



# Cork County Development Plan Review

**Section 12(8)**

**Chief Executive's Report**

On the Proposed Amendments to  
the Plan

*Volume One: Part 1*

*Key Issues Raised by Submissions*

*16th March 2022*



Comhairle Contae Chorcaí  
Cork County Council

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# 1 Section One: Introduction

## 1.1 *Where we are in the process.*

This is the Chief Executive's report on the submissions received in response to the public consultation on the Proposed Amendments to the Draft Cork County Development Plan.

The Proposed Amendments to the Draft County Development Plan were published in January 2022. The public consultation phase ran from 18 January 2022 to 15 February 2022. Copies of the Proposed Amendments were available for inspection at the Planning Department, Floor 1, County Hall; Norton House, Skibbereen; Council Offices at Annabella, Mallow and in all Libraries throughout the county.

In addition the Proposed Amendments, and all supporting documentation including the Addendum to the SEA Environmental Report, the Updated Strategic Flood Risk Assessment, Habitats Directive Screening Assessment Report and a Map Browser were available on the Councils website [www https://www.corkcoco.ie/en/cork-county-development-plan-2022-2028](https://www.corkcoco.ie/en/cork-county-development-plan-2022-2028).

Copies of the Proposed Amendments were also sent to a range of statutory bodies (including Government Departments, adjoining planning authorities and other agencies) as required under the Planning and Development Acts.

The Proposed Amendments were advertised through the media over the 4-week consultation period:

- Advertisements were placed in a number of Newspapers circulating locally;
- A notice was placed on the Cork County Council website;
- Notifications and updates were issued through Cork County Council's twitter feed;
- Notifications and updates were issued through Cork County Council's Facebook account;
- Notification was sent to all members of the PPN;
- Prescribed authorities were notified.

Staff were also available to answer queries by phone, email and for remote meetings.

## 1.2 *Public Consultation and Submissions*

The public consultation phase ran from 18 January 2022 to 15 February 2022 and in total, 1,172 submissions were received. This includes submissions from the public and statutory consultees e.g., the Environmental Protection Agency, Irish Water, Department of Education etc. The broad breakdown of submissions by Volume of the Plan is as follows:

**Volume One Main Policy Material** – 43 submissions

**Volume Two Heritage and Amenity** – 5 submissions

**Volume Three North Cork**- 107 submissions

**Volume Four South Cork** – 967 submissions

**Volume Five West Cork**- 48 submissions

**Volume Six Environmental Reports** – 2 submissions

The breakdown of submissions at a Municipal District Level is as follows;

**Fermoy MD-57** submissions

**Kanturk Mallow MD-50** submissions

**Carrigaline MD-19** submissions

**Cobh MD-17** submissions

**East Cork MD-917** submissions

**Macroom MD-14** submissions

**Bandon Kinsale MD-22** submissions

**West Cork MD-26** submissions

A list of submissions is included in Volume One Part Two (Appendix B) of this report.

**Volume Two** of this report sets out the detail of all the submissions received, in the form of a series of tables setting out the following details:

- the name of the person who sent in the submission – i.e., the Interested Party,
- the submission Reference Number,
- a Summary of Submission, and
- the Chief Executive’s Response and Recommendation.

#### **Access to Submissions**

All submissions received are available to view online through the Councils website at <https://www.yourcouncil.ie/en>. Follow the link and click on **View Submissions / Planning Policy Consultations** tab and then select the **Proposed Amendments to the Draft County Development Plan 2021** tab, click on **Select** and the list will appear, or insert a name to look up a specific submission.



### 1.3 Structure of the Report

This report is set out as follows:

#### **Volume One Part 1: Key Issues Raised by Submissions**

This contains a discussion on the key issues arising from the submissions in relation to the Proposed Amendments to the Plan and gives the Chief Executive's Response and Recommendation in relation to the issues raised. The report is organised by Volume of the Plan, Volumes One through to Volume Six, and includes the following:

**Section 1 Introduction:** Provides an introduction and overview of the report, describes the public consultation process that was undertaken during the Section 12 consultation phase of the review and details the legislative background and requirements for the report.

**Section 2 Response and Recommendation -Volumes One and Two of the Draft Plan:** This sets out the Chief Executive's Responses and Recommendations to the Key Issues Raised in relation to Volumes One and Two of the Draft Plan.

**Section 3 Response and Recommendation-Volume Three North Cork.** This sets out Chief Executive's Responses and Recommendations to the Key Issues Raised in relation to Volume Three of the Plan, dealing with North Cork.

**Section 4 Response and Recommendation-Volume Four South Cork.** This sets out Chief Executive's Responses and Recommendations to the Key Issues Raised in relation to Volume Four of the Plan, dealing with South Cork.

**Section 5 Response and Recommendation-Volume Five West Cork.** This sets out Chief Executive's Responses and Recommendations to the Key Issues Raised in relation to Volume Five of the Plan, dealing with West Cork.

**Section 6 Response and Recommendation on Environmental Reports.** This sets out Chief Executive's Responses and Recommendations to the Key Issues Raised in relation to the Addendum to the SEA Environmental Report.

#### **Volume One Part 2: Recommendations on the Amendments to the Draft Plan**

This report sets out the Chief Executive's Recommendations on Amendments to the Draft Plan. This section of the report deals with the amendments to the plan and details the Chief Executive's Recommendation in relation to each individual amendment. There are a number of possible options for the recommendation Adopt the Proposed Amendment without Modification, Adopt the Proposed Amendment with Minor Modification, Not to Adopt the Proposed Amendment and Revert back to the Draft Plan or make a Non-Material Change.

Volume One Part 2 also contains the following appendices:

- Appendix A: CE's Recommendation on all Amendments to the Plan.
- Appendix B: Full List of all Submissions by Interested Party (A-Z by Volume).
- Appendix C: List of Prescribed Authorities notified.
- Appendix D: List of Environmental Authorities notified.
- Appendix E: List of Late Submissions
- Appendix F: List of Invalid Submissions.

## **Volume Two Part 1 and Part 2 (a) to (d) Submissions on the Proposed Amendments to the Plan.**

This Volume sets out details of all submissions received in relation to the public consultation on the Proposed Amendments to the Draft Plan. It includes a series of tables based on submissions to each individual Chapter of Volume One and Two, and to each individual Municipal District in Volumes Three, Four and Five of the Draft Plan. It provides a summary of each individual submission, together with the Chief Executive's Response and Recommendation in relation to the submission.

**In some cases, the response refers back to the discussion in Volume One, Part 1 of the report.**

Volume Two is divided into 4 parts as follows;

**Volume Two Part 1;** Submissions on the Proposed Amendments to the Draft Plan-Response and Recommendations Volume One and Two of the Draft Plan.

**Volume Two Part 2(a)** Submissions on the Proposed Amendments-Response and Recommendations Volumes Three, Four and Five of the Draft Plan (All 8 Municipal Districts)

**Volume Two Part 2(b)** Submissions on the Proposed Amendment No. 4.3.3.15 Broomfield, Midleton, East Cork MD.

**Volume Two Part 2(c)** Submissions on the Proposed Amendments No. 4.3.8.2 and 4.3.8.3 Whitegate Aghada, East Cork MD. (A-K).

**Volume Two Part 2(d)** Submissions on the Proposed Amendments No. 4.3.8.2 and 4.3.8.3 Whitegate Aghada, East Cork MD. (L-Z).

### *1.4 Response to Notices of Motion from Full Council Meeting 13<sup>th</sup> December 2021*

At the Full Council Meeting on the 13<sup>th</sup> December 2021 to consider the proposed amendments to the Draft Plan the Members proposed a number of Notices of Motion around proposed amendments to the Draft Plan. In a number of cases these Notices of Motion were carried on the day by the Members against the advice of the Chief Executive and those proposed amendments put out for public consultation.

**The Chief Executive's view on these proposed amendments remains unchanged from the recommendation made on the 13<sup>th</sup> December 2021 unless a material consideration has arisen in the intervening period which would give rise to reconsideration of the original recommendation.**

**Therefore, in most cases the Chief Executive's Recommendation in regard to the Notices of Motion remains unchanged from the 13<sup>th</sup> December 2021.**

However there are a number of exceptions to this as follows;

**Proposed Amendment No. 3.2.3.23 in Mallow (Agenda Item No. 19 at Full Council Meeting on 13<sup>th</sup> December 2021)**

These lands were zoned Existing Residential/Mixed Residential and Other Uses in the Draft Plan. The Updated SFRA showed the lands to be at risk of flooding. If proposed amendment to change to Existing Mixed/General Business/Industrial Uses was not adopted it would revert back to the Draft and more vulnerable uses would be

open to consideration under the Draft Plan Zoning than under the Proposed Amendment. This approach was supported in the OPR Submission on the Draft Amendments. Therefore the Chief Executive is now recommending that the proposed amendment be adopted with a minor modification, the CE Response and Recommendation is set out in Section 3.3 in this Volume and the full text of the minor amendment is set out in Volume One Part 2 Section 1.2.

**Proposed Amendment No. 1.12.63 Volume One Chapter 12 Transport and Mobility (Agenda Item No. 28 at Full Council Meeting on 13<sup>th</sup> December 2021)**

This motion was supported by the Executive and therefore no further recommendation is required.

**CT-R-03 Carrigtwohill (Agenda Item No. 31 at Full Council Meeting on 13<sup>th</sup> December 2021)**

This Notice of Motion requested that the proposed amendment to change CT-R-03 to CT-RFAP-03 not be accepted and this motion was carried on the day, therefore the position reverted back to the Draft Plan and there was no need for a proposed amendment. No further recommendation required.

*1.5 Legal Background to the Chief Executive's Report*

Section 12(8) of the Planning and Development Act 2000, as amended, requires that the Chief Executive prepare a report on any submissions or observations received during the public consultation stage and submit the report to the members of the authority for their consideration.

Written submissions or observations received by a planning authority in relation to this consultation process are generally required to be published on the website of the authority within 10 working days of being received. The Chief Executive's Report must also be published on the Council's website.

The Act requires that the Chief Executive's Report shall:

- a) list the persons or bodies who made submissions or observations.
- b) provide a summary of—
  - the recommendations, submissions and observations made by the Office of the Planning Regulator, and
  - the submissions and observations made by any other persons.
- c) give the response of the Chief Executive to the issues raised, taking account of any directions of the members of the authority, the proper planning and sustainable development of the area, the statutory obligations of any local authority in the area and any relevant policies or objectives of the Government or of any Minister of the Government.

The members of a planning authority then have a further six-week period to consider the Proposed Amendments to the Plan and the report of the Chief Executive and they must then, by resolution, make the plan with or without the proposed amendment. Where they decide to accept an amendment, they may do so subject to any modifications to the amendment as they consider appropriate, which may include the making of a further modification.

Such further modification to the alteration:

- a) may be made where it is minor in nature and therefore not likely to have significant effects on the environment or adversely affect the integrity of a European site,
- b) shall not be made where it relates to:
  - an increase in the area of land zoned for any purpose, or



- an addition to or deletion from the record of protected structures.

In making the development plan in accordance with the Act, the members are restricted to considering the proper planning and sustainable development of the area to which the development plan relates, the statutory obligations of any local authority in the area and any relevant policies or objectives for the time being of the Government or any Minister of the Government.

The development plan comes into effect six weeks after the date on which it is made.

### *1.6 Next Steps*

The Section 12(48) Chief Executive's Report will be submitted to the Members of Cork County Council in electronic form on Wednesday 16<sup>th</sup> March 2022 for their consideration. A hard copy will be available for Members who requested one.

The report will be considered by Members at;

**Development Committee on Tuesday 22<sup>nd</sup> March 2022 and**

**Special Development Committee on Thursday 14<sup>th</sup> April 2022.**

The Plan is due to be adopted at the **Full Council Meeting on Monday 25 April 2022**. Once adopted the Cork County Development Plan, 2022-2028 will **come into effect on Monday 6<sup>th</sup> June 2022**.

### *1.7 Requirement for Environmental Assessment*

As part of the Review process, the potential for Environmental impacts must be considered and the practice for achieving this is through the carrying out of Strategic Environmental Assessment (SEA), Habitats Directive Assessment and Strategic Flood Risk Assessment (SFRA) on all the Proposed Amendments. These reports are available to view on the Councils website at <https://www.corkcoco.ie/en/cork-county-development-plan-2022-2028>.

### *Strategic Flood Risk Assessment*

A number of submissions received on the Proposed Amendments included comments on the SFRA. The response to these specific issues are dealt with in various parts of this Report. The submission by the Office of Public Works, the lead agency for flood risk management in Ireland, flagged a number of omissions in the SFRA Tables and other information that could be useful for a fuller understanding on how flood risk has been assessed such as the identification of the mapping used for each settlement in developing the flood zones (see response to OPW Submission in Volume Two, Part 2 of this report). Furthermore, a number of sites on which an initial screening had suggested the Plan-making Justification Test would not be passed have been re-visited and the full Justification Test has been completed. In all cases the conclusion of the completed Justification Test has confirmed the expectation of a fail.

It is considered that the inclusion of this additional information in the SFRA, including the additional completed Justification Tests, would be beneficial as both an information source for any future planning application but also to elucidate the assessment that has been completed to date. None of this information changes the outcome, conclusions or recommendations of the SFRA but rather provides a more rounded SFRA that is transparent on how the assessment of risk has been completed and reflects the iterative nature of environmental assessment through the Plan process. It is proposed that the inclusion of the information would be done by means of non-material changes to the SFRA published in January 2022.

## 2 Response and Recommendations on the Key Issues - Volume One and Volume Two

### 2.1 Introduction

This section of the report sets out the key issues arising from the submissions on the Proposed Amendments to the Plan and the justification supporting the Chief Executive's recommendation in relation to the adoption / modification or exclusion of the proposed amendment. All Notices of Motion that were raised at Council Meeting on 13<sup>th</sup> December 2021 are also addressed.

**The submissions from the Office of the Planner Regulator and the Southern Regional Assembly are dealt with individually below, and the remainder of the submissions are dealt with by reference to the section of the Draft Plan they relate to.**

### 2.2 Issues raised by the Office of the Planning Regulator

#### Introduction

The OPR 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, and recommended changes to enhance its alignment with national and regional policies in the aforementioned, and for consistency with, among other things, the NPF Implementation Roadmap, the Housing Supply Target Methodology for Development Planning Guidelines for Planning Authorities (2020), and The Planning System and Flood Risk Management Guidelines for Planning Authorities (2009).

The Local Authority is advised that section 12(10) of the Act provides the members of the Local 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 Local 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 Local Authority is requested by the Office **to action** an observation.

**Advice** 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 Local Authority is requested by the Office **to give full consideration** to the advice contained in a submission.

## Overview

The Local Authority welcomes the OPR commending its best practice approach to the publication of over 1,600 individual material amendments in printed and digital form in a systematic and coherent manner, noting that this has allowed all parties to access and understand the proposed amendments.

**The submission also commends the Local Authority for its approach to updating the Strategic Flood Risk Assessment of the draft Plan and the consequential amendments to land use zoning objectives throughout the Plan area, and the revisions to the policies and objectives relating to flood risk management in the Plan.**

**The Local Authority welcomes the OPR's comments that accepts the rationale presented by the Chief Executive and Elected Members in the majority of cases regarding the proposed amendments in respect of the zoning objectives for individual sites and changes to settlement boundaries. However, the submission also notes that there are a relatively small number of amendments which are not consistent with national or regional policies, the Core Strategy of the Draft Plan itself, or the Natura Impact Report prepared by the planning authority.**

The submission welcomes the re-alignment of the housing supply target to 22,611 units and having regard to section 2.12 of the HST Guidelines, it is considered that the material alterations demonstrate general consistency with the NPF housing demand scenarios identified by the ESRI. The submission also welcomes the inclusion of a single Core Strategy table in Chapter 2 Core Strategy and generally welcomes the significantly revised population growth targets across the Core Strategy in response to concerns raised in part (v) of Recommendation 2. It is suggested that in order to further enhance the transparency of the Core Strategy approach that the individual population growth projections for each town and also for those towns and villages <1500, and (in aggregate) for the open countryside would also be included in this table.

**The Local Authority welcomes the fact that OPR accepts that the amount of new Residential zoned land (in excess of 600 ha) is consistent with the objective to facilitate the provision of c.16,500 new homes on zoned land over the next 6 years.**

However, the submission does request that further consideration is required in respect of the application of the 'Residential Reserve' zoning objective which it states is not consistent with the Core Strategy of the Draft Plan, nor is there any national or regional policy basis for additional reserve lands over and above the 'Additional Provision' and 'Further Additional Provision' already accounted for in the plan. The submission also advises the Local Authority to give careful consideration at this stage as to how such lands will be affected by the forthcoming Residential Zoned Land Tax.

The submission notes that the Office has taken into account the extent to which the Local Authority has comprehensively reviewed the extent of land use zoning in the preparation of the Draft Plan and that this will provide a much stronger basis for delivering housing in the right locations over the plan period.

The submission also requests that further consideration is given in certain cases where changes to the density standards are not consistent with national policy.

The submission also states that careful re-consideration of the proposed material alteration in respect of retail outlet centres is recommended so that the forthcoming joint strategy is not to be effectively undermined and to progress a coordinated approach to planning for retail development with Cork City Council.

## Development approach for settlements

OPR welcomes the omission of zoning objective CT-I-01 (Carrigtwohill) under MA 4.2.3.1 to address Recommendation 5 of the Office's submission on the draft Plan and acknowledges the provisions for phasing under table 4.2.7.

In relation to Recommendation 4 (Carrigaline), the Office notes MA 4.1.3.2 and MA 4.1.3.20 relating to lands at Fernhill Urban Expansion Area, which include the replacement of the three separate zoning objectives with a single objective for future development to be directed by a framework masterplan (Special Policy Area CL-X-01).

The Office accepts that the development of these lands will be subject to other lands being developed or demonstrably unavailable, the opening of the M28 and the preparation of a Framework Plan.

In preparing the Framework Plan, the OPR would expect that the issues raised in its Recommendation on the draft Plan be taken into account. The Office also highlights the importance of the planning principles for greenbelts under section 5.5.4-5.5.8 of the draft Plan, including that any incremental erosion of Greenbelt lands over time needs to be carefully monitored.

## Residential Land Use Zoning – Infrastructure capacity

OPR welcomes the revised infrastructural assessment for residential zoning in settlements under MA 1.2.20 in response to Recommendation 6 of the Office's submission on the draft Plan. The Office also notes the estimated costs of infrastructure delivery for the zoned settlements, introduced by MA 1.19.3, and accepts that work on these costings is ongoing.

## Flood Risk Management

**The OPR welcomes and commends the detailed Strategic Flood Risk Assessment (SFRA) carried out by the planning authority, including the extensive application of the Justification Test on appropriate sites and the implementation of appropriate mitigation measures to address the risk to people and property from flood risk, including through the amendments of zoning objectives proposed in the draft Plan. This responds to Recommendation 10 of the Office's submission on the draft Plan.**

The Office also notes and welcomes the amendments to the flood risk management policies and objectives contained in Chapter 11 Water Management.

**In view of the requirements of The Planning System and Flood Risk Management Guidelines for Planning Authorities (2009), as amended, the Office encourages the Local Authority to adopt all amendments addressing flood risk management and associated amendments to land use zoning objectives.**

The Office also notes the recommendation of SFRA that two proposed material amendments to the zoning objectives be omitted:

- MA 3.2.3.23 to change part of the 'Existing Residential / Mixed Residential and Other Uses' zoning to 'Existing Mixed/ General Business/ Industrial Uses (known as Lacknahoola) in Mallow. Recommendation 3 does, however, require the Plan be made without this amendment. .
- MA 5.1.4.23 to extend the development boundary of Bandon and zone lands within the extension as 'Residential Reserve' BD-RR-02.

MA 3.2.3.23 would accommodate less vulnerable uses than the zoning proposed under the draft Plan. In view of the extensive flood risk on the site, which does not allow for the application of the sequential test through

the development management process, and given the significant depth of flood potential on the site, the Office advises the Local Authority to consider what minor modifications it could include in making the Plan to minimise flood risk for future development of this site.

### **Chief Executive's Response**

Cork County Council welcomes the OPR's acknowledgment of the positive approach taken by the Council at material alteration stage to align the area of land proposed to be zoned for residential development with the housing targets included in the amended Core Strategy, in response to Recommendation 3 of the Office's submission on the draft Plan.

OPR notes that the Council has applied a number of mechanisms to realign the Core Strategy, including the omission of some new 'Residential' zonings, the application of 'Additional Provision' and 'Further Additional Provision', the use of 'Residential Reserve' and the re-zoning of new 'Residential' as 'Existing Residential' in many locations.

**The Local Authority welcomes the fact that the OPR generally accepts that the amount of new Residential zoned land (in excess of 600 ha) is consistent with the objective to facilitate the provision of c.16,5001 new homes (22,611 minus 6,117 units located on non-zoned lands in smaller settlements and in open countryside) on zoned land over the next 6 years.**

**The 'Further Additional Provision' designation given to lands within the Urban Expansion Areas of the Metropolitan towns, which comprise strategic and sustainable development sites that will be phased and built out over a longer period than the six-year plan, is also considered to be generally consistent with the provisions of Development Plans, Guidelines for Planning Authorities, Draft for Consultation (August 2021) (the draft DPGs) to facilitate effective planning over the longer term.**

The Local Authority welcomes the positive comments made by OPR in relation to our overall approach to realigning the population targets in line with the NPF Implementation Roadmap and the RSES and the housing targets to 22,611 to better reflect the Housing Supply Targets Methodology, Guidelines for Planning Authorities (HST Guidelines).

