planning authority is advised to consider revising the population allocation by way of minor modification at plan making stage to resolve this issue.



The housing allocations to Blarney and Glanmire are proposed to be increased by an additional 37% and 31%, respectively. The population growth of these centres are proposed to 186% and 72% over the 2016 populations in the material amendments, compared 131% and 55% at initial draft Plan stage. These are very significant amendments. The Office considers the rate of growth for Blarney to be excessive, particularly in view of the significant wastewater infrastructure capacity constraints highlighted by Irish Water, as was raised in Recommendation 2 of the Office's submission to the draft Plan.

In this regard the Office notes the decision of the planning authority not to comply with Recommendation 2 of the Office's submission to the draft Plan, contrary to the recommendation of the Chief Executive's Report (CE Report) on submissions to comply with same. The section 12(5)(aa) Notice does not acknowledge that the planning authority has decided not to comply with parts (i) and (ii) of the recommendation or provide reasons for same.

Stoneview and 'Ringwood, Barney'

Irish Water indicate that significant infrastructure upgrades would be required to cater for any development in the Stoneview area, including extensive network extensions to connect to the Blarney network, a potential crossing of the N20 and significant upgrades of the village sewer network. The Office understands that it is not envisaged that the necessary works will be included in the current Capital Investment Plan.

The subject lands are therefore not serviceable for water infrastructure capacity within the plan period. Indeed, these capacity constraints have been acknowledged in the Cork City Capacity Study published in response to Recommendation 4 of the Office's submission to the draft Plan.

It is also not clear whether the proposed investment in railway services and infrastructure will be provided within the plan period.

The zoning of the additional lands is therefore contrary to NPO 72c and with the Settlement Capacity Audit Approach to the zoning of land provided under the



Development Plans, Guidelines for Planning Authorities - Draft for Consultation (2021).

Further, proposed amendment MA no.2.99 increases the area of land available for development within the areas concerned, as follows:

Stoneview -

- Approximately 22ha ZO 2 New Residential Neighbourhoods, either side of the railway line;
- Approximately 4ha ZO 7 Urban Town Centre to the north of the railway line; and
- Approximately 4ha ZO 13 Education and c.3.8ha ZO 16 Public Open Space

Ringwood –

- Approximately 8.7ha ZO 2 New Residential Neighbourhoods on the east side; and
- Approximately 1.95ha ZO 2 New Residential Neighbourhoods on the west side

The proposal, also under MA no.2.99, to change an area of c.3.4ha at Ringwood adjacent the N20 from ZO 2 New Residential Neighbourhoods Tier 3 Residential Neighbourhoods to ZO 21 City Hinterland and designated as Longer term Strategic Development Lands is, however, welcomed as consistent with the recommendation of the Office.

MA Recommendation 1 – Distribution of Growth

Having regard to NPO 3b and NSO 3 for compact growth, and to NPO 72c for tiered approach to zoning and to the provisions of the *Development Plans*, *Guidelines for Planning Authorities - Draft for Consultation* (2021) for settlement capacity audits, the planning authority is required, subject to the exclusion specified below, to make the Plan without MA no.2.99 to change the zoning objectives in Stoneview and Ringwood, Blarney from ZO 2 New Residential



Neighbourhoods, ZO 3 Tier 3 Residential Neighbourhoods and ZO 16 Public Open Space, to ZO 2 New Residential Neighbourhoods, ZO 7 Urban Town Centre, ZO 13 Education, ZO 16 Public Open Space and ZO 21 City Hinterland and designated as Longer term Strategic Development Land.

Exclusion: The proposed amendment to change an area of c.3.4ha at Ringwood adjacent the N20 from ZO 2 New Residential Neighbourhoods Tier 3 Residential Neighbourhoods to ZO 21 City Hinterland, designated as Longer term Strategic Development Lands.

Although additional zonings have been proposed to the north and south of Blarney under MA no.2.85 (2.35ha) ZO 2 New Residential Neighbourhoods, and MA no.2.84 (4.9ha) ZO 5 Mixed Use Development, the overall scale and location of these amendments within the settlement boundary are considered acceptable in the context of development of the capacity constraints at Stoneview and Ringwood. The Office therefore has no objection to the amendment, subject to the making of the Plan without MA no.2.99.