The Local Authority notes the OPR's comments in relation to the Residential Reserve zoning that in their view there is no national or regional policy basis for additional reserve lands over and above the 'Additional Provision' and 'Further Additional Provision'. Furthermore, there is no evidence to support a need for such land to deliver the housing targets set out in the Core Strategy. **While expressing concerns about the approach the OPR have accepted the policy with some suggested additions which are discussed in more details under response to Recommendation No.1 below.** However they remain concerned specifically about 5 sites designated as Residential Reserve and this matter is considered further in response to Recommendation No.2.

**Therefore, overall in relation to Built Footprint/Residential and Mixed Use Sites (Base)/Key Villages , Villages and Rural/ Additional Provision/Further Additional Provision there is no change proposed to the land supply in terms of units and amount of land required. Applying the HST Guidelines identifies a housing unit target of 22,611 and the Plan makes provision for 30,408 units.**

This provides for an additional 26% headroom over and above the 22,611 figure. It should also be noted that 10% of the 30,408 unit are to be provided on the built footprint, with the balance of 90% provided elsewhere across the County. **The target of delivering 22,611 units between 2022 to 2028 requires the delivery of 3,769 units p.a.** The Plan has identified a capacity to allow for the delivery of at least 5,068 units p.a. over the Plan period.

**Table 1: Housing Land Supply** sets out the updated land supply position versus that proposed in the Amendments as follows;

**Table 1: Housing Land Supply**

	Draft CDP	Proposed Amendment	Impact of OPR Recommendations on Land Supply	Available during 6 years of Plan
<b>Built Footprint</b>	<b>3,526 units</b>	<b>3,048 units</b> (Built footprint EBUA only)	<b>3,048 units</b> (Built footprint EBUA only)	YES subject to infrastructure provision and PP&D
<b>Residential Zoned and Mixed-Use Sites (BASE)</b>	<b>18,487 units</b> <u>797</u> ha	<b>13,360 units</b> <u>537</u> ha	<b>13,360 units</b> <u>537</u> ha	YES subject to infrastructure provision and PP&D
<b>Key Villages, Villages and Rural</b>	<b>7,339 units</b>	<b>6,203 units</b>	<b>6,203 units</b>	YES subject to infrastructure provision and PP&D
<b>Additional Provision (up to 25%)</b>	N/A	<b>2,456 units</b> <u>90</u> ha	<b>2,456 units</b> <u>90</u> ha	YES subject to infrastructure provision and PP&D
<b>Long Term Strategic /Further Additional Provision</b>	N/A	<b>5,242 units</b> <u>158</u> ha	<b>5,242 units</b> <u>158</u> ha	YES subject to infrastructure provision and PP&D
<b>Total</b>	<b>29,352 units</b>	<b>30,408 units</b>	<b>30,408 units</b>	

**Overall Approach to Zoned Land**

The Core Strategy of the Plan has evolved throughout the review process in response to the emergence of new guidelines and in response to submissions received at pre-draft and draft plan stage from statutory bodies and from the public. Issues considered in preparing and revising the Core Strategy are detailed in Chapter 2 of the Draft Plan and in the Proposed Amendments documents which have been subject to public consultation.

The Local Authority are satisfied that there is sufficient land identified throughout the County to meet the housing targets set out in the Core Strategy. Having regard to evolving public policy and legislative requirements in this area, the changing situation regarding public investment in infrastructure across the county and in the interests of promoting sequential and compact growth, the Council has responded to this and made changes to the Core Strategy and to land use zonings across the County.



At all times the Local Authority has been fully mindful of its responsibilities in terms of the proper planning and sustainable development of the area, the provisions of government policy, guidelines and legislation. **The Local Authority is satisfied that the revisions to the Core Strategy as set out in the Proposed Amendments represent the best allocation of growth throughout the county for the period of the next Development Plan. As development happens on the ground and zoned lands are built out, new lands will come into play in future plan cycles.**

**The Local Authority will continue to monitor progress on implementation of the Core Strategy and make any necessary adjustments as appropriate, to ensure that the Core Strategy housing targets are met.**

Further changes to the distribution of zoned lands are not proposed at this stage of the review process.

**If there are any changes proposed at this stage then they can only be considered within the overall envelope of the Updated Core Strategy figure of 22,611 for the Plan period.**

**With regard to zoning generally, it should be noted that Section 10 (8) of the Planning and Development Act, as amended, provides that there shall be no presumption in law that any land zoned in a particular development plan (including a development plan that has been varied) shall remain so zoned in any subsequent development plan.**

## *Recommendations from the OPR*

The OPR in response to the publication of the Material Amendments to the Draft Plan made a submission which included **7 Recommendations and No Observations**.

### *Key Theme Core Strategy and Settlement Strategy*

#### *MA Recommendation 1 – Residential Reserve zoning objective:*

Having regard to the sufficiency of land zoned for residential development over the plan period, including the ‘Additional Provision’, and the further provision made for strategic longer term needs zoned ‘Further Additional Provision’, the expansion of the ‘Residential Reserve’ land use zoning objective at material alteration stage is not consistent with the Core Strategy (table under MA 1.2.13) or the approach to the zoning for residential lands under the *Development Plans, Guidelines for Planning Authorities – Draft for Consultation* (August, 2021).

**The Local Authority is, therefore, required to include additional criteria under objective ZU-18-21 to ensure that such lands will only be considered for development where:**

**(i) it can be demonstrated that the housing target for the area set out in the Core Strategy cannot otherwise be achieved within the plan period, and**

**(ii) the development would not result in the Core Strategy targets being exceeded, or unduly prejudice the development of new ‘residential’ zoned land within those targets.**

#### ***Chief Executive’s Response***

The Local Authority welcomes the OPR’s view that the Office considered the Material Amendments to 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, and recommended changes to enhance its alignment with national and regional policies in the aforementioned, and for consistency with, among other things, the NPF Implementation Roadmap, the Housing Supply Target Methodology for Development Planning Guidelines for Planning Authorities (2020), and The Planning System and Flood Risk Management Guidelines for Planning Authorities (2009).

The Local Authority also welcomes the fact that the OPR having reviewed the proposed amendments in respect of the zoning objectives for individual sites and changes to settlement boundaries, accepts the rationale presented by the Chief Executive and Elected Members in the majority of cases.

It is noted that the OPR welcomes the inclusion of a single Core Strategy table in Chapter 2 Core Strategy, including a single settlement strategy for the county consistent with the settlement typology of the RSES in response to Recommendation 2 (i) and (ii) of the Office’s submission on the draft Plan.

The OPR also generally welcomes the significantly revised population growth targets across the Core Strategy in response to concerns raised in part (v) of Recommendation 2, to ensure better consistency with NPO 9 and RPO 11 and to avoid disproportionate levels of new housing development in relatively small settlements.

The OPR acknowledges the positive approach taken by Cork County Council at material alteration stage to align the area of land proposed to be zoned for residential development with the housing targets included in the amended Core Strategy, in response to Recommendation 3 of the Office’s submission on the Draft Plan.

The OPR notes that the Council has applied a number of mechanisms to realign the Core Strategy, including the omission of some new ‘Residential’ zonings, the application of ‘Additional Provision’ and ‘Further

Additional Provision', the use of 'Residential Reserve' and the re-zoning of new 'Residential' as 'Existing Residential' in many locations.

**The OPR states that generally accepts that the amount of new Residential zoned land (in excess of 600 ha) is consistent with the objective to facilitate the provision of c.16,500 new homes on zoned land over the next 6 years.**

**The 'Further Additional Provision' designation given to lands within the Urban Expansion Areas of the Metropolitan towns, which comprise strategic and sustainable development sites that will be phased and built out over a longer period than the six-year plan, is also considered to be generally consistent with the provisions of Development Plans, Guidelines for Planning Authorities, Draft for Consultation (August 2021) (the draft DPGs) to facilitate effective planning over the longer term.**

Over and above this provision, however, the OPR states that the Local Authority has also retained the zoning objective 'Residential Reserve' in many settlements, including within the Metropolitan Area towns. Indeed, the area of land designated as such, has in some settlements been extended by material amendments, by changing new 'Residential' zoning to 'Residential Reserve'.

Objective ZU-18-21 states that 'Residential Reserve' lands will not generally be required for development over the period of the Plan to 2028. However, from the beginning of the 4th year of the Plan (2025), consideration may be given to the development of some of this land subject to criteria specified under (a)-(d) of the objective (as amended by MA 1.18.2). These include that the proposed site can be serviced and offers a reasonable substitute in terms of capacity, sequential development, access to services, amenity etc.

The OPR's view is that there is no national or regional policy basis for additional reserve lands over and above the 'Additional Provision' and 'Further Additional Provision' referenced above. Furthermore, that there is no evidence to support a need for such land to deliver the housing targets set out in the Core Strategy.

The OPR's view is that given the sufficiency of the land zoned for residential development over the plan period, and the 'Further Additional Provision' made for strategic longer term needs, the Office considers that stronger measures should be put in place to ensure that development over the next 6 years occurs in a sequential and plan-led manner that is consistent with the Core Strategy.

In considering this matter, the Office has taken into account the extent to which the Local Authority has comprehensively reviewed the extent of land use zoning in the preparation of the Draft Plan and that this will provide a much stronger basis for delivering housing in the right locations over the plan period. Also, of significance is the timing of the publication of the draft DPGs, which provide greater clarity on zoning for residential use, relatively late in the plan-making process.

OPR states that the Local Authority will however be aware of its obligation to implement the development plan, including the Core Strategy, in the carrying out of its planning functions.

Consequently, the OPR considers that this matter may reasonably be dealt with as a minor modification which makes clear that such lands will only be considered for development where (a) it can be demonstrated that the housing target for the area set out in the Core Strategy cannot otherwise be achieved within the plan period, and (b) the development would not result in the Core Strategy targets being exceeded, or unduly prejudice the development of new 'Residential' zoned land within those targets.

The Local Authority notes the issues raised by the OPR in respect to the application of the Residential Reserve zoning objective.

The Local Authority view is that it is critically important that the maximum amount of residentially zoned land is identified and available over the Plan period to ensure an adequate supply of housing given the current severely dysfunctional housing market where supply of new houses is trailing well behind demand and there is significant unmet demand in the market all cross the county which remains to be satisfied. The supply of new houses has been significantly impacted by constraints in water services infrastructure across the county, many

of which are due to be addressed under the Irish Water Investment Programme over the lifetime of the next County Development Plan in the period to 2028. Supply has also been disrupted by a range of economic and financial considerations, and most recently by the Covid pandemic. In order to meet this demand it is critically important that sufficient lands are identified to ensure a steady supply of zoned serviced land comes to the market to meet the ambitious housing delivery targets over the Plan period.

Therefore, the lands identified as Residential Reserve will play an important role in providing a contingency in the event that other lands identified for residential development in a particular settlement do not come forward.

The policy with regard to Residential Reserve is set out in Objective ZU 18-21 Residential Reserve of the Draft Plan subject to proposed amendment (No 1.18.2) shown in blue. This land can only come forward in the second half of the Plan period if the criteria a) to e) are met.

The recommendation by the OPR to add two more criteria by way of minor modification should not provide any additional constraints on these lands coming forward during the lifetime of the Plan if required, over and above those already in place.

### ***Chief Executive's Recommendation***

**Adopt Proposed Amendment No. 1.18.2 with Minor Modification as set out below ;**

#### **"County Development Plan Objective ZU 18-21: Residential Reserve**

Provide a land reserve for the long term orderly development of the Metropolitan towns of Carrigaline, Carrigtwohill, Cobh and Middleton and the Key Towns of Mallow and Clonakilty *and some County Towns where appropriate*. Such lands will not generally be required for development over the period of the Plan to 2028. From the beginning of year four of the Plan (May 2025), consideration may be given to the development of some 'Residential Reserve' lands where the Local Authority is satisfied that:

- a) Delivery of housing on zoned lands is proceeding faster than anticipated and additional land is required for the remaining Plan period, or
- b) It can be clearly demonstrated, to the satisfaction of the planning authority, that a zoned parcel of land will not come forward for development due to infrastructural or other demonstrable constraints during the remaining period of the Plan, and the proposed residential lands can be serviced and offer a reasonable substitute in terms of capacity, sequential development, connectivity, access to services and amenity etc., to secure the population and housing targets for the settlement.
- c) The Local Authority is satisfied that delivery of the development can reasonably commence before the end of the Plan period, and infrastructure is in place or can be provided to facilitate same.
- d) Where development is considered under (b) above the scale of development shall not generally exceed the capacity of the zoned lands it is replacing.

*e) Objective ZU 18-11 will also apply to lands identified as Residential Reserve.*

**f) It can be demonstrated that the housing target for the area set out in the Core Strategy cannot otherwise be achieved within the Plan period.**

**g) The development would not result in the Core Strategy targets being exceeded, or unduly prejudice the development of new 'Residential' zoned land within those targets.**

## MA Recommendation 2 – Additional Residential Reserve zoning objectives

Having regard to the sufficiency of land zoned for residential development in the respective towns consistent with the Core Strategy (table under MA 1.2.13), and the approach to the zoning for residential lands under the *Development Plans, Guidelines for Planning Authorities – Draft for Consultation* (August, 2021), **the Local Authority is required to make the Plan without the Residential Reserve zoning objectives and associated objectives where relevant, under the following amendments:**

- **MA 4.3.3.17** Midleton MD-RR-29 (14.78 ha)
- **MA 5.1.4.22** Bandon BD-RR-01 (5.7 ha) \*
- **MA 5.1.4.23** Bandon BD-RR-02 (2.93 ha) \*
- **MA 5.2.5.12** Clonakilty CK-RR-01 (11.78 ha) \*
- **MA 5.2.6.27** Bantry (BR-RR-01) and new Residential BR-R-X (20.75 ha) \*

\*Site not included in the Infrastructure Assessment under MA 1.2.20.

### **Chief Executive's Response**

The Planning Authorities response to the OPR's comments in relation to the Residential Reserve Zoning approach is set out under response to Recommendation No.1. The Local Authority welcomes the OPR's acceptance with minor modification of the Residential Reserve Zoning policy. The Draft Plan and the proposed amendments had identified 230ha of land zoned as Residential Reserve which could potentially deliver up to 5,748 units. The current OPR Recommendation No.2 would involve a reduction of 54ha in the amount of land zoned Residential Reserve giving a revised total of 176ha with the potential to deliver 4,628 units. This when combined with other sources of housing supply as set out in **Table 1** gives a total of 35,036 across the County.

The OPR notes that the material alterations include several proposed amendments to change 'Agriculture' land use zoning objectives to 'Residential Reserve' in Midleton, Bandon, Clonakilty and Bantry. The OPR view is that there is no evident rationale or justification for these zoning changes. In particular, the zonings are not consistent with the Core Strategy having regard to the extent of serviced or serviceable land already zoned for residential development.

Furthermore, the OPR states that a number of the sites have not been subject to the Infrastructure Assessment (MA 1.2.20) and it is not clear if they are serviced or serviceable during the life of the plan.

As set out under Recommendation No.1 above it is the OPR's view is that there is no national or regional policy basis for additional reserve lands over and above the 'Additional Provision' and 'Further Additional Provision' referenced above. Furthermore, that there is no evidence to support a need for such land to deliver the housing targets set out in the Core Strategy.

The Local Authority will continue to monitor progress on implementation of the Core Strategy and make any necessary adjustments as appropriate, to ensure that the Core Strategy housing targets are met including consideration of additional lands for housing and community uses if the evidence base supports such a requirement.

**Each of the sites identified by the OPR are considered further below.**

- **MA 4.3.3.17 Midleton MD-RR-29 (14.78ha)**

This site was zoned Agriculture in the Draft Plan. The amendment proposed to rezone the site as Residential Reserve as follows:

MD-RR-29“*Medium A Density Residential Development and provision for a purpose built primary school, subject to agreement with the Department of Education and Science.*

*This zone lies adjacent to the Owenacurra Estuary which forms part of the Cork Harbour SPA and the Great Island Channel SAC. New development proposals on this land will need to be sensitively designed to ensure the avoidance of impacts on the designated sites and their associated habitats and species. Visual screening and set back from the estuary will be required.”*

The DoHLG&H (parent Department of the NPWS) submission states that there is a need ‘to consider the reasons why the field adjoining the estuarine SAC can be included in the zoning in the absence of more detailed data (eg high-tide roost sites), and especially in relation to impacts on lighting’

This proposed amendment was considered acceptable from an AA perspective when it was screened prior to publication, as it was considered that there were likely to be design solutions including the maintenance of a buffer to the shoreline which could be implemented at project stage, which would ensure the avoidance of impacts to birds at the shoreline, and indeed, the text of the objective included a requirement for the maintenance of a set-back zone and visual screening.

In light of the fact that this site is not required to meet the housing targets for Middleton and having regard to the concerns raised by the DoHLG&H, it is recommended not to proceed with the amendment in this case and lands should revert back to the Agricultural Zoning in the Draft Plan.

**Having regard to the submission of the DoHLG&H, it is considered that this amendment may need to be subject to Appropriate Assessment if it is decided to adopt it.**

- **MA 5.1.4.22 Bandon BD-RR-01 (5.7ha)**

This site was zoned Agriculture in the Draft Plan. The amendment proposed to zone the site for;

***“Residential development – Medium B Residential development”***

This site is located on elevated lands to the northwest of Bandon towns. The site is located between existing residential development and the town (contiguous to existing built up area) and while the area has infrastructure services available, access and water supply challenges exist in terms of overall capacity in this area of the town. In particular, water supply capacity is a significant issue and the previous HLAS assessment highlighted the need for a new water reservoir as housing numbers increase (new developments have relied to date on pumping of water supply). Note: the adjoining residential sites in the Draft CDP are identified as Tier 1 lands, however the issue at this location is overall critical mass that is arising.

The assessment of this site is that it is Tier 3 Residential lands – on the basis that a new reservoir is not on an infrastructure delivery plan and unlikely to be delivered during the lifetime of the plan.

These lands are not required to meet the housing targets for Bandon and therefore it is recommended not to proceed with the proposed amendment in this case and the lands should revert back to the Agricultural Zoning in the Draft Plan.

- **MA 5.1.4.23 Bandon BD-RR-02 (2.93ha)**



This site was part of the Bandon Town Greenbelt in the Draft Plan, outside the town development boundary. The amendment proposed to zone the site for;

### **RESIDENTIAL RESERVE**

***BD-RR-02: Residential development – Medium B Residential development. Any development proposal for this site should include the retention and protection of tree cover on the boundaries of this site and will be subject to necessary road upgrades and Strategic Flood Risk Assessment. \****

This site is located to the south of Bandon town. Under the 2017 MDLAP it was one of two adjoining residential zonings (adjoining site was R-14, and the subject site was R-15). The former residential zoning R-14 is EBUA in Draft CDP 2022. The HLAS assessment identified the subject site of this amendment as requiring either a pumped foul sewer or a c.1km foul sewer extension to the existing network. The site is bounded to the west by Regional Road R603 where access is likely to be problematic, and to the south/east by a relatively narrow local road that would require significant upgrading. Public footpath and lighting would also be required to service this site.

Assessment of this site is that it is Tier 3 Residential lands, due to the infrastructure interventions required.

The site is steep sloping and has poor road access which would be very difficult to resolve. Similarly it would be difficult to provide a footpath connection to the site. Part of the potential road access is shown to be at risk of flooding and the SFRA has recommended that the site not be zoned for development.

Therefore it is recommended not to proceed with the proposed amendment in this case and the lands should revert back to the Town Greenbelt Zoning in the Draft Plan.

- **MA 5.2.5.12 Clonakilty CK-RR-01 (11.78ha)**

This site was zoned Agriculture in the Draft Plan. The amendment proposed to zone the site for;

Residential Reserve CK-RR-01

***Medium A Density Residential Development. The overall approach to the development of this site will be guided by an overall framework Masterplan based on the requirements of the Guidelines on Sustainable Residential Development in Urban Areas published by the DoELG and the accompanying Urban Design Manual and Cork County's Design Guide for Residential Estate Development. Any development should provide for the following:***

- a. An appropriate access strategy in compliance with the DMURS Design Manual for Urban Roads and Streets 2019 including appropriate provision for the possible future development of lands to the north and west. Proposals will be in keeping with any updated Local Transport Plan for the town.***
- b. The provision of a minimum of 15% public open space including the provision of green corridors, and areas of biodiversity value together with Active open space in accordance with Chapters 14 and 15 of the plan.***
- c. Provision of Active Travel Routes creating a high-quality permeable development with linkages to adjoining development.***
- d. An appropriate storm water drainage strategy for the site, and integration of SuDS proposals in the overall layout and design of the scheme. ^***

This site is located to the south of Clonakilty town, partly contiguous to an existing residential estate (Lady's Cross). The site adjoins R-07 (Draft CDP) which is considered a Tier 2 residential site – due to requirement for foul sewer network extension and access required through a private road serving a number of businesses to the east. The site will require a similar network extension. In addition, the site is adjoined to the south by a very narrow track road and to the west by agricultural lands that adjoin a local road – the southern track road

requires a substantial upgrade along the frontage of the subject site, however it joins with the local Clogheen Road (connecting into Clonakilty Town) that is relatively narrow and does not have a footpath. The local road located to the west requires public footpaths and public lighting to be provided if used as an access road to the site.

Access to the site is possible through the adjoining R-07 which in itself requires access through a private road that joins with the N71. Access is also potentially possible through the adjoining Lady's Cross housing estate, which has been taken in charge by CCC. Based on the subject site having the ability to access the N71 (within Clonakilty town) through either Lady's Cross estate or through the private road to the east, the subject site could be considered as Tier 2.

The assessment of this site is that it is Tier 2 Residential lands, subject to the site having the ability to access the N71 (within Clonakilty town) through either Lady's Cross estate or through the private road to the east.

The site is not required to meet the housing targets for Clonakilty therefore it is recommended not to proceed with the proposed amendment in this case and the lands should revert back to the Agricultural Zoning in the Draft Plan.

- **MA 5.2.6.27(a) and (b) Bantry (BR-RR-01) and new Residential BR-R-X (20.75ha)**

These sites were zoned Agriculture in the Draft Plan. The amendment proposed to zone the site for;

(a) Provide for a new residential zoning in the south east corner of the site as follows

**BT-R-0X - Medium B Density Residential Development subject to an agreed access strategy. Parts of the site are unsuited to development due to topography and elevation. Development should be sited and designed to minimise visual impact, integrate new development with existing development, and to retain the steeper / elevated lands as landscaped open space. Proposals should include a visual impact assessment, landscaping proposals and SuDs for management of storm water drainage and include a proportion of serviced sites as part of the overall development scheme. Provision should also be made for pedestrian/cycling linkages within the development and to surrounding residential areas. This site supports habitats of biodiversity value including hedgerows and riparian zones these should be protected and integrated within the development where possible.**

(b) provide for a new Residential Reserve as follows:

**BT-RR-01 – Residential Reserve. Medium B Density Residential Development. Development of the site is subject to an agreed access strategy. Parts of the site are unsuited to development due to topography and elevation. Development should be sited and designed to minimise visual impact, integrate new development with existing development, and to retain the steeper / elevated lands as landscaped open space. Proposals should include a visual impact assessment, landscaping proposals and SuDs for management of storm water drainage and include a proportion of serviced sites as part of the overall development scheme. Provision should also be made for pedestrian/cycling linkages within the development and to surrounding residential areas. This site supports habitats of biodiversity value including hedgerows and riparian zones these should be protected and integrated within the development where possible. Consideration should also be given to the protection of the Bantry River and tributaries corridor and its associated habitats of biodiversity value. \***

^

This proposed amendment consists of 4 parts, a) and b) as per above and also the following;

(c) Amend the zoning map to include the following areas within the Existing Residential/Mixed Residential and Other Uses zoning.

(d) Change the balance of BT-AG-01 lands to Green Infrastructure- BT-GC-11.

This overall site was previously zoned as R-07 under the 2017 MDLAP and the HLAS identified the subject site as requiring watermain upgrades, pumping station and road access from the planned road identified as BT-U-05 in Draft CDP 2022. The new road BT-U-05 is not as yet at shovel-ready stage and Stage 1 of this roadway (from which it may be possible to serve the subject site) will not be at shovel-ready stage until 2023 at the earliest. Funding for this road is also required to be confirmed. Subject to access being provided via BT-U-05 within the lifetime of the plan, the subject site could be considered as Tier 2.

Assessment of this site is that it is Tier 2 Residential lands, subject to access being provided via the construction of road BT-U-05 within the lifetime of the plan.

This proposed amendment consists of two parts the smaller 4.07ha site is to be changed from Agriculture to Medium B density residential development while the larger 18.68ha site is to be changed from Agriculture to Residential Reserve. These sites have significant topographical challenges given the steep slopes and significant access issues which are dependent on significant road upgrades been put in place.

It is not possible to consider the two sites separately as they are part of the same proposed amendment given the outcome of the Tesco Judicial Review in the High Court on the Kanturk Mallow Local Area Plan, 2011.

Therefore, it is recommended not to proceed with the proposed amendment in this case and the lands should revert back to the Agricultural Zoning in the Draft Plan. If the Proposed Amendment is not adopted, then this will allow the former BT-R-05 Site to be reinstated (Proposed Amendment No. 5.2.6.1).

### ***Chief Executive's Recommendation***

**Not to Adopt the Proposed Amendment 4.3.3.17 (Midleton MD-RR-29) and Revert back to the Draft Plan.**

**Not to Adopt the Proposed Amendment 5.1.4.22 (Bandon BD-RR-01) and Revert back to the Draft Plan.**

**Not to Adopt the Proposed Amendment 5.1.4.23 (Bandon BD-RR-02) and Revert back to the Draft Plan.**

**Not to Adopt the Proposed Amendment 5.1.5.12 (Clonakilty CK-RR-01) (11.78ha) and Revert back to the Draft Plan.**

**Not to Adopt the Proposed Amendment 5.1.6.27 (a) and (b) (Bantry (BR-RR-01) and new Residential BR-R-X and Revert back to the Draft Plan. Adopt with No Modification 5.1.6.27 (c) and 5.1.6.27 (d).**

### MA Recommendation 3 – Existing Residential / Mixed Residential and Other Uses zoning objective

Having regard to the Core Strategy (table under MA 1.2.13), and the approach to the zoning for residential lands under the *Development Plans, Guidelines for Planning Authorities – Draft for Consultation* (August, 2021) which provides for a transparent and evidence-based approach to determining the Core Strategy, including the quantity of land to be zoned for residential development to ensure the implementation of compact growth (NPO 3c), the Local Authority is required to make the Plan without the following amendments, or to exclude that portion of each site which does not include an existing residential use:

- **MA 4.1.4.11** Passage West (5.78ha) (Note, the SEA Environmental Report also recommended against this amendment)
- **MA 4.1.4.12** Passage West (0.41ha)
- **MA 4.1.6.12** Crosshaven (2.14ha)
- **MA 4.1.6.13** Crosshaven (1.36ha)
- **MA 5.2.6.23** Bantry (0.5ha) (Note, the SFRA also recommends that the Plan be made without this amendment)
- **MA 5.2.7.21** Skibbereen (1.25ha)

#### ***Chief Executive's Response***

The OPR notes the extensive material amendments made to the land use zoning objectives in response to Recommendation 2 and otherwise, include changes to the extent of lands zoned 'Existing Residential / Mixed Residential and Other Uses' (objective ZU 18-9) in settlements throughout the County.

The OPR view is that there is a potential for this approach to result in further inconsistencies with the Core Strategy as the potential housing yield is not taken into account in the Core Strategy table in determining 'zoned land required (with additional provision)', or indeed in determining consistency with the compact growth NPO3c target. This is inconsistent with the draft DPGs, which promote a transparent and evidence-based approach to the core strategy and zoning for residential use.

The OPR has identified a number of sites that in their view are particularly problematic in this regard, where the sites are wholly, or for the most part, agricultural or other greenfield in nature.

- **MA 4.1.4.11 Passage West (5.78ha) (Note, the SEA Environmental Report also recommended against this amendment)**

This proposed amendment involves putting Rockenham House, a listed building (RPS 510) and its surrounding gardens within the development boundary of Passage West/ Glenbrook/Monkstown with a view to looking at opportunities to facilitate and support the maintenance and protection of this listed building of regional importance.

It is recommended that Proposed Amendment 4.1.4.11 is not to be adopted and therefore not be included within the development boundary of Passage West/Glenbrook/Monkstown and zoned as Existing Residential/Mixed Residential and Other Uses for the following reasons;

- Rockenham House is a protected structure on the Record of Protected Sites (00510) which includes the historic demesne which forms part of the curtilage of the protected structure. Rockenham House is also listed on the NIAH: 20975010 Regional Rating. The proposed rezoning would conflict with development management objectives as set out in Objective HE 16-11: Record of Protected Structures and Objective HE 16-12: Protection of Structures on the NIAH. Part of the site is located

within a flood zone and concern remains regarding including land within flood zone A which would only be appropriate for water compatible uses such as Green Infrastructure.

- Both the SEA Report and the Department of Housing, Local Government and Heritage (parent Department of the NPWS) have raised concerns about the potential for impact on habitats of biodiversity value of the development of this site.
- The subject lands adjoin both the Great Island Channel SAC and Cork Harbour SPA. Aerial imagery indicates that there are habitats of biodiversity value within the site including waterbodies and woodland. These habitats may be used by bird species which are qualifying interests of the Cork Harbour SPA. Development of this site has the potential to negatively impact on both habitats of biodiversity value and on protected species and could have the potential to negatively affect the Cork Harbour SPA.

- **MA 4.1.4.12 Passage West (0.41ha)**

This land is recommended to be included within the development boundary of Passage West/Glenbrook/Monkstown and zoned as Existing Residential/Mixed Residential and Other Uses to reflect the planning permissions (16/7189) on the site. The site was originally located within Local Area Plan 2017 zoning PW-R-04 which was removed in the Draft Plan. The site is adjacent to residential and agricultural development on three sides.

- **MA 4.1.6.12 Crosshaven (2.14ha)**

This land in Fennel's Bay, Crosshaven is encompassed by residential units on three sides and is therefore in effect an infill site. Any development should be of a scale appropriate to that of existing residential development in the area with provision for individual units only. Any low-density development proposed on this land will help to relieve pressure for individual housing on the adjoining Metropolitan Greenbelt Area.

- **MA 4.1.6.13 Crosshaven (1.36ha)**

This land in Hoddersfield, Crosshaven is recommended to be included within the development boundary of Crosshaven and Bays and zoned as Existing Residential/Mixed Residential and Other Uses to reflect existing dwellings and planning permissions along the laneway. The low-density permissions granted along this laneway will help to relieve pressure for individual housing on the adjoining Metropolitan Greenbelt Area.

- **MA 5.2.6.23 Bantry (0.5ha) (Note, the SFRA also recommends that the Plan be made without this amendment)**

The land in question includes lands that have already been filled so the ground levels are significantly higher than the adjoining lands to the north. There is a steep drop from the filled area down to a stream and then the land rises again steeply on the northern side of the stream to a dense woodland. The additional lands in green are wooded and could only be developed if the trees were cleared, the stream culverted, and the land filled by several meters. The woodland supports habitats of biodiversity value and the area adjoining the stream is at risk of flooding identified on the flood risk maps. The SFRA has recommended that this amendment not be accepted. The lands are zoned BT-GC-07 in the Draft Plan which protects the Open space / landscape character of the setting of Bantry House.

- **MA 5.2.7.21 Skibbereen (1.25ha)**

This site consists of a mixture of detached houses with a limited number of infill opportunities. The second part of this amendment includes a revised boundary for an agricultural zoning to the east. The existing residential/mixed residential and other uses zoning is located adjacent to the secondary school and the zoning allows for some additional housing units which would play a role in reducing pressure on the Skibbereen Town Greenbelt.

***Chief Executive's Recommendation***

**Not to Adopt the Proposed Amendment 4.1.4.11 (Passage West) and Revert back to the Draft Plan.**

**Adopt Proposed Amendment 4.1.4.12 (Passage West) with No Modification.**

**Adopt Proposed Amendment 4.1.6.12 (Crosshaven) with No Modification**

**Adopt Proposed Amendment 4.1.6.13 (Crosshaven) with No Modification**

**Not to Adopt Proposed Amendment 5.2.6.23 (Bantry) and Revert back to the Draft Plan.**

**Adopt Proposed Amendment 5.2.7.21 (Skibbereen) with No Modification.**



## *Theme: Sustainable Development*

### MA Recommendation 4 - Residential Densities

Having regard to the provisions of the Sustainable Residential Density Guidelines for Planning Authorities (2009) and SPPR 4 of the Urban Development and Building Height Guidelines for Planning Authorities (2018), **the Local Authority is required to make the Plan without the following amendments which relate to density standards:**

- **MA 4.2.3.41** Carrigwohill CT-R-18
- **MA 4.2.3.43** Carrigwohill CT-R-04
- **MA 5.1.4.5** Bandon BD-X-03
- **MA 5.2.5.6** Clonakilty CK-X-01
- **MA 5.2.5.9** Clonakilty CK-R-02

### ***Chief Executive's Response***

The Local Authority notes the OPR comments that the revised Core Strategy proposes to zone 628ha as new Residential (including 'Additional Provision') to accommodate c.16,500 units. This results in average net density of 35uph across the zoned settlements of the County, which is consistent with the Sustainable Residential Development in Urban Area Guidelines for Planning Authorities (2009) (SRDUAGs) and would indicate that the extent of new residential zoning is generally appropriate.

The Local Authority acknowledge the OPR's comment at the Draft Plan stage that the overall proposed approach to residential density, as set out in Chapter 4 of the Draft Plan (sections 4.7 to 4.10) to constitute a positive and rational approach to the application of appropriate residential standards across the diverse settlement's contexts of the county.

The OPR notes the decision not to amend the low-density standard generally applied to settlements of <1500 population (5-20uph) in accordance with Recommendation 7(i), and the reasons set out in the Chief Executive's report. As stated in the Recommendation, this approach is inconsistent with the SRDUAGs, which recommends that such lower density development should not represent more than about 20% of the total new planned housing stock of the small town or village concerned.

The approach set out in the Draft Plan and proposed Amendments to Housing Density in Hou 4-7 and Table 4.1 aims to make provision for a certain level of serviced sites/low density development up to 20% in towns < 5,000 population and key Village > 1,500 population. In smaller Key Villages and Villages, it is the normal density applied. The Local Authorities view it that such an approach allows the offering of a range of densities to ensure that there is an option for the full range of house types and sizes within the settlement network. This will support the development of smaller settlements and provide an alternative to individual rural housing. This will be a key component in making such settlements an attractive choice for people to locate, driving the much-needed regeneration of these settlements and the retention of critical social and community infrastructure.

The OPR also notes that a number of material amendments have been made which reduce the residential density for development in settlements >5000 population, and which would conflict with the densities set out in the SRDUAGs and confirmed by Circular Letter NRUP 02/21. SPPR 4 of the Urban Development and Building Height Guidelines for Planning Authorities (2018) must secure the minimum densities set out in these guidelines.

#### **Carrigtwohill MA 4.2.3.41 (CT-R-18) and MA 4.2.3.43 (CT-R-04)**

In particular, the OPR have concerns about proposals to amend land use zoning in Carrigtwohill Urban Expansion Area under MA 4.2.3.41 (from 30-50uph to 20-35uph) and MA 4.2.3.43 (from 50uph+ to 30-50uph) would conflict with the recommended densities for such settlements within 1km of a train station.

The Local Authority notes the following recommendation set out in the SRDUAGs that increased densities should be promoted within 500 metres walking distance of a bus stop, or within 1km of a light rail stop or a rail station. The capacity of public transport (e.g. the number of train services during peak hours) should also be taken into consideration in considering appropriate densities. In general, minimum net densities of 50 dwellings per hectare, subject to appropriate design and amenity standards, should be applied within public transport corridors, with the highest densities being located at rail stations / bus stops, and decreasing with distance away from such nodes. Both CT-R-18 and CT-R-04 are located within less than 1km of the Carrigtwohill rail station, with CT-R-04 being within 500m of the station. Such sites, within walking distance of the rail, present significant opportunity for modal shift away from the private car to public transport.

The Local Authority notes that the Cork Metropolitan Area Transport Strategy (CMATS) 2040 indicates that it is proposed to provide a 10-minute frequency on the Midleton-Cork rail line along which Carrigtwohill is situated. It is critical that the land use planning, including appropriate density policies, are aligned with planned transport infrastructure in order to maximise the return on this investment by the State. This aligns with the SRDUAGs approach that a key design aim in delivering sustainable communities is to reduce, as far as possible, the need to travel, particularly by private car, by facilitating mixed-use development and by promoting the efficient use of land and of investment in public transport. To maximise the return on this investment, it is important that land use planning underpins the efficiency of public transport services by sustainable settlement patterns – including higher densities – on lands within existing or planned transport corridors.

It is also noted that the national Climate Action Plan (November 2021), in setting out how higher densities will support our climate ambition, includes that greater urban density will ensure more viable public transport leading to reduced transport emissions.

Therefore, in order to support the delivery and ongoing viability of the 10min frequency on the Midleton-Cork rail line, and in order to align planning policy with climate action and transport policies, densities on sites close to the railway line should reflect the Guidelines.

Therefore, it is recommended that two proposed amendments are not adopted.

#### **MA 5.1.4.5 Bandon BD-X-03, MA 5.2.5.6 Clonakilty CK-X-01 and MA 5.2.5.9 Clonakilty CK-R-02**

In addition, the OPR notes proposed amendments to densities in Bandon BD-X-03 under MA 5.1.4.5 to Medium B (20-35uph), and in Clonakilty CK-X-01 under MA 5.2.5.6 to Medium B density (20-35uph) and to CK-R-02 under MA 5.2.5.9. The OPR's view is that reduced densities are not appropriate for larger towns where it is important to achieve densities in accordance with the Guidelines, and are inconsistent with the achievement of the National Planning Outcome for compact growth and achievement of sustainable settlement and transport strategies under section 10(2)(n).

#### **MA 5.1.4.5 Bandon BD-X-03**

The Bandon BD-X-03 site requires significant roads infrastructure investment in order to provide vehicular roads access. In this particular case the delivery of higher densities will help to make this site more economic to develop and reduce the per unit cost of providing the required road infrastructure.

Therefore it is recommended to adopt the proposed amendment with a minor modification changing the Medium B to Medium A.

#### MA 5.2.5.6. Clonakilty CK-X-01

The approach to land use zonings on the northern side of Clonakilty town were reconsidered following the public consultation process and having regard to the issues highlighted in the submissions received to the draft Plan. These issues included the perceived lack of active public open space in the town, the need for additional lands to safeguard community use requirements, the need to facilitate the specific requirements of the Department of Education for the Convent School site and the need to respond to the revisions required by the Core Strategy.

The Department of Education now own the majority of the land CK-X-01 Special Policy Area site and have outlined their specific proposals to expand the existing educational use into the former Convent of Mercy site. Therefore, there was no longer a requirement to zone the substantive part of the CK-X-01 lands as a Special Policy Area (with provision for residential, community, tourism or employment related uses etc.). Instead, the more appropriate zoning is Community Use. Proposed Amendment 5.2.5.5 therefore proposes to delete the CK-X-01 Special Policy Zoning and to replace it with the CK-C-02 zoning where it applies to the education lands.

Proposed Amendment 5.2.5.6 proposes to rezone part of the balance of the CK- X-01 Special Policy Zoning site as CK- R-0X Residential (Additional Provision), with a 'Medium B' density zoning, while Proposed Amendment 5.2.5.7. rezones the remainder as Green Infrastructure. The Green Infrastructure zoning makes provision for a new Linear Park – CK-GA-08. along the former railway line. It is considered that these changes will contribute positively to the proper planning and sustainable development of the town, by safeguarding the community use requirements, and making provision for a much needed active green space on the northern side of the town, including the Active Travel link U-03 to improve connectivity between the N71 to the East and Mc Curtain Hill, north of the town centre to the west. Inclusion of residential use at this location as provided for by proposed amendment 5.2.5.6 is also considered appropriate.

As outlined above, the rationale for Proposed Amendment 5.2.5.6 is not to achieve a reduction in the density standard , rather it, in combination with the other amendments in this area, secures a number of objectives of the plan in relation to the provision of education, community and related uses and the provision of a linear park and active travel route by removing the Special Policy Zoning and making specific objectives to safeguard these uses. It is considered that these changes cannot be viewed in isolation.

While the overall intent of the OPR recommendation may be to secure an improved density standard for the site in the interests of proper planning, this is not necessarily considered achievable by making the plan without the 5.2.6 amendment. Reverting to the Draft plan CK-X-01 zoning for this site, would no longer be appropriate given the changes set out in the other amendments. In addition, the Special Policy Zoning does not reference a density and could result in a lower density of development than provided for in proposed amendment 5.2.5.6.

The Medium B zoning category allows for the application of a density standard of between 20 – 35 uph, this zoning standard is consistent with the requirements of Draft Plan Objective HOU 4-7. The site has some constraints in relation to access, challenging topography, and the need to sensitively site new development to respect the character of the Convent lands to the south which contain a number of Protected Structures. On balance, the achievement of a net density in the range of 35 units per hectare on this site would be a reasonable outcome.

Taking all the amendments in this area together the best planning outcome overall is achieved by adopting proposed amendment 5.2.5.6.

#### MA 5.2.5.9 Clonakilty CK-R-02

The OPR has also expressed concern that Proposed Amendment 5.2.5.9 would result in a reduced density standard and have recommended making the plan without the amendment.

The points outlined above in relation to Proposed Amendment 5.2.5.6 are also relevant to this amendment in the context of what the amendments in this wider area are seeking to achieve re land for community and recreational use.