<u>Glanmire</u>

Regarding Glanmire, the Office considers the further allocation of additional population and housing growth for the next 6 years, over and above that in the draft Plan, to be unwarranted in view of the absence of easily accessible existing rail or proposed rail infrastructure under the Cork Metropolitan Area Transport Strategy (CMATS), although the proposed BusConnects and urban cycling infrastructure measures will benefit the settlement.

Having regard to the location of some of the lands zoned to accommodate the additional growth, the Office also considers that the proposed amendments are not consistent with the growth of Cork in a compact and sustainable manner.

These concerns could, however, be addressed by the omission of the proposed additional land use zonings specified in MA Recommendation 2 below.



2. Sustainable Development and Regeneration

2.1 Residential Land Use Zoning

The Office welcomes the proposed amendments under MA no.1.25, MA no.1.341, MA no.1.342, MA no.1.343 and MA no.2.1, concerning ZO 3 Tier 3 Residential Neighbourhoods and ZO 21 City Hinterland & Longer Term Strategic Development Lands, which generally comply with Recommendation 5 of the Office's submission to the draft Plan.

These amendments also satisfactorily resolve the matter of the ZO 3 Tier 3 zoning at Carrigrohane under Recommendation 6 of the Office's submission to the draft Plan.

The Office notes, however, that no material amendment has been proposed to omit the ZO 02 New Res Neighbourhood in Carrigrohane, which the section 12(5)(aa) Notice explains was inadvertently not put forward for a vote at the council meeting. As no material amendment is proposed in this regard, the Office cannot consider it further at this stage of the plan-making process.

The Office accepts the reasons given by the chief executive (in the report on submissions) for not complying with the requirement of the Office under Recommendation 6 of the Office's submission to the draft Plan to remove the proposed land use zoning ZO 02 New Res Neighbourhood and Z0 01 Sustainable Res Neighbourhood at and / or adjacent the north of Ardrostig, to the south of the N40, in respect of three of the subject zonings. The Office notes the decision of the planning authority not to comply with the recommendation in respect of the fourth site. No reasons are stated for these decisions in the section 12(5)(aa) Notice.

The Material Alterations do, however, propose very extensive material amendments to the land use zoning objectives of the draft Plan resulting in a significant increase in the extent of land proposed to be zoned for residential use.

These include, but do not exclusively relate to, additional residential zonings on greenfield lands on the periphery of existing residential zonings (e.g. MA no.2.8 and MA no.2.9), on greenfield lands adjacent existing residential zoning in hinterland



settlements (e.g. MA nos. 2.57, 2.61 and 2.69), and a number of isolated zonings in rural areas of the hinterland (e.g. MA no.2.70).

The cumulative impact of these material amendments risks undermining the very positive policies, objectives and strategies included in the draft Plan promoting compact growth and urban regeneration in support of NPO3b (50% compact growth). Indeed the impact of the proposed amendments on the achievement of compact growth is evident from a comparison of Table 2.5 Built-Up Footprint and Greenfield Growth Targets 2022-2028 and the new core strategy table under MA no.1.27.

Table 2.5 has a target of almost 65% compact growth and 35% greenfield, which is consistent with NPO 3b and with RPO 10 Compact Growth in Metropolitan Areas and RPO 35 Support for Compact Growth. The corresponding figures in the revised core strategy table are 51.6% and 48.4%, respectively.

The amendments therefore conflict with, and will undermine the highly ambitious targets (Objective 2.25 Compact Growth) to deliver 65% of all new homes in the city on lands within the existing footprint of the city (metropolitan area) and (Obj 3.4 Compact growth) to seek to ensure >66% of all new homes in Cork will be provided within the existing built up footprint and ensure that >33% of new homes on brownfield sites.