In this case the density applied to these lands in the proposed amendment is the same as that applied to the site in the Draft Plan. No change to the density standard is therefore achievable by not adopting this amendment and by reverting to the Draft Plan.

Revisions to the Core strategy for Clonakilty mean that it is necessary to reduce the zoned land supply. Relative to the Draft Plan, Proposed Amendment No. 5.5.2.9 has reduced the quantum of land zoned for residential use as CK-R-02, and there has been a corresponding increase in land zoned agriculture via Proposed in Amendment 5.2.5.10. These changes are necessary to manage the zoned land supply in Clonakilty in response to the changes made to the Core Strategy for the town.

It is therefore considered appropriate to make a recommendation to Adopt the amendment without Modification.

### **Chief Executive’s Recommendation**

**Not to Adopt the Proposed Amendment 4.2.3.41 (Carrigwohill CT-R-18) and Revert back to the Draft Plan.**

**Not to Adopt the Proposed Amendment 4.2.3.43 (Carrigwohill CT-R-04) and Revert back to the Draft Plan.**

**Adopt the Proposed Amendment 5.1.4.5 (Bandon BD-X-03) with Minor Modification as follows;**

<b>BD-R-03</b>	<p><b><i>Medium-B Medium A Residential Development.</i></b></p> <p><i>Development of this site should be accompanied by a Traffic Assessment illustrating how the site will connect to the proposed North Bandon Connectivity and Access Corridor (BD-U-02) and existing road networks in the vicinity.</i></p> <p><i>The layout also needs to make provision for pedestrian and cycleway links with existing adjoining residential areas and future links with the school campus.</i></p> <p><i>Proposals for this development are to include provision for an overall landscaping plan to assimilate the scheme into the hillside and should include retention of mature trees and boundaries.</i></p>	
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**Adopt the Proposed Amendment 5.2.5.6 (Clonakilty CK-X-01) with No Modification.**

**Adopt the Proposed Amendment 5.2.5.9 (Clonakilty CK-R-02) with No Modification.**

## *Theme: Economic Development and Employment*

### *MA Recommendation 5 - Industrial land use zoning objectives*

Having regard to the provisions of the *Spatial Planning and National Roads, Guidelines for Planning Authorities* (2012), and the provisions of NSO 2 of the NPF concerning enhanced regional accessibility, the Local Authority is required **to make the Plan without the following material amendments in order to ensure the maintenance of the strategic traffic function of the M8:**

- MA no.3.1.4.15 FY-I-05
- MA no.3.1.4.16 - FY-X-01
- MA no.3.1.5.28 - MH-I-07

#### ***Chief Executive's Response***

The Local Authority notes the OPR's concerns with regard to the proposed amendments to change land from Greenbelt to Industrial at lands adjacent / within proximity to junctions on the M8 Dublin-Cork motorway at Fermoy and Mitchelstown, against the recommendation of the Chief Executive:

- MA 3.1.4.15 - FY-I-05 (13.9ha)
- MA 3.1.4.16 - FY-X-01 (15.11ha)
- MA 3.1.5.28 - MH-I-07 (2.2ha)

The OPR states that the *Spatial Planning for National Roads Guidelines for Planning Authorities* (2012) (SPNRGs) requires that the planning system must ensure that the strategic traffic function of national roads is maintained, consistent with the provisions under NSO 2 (Enhanced Regional Accessibility) of the NPF.

Also Section 2.7 of the Guidelines, addressing development at national road interchanges or junctions, requires planning authorities to exercise particular care where plan proposals relating to the development objectives and/or to the zoning of locations at or close to interchanges, where such development could generate significant additional traffic with potential to impact on the national road.

Having regard to the location of the subject lands, the OPR is of the opinion that the material amendments referenced above have the potential to adversely affect the steady-state maintenance, operation, and safety of the National Roads network, and are not consistent with the Guidelines and with national policy.

#### **MA 3.1.4.15 - FY-I-05 (13.9ha) Fermoy**

This is a 13.9ha (34.4ac) site in Corrin, 3km south east of the town of Fermoy within the greenbelt.

The amendment proposes to zone the site for;

*FY-I-05. Industrial development. Proposals should include a detailed landscaping plan and on-site SuDS to manage surface water. The Shanowennadrimina Stream, which discharges to the Bride River (part of the Blackwater River SAC), traverses the site. Development proposals shall make provision for the protection of this watercourse and its associated riparian zone. ^*

This proposed amendment was the subject of a Notice of Motion passed by the Elected Members at Full Council Meeting on Monday 13<sup>th</sup> December 2021.

TII have serious concerns with regard to these proposed amendments as follows;

Proposed Amendment ref. 3.1.4.15 relates to an industrial zoning FY-I-05 to the east of the M8 which is remote from the plan boundary.

TII seeks to ensure that the carrying capacity, operational efficiency, safety, and significant national investment made in national roads in Cork is protected and that the relevant policies/objectives included in the Draft County Development Plan are continued and improved in accordance with the requirements of the DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities (2012).

TII would emphasise that the DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities require that planning authorities must exercise particular care in their assessment of development plan proposals relating to the development objectives and/or zoning of locations at or close to interchanges where such development could generate significant additional traffic with potential to impact on the national road infrastructure.

In TII's opinion, this zoning taken in conjunction with existing, permitted and proposed zoned development (Amendment 3.1.4.16) is at variance with Section 2.7 of the DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities. The proposed zoning would also not be in accordance with requirements of the National Planning Framework, and RSES to maintain and protect the national road network.

In TII's opinion, this zoning is currently inappropriate and is at variance with DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities and European, national, and regional policies. TII recommends that the zoning objectives is omitted to protect the steady-state maintenance, operation, and safety of the National Roads network.

A submission from the owner of the land the subject of the amendment was made in support of the amendment and includes supportive letters from three other local businesses in Corrin. A further twelve submissions were received from local persons strongly opposing the amendment for reasons include the following:

- Potential to acerbate flooding in Castlelyons.
- Road safety.
- Sufficient zoned land already available within the town.
- Development at this location will destroy the landscape.
- Contravene the National Road Guidelines.
- If the Council zones this land and permission to develop it is later refused, the Council will be leaving itself open to a claim for compensation.

As outlined in response to the Notices of Motion at the Council Meeting on 13<sup>th</sup> December 2021, Fermoy does not need additional industrial land. There is already in excess of 60ha of zoned and serviced land, with good access to the motorway, available within the development boundary of Fermoy town. All of this land is suitable for development. New employment uses should be located within the town where they can support the viability of the town, help generate potential custom for other businesses and support compact growth.

The zoning of significant sites outside the town will undermine the delivery of these zoned lands and the case for infrastructure funding to support their delivery. Existing objectives of the plan cater for the development needs of established uses in greenbelt areas and the situations where exceptions to green belt policy can be considered. These policies are set out in Objective RP 5-16, 5-17 and 5-18 of the Draft Plan.

There is considerable local public opposition to the proposed zoning. The Office of the Planning Regulator and Transport Infrastructure Ireland recommend that the plan be adopted without the proposed amendment. The Local Authority has an obligation to protect existing national routes particularly in terms of safety, capacity and efficiency and the proposal conflicts with this requirement.

#### **MA 3.1.4.16 - FY-X-01 (15.11ha) Fermoy**

The amendment proposed to zone the site for;

*FY-X-01: Expansion of existing Mart facilities and provision of an NCT Centre. The Farran North stream is located on the southern boundary of this zone. This stream discharges to the Bride River which forms part of the Blackwater River SAC. Development proposals shall make provision for the protection of the stream and its associated riparian zone.^.*

This proposed amendment was the subject of a Notice of Motion passed by the Elected Members at Full Council Meeting on Monday 13<sup>th</sup> December 2021.

This site occupied by Cork Livestock Marts Facility is a 15ha (37ac) site located in the green belt south of Fermoy and was permitted in the greenbelt as an exception to greenbelt policy in the context of facilitating its relocation from Fermoy town centre and the connection the use has with the rural area. Continuous development of new industrial uses in greenbelt areas undermines the rural green belt area, the settlement network of the county and the strategic nature of the national road network.

There is in excess of 60ha of zoned and serviced land, with good access to the motorway, available within the development boundary of Fermoy town and in excess of 100ha available within Mitchelstown. Any of this land would be suitable for the development of an NCT centre. New employment uses should be located within the town where they can support the viability of the town, help generate potential custom for other businesses and support compact growth. The zoning of significant sites outside the town will undermine the delivery of these zoned lands and the case for infrastructure funding to support their delivery.

This proposal would also be contrary to the provisions of the Government Guidelines, 'Spatial Planning and National Roads - Guidelines for Planning Authorities' – which places an obligation on local authorities to protect existing national routes particularly in terms of safety, capacity and efficiency.

TII have serious concerns with regard to these proposed amendments as follows;

Proposed amendment ref. relates to an industrial zoning FY-X-01 to the east of the M8 which is remote from the Fermoy plan boundary.

TII seeks to ensure that the carrying capacity, operational efficiency, safety, and significant national investment made in national roads in Cork is protected and that the relevant policies/objectives included in the Draft County Development Plan are continued and improved in accordance with the requirements of the DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities (2012).

TII would emphasise that the DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities require that planning authorities must exercise particular care in their assessment of development plan proposals relating to the development objectives and/or zoning of locations at or close to interchanges where such development could generate significant additional traffic with potential to impact on the national road infrastructure.



In TII's opinion, this zoning taken in conjunction with existing, permitted and proposed zoned development (in particular Amendment 3.1.4.15) is at variance with Section 2.7 of the DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities. The proposed zoning would also not be in accordance with requirements of the National Planning Framework, and RSES to maintain and protect the national road network.

In TII's opinion, this zoning is currently inappropriate and at variance with DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities and European, national, and regional policies. TII recommends that the zoning objective should be re-evaluated and accompanied by an appropriate evidence base as indicated in the DoECLG Spatial Planning and National Road Guidelines for Planning Authorities to demonstrate that proposals support and protect the steady-state maintenance and safety of the National Roads network

As outlined in response to the Notices of Motion at the Council Meeting on 13<sup>th</sup> December 2021, Fermoy does not need additional zoned land. There is already in excess of 60ha of zoned and serviced land, with good access to the motorway, available within the development boundary of Fermoy town. All of this land is suitable for development. New employment uses should be located within the town where they can support the viability of the town, help generate potential custom for other businesses and support compact growth.

The zoning of significant sites outside the town will undermine the delivery of these zoned lands and the case for infrastructure funding to support their delivery. Existing objectives of the plan cater for the development needs of established uses in greenbelt areas and the situations where exceptions to green belt policy can be considered. These policies are set out in Objective RP 5-16, 5-17 and 5-18 of the Draft Plan.

The Office of the Planning Regulator and Transport Infrastructure Ireland recommend that the plan be adopted without the proposed amendment. The local authority has an obligation to protect existing national routes particularly in terms of safety, capacity and efficiency and the proposal conflicts with this requirement.

#### **MA 3.1.5.28 - MH-I-07 (2.2ha) Mitchelstown**

The amendment proposes to zone the site for:

***MH-I-07: Industrial Use. Proposals will require a detailed landscaping plan and on-site SuDS to deal with surface water. Adequate separation should be provided between the development and adjoining uses.***<sup>^</sup>

This proposed amendment was the subject of a Notice of Motion passed by the Elected Members at Full Council Meeting on Monday 13<sup>th</sup> December 2021.

The site comprises 2.14 ha., backs onto the M8 Motorway and the entrance to the site is 300m from the access slipway to the M8 at Junction 13. Site is located east of the M8 in the open countryside in a rural area, approximately 3km south of Mitchelstown.

The development plan already provides in excess of 100ha of zoned business / industrial lands in Mitchelstown and over 60ha in Fermoy to cater for the development of new industrial and business uses along the motorway corridor. These lands all enjoy excellent access to the motorway network and offer plenty opportunity for the establishment of new business uses, while supporting the role and viability of the towns and compact growth. The zoning of sites outside the town will undermine the delivery of these zoned lands and the case for infrastructure funding to support their delivery.

#### **TII have serious concerns with regard to this proposed amendment as follows;**

This amendment **relates** to an industrial zoning MH -I-07 to west of the M8 which is remote from the Mitchelstown plan boundary.

TII seeks to ensure that the carrying capacity, operational efficiency, safety, and significant national investment made in national roads in Cork is protected and that the relevant policies/objectives included in the Draft County Development Plan are continued and improved in accordance with the requirements of the DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities (2012).

TII would emphasise that the DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities require that planning authorities must exercise particular care in their assessment of development plan proposals relating to the development objectives and/or zoning of locations at or close to interchanges where such development could generate significant additional traffic with potential to impact on the national road infrastructure.

In TII's opinion, this zoning taken is at variance with Section 2.7 of the DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities. The proposed zoning would also not be in accordance with requirements of the National Planning Framework, and RSES to maintain and protect the national road network.

In TII's opinion, this zoning is inappropriate and are at variance with DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities and European, national, and regional policies. TII 11 recommends that the zoning objectives is omitted to protect the steady-state maintenance, operation, and safety of the National Roads network.

A submission from the owner of the land the subject of the amendment was made in support of the amendment. Submission notes that any potential issues that may arise from the development of a civic amenity use on the site, such as visual impact, traffic management, noise, light / odour / vermin issues can be addressed at the project stage through design and operational management measures.

A submission was also received which was signed by thirty local persons strongly opposing the amendment for reasons include the following:

- Rezoning would be out of character with the pattern of residential development in the vicinity of the site, would constitute an unduly obtrusive feature in the landscape, would detract from the visual and residential amenities of the area.
- Development would seriously injure the amenities and depreciate the value of residential property.
- Set a precedent for further expansion later on.
- Road access is inadequate.
- Serious public health risk in having an industrial area located so close to a well supplying water to Mitchelstown public water supply.
- Risk of contaminating the Gradoge river and Sensitive wildlife and special areas of protection such as the Blackwater Callows (SPA).
- Site situated in the greenbelt.
- Site has no services and due to it isolated location, it would be difficult and costly to provide services.

The zoning of significant sites outside the town will undermine the delivery of these zoned lands and the case for infrastructure funding to support their delivery. Existing objectives of the plan cater for the development needs of established uses in greenbelt areas and the situations where exceptions to green belt policy can be considered. These policies are set out in Objective RP 5-16, 5-17 and 5-18 of the Draft Plan.

There is considerable local public opposition to the proposed zoning. The Office of the Planning Regulator and Transport Infrastructure Ireland recommend that the plan be adopted without the proposed amendment. The local authority has an obligation to protect existing national routes particularly in terms of safety, capacity and efficiency and the proposal conflicts with this requirement.

***Chief Executive's Recommendation***

**Not to Adopt the Proposed Amendment No.3.1.4.15 (FY-I-05) (Fermoy) and Revert back to the Draft Plan.**

**Not to Adopt the Proposed Amendment No.3.1.4.16 (FY-X-01) (Fermoy) and Revert back to the Draft Plan.**

**Not to Adopt the Proposed Amendment No.3.1.5.28 (FY-I-07) (Mitchelstown) and Revert back to the Draft Plan.**

## MA Recommendation 6 - Retail Outlet Centres

Having regard to:

- a) The provisions of the Retail Planning Guidelines for Planning Authorities (2012) that an overall strategy for the proper planning and sustainable development of the area must address retail development, that the policies and objectives included in the plan must be evidence-based and plan led and, in the case of County Cork, must be informed by a joint retail strategy with Cork City Council (as also required by CMASP PO 16 of the MASP);
- b) the absence of a joint determination by Cork County Council and Cork City Council in respect of the potential provision of retail outlet centre development in Cork City and County as required by the Minister under section 9(7) of the Act; and
- i) pending the determination by the Minister of any dispute between the two planning authorities in respect of the matter subject of the section 9(7) letter;

**The Local Authority is required to make the Plan without MA 1.9.20.**

### ***Chief Executive's Response***

The Local Authority notes the OPR's comment that the Local Authority did not to comply with Recommendation 9 of the Office's submission on the draft Plan concerning the preparation of a Joint Retail Strategy with Cork City Council to secure plan-led development of any future retail development across the two neighbouring authorities. OPR notes that Section 28 *Retail Planning Guidelines for Planning Authorities* (2012) state that the function of the development plan is to establish an overall strategy for the proper planning and sustainable development of its area.

The OPR states that Guidelines also identify Cork City and County Councils as the planning authorities to prepare the joint retail strategy for the 'Strategy Area' of Cork.

The decision to include MA 1.9.20 is considered by the OPR to be premature at this stage, due to the lack of a Joint Retail Strategy with Cork City Council to secure plan-led development of any future retail development across the two neighbouring authorities as envisaged in the section 28 Retail Planning Guidelines for Planning Authorities (2012) and a lack of a joint determination between Cork City Council and Cork County Council as to whether there is capacity and scope for retail outlet centre development in Cork City and County Council. The Office therefore recommends that the Plan be made without the proposed amendment.

Accordingly, the OPR states that the overall strategy for the proper planning and sustainable development of the area should, in relation to retail development, be informed by the preparation of the Joint Retail Strategy, rather than the proposed material amendment pre-emptively determining the matter.

A Draft Joint Retail Strategy and Study is in the process of being prepared, however, it was not completed in time to be included in this Plan. It is expected that this study will be concluded within 12 months of the adoption of both City and County Development Plans and once finalised will inform a variation to the Cork County Development Plan if considered appropriate.

The submission of the OPR dated 1<sup>st</sup> July 2021 on the draft plan had taken issue with the scope of the strategy stating, "*The Guidelines indicate, however, that a Joint Retail Strategy is **required** for the full extent of the planning authorities concerned, with reference to the additional retail floor space required to support the settlement hierarchy, the quantity and type of retail floor space requirements by constituent authorities, and guidance on the location and function of retail objectives taking account of the Retail Planning Guidelines policy objectives and the relevant settlement hierarchy.*" That submission was however premised on a misunderstanding of the Guidelines that such a Joint Retail Strategy was "required". Subsequent to the issue of this submission, judgment was delivered in the High Court on 5<sup>th</sup> November 2021 to the Cork County Council

challenge to the Section 31 direction by the Minister. Among the legal errors of the OPR and the Minister identified in judgment, was incorrectly proceeding on the assumption that a Joint Retail Strategy was “required”. Thus at para. 48 of the judgment, Humphreys J stated:

*“The really fundamental point under this heading is that not only is a joint retail strategy not “required”, but the council did not fail to have regard to the content of the guidelines. It is true that the guidelines phrase themselves in mandatory terms to the effect that certain things should or shall be done and so forth. However, all that has to be seen through the prism of the legal status of the guidelines, which in this instance is something that the council has to have regard to rather than be “required” to follow”.*

It is therefore clear that Recommendation 9 of the submission of the OPR on the Draft Plan and the recommendation of the OPR on the material alterations is premised on the same error and misunderstanding which afflicted the OPR’s submission on Variation No. 2 of the previous plan, the recommendation to the Minister that a draft Section 31 should issue and the issuing of the Section 31 Direction by the Minister is the erroneous view that a Joint Retail strategy is “required”.

In addition, the suggestion that the Guidelines “require” a Joint Retail Strategy for the entire functional areas of Cork County Council and Cork City Council, and not simply the Cork Metropolitan Area, is also inconsistent with the position adopted by the OPR in its submissions and recommendation on Variation No. 2. Thus in its recommendation to the Minister to make a draft direction under section 31AM(8) the OPR had said that Variation No. 2 had not been made in a manner consistent with the OPR’s recommendation that the variation should not be made prior to the preparation of an updated joint retail strategy for the *Cork Metropolitan Area*, as required by the Guidelines. There has therefore been an unexplained shift in interpretation by the OPR from saying that a Joint Retail Strategy is required for the Cork Metropolitan Area to now saying that a Joint Retail Strategy is required for the entire functional areas of Cork County Council and Cork City Council. This is aside from the erroneous view that the Guidelines “required” the Joint Retail Strategy. Insofar as the Guidelines envisage a Joint Retail Strategy being prepared, it does not say that the Joint Retail Strategy is envisaged for the entire functional areas of Cork County Council and Cork City Council.

Cork County Council will continue to work with Cork City Council in preparing a Joint Retail Strategy for the Cork MASP Area. It continues to be the view of Cork County Council that the preparation of such a Joint Retail Strategy for the MASP area only is the appropriate planning approach in particular given the size and scale of the County. Moreover, the stance adopted by the OPR in respect of Cork County Council and Cork City Council is inconsistent with the approach taken by the OPR with respect to Waterford City and Kilkenny County Council and adjoining local authorities who have prepared a Joint Strategy covering the Waterford Metropolitan Area (MASP). It is noted that the submission of the OPR, while requiring certain minor amendments in respect of the Joint Retail Strategy, did not seek that the strategy cover the whole of functional area of Waterford and Kilkenny.

It is also noted that the SRA had no concerns over the approach taken by Cork County and City Council’s in relation to the geographic extent of the Joint Retail Strategy.

As stated previously, given the significant amount of additional work involved it would not be possible within the current statutory CDP review timelines to carry out a Joint Retail Strategy for the entire County while incorporating a retail outlet centre policy and adopt the Development Plan on time. It should also be noted the Cork County and City Council prepared the previous Joint Retail Strategy on the same basis and this was not raised as an issue by the Department at the time.

Cork County Council will continue to consider the best option to provide an evidence base for retail development which will inform the core strategy, retail hierarchy and retail policy approach of the plan consistent with the provisions of the Guidelines and identify the additional retail floor space required to support the settlement hierarchy, the quantity and type of retail floor space requirements, and provide further

guidance on the location and function of retail objectives taking account of the Retail Planning Guidelines policy objectives and the relevant settlement hierarchy.

Insofar as the OPR recommendation refers to the letter of the Minister issued under section 9(7) which requires Cork County and Cork City planning authorities to co-ordinate the consideration of retail outlet centre, Cork County Council has initiated judicial review proceedings in relation to the section 9(7) letter. Such letter was issued at a late stage of the development plan process (after the publication of the draft plan) and the Council has taken steps in respect of the section 9(7) notice without prejudice to the Council's legal arguments in those proceedings,. Due to lateness of the section 9(7) letter it is not possible co-ordinate matters within the time remaining for the making of the development plan.

The OPR submission notes that the reason for the amendment given in the Chief Executive's Report is 'to reflect the decision by judicial order to quash the Section 31 Direction of Variation no.2 of the Cork County Development Plan 2014 and provide for its inclusion in the plan'. The submission then comments that "...planning authority is aware, however, that this order is currently the subject of an appeal to the Court of Appeal". The mere fact that a matter is appealed, does not in any way detract from the status of High Court judgment as a clear and definitive finding of the law. Insofar as the comments of the OPR suggest that the High Court judgment is in some way provisional or contingent this is wholly misplaced and incorrect.

The OPR's submissions states that the decision to include MA 1.9.20 is considered by the Office to be premature at this stage, due to the lack of a Joint Retail Strategy with Cork City Council to secure plan-led development of any future retail development across the two neighbouring authorities as envisaged in the Section 28 Retail Planning Guidelines for Planning Authorities (2012). However, the Section 31 Direction in respect of Variation No. 2 was premised on a similar claim of prematurity by reference to the Guidelines. Such an approach was found to be flawed by the High Court and so the submission of the OPR involves a repetition of statements which were found by the High Court to be erroneous. The recommendation of the OPR to make the plan without the proposed amendment is premised on an unlawful and erroneous interpretation of the Guidelines.

Thus it is Cork County Council's view that the State's Appeal of the High Court judgment on the Section 31 Direction does not affect the preparation of the Cork County Development Plan 2022-2028, in particular to: PROPOSED AMENDMENT NO. 1.9.20 RETAIL: UPDATE TO PARAGRAPHS 9.11.9 TO 9.11.13 ON RETAIL OUTLET CENTRES ORIGIN OF AMENDMENT and PROPOSED AMENDMENT NO. 1.9.21 RETAIL: ADDITIONAL PARAGRAPH ON DESIGN AND INNOVATION. The above referenced Amendments seek to reflect the decision by judicial order to quash the Section 31 Direction of Variation No. 2 of the Cork County Development Plan 2014 and provide for its inclusion in the final adopted County Development Plan.

**Finally in order to clarify matters around Joint Retail Strategies a minor modification is proposed to Proposed Amendment 1.9.16 on the basis of the S.31 High Court judgement that stated that the test in relation to the RPG is "have regard to" and that in the circumstances it is appropriate to modify the wording to accurately reflect the judgement.**

### ***Chief Executive's Recommendation***

**Adopt Proposed Amendment No. 1.9.20 (Retail Outlet Centre) without Modification.**

**Adopt Proposed Amendment No. 1.9.16 with Minor Modification as follows;**

RETAIL: NEW PARAGRAPH 9.5.7 JOINT RETAIL STUDY FOR METROPOLITAN CORK

~~As is required by the Retail Planning Guidelines,~~ A Draft Joint Retail Strategy and Study is in the process of being prepared, however, it was not completed in time to be included in this Plan. It is expected that this

study will be concluded within 12 months of the adoption of both City and County Development Plans and once finalised will inform a variation to the Cork County Development Plan



## *Theme: Environment, Heritage and Amenities*

### *MA Recommendation 7 - Appropriate Assessment*

Having regard to the requirements of the Habitats Directive, the findings of the Natura Impact Assessment prepared by the planning authority, and the greenfield/agricultural nature of the site, **the Local Authority is required to make the Plan without MA.4.3.8.3.**

#### ***Chief Executive's Response***

The OPR notes that the Nature Impact Report concludes that, apart from MA 4.3.8.3, no proposed amendments of the County Development Plan have been identified to have the potential to cause or contribute to significant effects on one or more European Sites. MA 4.3.8.3 proposes to amend c.0.98ha from Green Infrastructure WG-CG-04 to 'Existing Mixed / General Business / Industrial Uses'.

The OPR also states that 'the Planning Authority, as the Competent Authority will be aware of the requirements under Articles 6(3) and 6(4) of the Habitats Directive, as transposed'.

The OPR notes that the subject site would appear to be greenfield in nature, and that it is in agricultural use with no record of extant planning permission on the NPAD system. As such, the proposed zoning of the site as 'Existing Mixed / General Business / Industrial Uses' would not appear to be justified.

The Local Authority note the OPR's recommendation in this case and in particular the implications for the Planning Authority, as the Competent Authority of the requirements under Articles 6(3) and 6(4) of the Habitats Directive, as transposed.

Therefore, in order to ensure the protection of the Cork Harbour SPA and that the Plan is compliant with the requirements of the Habitats and Birds Directives, it is recommended that this amendment not be adopted. **If adopted, this amendment will need to be subject to Appropriate Assessment.**

#### ***Chief Executive's Recommendation***

**Not to Adopt the Proposed Amendment No.4.3.8.3 (Whitegate/Aghada)**

## Advices and Other Matters

In addition, the following issues were raised by the OPR:

### Traveller Accommodation

The OPR commented that MA 1.4.9 does not adequately address Recommendation 8 of the Office's submission in relation to Traveller accommodation on the draft Plan to meet the statutory requirements under section 10(2)(i) of the Act, that is to include objectives for the provision of accommodation for Travellers, and the use of particular areas for that purpose.

### Chief Executive's Response

Circular 35/2018 issued from the Department of Housing, Planning and Local Government to all local authorities on the 19th July 2018 notified all local authorities of the requirement to prepare and adopt a 5 year Traveller Accommodation Programme covering the period 1st July 2019 – 30th June 2024. Consultation on the preparation of the Traveller Accommodation Programme was essential in order to ensure that the concerns of all those affected by the Plan were considered and to ensure a fully comprehensive response to accommodation needs of travellers was produced. The Traveller Accommodation Programme (TAP) 2019-2024 was adopted at a meeting of the full council held on the 23rd of September 2019.

The TAP anticipates that the future accommodation needs of those Traveller Households whose current accommodation is in private rented accommodation can be met in private rented accommodation and a modification is proposed to Amendment 1.4.9 in this regard.

The location of Standard Housing/Acquisition Units will be dependent on availability of those units over the course of the plan and any allocation will be made in accordance with Cork County Council's Allocation Scheme. Likewise, the location of HAP units will be dependent on a number of factors including the availability of same from the private rented sector over the course of the Programme.

Therefore, there is no requirement at this stage to identify individual sites and needs are planned to be met from existing sites or from existing housing stock. It is intended to address the issue of Traveller accommodation plans based on the current Traveller Accommodation Programme 2019-2024.

The following table from the current Traveller Accommodation Programme 2019-2024 setting out overall accommodation targets for County Cork should be noted.

#### 5.4 Overall Accommodation Targets County Cork:

Accommodation Type	South	West	North	Total
Standard Housing/Acquisitions	5	12	14	31
Group Housing	0	0	2	2
Residential Caravan Bay/Existing Bays	2	2	5	9
HAP	9	10	7	26
<b>Total</b>	<b>16</b>	<b>24</b>	<b>28</b>	<b>68</b>

## **Chief Executive's Recommendation**

### **Adopt Proposed Amendment 1.4.9 with Minor Modification as follows;**

Circular 35/2018 issued from the Department of Housing, Planning and Local Government to all local authorities on the 19th July 2018 notified all local authorities of the requirement to prepare and adopt a 5 year Traveller Accommodation Programme covering the period 1st July 2019 – 30th June 2024. Consultation in the preparation of the Traveller Accommodation Programme was essential in order to ensure that the concerns of all those affected by the Plan were considered and to ensure a fully comprehensive response to accommodation needs of Travellers was produced. The Traveller Accommodation Programme 2019-2024 was adopted at a meeting of the full council held on the 23rd September 2019.

**The TAP anticipates that the future accommodation needs of those Traveller Households whose current accommodation is in private rented accommodation can be met in private rented accommodation.**

~~It is taken that those Traveller Households whose current accommodation is in private rented accommodation and those future family households needs can be met in private rented accommodation.~~

The location of Standard Housing/Acquisition Units will be dependent on availability of those units over the course of the plan and any allocation will be made in accordance with Cork County Council's Allocation Scheme. Likewise, the location of HAP units will be dependent on a number of factors including availability of same from the private rented sector over the course of the Programme.

It is intended to address the issue of traveller accommodation plans based on the current Traveller Accommodation Programme 2019-2024 **and any subsequent programme adopted by the Council.**

### ***Retail (further to Recommendation No.6)***

The OPR raises concerns about MA no 5.1.4.16 which amends BD-X-04 special policy area to east of Bandon's town centre to also allow for retail development. In addition, they also have concerns about MA 5.2.5.13 which changes CK-B-02 Business to CK-X-0 Mixed use (Special Policy) including retail, enterprise and technology, c.2.5ha, on a site to the west side of Clonakilty.

The OPR states that in the absence of a completed Joint Retail Strategy, and taking account of the Town Centre First Strategy recently launched by Government, it is considered that allowing retail in these locations, without clear policy limitations on the scale and nature of that retail has the potential to undermine the viability and vitality of the existing retail offer in Bandon's retail core. The submission therefore advises that a minor modification be made to amendment to **BD-X-04** and **CK-X-0** clearly delimiting the scale and nature of retail use permissible, or by prohibiting consideration of any retail on the site until the completion and adoption into the Plan of a Joint Retail Strategy which address the retail offer on this site.

### ***Chief Executive's Response***

It is the Local Authorities view in both these cases that it is appropriate to allow consideration of retail developments on these sites. Any retail development on these site will have to have regard to the Retail Planning Guidelines for Planning Authorities (2012) including the preparation of a Retail Impact Assessment which will include application of the sequential test and consideration of the impact that any retail development may have on the vitality and viability of the town centre in which sites are located and of adjoining towns. In order to bring further certainty to these matters it is proposed to include a minor modification stating that any retail would be primarily convenience retailing.

### ***Chief Executive's Recommendation***

#### **Adopt Proposed Amendment 5.1.4.16 with Minor Modification as follows;**

BD-X-04 is a new Special Policy Area focussed on lands east of the town centre which are identified as having the potential to contribute positively to the compact growth of the town. The Plan supports the future use of these lands as an area suitable for mixed use office development, **retail (primarily convenience retailing)** with the opportunity to include a residential element to the south, adjacent to Connolly Street.

#### **Adopt Proposed Amendment 5.2.5.13 with Minor Modification as follows;**

~~CK-B-02 Business Development incorporating high quality building design.~~

Insert new special policy zoning text as follows:

**CK-X-0 Mixed Use Development including retail (primarily convenience retailing), enterprise and technology uses. Any proposal for development on this site should be subject to an agreed access strategy in accordance with the provisions of the Spatial Planning and National Roads Guidelines for Planning Authorities. ^**

## *Flooding*

The OPR submission also notes the recommendation of SFRA that two proposed material amendments to the zoning objectives be omitted as follows:

### **Mallow**

MA 3.2.3.23 to change part of the 'Existing Residential / Mixed Residential and Other Uses' zoning to 'Existing Mixed/ General Business/ Industrial Uses (known as Lacknahoola) in Mallow. MA 3.2.3.23 would accommodate less vulnerable uses than the zoning proposed under the draft Plan. In view of the extensive flood risk on the site, which does not allow for the application of the sequential test through the development management process, and given the significant depth of flood potential on the site, the OPR advises the Local Authority to consider what minor modifications it could include in making the Plan to minimise flood risk for future development of this site.

### **Chief Executive's Response**

The Draft Plan zoned the lands in question as 'Existing Residential/Mixed Residential and Other Uses'. An update of the Strategic Flood Risk Assessment (SFRA) of the Draft Plan showed these lands located within Flood Zone A and B and the Justification Test was applied and failed. The SFRA recommended a water compatible zoning be considered and the Chief Executive recommended that the site be zoned as green infrastructure. This proposal was rejected by Members, who resolved at the full Council Meeting on 13<sup>th</sup> December 2021, through a Notice of Motion, to zone the lands as Existing Mixed/ General Business/ Industrial Uses.

Changing from a highly vulnerable to less vulnerable use is welcomed, but development on the site would still need to follow the sequential approach for sites which have not passed the Justification Test, namely avoidance of highly vulnerable development in Flood Zones A and B and less vulnerable development in Flood Zone A. Text to re-iterate this should be included as a minor modification to the flooding text for Mallow subject of Proposed Amendment No. 3.2.3.20, as there is no specific zoning objective for these lands.

### **Chief Executive's Recommendation**

**Adopt Proposed Amendment 3.2.3.20 with Minor Modification as follows:**

#### **PROPOSED AMENDMENT NO. 3.2.3.20**

#### **MALLOW: UPDATE TO FLOODING TEXT**

#### **ORIGIN OF MINOR MODIFICATION TO AMENDMENT**

This amendment is required to address issues raised by the Strategic Flood Risk Assessment and the OPR.

#### **PROPOSED AMENDMENT**

It is proposed to update paragraph 2.3.93 by including additional text as follows:

"Mallow has a long history of flooding and a flood relief scheme to provide protection from a 1 in a 100 year flood event has recently been completed which includes demountable defences, defence walls and embankments, culverts, storm drains and pumping stations. A flood warning system has also been provided. Some areas including the Town Park and Park Road continue to function as part of the floodplain and are inundated during some flood events. In line with Government Guidelines on Flood Risk Management, defended areas are considered to remain at risk of flooding as the defences may fail and there is no guarantee that they will be maintained in the long term. *The approach to Flood Risk Management is set out in Chapter 11 Water*

*Management in Volume One of this Plan and in the updated Strategic Flood Risk Assessment (SFRA), October 2021. The updated SFRA should be consulted for any settlement specific comments and recommendations, including any site-specific recommendations made as part of any Justification Tests carried out, prior to any application for development.*

The Strategic Flood Risk Assessment (SFRA) found that lands at Lacknahoola which are zoned as Existing Mixed/General Business/Industrial Uses, did not pass the plan making Justification Test. Any development on the site would need to follow the sequential approach for sites which have not passed the plan making Justification Test, namely avoidance of highly vulnerable development in Flood Zones A and B and less vulnerable development in Flood Zone A.”

**Adopt Proposed Amendment 3.2.3.23 with No Modification.**

**Bandon**

MA 5.1.4.23 to extend the development boundary of Bandon and zone lands within the extension as ‘Residential Reserve’ BD-RR-02.

***Chief Executive’s Response***

See CE recommendation in Response to OPR Recommendation No.2 as follows;

**Not to Adopt the Proposed Amendment 5.1.4.23 (Bandon BD-RR-02) and Revert back to the Draft Plan.**

### *2.3 Issues raised by the Southern Regional Assembly*

The submission from the Southern Regional Assembly (SRA) welcomes the publication of Proposed Material Alterations to the Draft Cork County Development Plan 2022-2028 and commend the Planning Policy Unit of Cork County Council on the in-depth amendments which strengthen the content of the Development Plan, and the implementation of key objectives which will deliver the objectives of the NPF and RSES and which have addressed the previous recommendations of the SRA to the Draft Plan. This positive submission makes specific reference in support of a number of Proposed Amendments with their respective RPOs as contained in the RSES for the Southern Region.

Regarding Proposed Amendment 1.12.14, which specifically refers to thresholds for Local Transport Plans (LTPs), the submission notes that it would be helpful to qualify the intent to prepare LTPs for the Key Towns of Mallow and Clonakilty and other towns as the population indicated (at or approaching 10,000) may preclude settlements less than that scale that play an important service and employment role to wide hinterlands that would benefit from a LTP.

#### ***Chief Executive's Response***

The Planning Authority acknowledge and welcome the support for the proposed amendments as outlined in this submission. Regarding Proposed Amendment 1.12.14, It is considered important to prioritise the preparation of Local Transport Plans for key towns and larger towns with a population at or approaching 10,000. This however does not preclude the preparation of Local Transport Plans for other settlements if appropriate and if resources allow for this. It is not proposed to modify Proposed Amendment 1.12.14.

#### ***Chief Executive's Recommendation***

To Adopt the following Proposed Amendments:

Proposed Amendment 1.1.1, 1.21.2

Proposed Amendment 1.2.3, 1.2.6, 1.2.9, 1.2.11, 1.2.12, 1.2.13, 1.2.20

Proposed Amendment 1.3.4, 1.3.7, 1.3.9, 1.3.10, 1.3.11, 1.3.15, 1.3.12

Proposed Amendment 1.4.1, 1.4.2 and 1.4.10

Proposed Amendment 1.5.7

Proposed Amendment 1.6.5 to 1.6.9

Proposed Amendment 1.6.11 and 1.6.13

Proposed Amendment 1.7.8 to 1.7.10

Proposed Amendment 1.8.3, 1.8.6, 1.8.7, 1.8.8, 1.8.11, 1.8.17, 1.8.18

Proposed Amendment 1.9.5, 1.6.15, 1.9.21, 1.9.16

Proposed Amendment 1.10.18

Proposed Amendment 1.11.1, 1.11.7

Proposed Amendment 1.12.1, 1.12.14 to 1.12.18, 1.12.19, 1.12.25, 1.12.26, 1.12.34, 1.12.39, 1.12.50, 1.12.52, 1.12.54, 1.12.55, 1.12.61

Proposed Amendment 1.13.1, 1.13.8, 1.13.9, 1.13.20, 1.13.22, 1.13.32

Proposed Amendment 1.14.3, 1.14.9, 1.14.21

Proposed Amendment 1.15.1, 1.15.8, 1.15.10, 1.15.14

Proposed Amendment 1.16.4, 1.16.6, 1.16.15, 1.16.27, 1.6.30, 1.16.31

Proposed Amendment 1.17.2

Proposed Amendment 1.18.1, 1.18.2, 1.18.4, 1.18.5, 1.18.14

Proposed Amendment 1.19.5



## *2.4 Issues raised in relation to Core Strategy, Housing Placemaking and Settlements and Rural*

### **Core Strategy**

There were eight submissions received which directly related to Chapter 2 Core Strategy. Most of the Core Strategy issues are either discussed in the CE Response to the individual issues raised in the relevant submission, or dealt with in Section 2.2 of this Report which highlights the Issues Raised by the Office of the Planning Regulator and also Section 2.3, which highlights the Issues Raised by the Southern Regional Assembly.

Please refer to Volume One Part 2 for the recommendations of the Proposed Amendments on whether to adopt the proposed amendment/adopt with minor modification/not adopt and revert back to the Draft Plan and also see Section 2.2 and 2.3 of this Report and Volume Two Part 1 for Response and Recommendations to the submissions regarding the Core Strategy.

### **Housing**

There were six submissions received directly relating to Chapter 4 Housing. See Volume One Part 2 for the recommendations of the Proposed Amendments on whether to adopt the proposed amendment/adopt with minor modification/not adopt and revert back to the Draft Plan. See Volume Two Part 1 for Response and Recommendations to the submissions regarding Housing.

The issue of Traveller Accommodation has been addressed within the Response to The Office of the Planning Regulator in Section 2.2 of this Volume.

### **Placemaking and Settlements**

There were no submissions received in relation to this chapter.

### **Rural**

A total of 2 of submissions were received relating directly to Chapter 5 Rural. One submission expressed dissatisfaction that no changes were proposed to the Draft Plan Rural Housing Policy in response to submissions received to the Draft Plan. Further issues raised are outside the scope of this stage of the process. A second submission supports the amendments to Chapter 5 and a number of other unspecified amendments relating to Volume One.

### **Chief Executive's Response**

See Section 2.2 of this Report and Volume Two Part One for Response and Recommendations to the submissions regarding these Chapters

### **Chief Executive's Recommendation**

See Section 2.2 of this Report and Volume One Part Two for the recommendations on the relevant Proposed Amendments on whether to adopt the proposed amendment/adopt with minor modification/ not adopt and revert back to the Draft Plan.

## *2.5 Issues raised in relation to Marine, Coastal and Islands*

A total of 2 of submissions were received relating directly to Chapter 7 Marine, Coastal and Islands. One submission from the Department of Agriculture, Food and the Marine states that the Department have no observations or comments on proposed amendments to the Draft Cork County Development Plan 2021 and preparation of a new County Development Plan. The second relates to proposed amendment 1.8.14 which it welcomes but considers that a greater emphasis is required on new technologies with regard to fish farming and aquaculture, particularly where same have been proven to be more sustainable. Recirculation Aquaculture Systems (RAS) in particular are noted in the submission to have the potential to overcome many traditional constraints while also increasing efficiencies. The Council is supportive of the deployment of new technology where appropriate and beneficial and where it supports the delivery of the objectives of the Development Plan. It is not appropriate for the Plan to predetermine the broad suitability of a specific technology for deployment generally. Furthermore, it is not necessary or feasible for the plan to name check individual technologies for specific sectors of the economy. The change proposed is very specific in nature and would be a material change to the plan. It would not be appropriate at this stage of the review process to make the change requested to proposed amendment.