The proposed approach also conflicts with the implementation of objectives for the promotion of sustainable settlement and transport strategies under section 10(2)(n), with the implementation of integrated landuse and transport planning in line with CMASP PO 7, by reason of the location of sites without regard to existing or future public/active transport infrastructure under CMATS, and may undermine the implementation of CMATS contrary to Strategic Objective 3 of the draft Plan (subject of MA no.1.99) which states:

'The delivery of the key transport projects in CMATS will be supported by land use policies and the phasing of development which is compatible with those in CMATS' land use outcome.'



In addition, many of the proposed zonings do not represent sequential development, particularly within the context of compact growth and result in the zoning of land significantly in excess of that which can reasonably be considered to be required to provide for the housing supply target. This is contrary to the provisions of the *Development Plans, Guidelines for Planning Authorities - Draft for Consultation* (2021).

The following material amendments are of most concern in this regard:

In the northeast (maps 12, 13 and 19):

- MA no.2.52, MA no.2.62, MA no.2.60, MA no.2.66 and MA no.2.67
 Glanmire (c.21.7ha)
- MA no.2.65, MA no.2.74 and MA no.2.78 in Kilcully (c.9.6ha)
- MA no.2.57, MA no.2.61 and MA no.2.69 Upper Glanmire (c.10.6ha)
- MA no.2.70 Ballincrossig (c.0.37ha)
- MA no.2.71 Ballyhooly Road (c.11ha)

In the south (maps 14 and 15):

- MA no.2.8 and MA no.2.9 at Castletreasure (c.0.76ha); and
- MA no.2.28 Hop Island (c.3.9ha)

In the west (maps 9 and 16):

- MA no.2.97 and MA no.2.98 (note, the latter amendment is for institutional use) at Lee Road (c.6.3ha); and
- MA no.2.32 at Carrigrohane (0.57ha)

MA Recommendation 2 – Residential Land Use Zoning

Having regard to national and regional policy objectives for compact growth under NPO 3, RPO 10, RPO 35, supported by ambitious objectives 2.25 and 3.4 in the draft Plan; to objective CMASP PO 7 Integrated Landuse and Transport Planning, the Cork Metropolitan Area Strategic Plan and Strategic Objective 3 of the draft Plan to support the delivery of same; and to the provisions under section 10(2)(n) of the Act; and having regard to the *Development Plans, Guidelines for Planning*



Authorities - Draft for Consultation (2021), the planning authority is required to make the Plan without the following amendments:

Glanmire -

- MA no.2.52 from ZO 3 Tier 3 Residential Neighbourhoods to ZO 2
 New Residential Neighbourhoods
- MA no.2.62 from ZO 18 Landscape Preservation Zones to ZO 2
 New Residential Neighbourhoods
- MA no.2.60 from ZO 21 City Hinterland to ZO 1 Sustainable Residential Neighbourhoods
- MA no.2.66 from ZO 16 Public Open Space to ZO 2 New Residential Neighbourhoods
- MA no.2.67 from ZO 16 Public Open Space to ZO 2 New Residential Neighbourhoods

Kilcully -

- MA no.2.65 From ZO 16 Public Open Space to ZO 1 Sustainable Residential Neighbourhoods
- MA no.2.74 From ZO 21 City Hinterland to ZO 1 Sustainable Residential Neighbourhoods
- MA no.2.78 From ZO 21 City Hinterland to ZO 2 New Residential Neighbourhoods

Upper Glanmire -

- MA no.2.57 From ZO 21 City Hinterland to ZO 1 Sustainable Residential Neighbourhoods
- MA no.2.61 From ZO 21 City Hinterland to ZO 2 New Residential Neighbourhoods



- MA no.2.69 From ZO 21 City Hinterland (2.7ha) to ZO 2 New Residential Neighbourhoods
- Ballincrossig MA no.2.70 From ZO 21 City Hinterland to ZO 2
 New Residential Neighbourhoods
- Ballyhooly Road MA no.2.71 From ZO 21 City Hinterland to ZO
 14 Institutions & Community

Castletreasure -

- MA no.2.8 from ZO 21 City Hinterland to ZO 1 Sustainable Residential Neighbourhoods
- MA no.2.9 from ZO 21 City Hinterland to ZO 1 Sustainable Residential Neighbourhoods
- Hop Island MA no.2.28 from ZO 21 City Hinterland to ZO 1
 Sustainable Residential Neighbourhoods

Lee Road -

- MA no.2.97 From ZO 21 City Hinterland to ZO 2 New Residential Neighbourhoods
- MA no.2.98 from ZO 21 City Hinterland to ZO 18 Landscape Preservation Zone; and
- Carrigrohane MA no.2.32 from ZO 21 City Hinterland to ZO 1
 Sustainable Residential Neighbourhoods

2.2 Tiered Approach to Zoning - Infrastructure Assessment

The Office welcomes the publication of the Cork City Capacity Study Summary with the Material Alterations of the draft Plan, and acknowledges the extensive work involved.



It is considered, however, that the capacity study, which considers infrastructure capacity only at a broad, sub-city level rather than at a site level, is not adequate to inform decisions on land use zoning on individual sites in accordance with the requirements of NPO 72c (and NPO 72b) and the settlement capacity audit approach under the *Development Plans, Guidelines for Planning Authorities - Draft for Consultation* (2021).

Where capacity issues are identified in a sub-city area, it is necessary to consider whether the capacity constraints affect all lands in an area, such as the wastewater constraints identified in Blarney, for example. In addition, the capacity study does not consider the hinterland settlements. Therefore, the Office is not satisfied that the material alterations comply with Recommendation 4 of the Office's submission to the draft Plan.

However, the omission of proposed material amendments for the zoning of lands, which have clear capacity constraints, under MA Recommendation 2 would largely resolve the Office's concerns in this regard.

The Office commends the planning authority for including proposed amendments MA no.1.25, MA no.1.28, MA no.1.341, MA no.1.342, MA no.1.343 and MA no.2.1, which generally comply with Recommendation 5 of the Office's submission to the draft Plan concerning ZO 3 Tier 3 Residential Neighbourhoods, which are to be zoned as part of the city hinterland and identified for Longer Term Strategic Residential land.

2.3 Community services - schools

The material alterations include several amendments, which affect the delivery of school facilities in the Cork Docklands. Given the role of the docklands as a large-scale regeneration project and a key enabler for future growth of Cork City in the NPF, it is crucial that the facilities needed to support a sustainable community are provided for in the development plan consistent with national and regional policy.

It is a priority under NPO 13 to align targeted and planned growth with investment in the provision of new schools on well-located sites.



Under RPO 185, the RSES provides that local authorities should ensure that a robust site selection process is followed in the selection of new school locations, informed by anticipation of demand for student capacity, in accordance with DEG&LG code of practice for *The Provision of Schools and the Planning System* (2008).

The Guidelines for Planning Authorities on Sustainable Residential development in Urban Areas: Cities, Towns and Villages (2009), explain that sustainable development is about 'the integration of schools, community facilities, employment, transport and amenities with the housing development process in a timely, cost-effective way,' and that residential lands and must be integrated with the provision of public transport, schools, community and leisure facilities etc., through close consultation with the relevant agencies.

Proposed amendment MA no.2.26 would reduce the gross site area, to c.0.4ha, of one of the three school sites in the South City Docklands, zoned ZO 13 Education in the draft Plan, which the Department of Education has identified as necessary to accommodate up to six 24-classroom primary schools and two 1,000 pupil post-primary schools. The department has indicated that the reduced site area will compromise the capacity of the site to deliver one, let alone two schools.

The proposed amendments to ZO 13 Education, ZO 17 Sports Ground and Facilities and ZO 2 New Residential Neighbourhoods under MA no.2.12, MA no.2.13, MA no.2.14 and MA no.2.26 also create challenges for the provision of essential, ancillary sports and recreational facilities, which are proposed to be shared between future schools and the general public. It is important that greater certainty in the Plan concerning the permanent availability of these facilities is needed.