### ***Chief Executive's Response***

See Volume Two Part One for Response and Recommendations to the submissions regarding Marine, Coastal and Islands.

### ***Chief Executive's Recommendation***

See Volume One Part Two for the recommendations on the relevant Proposed Amendments on whether to adopt the proposed amendment/adopt with minor modification/ not adopt and revert back to the Draft Plan.

## *2.6 Issues raised in relation to Tourism*

A total of 2 of the submissions were received relating directly to Chapter 10 Tourism. These submissions presented no key issues in relation to Chapter 10 Tourism. See Volume One Part Two for the recommendations on the relevant Proposed Amendments on whether to adopt the proposed amendment/adopt with minor modification/ not adopt and revert back to the Draft Plan. See Volume Two Part One for Response and Recommendations to the submissions regarding Tourism.

### ***Chief Executive's Response***

Please refer to the individual submissions for the Chief Executive's Response in Volume Two Part One of this document

### ***Chief Executive's Recommendation***

Please refer to the individual submissions for the Chief Executive's Response in Volume Two Part One and Volume One Part 2 for recommendations on the Amendments to the Draft Development Plan.

## 2.7 Issues raised in relation to Water Management

Three submissions were received directly in relation to the Water Management Chapter including a detailed submission from the Office of Public Works. The response to the OPW submission is available in Volume Two, Part 1 of this Report.

There was also a number of submissions received relating to specific sites that raise issues on the Plan's approach to flooding and flood risk. While responses are provided directly to those submissions in Volume Two Part 2 of this Report, there are two thematic issues that merit an expanded discussion as outlined below.

### **Chief Executive's Response**

A draft Strategic Flood Risk Assessment (SFRA) was published with the Draft Plan on the understanding that this would be updated to reflect the availability of improved mapping and adapting the methodology of the SFRA to achieve greater alignment with the Planning and Flood Risk Management Guidelines for Planning Authorities, November 2009. The updated SFRA was published alongside the Proposed Amendments to the Draft Plan in January 2022. The recommendations of the SFRA have resulted in changes to a number of zoned sites and submissions received in relation to proposed amendments on foot of the SFRA have referenced recurring issues in relation to the flood zone mapping and the presence of flood defences.

For some of these sites, an initial screening exercise indicated that they would fail the Plan Making Justification Test. These Justification Tests have now been completed and will be included as non-material additions to the final Strategic Flood Risk Assessment to provide maximum transparency on the assessment of these lands.

### Flood Zone Mapping

A key issue that has emerged from the submissions has related to the validity of the flood zone maps developed as part of the updated Strategic Flood Risk Assessment. The purpose of the SFRA is to provide a broad (area-wide) assessment of all types of flood risk to inform strategic land-use planning decisions for County Cork. The assessment and appraisal of flood risk in this plan adopted a staged approach in accordance with the recommendations outlined in The Planning and Flood Risk Management Guidelines for Planning Authorities, November 2009.

A Stage 1 and Stage 2 SFRA has been carried out. This includes Flood Risk Identification as part of Stage 1 which essentially sought to identify where there are flooding issues in the County. Subsequently a Stage 2, Initial Flood Risk Assessment, was carried out which sought to confirm the sources of flooding that affect the County including appraising the adequacy of existing information and the extent of the risk of flooding. This stage included preparing flood zone maps.

Section 2 of SFRA reviews the availability of data relating to flood risk in County Cork. There are a number of datasets which record historical and / or predicted flood extents. The aim of the review was to identify flood risk based on the data available, including historical records, considering all sources of flooding, and to appraise the quality and usefulness of the data.

Table 2 in the SFRA summarises the data available and its quality, includes an assessment of confidence in its accuracy (when attempting to incorporate it into the flood zone map) and gives an indication of how it was used in the SFRA study.

In carrying out the SFRA the best available data was used to inform the flood zone mapping. To provide further clarity, and as requested by the OPW in their submission on the proposed amendments, a table will be inserted into the Final SFRA which will show the data sets used for each settlement.

Whilst the SFRA carried out a Stage 1 and Stage 2 assessment, some submissions on the proposed amendments have included Stage 3 Site Specific Flood Risk Assessments. It is recognised that site specific information may contradict the Flood Zones, either to demonstrate a greater or lesser level of flood risk. This is explicitly acknowledged in Section 2.3, paragraph 2.3.5 of the updated SFRA. However, the data that has

been used is deemed appropriate for the planning decisions being made at this stage of the plan making process. Stage 2 assessment and mapping is what has been used in the SFRA exercise for the previous County Development Plan 2014 and the 2017 Local Area Plans and this SFRA does not depart from this approach, however, the Council have taken the opportunity to utilise the best available data at the appropriate scale in each settlement in the development of the mapping. It should also be noted that the OPW, the lead agency for flood risk management in Ireland, have welcomed the mapping used in the updated SFRA.

In conclusion, the updated Flood Zone Maps have been developed as a spatial planning tool to guide the Council in making land zoning and development management decisions and are deemed appropriate for the planning decisions being made at this stage of the plan making process.

### **Flood Defences**

Several submissions have suggested that the presence of defences suggests that the lands are no longer in Flood Zone A or B and should be released for development and accordingly zoned in the Development Plan.

The Planning System and Flood Risk Management Guidelines for Planning Authorities are very clear that the presence of flood defences should be ignored in the determination of flood zones. This is because areas protected by flood defences still carry a residual risk of flooding from overtopping or breach of defences and the fact that there may be no guarantee that the defence will be maintained in perpetuity.

Residual risk is the risk that remains after measures to control flood risk have been carried out. The concept of residual risk is explained in greater detail in 'The Planning System and Flood Risk Management Guidelines for Planning Authorities and Technical Appendices, 2009' as follows:

*"Although flood defences may reduce the risk of flooding, they cannot eliminate it. A flood defence may be overtopped by a flood that is higher than that for which it was designed or be breached and allow flood water to rapidly inundate the area behind the defence. In addition, no guarantee can be given that flood defence will be maintained in perpetuity. As well as the actual risk, which may be reduced as a result of the flood defence, there will remain a residual risk that must be considered in determining the appropriateness of particular land uses and development. For these reasons, flooding will still remain a consideration behind flood defences and the flood zones deliberately ignore the presence of flood defences."*

Overtopping of flood defences will occur during flood events greater than the design level of the defences. Overtopping is likely to cause more limited inundation of the floodplain than if defences had not been built, but the impact will depend on the duration, severity and volume of floodwater. However, and more critically, overtopping can destabilise a flood defence, cause erosion and make it more susceptible to breach or fail. Recovery time and drainage of overtopping quantities should also be considered. Overtopping may become more likely in future years due to the impacts of climate change and it is important that any assessment of defences includes an appraisal of climate change risks.

Breach or structural failure of flood defences is hard to predict and is largely related to the structural condition and type of flood defence. Breach will usually result in sudden flooding with little or no warning and presents a significant hazard and danger to life. There is likely to be deeper flooding in the event of a breach than due to overtopping.

The SFRA acknowledges that consideration should be given to the benefit provided by flood defences, but only once the Plan making Justification Test has been applied and passed.

There are a number of flood defences that have been constructed, are nearing completion or are in the design and planning stages across the County, full details of which are set out in the SFRA. Whilst existing development clearly benefits from the construction of defences, it is against sustainability objectives, and the general approach of the OPW, to construct defences with the intention of releasing land for development.

In conclusion, the determination of flood zones has ignored the presence of flood defence structures and where implemented, flood defences are designed to protect existing properties and it is not intended that they facilitate new development in areas outside the core of the settlement where Part 1 and/or 2 of the Justification Test have been failed.

### ***Chief Executive's Recommendation***

Make non-material changes to the Strategic Flood Risk Assessment.

## ***2.8 Issues raised in relation to Transport and Mobility***

There were 8 submissions made directly in relation to Transport and Mobility and a further 2 submissions, made to MD chapter and Chapter 13, Energy, also raise transport issues.

A key issue emerging in relation to Transport and Mobility is the transport commuting mode share targets used in the Draft Plan.

### ***Mode share***

A submission from the NTA expresses a view that it is unclear how the 2028 mode shares for each of the towns have been derived and it notes that when determining the car mode share (a standardised 60%), no distinction has been made between the Metropolitan Area towns and those in other parts of the county, despite the very different circumstances that apply, in terms of scale and the availability of public transport alternatives, provided for under CMATS.

The NTA also stated that it is unclear how the public transport mode shares have been determined for 2028, with very low targets applying in some Metropolitan Area towns such as Cobh (5%) despite CMATS' provision for substantial investment in Suburban Rail and substantial population growth, and Carrigaline (8%), despite the Draft Development Plan's provision for substantial population growth during the plan period.

It submits that it is unclear why many of the non-metropolitan area towns with populations of less than 5000 have been assigned somewhat higher public transport mode share targets than much larger towns within the Metropolitan Area.

It recommends that, in identifying mode share targets for the County's towns, across a range of journey purposes, a profiling of travel patterns is undertaken, through an interrogation of existing transport data, by mode and by journey purpose in order to better understand transport demand and associated travel patterns and what influences/determines them.

A submission from the Cork Transport and Mobility Forum makes reference to the modal share targets as being highly questionable, adding that it is obvious that no differentiated consideration has been given to the potential that individual towns offer for a substantial modal shift to cycle traffic, adding that this contravenes established national and regional policy.

### ***Chief Executive's Response***

Profiling of travel patterns was undertaken as part of the preparation of the Draft Plan - see Background Document No. 8 Transport and Mobility: <https://www.corkcoco.ie/sites/default/files/2020-03/background-document-no-8-transport-and-mobility.pdf>

This comprised an interrogation of 2016 census POWSCAR data by mode and by journey purpose and informed the baseline mode share data for commuting to work set out in Table 12.3 in the Draft Plan. The level of interrogation carried out was tailored to the resources and time available at that time.

As set out in the section 12(4) Chief Executive's Report, the Draft Plan makes reference to the range of existing mode share targets of relevance to Cork and it sets out the targets in Smarter Travel (National Sustainable Transport Policy), CMATS and Cork Metropolitan Area Cycle Network Plan which set targets to be achieved in the following periods respectively: 2009-2020, 2011-2040 and 2018-2025. The National Cycle Policy Framework target is to 2020. These targets vary between representing work related commuting, am peak mode share, all journeys, or non-specified journey types.

Table 12.5 of the Draft Plan sets out a mode share target for each town, in relation to commuting only, to correspond with the commuting baseline data set out in Table 12.3. As strategy documents such as CMATS had already dedicated resources to developing specific mode share targets, and in the absence of a level of resources that might have allowed an alternative approach to be taken, these were considered when developing targets for the Draft Plan.

In developing commuting mode share targets, as a starting point, the adopted walking mode share target of CMATS, to 2040, was applied to the available mode share data for each town to translate it to a 2028 walking mode target for each town. Then a cycle mode share was identified. While CMATS uses an AM peak mode cycling target of 4% in 2040 in Metropolitan Cork, for the Draft Plan, given emerging data regarding active travel investment, a much higher cycling mode target for commuting of 4% to 2028 was applied. This was applied to both Metropolitan and Non-Metropolitan Cork. A 60% car commuting target was used for each town and the balance was the target used for public transport.

The approach taken seeks to be reasonable and given the significance of the use of the private car nationally, and particularly in Cork, much higher targets may have seemed unrealistic. For example, 82% of commuters travelling to work in Cork County were using a private car in 2016 compared to 66% nationally. If a target of 45% mode share for the private car (such as is used in Smarter Travel) was used it may be seen as unrealistic to achieve such a modal shift over the 6 year lifetime of the County Development Plan.

The comprehensive objectives in the Draft Plan reflect the Council's strong commitment to delivering significant modal shift to sustainable transport modes. The Plan aims to integrate land use and transport planning and deliver liveable towns as a key climate action measure.

Irrespective of specific targets, there is a need to increase the uptake of sustainable transport as much as possible. Also, irrespective of specific targets, the Council will seek to monitor any progress that is made in this regard as comprehensively as possible. Given the recent investment in new active travel infrastructure, Bandon and Carrigaline TPREPs, Little Island Sustainable Transport Interventions with recent Part 8 approval, the level of planned active travel infrastructure, increased use of e-bikes, smart mobility enhancement, etc. the targets identified may be significantly exceeded. Most importantly, targets will not limit efforts to promote modal shift.

The Department of Transport's 'Smarter Travel: A Sustainable Transport Future, A New Transport Policy for Ireland 2009-2020', set mode share targets for work related commuting – targets which are reflected in the Regional, Spatial and Economic Strategy for the Southern Region (RSES). This is referred to in paragraph 12.5.4 of the Draft Plan which outlines that the policy is currently under review and further outlines that, should the updated policy set sustainable transport targets, these will apply in County Cork.

The mode share targets in the plan will be kept under review, in particular with regard to new National Sustainable Transport Policy expected in Q2 2022. In addition, it is intended that the Council will consult with the NTA with a view to scoping additional travel pattern profiling.

### ***Chief Executive's Recommendation***

No further action required.

### ***2.9 Issues raised in relation to Energy and Telecommunications***

A total of 3 of the submissions were received relating directly to Chapter 13 Energy and Telecommunications, including a submission for the Electricity Supply Board which was in support of the proposed amendments in the Energy chapter. These submissions presented no key issues in relation to Chapter 13 Energy and Telecommunications.

### ***Chief Executive's Response***

See Volume Two Part One for Response and Recommendations to the submissions regarding Energy and Telecommunications.

### ***Chief Executive's Recommendation***

See Volume One Part Two for the recommendations on the relevant Proposed Amendments on whether to adopt the proposed amendment/adopt with minor modification/ not adopt and revert back to the Draft Plan.

### ***2.10 Issues raised in relation to Green Infrastructure and Recreation***

There were no key issues raised regarding Green Infrastructure and Recreation.

### ***Chief Executive's Response***

See Volume Two Part One for Response and Recommendations to the submissions regarding Green Infrastructure and Recreation.

### ***Chief Executive's Recommendation***

See Volume One Part Two for the recommendations on the relevant Proposed Amendments on whether to adopt the proposed amendment/adopt with minor modification/ not adopt and revert back to the Draft Plan

### ***2.11 Issues raised in relation to Biodiversity and Environment***

One submission from the Department of Housing, Local Government and Heritage was received relating directly to Chapter 15 Biodiversity and the Environment. The submission presented no key issues in relation to Chapter 15.

### ***Chief Executive's Response***

See Volume Two Part One for Response and Recommendations to the submissions regarding Chapter 15 Biodiversity and the Environment



### **Chief Executive's Recommendation**

See Volume One Part Two for the recommendations on the relevant Proposed Amendments on whether to adopt the proposed amendment/adopt with minor modification/ not adopt and revert back to the Draft Plan

#### *2.12 Issues raised in relation to Built and Cultural Heritage*

There were two submission received directly relating to Chapter 16 Built and Cultural Heritage. These submissions presented no key issues in relation to Chapter 16 Built and Cultural Heritage.

### **Chief Executive's Response**

See Volume Two Part One for Response and Recommendations to the submissions regarding Chapter 16 Built and Cultural Heritage.

### **Chief Executive's Recommendation**

See Volume One Part Two for the recommendations on the relevant Proposed Amendments on whether to adopt the proposed amendment/adopt with minor modification/ not adopt and revert back to the Draft Plan.

#### *2.13 Issues raised in relation to Climate Change*

There was one submission made directly to Chapter 17 Climate Action. This submission, from TII, is included in Chapter 12 Transport and Mobility. No key issue in relation to Climate Action has been identified in the submissions.

#### *2.14 Issues raised in relation to Volume 2: Heritage and Amenity*

There were five submissions received directly relating to Volume 2 Heritage and Amenity. These submissions presented no key issues in relation to Volume 2 Heritage and Amenity. Two submissions were in support of the addition of the Former Railway Station and Signal Post in Baltimore to the Record of Protected Structures. One submission proposed a deletion from the Record of Protected Structures (RPS ID 02991 – Former Fever Hospital, Mitchelstown).

### **Chief Executive's Response**

See Volume Two Part One for Response and Recommendations to the submissions regarding Volume 2 Heritage and Amenity.

### **Chief Executive's Recommendation**

See Volume One Part Two for the recommendations on the relevant Proposed Amendments on whether to adopt the proposed amendment/adopt with minor modification/ not adopt and revert back to the Draft Plan.

## 2.15 List of Volume One (Main Policy Material) and Volume Two (Heritage and Amenity) Submissions

### Chapter 1: Introduction

Volume One Chapter 1: Introduction		
No.	Name of Interested Party	Submission reference Number
1.	No submissions received.	

### Chapter 2: Core Strategy

Volume One Chapter 2: Core Strategy		
No.	Name of Interested Party	Submission reference Number
1.	Andrew Sullivan	PADP400089737
2.	Carol Harpur	PADP400772237
3.	Construction Industry Federation	PADP401337641
4.	Cork Chamber	PADP401333927
5.	Cork CS/BW international group	PADP401445300
6.	Martin O'Leary	PADP401273356
7.	Office of the Planning Regulator	PADP401442155
8.	Southern Regional Assembly	PADP401372742

### Chapter 3: Settlements and Placemaking

Volume One Chapter 3: Settlements and Placemaking		
No.	Name of Interested Party	Submission reference Number
	No submissions received.	

### Chapter 4: Housing and Updated Draft Joint Housing Strategy

Volume One Chapter 4: Housing and Updated Draft Joint Housing Strategy		
No.	Name of Interested Party	Submission reference Number
1.	The Atlantic View Residents Association (AVRA)	PADP401683672
2.	Carol Harpur	PADP400575617

3.	Drew Fox	PADP400884516
4.	Irish Traveller Movement	PADP401358594
5.	John Daly	PADP400926091
6.	Travellers of North Cork	PADP401348006

#### Chapter 5: Rural

Volume One Chapter 5: Rural		
No.	Name of Interested Party	Submission reference Number
1.	Denis Weathers	PADP400811251
2.	Mary O'Leary	PADP401452874

#### Chapter 6: Social and Community

Volume One Chapter 6: Social and Community		
No.	Name of Interested Party	Submission reference Number
1.	Department of Education	PADP401411206
2.	Jack Long	PADP395823500

#### Chapter 7: Coastal, Marine and the Islands

Volume One Chapter 7: Coastal, Marine and the Islands		
No.	Name of Interested Party	Submission reference Number
1.	Dept. of Agriculture, Food & the Marine	PADP401326639
2.	McCutcheon Halley	PADP401431288

#### Chapter 8: Economic Development

Volume One Chapter 8: Economic Development		
No.	Name of Interested Party	Submission reference Number
1.	McCutcheon Halley Planning Consultants	PADP401346482

#### Chapter 9: Town Centres and Retail

Volume One Chapter 9: Town Centres and Retail		
No.	Name of Interested Party	Submission reference Number
1.	Tesco Ireland Limited	PADP400971549

#### Chapter 10: Tourism

Volume One Chapter 10: Tourism		
No.	Name of Interested Party	Submission reference Number
1.	Andrew Ashford & Marian O'Leary	PADP401329174
2.	Robbie Harrington	PADP400218773

#### Chapter 11: Water Management

Volume One Chapter 11: Water Management		
No.	Name of Interested Party	Submission reference Number
1.	Irish Water	PADP400523964
2.	Michael Murphy	PADP401446537
3.	Office of Public Works	PADP401268237

#### Chapter 12: Transport and Mobility

Volume One Chapter 12: Transport and Mobility		
No.	Name of Interested Party	Submission reference Number
1.	Colum Murphy	PADP396282872
2.	Cork Transport & Mobility Forum	PADP401386470
3.	Department of Transport	PADP397782066
4.	Dublin Airport Authority	PADP401286774
5.	National Transport Authority	PADP401396294
6.	Transport Infrastructure Ireland	PADP400492339
7.	University College Cork - Commuter Plan	PADP401450506
8.	University College Cork	PADP401553373

### Chapter 13: Energy and Telecommunications

Volume One Chapter 13: Energy and Telecommunications		
No.	Name of Interested Party	Submission reference Number
1.	Electricity Supply Board	PADP401372492
2.	FuturEnergy Ireland	PADP401382023
3.	Sophie Brazil	PADP401440035

### Chapter 14 Green Infrastructure

Volume One Chapter 14 Green Infrastructure		
No.	Name of Interested Party	Submission reference Number
1.	Cork Environmental Forum	PADP401450223

### Chapter 15: Biodiversity and the Environment

Volume One Chapter 15: Biodiversity and the Environment		
No.	Name of Interested Party	Submission reference Number
2.	Dept of Housing, Local Government & Heritage (Prescribed Body)	PADP401363305

### Chapter 16: Built and Cultural Heritage

Volume One Chapter 16: Built and Cultural Heritage		
No.	Name of Interested Party	Submission reference Number
1.	Conradh Na Gaeilge	PADP401234478
2.	Údarás na Gaeltachta	PADP401305013

### Chapter 17: Climate Action

Volume One Chapter 17 Climate Action		
No.	Name of Interested Party	Submission reference Number
	Transport Infrastructure Ireland	PADP400515202

## Chapter 18: Zoning and Land Use

Volume One Chapter 18: Zoning and Land Use		
No.	Name of Interested Party	Submission reference Number
	No submissions received.	

## Chapter 19: Implementation

Volume One Chapter 19: Implementation		
No.	Name of Interested Party	Submission reference Number
	No submissions received.	

## Volume 2 Heritage and Amenity

Volume Two Heritage and Amenity		
No.	Name of Interested Party	Submission reference Number
1.	Brian and Coreen Marten	PADP396572729
2.	Dermot and Diana Kennedy	PADP396578339
3.	Dúchas Clonakilty Heritage	PADP400976114
4.	Mitchelstown Heritage Society	PADP401355814
5.	Patrick Dwane	PADP396524166

## 3 Response and Recommendations to the Key Issues: Volume Three North Cork

### 3.1 Fermoy Municipal District

Fifty-seven submissions were received during the public consultation period on the proposed amendments to the Fermoy Municipal District section of the Draft Plan. Thirty-seven submissions were in support of Proposed Amendment No. 3.1.23.1 to reinstate Coolagown as a village settlement in the Plan. There were fourteen submissions for Fermoy / Corrin, three for Mitchelstown and one each for Glenville, Killavullen and Shanballymore.

#### *Key issues to be addressed in the Fermoy Municipal District*

There are four Key Issues for the Fermoy Municipal District and each arises from a Notice of Motion brought forward at the Council Meeting on 13th December 2021.

#### *Key Issue 1 – Notice of Motion Re Coolagown*

##### **Proposed Amendment reference 3.1.23.1, Coolagown: Reinstate Coolagown as a Village**

This Proposed Amendment arose from the Notice of Motion in the Chamber on the 13<sup>th</sup> December 2021. The Chief Executive recommended against the proposed change, but the amendment was passed through a vote by the Elected Members at the Full Council Meeting on the 13<sup>th</sup> of December 2021.

The purpose of the amendment is to reinstate Coolagown as a village settlement and include the following text:

*“The vision for Coolagown over the lifetime of the Plan is to allow for a limited amount of future growth in line with the scale of the settlement.*

*Objective DB-01 Within the development boundary of Coolagown it is an objective to encourage development of up to 5 individual dwellings in the plan period.”*

##### ***Submissions in relation to this amendment***

Thirty seven submissions were received in relation to this amendment from local persons and businesses. The submissions all strongly support this amendment to keep Coolagown as a village settlement for various reasons including, but not limited to the following:

- The strong sense of community and pride.
- The numerous awards won at National and European Level.
- The school is about to undergo its second major extension to cater for the growing population.
- The many different facilities.
- The degrade would have a devastating impact on the morale of the community.
- Coolagown has been seen as a model example for other villages across the county.
- The village represented Cork numerous times.
- Status as a village is essential for its continued growth.
- The various walking/cycling trails including Kilbarry woods.
- Will cause issues when trying to secure funding.

- The various sustainable projects carried out yearly by the village.
- Queries why Coolagown was the only village in the county to be degraded to village nuclei.

### **Chief Executive's Response**

In response to the Notice of Motion it was noted that Coolagown is identified as a village in the 2017 LAP with a scale of growth of five units. It is a very small community, recording just 19 units in the Geodirectory 2020. The village has a school serving the rural hinterland. While the village has public water supply, there is no wastewater treatment infrastructure to support development. Removing the development boundary from this settlement does not alter the fact that a vibrant rural community exists in this area and the Council will continue to support community initiatives and local businesses in the area in accordance with proper planning and sustainable development principles. This has been specifically recognised by Proposed Supplementary Amendment No.1.2.21 which states

*"It is important that these settlements and locations are recognised as places with vibrant and committed communities often active in the provision of a range of social and community facilities. These places will always be acknowledged as such by the Planning Authority and proposals to extend existing business, social and cultural facilities will be considered on their merits. In addition, should significant investment in water services occur in these settlements over the lifetime of this plan, there is scope to review and include these locations. These locations will continue to be eligible to apply for local and national funding. A full list of these settlements is provided in Appendix I of the plan.*

Coolagown was not the only village proposed to be removed from the settlement network. There was many other villages and village nuclei across the county that have been removed. A review of the settlement network across the County was carried out as part of the preparation of the Draft CDP. This review was based on services provision, size of settlement and potential to deliver housing over the next Plan period to 2028 and led to the recommendation for the removal of the development boundary of most village nuclei, other locations, and some smaller villages. Any future housing proposals in these settlements will be assessed on the basis of the rural housing policy applicable in the area. Full detail of the network review is set out in Background Document No. 4 Settlements and Placemaking available at <https://www.corkcoco.ie/sites/default/files/2020-03/background-document-no-4-settlements-and-placemaking.pdf>.

Notwithstanding the submission received in response to this issue it is considered appropriate to retain the approach established in the draft plan and remove the development boundary from Coolagown.

### **Chief Executive's Recommendation**

Not to Adopt the Proposed Amendment 3.1.23.1 and Revert back to the Draft Plan



## **Key Issue 2 – Notice of Motion re Lands at Corrin Fermoy (13.9ha for Industrial Use )**

### **Proposed Amendment reference 3.1.4.15, Fermoy: New Industrial Site in Corrin, FY-I-05**

This Proposed Amendment arose from the Notice of Motion at the Council Meeting on the 13<sup>th</sup> of December 2021. The Chief Executive recommended against the proposed change, but the amendment was passed following a vote by the Elected Members.

The purpose of the amendment is to zone a 13.9 ha site in Corrin, 3km south east of the town of Fermoy for industrial use with the objective as follows:

*'FY-I-05. Industrial development. Proposals should include a detailed landscaping plan and on-site SuDS to manage surface water. The Shanowennadrimina Stream, which discharges to the Bride River (part of the Blackwater River SAC), traverses the site. Development proposals shall make provision for the protection of this watercourse and its associated riparian zone. ^'*

#### **Submissions in relation to this amendment**

The submission from the Office of the Planning Regulator (OPR) notes the provisions of the Spatial Planning and National Roads Guidelines for Planning Authorities (2012) and the provisions of NSO2 of the NPF concerning enhanced regional accessibility. Having regard to the location of the site the OPR is of the opinion that the material amendment referenced above has the potential to adversely affect the steady-state maintenance, operation, and safety of the National Roads network, and is not consistent with the Guidelines and with national policy. In this context the OPR recommends that the plan be made without this amendment in order to ensure the maintenance of the strategic traffic function of the M8.

Transport Infrastructure Ireland (TII), in its submission, notes that the site is remote from the plan boundary and requests that amendment 3.1.4.15. is omitted to protect the steady-state maintenance, operation, and safety of the National Roads network. In TII's opinion, the proposed zoning would be inappropriate and at variance with DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities and European, National, and Regional policies to maintain and protect national road infrastructure. Submission notes that planning authorities must exercise particular care in their assessment of development plan proposals relating to the development objectives and/or zoning of locations at or close to interchanges where such development could generate significant additional traffic with potential to impact on the national road infrastructure.

A submission from the owner of the land the subject of the amendment was made in support of the amendment and includes supportive letters from three other local businesses in Corrin. A further twelve submissions were received from local persons strongly opposing the amendment for reasons include the following:

- Potential to acerbate flooding in Castlelyons.
- Road safety.
- Sufficient zoned land already available within the town.
- Development at this location will destroy the landscape.
- Contravene the National Road Guidelines.
- If the Council zones this land and permission to develop it is later refused, the Council will be leaving itself open to a claim for compensation.

#### **Chief Executive's Response**

As outlined in response to the Notices of Motion at the Council Meeting on 13<sup>th</sup> December 2021, Fermoy does not need additional industrial land. There is already in excess of 60ha of zoned and serviced land, with good access to the motorway, available within the development boundary of Fermoy town. All of this land is

suitable for development. New employment uses should be located within the town where they can support the viability of the town, help generate potential custom for other businesses and support compact growth.

The zoning of significant sites outside the town will undermine the delivery of these zoned lands and the case for infrastructure funding to support their delivery. Existing objectives of the plan cater for the development needs of established uses in greenbelt areas and the situations where exceptions to green belt policy can be considered. These policies are set out in Objective RP 5-16, 5-17 and 5-18 of the Draft Plan.

There is considerable local public opposition to the proposed zoning. The Office of the Planning Regulator and Transport Infrastructure Ireland recommend that the plan be adopted without the proposed amendment. The local authority has an obligation to protect existing national routes particularly in terms of safety, capacity and efficiency and the proposal conflicts with this requirement.

### **Chief Executive's Recommendation**

See Recommendation to OPR Submission in Key Issues Section 2.2 of Volume One, Part 1 of this Report.

### **Key Issue 3 – Notice of Motion re lands at Gortnahown, Mitchelstown**

#### **Proposed Amendment reference 3.1.5.28.: New Industrial Site in Gortnahown, Mitchelstown -MH-I-07**

This Proposed Amendment arose from a Notice of Motion at the Council Meeting on the 13<sup>th</sup> December 2021. The Chief Executive recommended against the proposed change, but the amendment was passed following a vote by the Elected Members.

The purpose of the amendment is to zone a 2.14 ha site in Gortnahown, a site located adjacent to the M8 between Mitchelstown and Fermoy, for industrial use with the objective as follows:

*“MH-I-07: Industrial Use. Proposals will require a detailed landscaping plan and on-site SuDS to deal with surface water. Adequate separation should be provided between the development and adjoining uses.”*

#### **Submissions in relation to this amendment**

The submission from the Office of the Planning Regulator (OPR) notes the provisions of the Spatial Planning and National Roads Guidelines for Planning Authorities (2012) and the provisions of NSO2 of the NPF concerning enhanced regional accessibility. Having regard to the location of the site the OPR is of the opinion that the material amendment referenced above has the potential to adversely affect the steady-state maintenance, operation, and safety of the National Roads network, and is not consistent with the Guidelines and with national policy. In this context the OPR recommends that the plan be made without this amendment in order to ensure the maintenance of the strategic traffic function of the M8.

Transport Infrastructure Ireland (TII), in its submission, notes that the site is remote from the plan boundary and requests in that amendment 3.1.5.28. is omitted to protect the steady-state maintenance, operation, and safety of the National Roads network. In TII's opinion, the proposed zoning would be inappropriate and at variance with DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities and European, National, and Regional policies to maintain and protect national road infrastructure. Submission notes that planning authorities must exercise particular care in their assessment of development plan proposals relating to the development objectives and/or zoning of locations at or close to interchanges where such development could generate significant additional traffic with potential to impact on the national road infrastructure.

A submission from the owner of the land the subject of the amendment was made in support of the amendment. Submission notes that any potential issues that may arise from the development of a civic

amenity use on the site, such as visual impact, traffic management, noise, light / odour / vermin issues can be addressed at the project stage through design and operational management measures.

A submission was also received which was signed by thirty local persons strongly opposing the amendment for reasons include the following:

- Rezoning would be out of character with the pattern of residential development in the vicinity of the site, would constitute an unduly obtrusive feature in the landscape, would detract from the visual and residential amenities of the area.
- Development would seriously injure the amenities and depreciate the value of residential property.
- Set a precedent for further expansion later on.
- Road access is inadequate.
- Serious public health risk in having an industrial area located so close to a well supplying water to Mitchelstown public water supply.
- Risk of contaminating the Gradoge river and Sensitive wildlife and special areas of protection such as the Blackwater Callows (SPA).
- Site situated in the greenbelt.
- Site has no services and due to it isolated location, it would be difficult and costly to provide services.

### ***Chief Executive's Response***

As outlined in response to the Notices of Motion at the Council Meeting on 13<sup>th</sup> December 2021, Mitchelstown does not need additional industrial land. The development plan already provides in excess of 100ha of zoned business / industrial lands in Mitchelstown and over 60ha in Fermoy to cater for the development of new industrial and business uses along the motorway corridor. These lands all enjoy excellent access to the motorway network and offer plenty opportunity for the establishment of new business uses, while supporting the role and viability of the towns and compact growth.

The zoning of significant sites outside the town will undermine the delivery of these zoned lands and the case for infrastructure funding to support their delivery. Existing objectives of the plan cater for the development needs of established uses in greenbelt areas and the situations where exceptions to green belt policy can be considered. These policies are set out in Objective RP 5-16, 5-17 and 5-18 of the Draft Plan.

There is considerable local public opposition to the proposed zoning. The Office of the Planning Regulator and Transport Infrastructure Ireland recommend that the plan be adopted without the proposed amendment. The local authority has an obligation to protect existing national routes particularly in terms of safety, capacity and efficiency and the proposal conflicts with this requirement.

### ***Chief Executive's Recommendation***

See Recommendation to OPR Submission in Key Issues Section 2.2 of Volume One, Part 1 of this Report.

## **Key Issue No 4 – Notice of Motion re Cork Marts site at Corrin Fermoy**

### **Proposed Amendment reference 3.1.4.16, Fermoy: New Special Policy Site in Corrin, FY-X-01**

This Proposed Amendment arose from a Notice of Motion at the Council Meeting on the 13<sup>th</sup> of December 2021. The Chief Executive recommended against the proposed change, but the amendment was passed following a vote by the Elected Members.

The purpose of the amendment is to include a Special Policy Zoning at the Mart site in Corrin to the south of Fermoy with the objective as follows:

*“FY-X-01: Expansion of existing Mart facilities and provision of an NCT Centre. The Farran North stream is located on the southern boundary of this zone. This stream discharges to the Bride River which forms part of the Blackwater River SAC. Development proposals shall make provision for the protection of the stream and its associated riparian zone.^.”*

#### **Submissions in relation to this amendment**

The submission from the Office of the Planning Regulator (OPR) notes the provisions of the Spatial Planning and National Roads Guidelines for Planning Authorities (2012) and the provisions of NSO2 of the NPF concerning enhanced regional accessibility. Having regard to the location of the site the OPR is of the opinion that the material amendment referenced above has the potential to adversely affect the steady-state maintenance, operation, and safety of the National Roads network, and is not consistent with the Guidelines and with national policy. In this context the OPR recommends that the plan be made without this amendment in order to ensure the maintenance of the strategic traffic function of the M8.

Transport Infrastructure Ireland (TII), in its submission, considers that the zoning of this site is inappropriate and requests that amendment 3.1.4.16. is omitted to protect the steady-state maintenance, operation, and safety of the National Roads network. In TII’s opinion, the proposed zoning would be inappropriate and at variance with DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities and European, National, and Regional policies to maintain and protect national road infrastructure. Submission notes that planning authorities must exercise particular care in their assessment of development plan proposals relating to the development objectives and/or zoning of locations at or close to interchanges where such development could generate significant additional traffic with potential to impact on the national road infrastructure.

#### **Chief Executive’s Response**

As outlined in response to the Notices of Motion at the Council Meeting on 13<sup>th</sup> December 2021, Fermoy does not need additional zoned land. There is already in excess of 60ha of zoned and serviced land, with good access to the motorway, available within the development boundary of Fermoy town. All of this land is suitable for development. New employment uses should be located within the town where they can support the viability of the town, help generate potential custom for other businesses and support compact growth.

The zoning of significant sites outside the town will undermine the delivery of these zoned lands and the case for infrastructure funding to support their delivery. Existing objectives of the plan cater for the development needs of established uses in greenbelt areas and the situations where exceptions to green belt policy can be considered. These policies are set out in Objective RP 5-16, 5-17 and 5-18 of the Draft Plan.

The Office of the Planning Regulator and Transport Infrastructure Ireland recommend that the plan be adopted without the proposed amendment. The local authority has an obligation to protect existing national routes particularly in terms of safety, capacity and efficiency and the proposal conflicts with this requirement.

#### **Chief Executive’s Recommendation**

See Recommendation to OPR Submission in Key Issues Section 2.2 of Volume One, Part 1 of this Report.

### 3.2 Submissions for the Fermoy Municipal District

The following submissions were received in connection with the Proposed Amendments for the Fermoy Municipal District.

Fermoy Municipal District		
No.	Name of Interested Party	Submission Reference No.
1.	1.Ciaran and Ursula Dolan, 2.Frank and Kathleen Mullally 3.Noel and Margaret Coughlan, 4.Frank O Connor, 5.Margaret O Grady, 6.Bridget Allen, 7.Simon and Una Murphy, 8.Matt and Mary Cahill, 9.David and Marie McDonald, 10.Angela Cooper, 11.Edwin and Bridget Nolan, 12.Colman and Catherine O'Farrell, 13.Sean and Ciara Condon, 14.Wayne and Leah McCarthy, 15.Arthur and Mrs McDonagh, 16.Patrick and May Sheehy, 17.John and Emer Sheehy,	PADP400944623
2.	Andrew and Julie Nolan	PADP401194193
3.	Barry and Tracey Bransfield	PADP401606564
4.	Board of Management, Glenville National School	PADP400887081
5.	Brendan and Anette Collins	PADP400084626
6.	Brendan and Nessa Noonan	PADP400093807
7.	Castlelyons Development	PADP401432928
8.	Catherine and David Waters	PADP400508413
9.	Christopher White and Michelle Donnolly/White	PADP401053765
10.	Colman O'Flynn	PADP400437147
11.	Con and Trish Lawlor	PADP400108410
12.	Coolagown Development Group	PADP400519624

### Fermoy Municipal District

No.	Name of Interested Party	Submission Reference No.
13.	David Stack	PADP401085653
14.	Donal O'Leary	PADP401191057
15.	Elise and Sean Cunningham	PADP401205674
16.	Emmet Cronin and Family	PADP401359265
17.	Fr Gerald Coleman	PADP401059070
18.	Fr Gerard Coleman	PADP401061460
19.	G. Roche	PADP401674358
20.	Garrett Verling	PADP401672520
21.	Garry Keane	PADP401605800
22.	J. Condon	PADP399358282
23.	J. Skully	PADP401697055
24.	J. Condon	PADP399044783
25.	Jamie Murphy	PADP402107122
26.	John & Emily Feeney	PADP399844777
27.	Kathryn Ablett	PADP401373108
28.	Kathryn Ablett	PADP401377504
29.	Kilmagner NS	PADP401002301
30.	Liz O'Brien	PADP400525873
31.	Louise McHugh	PADP394783020
32.	Lowney Family	PADP401248610
33.	Lynda and Pat Finn and Family	PADP401070997
34.	M. Barry	PADP401672271
35.	Marcella Bucca	PADP401676114

### Fermoy Municipal District

No.	Name of Interested Party	Submission Reference No.
36.	Margaret Cotter	PADP401678008
37.	Mark & Therese Ryan	PADP400966402
38.	Mary Cuddy	PADP401668841
39.	Mary Howard	PADP401046664
40.	Mary O'Keefe	PADP402006943
41.	Matt and Pauline Sheehan	PADP401379258
42.	Matt Hegarty	PADP401595630
43.	Maurice and Ena Costello	PADP398696936
44.	Michael Barrett	PADP401001042
45.	Monica, David, Una and Darragh O'Brien	PADP401599301
46.	Mr. John O'Flynn	PADP401248343
47.	Neilus & Mary Murphy	PADP401091802
48.	Neilus & Mary Murphy	PADP400962661
49.	Nigel and Susan Dunne	PADP401594644
50.	Olivia Stack	PADP400538041
51.	Orla and Oisín Dolan	PADP402184379
52.	Patrick and Helen Bransfield	PADP401597964
53.	Patrick Harty	PADP399839489
54.	Peter O'Neill	PADP401674129
55.	Ray and Lucy Kearns	PADP402181968
56.	Sheila O'Brien	PADP401203255
57.	Tom Murphy	PADP401674033

### *3.3 Kanturk Mallow Municipal District*

Fifty submissions were received during the public consultation period on the proposed amendments to the Kanturk Mallow Municipal District section of the Draft Plan. Thirty-three submissions were in relation to Proposed Amendment 3.2.19.2 to include U-01 objective and map for a proposed overbridge at the level crossing in Ballyhea. There were 6 submissions not related to a proposed amendment but supporting the reduction in residential zoning in the Kennel Hill area on the basis of its inadequate road network and adequacy of water supply. There were 6 other submissions relating to specific sites and/or issues in Mallow. There were 3 submissions in Kanturk, 2 submissions in Newmarket and one relating to an amendment in Dromina.

#### *Key issues raised for the Kanturk Mallow Municipal District*

##### *Key Issue 1*

##### **Proposed Amendment 3.2.19.2 2 to include U-01 objective and map for a proposed overbridge at the level crossing in Ballyhea**

This Proposed Amendment arose from the omission of a road line in the Draft Cork County Development Plan 2021 (Volume 3 North Cork) due to an oversight. To address this omission, a Proposed Amendment No. 3.2.19.2 has been proposed to re-include U-01 objective (map and text) in Ballyhea as objective 'U-01: Road Overbridge'.

##### **Submissions in relation to this amendment**

There have been 33 submissions objecting to Proposed Amendment No 3.2.19.2 in Ballyhea to include U-01 objective and map for a proposed overbridge at the level crossing.