The Office considers, therefore, that proposed amendment MA no.2.26 will conflict with the requirement to include objectives for the provision or facilitation of services for the community, in particular schools under section 10(2)(I) of the Act, and with section 10(1) of the Act to set out an overall strategy for the proper planning and sustainable development of the docklands area.



MA Recommendation 3 – Education facilities

Having regard to NPO 13 and RPO 185, to the provisions of the *Guidelines for Planning Authorities on Sustainable Residential development in Urban Areas:*Cities, Towns and Villages (2009), and to the requirements under section 10(2)(I) and section 10(1) of the *Planning and Development Act 2000*, as amended, the planning authority is required to make the plan without MA no.2.26 - change of land use zoning objective from ZO 13 Education to ZO 5 Mixed Use Development.

The planning authority is also advised to consider making relevant minor modification or modifications to provide certainty regarding permanent future access to sports and recreation facilities on land zoned ZO 17 Sports Ground within the City Docklands area.

2.4 Standards and Guidelines - Residential density

The Office welcomes amendment MA no.1.321 of section 11.72 to apply minimum density targets except in exceptional circumstances, and MA no.1.322, which adjusts the minimum residential density range for Blarney from 35uph to align with the standards under the *Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas: Cities, Towns and Villages* (2009). The amendments, which comply with Observation 4 of the Office's submission to the draft Plan, will better enable the planning authority to facilitate the delivery of housing more rapidly in response to the housing crises and in a manner that is consistent with compact growth and with the mitigation of climate change.

2.5 Standards and guidelines - Car parking

The Office notes proposed amendment MA no.1.332, which would increase the maximum parking standards for thirteen land use categories, across each of the four parking zones, reverting to those in the current Cork City Development Plan 2015-2021.



In its submission to the draft Plan, the Office welcomed the application of standards for four parking zones based on distance from the city centre and the proximity to future high-capacity public transport infrastructure, but advised that the standards be reviewed with particular regard to the standards for zone 3, including Blarney, Glanmire and Tower Urban Towns and the suburban area of Rochestown, which are the same as those for the hinterland or open countryside. No evidence-based review has been carried out in consultation with the NTA and TII.

Although the car parking standards in the draft Plan remain as maximum standards, the increase in those standards will encourage excess parking provision and higher rates of car ownership and use in locations, where alternative means of transport are viable options and where improved public transport is proposed under the Cork Metropolitan Area Transport Strategy (CMATS).

CMATS sets out the strategic approach to the planning of transport for the metropolitan area of Cork, for all modes of transport and proposed major future transport infrastructure provision. It recommends setting maximum parking standards across the CMA, taking account of accessibility to public transport and/ or to local services, education and employment, and setting out car-free or low car standards in development areas within an 800m walking catchment area of Cork city centre and/or of quality public transport.

The proposed amendment is therefore contrary to the Strategic Objective 3 of the draft Plan to support the 'delivery of the key transport projects in CMATS by land use policies and the phasing of development, which is compatible with those in CMATS' land use outcome'.

The proposed amendment is also inconsistent with NPO 13, which requires that standards for car parking are based on performance criteria to achieve target growth, and with the general provision of the NPF that there should be no car parking requirement for new development in or near the centres of the five cities, and a significantly reduced requirement in the inner suburbs of all five.



It is also conflicts with the overall approach of the RSES under RPO 151 Integration of Land Use and Transport, which provides that (f) all non-residential development proposals will be subject to maximum parking standards as a limitation to restrict parking provision to achieve greater modal shift and, (g) in locations where the highest intensity of development occurs, an approach that caps car parking on an area wide basis will be applied.

The setting of excessive parking standards will also undermine the implementation of sustainable settlement and transport strategies, as climate change mitigation, under section 10(2)(n) of the Act.

MA Recommendation 4 - Car parking standards

Having regard to NPO 13, RPO 15, the provisions of the Cork Metropolitan Area Transport Strategy and to section 10(2)(n) of the *Planning and Development Act* 2000, as amended, the planning authority is required to make the Plan without MA no.1.332 amending the car parking standards under table 11.3 of the draft Plan.

The Office also advises that a minor modification be made to the existing standards in table 11.3 in respect of schools in zone 3, which appears inconsistent with the corresponding standards in zones 2 and 4 and is assumed to be a typographical error. The Office suggests that it should read one space per 2 classrooms, although one per 3 would be more consistent with the overall graded approach to standards across the four parking zones.

3. Economic Development and Employment

3.1 Retail

The Office notes the decision of the planning authority not to comply with Recommendation 7 of the Office's submission to the draft Plan concerning the preparation of a Joint Retail Strategy having regard to the requirements of the *Retail Planning Guidelines for Planning Authorities* (2012) as set out in the section 12(5)(aa) Notice are noted.



However, as no material amendment is proposed in this regard the Office cannot consider it further at this stage of the plan-making process.

3.2 Employment uses

Having reviewed the proposed material amendments in respect of the zoning objectives for economic and employment uses, the Office has identified an amendment at Rathpeacon, where the evidence and rationale underpinning the zoning is not clear or strategic in nature as per section 6.2.5 of the *Development Plans Guidelines for Planning Authorities - Draft for Consultation* (2021).

MA no.2.86 proposed to change the land use zoning objective in Rathpeacon from ZO 21 City Hinterland to ZO 10 Light Industry and Related Uses for an area of c.18.34ha. According to section 12(4) of the CE Report, no evidence-base has been provided, for example in the form of economic and environmental studies, and there is nothing to indicate that it has been informed by the Cork City Strategic Employment Locations Study (SELS) 2021. The Office concurs with the assessment in the CR report that:

The overall scale and nature of this proposed zoning change is significant and would require evidence based support in the form of economic and environmental studies to underpin it. The Draft Plan sets out an economic strategy. The proposed rezoning would constitute a significant erosion of the City Hinterland area, would promote urban sprawl into the surrounding rural area and set an undesirable precedent, impacting on infrastructure in the area. The proposed rezoning would not align with the principle of compact growth that underpins the Draft Plan.

It is further noted that access to the lands appears to be constrained by the Cork-Dublin railway line and underbridge to the east, and a narrow, country lane to the west almost the N20.

The lands do not, therefore, represent evidence-based plan-led development and would not be consistent with the achievement of the National Strategic Objective for compact growth or with the implementation of sustainable settlement and transport



strategies in accordance with section 10(2)(n), or contribute to an overall strategy for the proper planning and sustainable development of the area.

MA Recommendation 5 – Employment land use zoning - Rathpeacon

Having regard to NSO 1 for compact growth, RPO 10, and CMASP PO 7 and to the provisions under section 10(2)(n) of the *Planning and Development Act 2000,* as amended, for sustainable settlement and transport strategies, and in accordance with the requirement for an overall strategy for the sustainable development of the area under section 10(1) of the Act, the planning authority is required to make the plan without MA no.2.86 in Rathpeacon.

4. Sustainable transport and accessibility

4.1 Strategic Road Network

The Office welcomes the inclusion of objectives to protect and mitigate adverse impacts on the strategic national road network under MA no.1.102 and MA no.1.103, which complies with Recommendation 9(i) of the Office's submission to the draft Plan.

The Office also welcomes the omission of Site 5 South Link Industrial Estate through MA no.1.151 and associated amendments MA no.1.305 and MA no.1.344, although it will be critical to ensure the protection of the N27 and N40 through appropriate engagement with TII and NTA in preparing future framework plans for the site and surrounding lands.

The Office further notes MA no.1.163 amending objective 7.10a to provide that Blarney Business Park Extension will be 'subject to finalisation of the M20 route corridor design and confirmation by TII of suitable access arrangements for the business park.'

The planning authority has, however, decided not to comply with part (ii) of Recommendation 9 of the Office's submission to the draft Plan, which required the omission of the proposed zoning for Strategic Employment Site 1 Blarney Business



Park Extension and Strategic Employment Site 4, Lands at Glanmire. The Office does, however, acknowledge the proposed amendment, MA no.2.47 amending the location and extent of the site and splitting it into separate sites, 4A and 4B, which allows space to accommodate the future Cork Northern Transport Project under CMATS.

Although proposed amendment MA no.1.150, provides that use of Site 4A will be for logistics and Site 4B for light industrial uses, it provides no indication as to which site is A or B, although it is reasonable to assume that site 4A is the northernmost site adjacent Junction 18 on M8.

Although it is acknowledged that the overall location of these employment lands has been informed by the Cork City Strategic Employment Locations Study (SELS) 2021, the location of these lands adjacent to Junction 18 on the M8 necessitates detailed consideration to ensure that adverse impacts in terms of road safety and the carrying capacity of the national road network do not arise. This is of particular relevance at this location due to potential implications for the National Development Plan M20 Road Project.

It is for this reason that the *Spatial Planning and National Road Guidelines for Planning Authorities* (2009) (the SPNRGs) require that land use zonings in these locations are informed by the evidence-based approach set out in sections 2.4, 2.7 and 2.9 of the guidelines.

In view of the requirements of the SPNRGs, the Office shares the concerns of TII that the proposed zoning and amendments have not been informed by the evidence-based approach in accordance with the guidelines.

In addition, the Office notes proposed MA no.1.307 Jacob's Island Use Mix, which proposes to amend objective 10.86 to increase the floor area of business and technology office use provide for from 15,000 to 20,000-sq.m. The subject site accesses onto the N40 at Junction 10 where there are significant capacity issues.



It is not evident to the Office that the evidence-based approach has been taken by the planning authority in considering the inclusion of the subject amendment, in accordance with the requirements of the SPNRGs.

MA Recommendation 6 – Employment land use zoning and related objectives

Having regard to the provisions under section 10(1) of the *Planning and Development Act 2000*, as amended, and to the provisions of the *Spatial Planning and National Roads Guidelines for Planning Authorities* (2012), and in the absence of the implementation of the evidence-based approach, agreed with TII, to support the proposed material amendments, the planning authority is required to make the Plan without:

- MA no.1.150 amending the text to Strategic Employment Site 4 under objective 7.10d.
- MA no.2.47 amending the zoning objectives associated with Strategic Employment Site 4, Lands at Glanmire, from ZO 21 City Hinterland and ZO 10 Light Industry to ZO 10 Light Industry and to ZO 21 City Hinterland through a change in configuration.
- MA no.1.307 amending objective 10.86 to increase the floor area of business and technology office use provided for from 15,000 to 20,000sq.m

Notwithstanding the Plan is to be made without (i) and (ii) above, the Office notes that the planning authority has failed to act on Recommendation 9(ii) of the Office's submission to the draft Plan to remove the proposed zoning of Strategic Employment Site 4 at Glanmire.



4.2 Modal share

Notwithstanding the statement to the contrary in the section 12(5)(aa) Notice, the Office notes the decision of the planning authority not to comply with Recommendation 8 of the Office's submission to the draft Plan, through the inclusion of baseline mode share data for the planning authority area or to provide modal share targets for each transport mode for the plan period, but welcomes the decision to include a mode share target of 10% for cycling.

As set out in the Office's submission to the draft Plan, the inclusion of data and informed targets specific to the planning authority would enable the planning authority to better plan for and implement sustainable settlement and transport strategies under section 10(2)(n) as climate mitigation actions and to monitor the implementation of same through the use of mode share as a critical indicator.

The Office would encourage the planning authority to include in the final plan, as a minor modification, baseline modal share data for its functional area from POWSCAR data. Realistic, ambitious targets for modal share to be achieved by the end of the plan period, taking account of the baseline data and of the specific context and advantages of the city council, rather than the wider metropolitan area, should also be considered for inclusion in the final Plan.

5. Climate Action and Renewable Energy

5.1 Renewable Energy

The Office welcomes MA no.1.196 amending paragraph 9.18 of the draft Plan with updated references to the *Climate Action and Low Carbon Development* (Amendment) Act 2021 and CAP 2021 and targets and the role of natural gas. The additional text inserted to section 9.10 Renewable Energy under MA no.1.198 is also considered postive. Together they are generally compliant with Recommendation 10(i) of the Offices submission to the draft Plan.

The Office acknowledges the reasons for the approach taken by the planning authority in its renewable energy policies and considers the appraoch generally approriate in view of the local geographical and spatial context of the planning



authority. However, as the draft Plan will facilitate a range of renewable energy sources of different scales, it would be appropriate to include, by way of a minor modification, targets (in MW) for each renewable energy source in order to meet the obligations imposed by the aforementioned sections of the Act.

In this regard the Office would draw the attention of the planning authority to the approach of Limerick City and County Council in responding, at material alterations stage, to a similar recommendation from the Office.

6. Flood Risk Management

In response to Recommendation 11, proposed amendment MA no.1.339 of section 12.6 clarifies that '...Permissible Uses within Flood Zones A or B in areas that have not passed the Justification Test (i.e. those outside Cork City Centre and the North and South Docklands [sic] shall be constrained to those "water compatible" and "less vulnerable" uses as appropriate to the particular Flood Zone) please refer to accompanying Strategic Flood Risk Assessment document).'

The planning authority has not published a Strategic Flood Risk Assessment of the proposed material amendments as part of the documentation for public consultation. Rather the SFRA Updates and Consideration of Alterations document accompanying the material alterations, highlights three proposed amendments found to potentially conflict with proper flood risk management and not comply with the Flood Risk Management Guidelines: MA no.2.28, MA no.2.75 and MA no.2.99. The Office notes that the document advised against the subject proposed amendments due to potential risk to environmental components including human health and material assets.

The Office has recommended that the planning authority make the plan without proposed amendment MA no.2.28 under Recommendation 2, above, and without proposed amendment MA no.2.99 under recommendation 1.

However, in respect of MA no.2.75, the Office notes that the land use zoning proposed in the draft plan – ZO 1 Sustainable Residential Neighbourhoods – is more



vulnerable to flooding than the proposed use – ZO 8 District Centre, although highly vulnerable use including residential use is allowed for.

MA Recommendation 7 - Flood Risk Management

Having regard to detailed requirements of the *Planning System and Flood Risk Management – Guidelines for Planning Authorities* (DEHLG and OPW, 2009) and clarifying Circular PL2/2014, the planning authority is required to make the plan without:

- MA no.2.28 to change the zoning objective from ZO 21 City Hinterland to ZO 1 Sustainable Residential Neighbourhoods at Hop Island;
- MA no.2.99 to change the zoning objectives in Stoneview and Ringwood, Blarney from ZO 2 New Residential Neighbourhoods, ZO 3 Tier 3 Residential Neighbourhoods and ZO 16 Public Open Space to ZO 2 New Residential Neighbourhoods, ZO 7 Urban Town Centre, ZO 13 Education, ZO 16 Public Open Space and ZO 21 City Hinterland and designated as Longer term Strategic Development Land; and

In respect of

 MA no.2.75 from ZO 1 Sustainable Residential Neighbourhoods Lands at Ballyvolane district centre, Ballyhooly Road

The planning authority is required to ensure that the requirements under the guidelines for flood risk management at development management stage are implemented.

Summary

The Office requests that your authority addresses the recommendations and observations outlined above. As you are aware, the report of the chief executive of your authority prepared for the elected members under section 12 of the Act must summarise these recommendations and the manner in which they will be addressed.



At the end of the process, your authority is required to notify this Office within five working days of the decision of the planning authority in relation to the Material Alterations to the draft Plan. Where your authority decides not to comply with the recommendations of the Office, or otherwise makes the plan in such a manner as to be inconsistent with the recommendations of the Office, the chief executive must inform the Office accordingly and state the reasons for the decision of the planning authority.

The planning authority is strongly advised that the recommendations relate to significant breaches of policy and that failure to address the matters raised in the manner outlined prior to adoption of the county development plan may lead the Office to determine that the Plan fails to set out an overall strategy for proper planning and sustainable development of the area concerned.

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 plans@opr.ie.

Is mise le meas,

Anne Marie O'Connor

Deputy Regulator and Director of Plans Evaluations