All of the submissions object to the proposed amendment and/or query the rationale for the proposed amendment. Almost all the submissions raise the following points:

- A re-proposal of the 2011 project or similar is not appropriate - A similar part 8 project was submitted in 2011 and was abandoned on the basis that further assessment of alternative options needed to be considered.
- Prejudicial to future An Bord Pleanala decision - An application has been made to An Bord Pleanala by CIE for a Railway Order on which there have been numerous submissions and concerns raised by local residents and adopting an amendment prior to this decision may be considered prejudicial to this process.
- Background Mapping - Issue with the background mapping on the proposed amendment being out of date

A number of additional points are also raised in the submissions including:

- Rationale for the Amendment - The Proposed Amendment has failed to provide adequate reasons and considerations for the insertion of the objective at this stage.
- Proposed amendment is a significant change vs. 2017 LAP proposal - The 2017 LAP proposal is a roads project and there is no indication as to whether the proposed road would cross the railway by an overbridge, underbridge or a four gate CCTV level crossing. The objective U-01: Road Overbridge represents a significant change which is likely to have a much greater
- adverse impact on the village and fewer mitigating measures. Some submissions support a return to the 2017 wording to allow for a broader consideration of development options.
- Alternatives - Multiple submissions propose that greater attention be given to upgrading the level crossing to CCTV gates or to an underpass and that these alternatives should be explored as a more



appropriate and proportionate alternative which would attract less opposition. A number of submissions also suggest that there is no justification for the scheme on grounds of rail safety.

- Lack of consultation – there has been a lack of consultation with the local residents or community groups including Age Action in relation to the project/proposed amendment. The proposed project may present difficulties for older people or those who are mobility impaired in terms of access.
- Fragmentation of the village - the project would cause fragmentation and disjoin the main housing development from the village and make access and communication more difficult.
- Devaluing impact of the development – the boxing of the proposed development may lead to problems of noise, light, pollution and other inconveniences and has the potential to devalue local properties.
- Accuracy of proposed amendment line - The layout of the overbridge shown understates the potential impact as it is smaller than the layout of the overbridge which is currently being considered by An Bord Pleanála.
- Environmental and ecological impacts – Impacts have not been fully considered in the proposed amendment for example there is a hydrophilous tall herb habitat at this location which is regarded as being of national importance.
- Impact on built heritage - The project will have potential negative impacts on the built heritage of church, its grounds and the parochial house which are included in the architectural survey of Ireland. There is also potential for impact on their foundations and noise levels close to a place of worship.
- Impact on community infrastructure - Concerns are highlighted regarding potential impact of such a project in close proximity of community infrastructure regarding future land use prospects, light, noise and access i.e. the school, creche and community hall.

### ***Chief Executive's Response***

A U-01 road line objective has been included in local area plans relating to Ballyhea on an ongoing basis since 2011 as follows:

- Kanturk Local Area Plan 2011 – U-01 road objective mapped. Paragraph 13.2.3. 'It is proposed to construct a new road realignment as detailed on the accompanying map. This may result in the creation of a new parking area in front of the school.'
- Fermoy Local Area Plan 2017 - U-01 road objective mapped. Paragraph 5.2.21 'Reservation is made for possible construction of a new road alignment as detailed on the accompanying map. This may result in the creation of a new parking area in front of the school.'

In the Draft Cork County Development Plan 2021 (Volume 3 North Cork), the road line was omitted due to an oversight. To address this omission, a Proposed Amendment No. 3.2.19.2 has been proposed to re-include U-01 objective (map and text) in Ballyhea as objective 'U-01: Road Overbridge'. It is proposed to reintroduce the indicative road line as a proposed amendment to reflect the fact that this infrastructure continues to be required to address the level crossing upgrade issue.

As is the case with all road lines in the Plan, the proposed amendment line is indicative only. There is however a live proposal with An Bord Pleanála as part of a larger Strategic Infrastructure Development application, Ref. Railway Order Application NA04.310286. A decision on the overall level crossing upgrading scheme is to be determined by An Bord Pleanála in the coming months through the SID application process. Submissions have already been invited to the SID process and a substantial amount of documentation including an Environmental Impact Assessment Report are available to consult on Irish Rail's Cork Line Level Crossing Project webpage - <https://www.irishrail.ie/en-ie/about-us/iarnrod-eireann-projects-and-investments/cork-line-level-crossings-project/railway-order> and on the An Bord Pleanála website - <https://www.pleanala.ie/en-ie/case/310286>.

The Council have been involved in discussions with Iarnród Éireann and their consultants on these proposals for the upgrading of the Level Crossings in North Cork for a number of years and are satisfied that the proposal as presented i.e. unhindered crossing of the railway track via an overbridge will prove to be in the best interest of both motorists and pedestrians using the crossing points. Previously, the crossing in Ballyhea, has been closed for a period during the night, which restricts access including for emergency services.

The proposed amendment specifies an overbridge as the solution here to acknowledge and reflect the significant consultation and design work that has been carried out over the last number of years, which has identified an overbridge as the preferred solution. The consideration of alternatives is addressed in the Environmental Impact Assessment Report submitted with the SID application. Other options do not appear to be workable at this location and a more loosely worded objective could be misleading in this regard. The Councils Roads Directorate and Development Management section are fully supportive of the overbridge proposal.

**Project level impacts:**

The proposal to re-include the U-01 objective has been subject to both Strategic Environmental Assessment and Appropriate Assessment (AA) as part of the Development Plan process. AA screening of proposed amendment screened out requirement for AA at plan level. While the project may require mitigation to ensure the avoidance of adverse effects on the integrity of one or more EU sites, it is considered that any such measures would comprise standard type measures adopted to prevent water pollution events. Project level ecological impact assessment will be considered by An Bord Pleanála in their overall determination on the project.

The majority of the issues raised in relation to impact or effects of this proposed project (including ecological impacts) are details which can be considered at the project level and as such should not affect the consideration of the amendment.

In relation to the base mapping used to present the proposed amendment Cork County Council uses the best available mapping layers provided to them from the OSI. The proposed amendment is also available to view on the CDP map browser at [www.corkcoco.ie](http://www.corkcoco.ie) with a number of different base map layers available to view including aerial photography, OSI base map and topographic.

***Chief Executive's Recommendation***

Having regard to the above, the Chief Executive's Recommendation is to adopt the Proposed Amendment 3.2.19.2 without modification.

***Key Issue 2 – Notice of Motion to Reinstate CV-R-10 in Charleville (motion modified to include community zoning with provision for nursing home)***

**Proposed Amendment reference 3.2.4.24 Charleville: Include new community zoning for Nursing Home**

This Proposed Amendment arose from the Notice of Motion at the full Council meeting on the 13<sup>th</sup> December 2021. The Chief Executive recommended against the proposed change, but the amendment was passed through a vote by the Elected Members at the Full Council Meeting on the 13<sup>th</sup> of December 2021.

The purpose of the amendment is to include a new Community Zoning and objective 'CV-C-03 Provision of a Nursing Home \*' outside the settlement boundary of Charleville.

***Submissions in relation to this amendment***

There were no submissions in relation to this proposed amendment.

### ***Chief Executive's Response***

As outlined in response to the Notices of Motion at the Council Meeting on 13<sup>th</sup> December 2021, this is a rural location 1.5km from the town centre where there is a fragmented and inadequate footpath network and the site is not contiguous to the built footprint of the town. The development boundary for Charleville has been reduced in order to promote a more compact growth form for the town.

The proposed development of a nursing home at this location would conflict with the Draft Plan policy for such uses set out in Chapter 6 of the Draft Plan. Paragraph 6.6.22 page 122 of the Draft Plan includes criteria for consideration in the provision of residential care accommodation including:

'These facilities should be located within settlements and in order to enhance overall quality of life increase their links with, and accessibility to, local amenities, and therefore reduce the likelihood of social isolation while providing easy access to staff and visitors.'

### ***Chief Executive's Recommendation***

Not to Adopt the Proposed Amendment 3.2.4.24

***Key Issue 3 – Proposed Amendments 3.2.3.23 (Arising from Notice of Motion Not to proceed with proposed amendment to change part of the Existing Residential/Mixed Residential and Other Uses zoning to green infrastructure zoning (Motion amended to include these lands as Existing Mixed/General Business/ Industrial Uses.)***

### **Proposed Amendments 3.2.3.23 (change part of the Existing Residential/Mixed Residential and Other Uses zoning to Existing Mixed/General Business/Industrial)**

Proposed Amendment 3.2.3.23 arose from the Notice of Motion in the full Council meeting on the 13<sup>th</sup> of December 2021. The Chief Executive recommended against the proposed change, but the amendment was passed through a vote by the Elected Members at the Full Council Meeting on the 13<sup>th</sup> of December 2021.

The purpose of the amendment is to change part of the Existing Residential/Mixed Residential and Other Uses zoning to Existing Mixed/ General Business/ Industrial Uses.

### ***Submissions in relation to this amendment***

There were 4 submissions in relation to proposed amendment (3.2.3.23).

The submission from the Office of the Planning Regulator (OPR) notes that the proposed amendment would accommodate less vulnerable uses than the zoning proposed under the draft Plan. In view of the extensive flood risk on the site, which does not allow for the application of the sequential test through the development management process, and given the significant depth of flood potential on the site, the submission advises the planning authority to consider what minor modifications it could include in making the Plan to minimise flood risk for future development of this site.

The submission from the Office of Public Works notes that the proposed amendment has rezoned the area less vulnerable as Existing Mixed /General Business / Industrial. Less vulnerable development is not appropriate in Flood Zone A unless a Plan Making Justification Test completed by the local authority can be satisfied.

The submission from Transport Infrastructure Ireland (TII) highlights that site has direct access to the N20. It notes that the intensification of use of this access road at this location proposed by this zoning due to its nature and character could adversely impact on the existing N20. It should be noted that the existing N20 will remain in place until such time as the M20 is completed.

A submission was also received from the Sirio Investment Management supporting proposed amendment 3.2.3.15 and 3.2.3.23. The submission states that a Justification Test has been applied and passed with the design condition providing a significant reduction in flooding to the N20. It considers that this reduction in risk to the N20 is a key factor that demonstrates compliance with the Planning System and Flood Risk Management Guidelines and that the findings demonstrate that the lands are suitable in principle for development.

### ***Chief Executive's Response***

The draft plan zoned the lands in question as 'Existing Residential/Mixed Residential and Other Uses'. An update of the Strategic Flood Risk Assessment (SFRA) of the Draft Plan showed these lands located within Flood Zone A and B and the Justification Test was applied and failed. The SFRA recommended a water compatible zoning be considered and the Chief Executive recommended that the site be zoned as green infrastructure. This proposal was rejected by Members, who resolved at the full Council Meeting on 13<sup>th</sup> December 2021, through a Notice of Motion, to zone the lands as Existing Mixed/ General Business/ Industrial Uses.

The submission was accompanied by a site specific FRA, which as a baseline assessment demonstrates there is flood risk to the site and therefore supports the conclusions of the SFRA. Changing from a Highly Vulnerable to Less vulnerable use is welcomed, but development on the site would still need to follow the sequential approach for sites which have not passed the Justification Test, namely avoidance of highly vulnerable development in Flood Zones A and B and less vulnerable development in Flood Zone A. Text to re-iterate this should be included as a minor modification to the flooding text for Mallow subject of proposed amendment no. 3.2.3.20.

If proposed amendment to change to Existing Mixed/General Business/Industrial Uses was not adopted it would revert back to the Draft Plan Zoning and more vulnerable uses would be open to consideration under the Draft Plan Zoning than under the Proposed Amendment. This approach was supported in the OPR Submission on the Draft Amendments.

As well as considering the impact of flood risk on this site any proposals at this location will need to consider other project level impacts including the potential for intensification of use of the access and its potential for adverse impacts on the existing N20.

### ***Chief Executive's Recommendation***

Adopt Proposed Amendment 3.2.3.23 with No Modification and Adopt Proposed Amendment no. 3.2.3.20 with a Minor Modification. See Section 1.2 of Volume One Part 2 of this report for details of the Modification.

### 3.4 Submissions for the Kanturk Mallow Municipal District

The following submissions were received in connection with the Proposed Amendments for the Kanturk Mallow Municipal District.

Kanturk Mallow Municipal District		
No.	Name of Interested Party	Submission reference Number
1.	A. O'Donoghue	PADP400509266
2.	Ballyhea National School	PADP399145857
3.	Bernadette Leahy	PADP398693193
4.	Billy & Carol O'Sullivan	PADP400299354
5.	Caroline Mackessy	PADP400522418
6.	Clodagh Bergin	PADP401223378
7.	Cllr Ian Doyle	PADP399750486
8.	David Garvey	PADP401653188
9.	David Lott	PADP400189706
10.	Denis Ring	PADP400136890
11.	Eileen Mackessy	PADP399134832
12.	Ger and Maura Meade	PADP400832741
13.	Geraldine Egan	PADP401077610
14.	Geraldine McNamara	PADP398691525
15.	Hannah Desmond	PADP400527062
16.	Hilton John Lowell	PADP398695549
17.	IRD Duhallow	PADP401371156
18.	James O'Brien	PADP394774177
19.	James O'Keeffe Memorial Foundation	PADP401196482
20.	Jenny Whitehead, Kay Whitehead, Anthony McCarthy	PADP400185570

Kanturk Mallow Municipal District

No.	Name of Interested Party	Submission reference Number
21.	Jerome O'Keeffe	PADP400153995
22.	John and Breeda Crowley	PADP399132737
23.	John and Eamon Dundon	PADP400188280
24.	John Cooke	PADP401222967
25.	John Moylan	PADP400266125
26.	John Moylan	PADP401362225
27.	M. O'Donoghue	PADP400449961
28.	M. O'Donoghue	PADP400452286
29.	Máire Moylan	PADP400576297
30.	Margaret Hanley	PADP400192074
31.	Margaret McNamara - Sihra	PADP400151243
32.	Maria McInerney	PADP400127979
33.	Martin O'Gorman	PADP401116204
34.	Maurice O'Riordan	PADP398688094
35.	McCutcheon Halley	PADP401448133
36.	McCutcheon Halley	PADP401413515
37.	Melissa Sihra, Dr.	PADP400144431
38.	Michael and Ellen Copps	PADP400997067
39.	Michael Butler	PADP400180586
40.	Michael McDermot	PADP400521436
41.	Michael O'Kelly	PADP400513040
42.	Mrs Mortell	PADP400509980
43.	Oakfield Resources Ltd	PADP401192212

**Kanturk Mallow Municipal District**

<b>No.</b>	<b>Name of Interested Party</b>	<b>Submission reference Number</b>
<b>44.</b>	Peter and Hilary O'Meara	PADP401291201
<b>45.</b>	Reside Capital Ltd.	PADP401424708
<b>46.</b>	Sirio Investment Management	PADP400147309
<b>47.</b>	Ted Geary	PADP401130316
<b>48.</b>	The Right Reverend Monsignor James O'Brien	PADP398011676
<b>49.</b>	The Trustees of Diocese of Cloyne	PADP400119326
<b>50.</b>	Tina and Jim Moloney	PADP401613089

## 4 Response and Recommendations to the Key Issues: Volume Four South Cork

### 4.1 Carrigaline MD

Nineteen submissions were received in relation to Carrigaline Municipal District, of which presented no key issues. See Volume One Part 2 for the recommendations on the relevant Proposed Amendments on whether to adopt the proposed amendment/adopt with minor modification/not adopt and revert back to the Draft Plan. See Volume Two Part 2 for Response and Recommendations to the submissions regarding Carrigaline Municipal District.

#### Key Issues

There are no key issues in relation to Carrigaline Municipal District.

### 4.2 Submissions for the Carrigaline Municipal District

The following submissions were received in connection with the Proposed Amendments for Carrigaline Municipal District.

Carrigaline Municipal District		
No.	Name of Interested Party	Submission reference Number
1.	Ballygarvan History Society and Owenabue Men's Shed	PADP400578517
2.	Billy Bolster	PADP401389062
3.	Brendan Mullins, Margaret Mullins and wider Mullins Family, Martin Rouse	PADP401322215
4.	Daniel and Mary Dineen	PADP401600870
5.	David Murphy	PADP401133624
6.	Fernhill Lodge	PADP401227539
7.	Finbar Whyte and Helen Drislane	PADP401365134
8.	IDA Ireland	PADP401316199
9.	Lucy Seymour	PADP401445179
10.	Luke Seymour	PADP401440794
11.	Martin Tuohy	PADP401395882.
12.	Michelle Walsh	PADP401427156
13.	Pat Desmond	PADP398664925



Carrigaline Municipal District		
No.	Name of Interested Party	Submission reference Number
14.	Pat Desmond Ballinora and District Community Association	PADP396742274
15.	Patrick Byrne	PADP401364883
16.	Philip Seymour	PADP401442683
17.	Port of Cork Company	PADP401284327
18.	Sara McDevitt	PADP401309759
19.	Simon Brewitt	PADP396818394

### 4.3 Cobh Municipal District

17 of the submissions received relate directly to the Cobh Municipal District. These raised a variety of issues and related to Carrigtwohill, Cobh, Little Island, Carrignavar, Glounthaune, Watergrasshill and Whitechurch. The key issue raised in relation to the Core Strategy is addressed in the Core Strategy section of Volume 1, Part 1 of this report while the Key Issue for the site subject of Proposed Amendment 4.2.3.12 (that was the subject of a Notice of Motion) is dealt with here.

#### **Key Issue 1 – Proposed Amendment 4.2.3.12 (related to Notice of Motion to Reinstate CT-R-09 in Carrigtwohill)**

##### **Proposed Amendment 4.2.3.12**

Proposed Amendment 4.2.3.12, is to amend the Carrigtwohill zoning map so that CT-R-09 is represented as CT-GC-10 Green Infrastructure and exclude Objective CT-R-09 from the Specific Residential Development Objectives for Carrigtwohill and rezone the land as CT-GC-10 Green Infrastructure as follows:

~~CT-R-09 Carrigtwohill North UEA. High density residential development with public open space. This site contains an important semi-natural grassland habitat of biodiversity value. Development of the site is to retain and protect the biodiversity value of the site as far as possible.\*~~ **CT-GC-10 This area supports habitats of biodiversity value.\***

This site was subject of a notice of motion at Full Council Meeting on Monday 13<sup>th</sup> December 2021. The Notice of Motion was “*That the amendment to rezone the lands at Woodstock, Carrigtwohill, Co. Cork as green infrastructure CT-GC-10 outlined in the Chief Executive’s Report be rejected and that the residential zoning of the subject objective no.: CT-R-09 be retained under a revised zoning objective as follows.*”

*Objective no. CT-R-09. Approximate area 4.0 (HA).*

*Carrigtwohill North UEA, high density residential development with public open space subject to a site-specific Ecological and Flood Risk Assessments.”*

The notice of motion was not carried by Elected Members and the Proposed Amendment was therefore included in the Proposed Amendment to Volume 4, South Cork, published on 18<sup>th</sup> January 2022.

### **Submissions in relation to this amendment**

The submission asks that the Proposed Amendment be modified to reinstate CT-R-09 with a proposed new objective wording as follows: “Carrigtwohill North UEA. High density residential development with public open space, subject to site-specific ecological and flood risk assessments”. As this would comprise a modification of the Draft Plan text rather than the Proposed Amendment text, and as the new wording is considered to be a change of a material nature this cannot be considered at this stage.

The submission also calls for a rejection of Proposed Amendment 4.2.3.12. With the application of site specific flood risk assessment to the site and site specific flood risk mitigation measures, the submission concluded that flood risk is not significant and can be effectively managed. In addition, in relation to biodiversity it submits that there are some features identified as having value worthy of protection and that those features of value can be supported and enhanced as part of the development of the site.

### ***Chief Executive’s Response***

The development of Flood Zones in Carrigtwohill has followed the same approach as used throughout the county. This has delivered a Stage 2 SFRA, which is an appropriate level of detail for a county-wide plan and is in accordance with the Planning Guidelines. The Flood Zones in this part of Carrigtwohill have been reproduced from outputs to a recent, catchment wide modelling study. Whilst it is acknowledged in the SFRA that site specific studies at development management stage may produce flood extents which are larger or smaller than those used to derive the Flood Zones, it has not been the approach that a Stage 3 assessment has been carried out for specific sites in County Cork as part of the SFRA. On the basis of the Stage 2 assessment, the Justification Test has been applied and it was found that the site did not pass. Therefore, the recommendation to rezone to a water compatible use stands.

Further discussion on Flood Zones can be found in Volume One, Part 1 of this Report under the Water Management Key Issue.

The site had been identified to support habitats of biodiversity value. Habitat mapping prepared for the Council in 2009 identified over 90% of the site as being semi-natural grassland habitat of County importance. This was reflected in the zoning objective for the site in the Draft Plan which identified the habitat and required the retention and protection of the biodiversity value of the site. More recent habitat mapping undertaken for the HIIT team in 2020 makes particular reference to this site, identifying c.80% of the site area as being of Higher Species Richness.

Information which has been provided with this submission states that the internal area of the site was cleared in autumn 2021 so it is likely that the site is of lower ecological value now, than when it was originally assessed. It should be noted that all ecological surveys cited in the Ecological Appraisal Report which formed part of this submission, have indicated that the site supports or has supported both wet grassland and wet willow scrub habitat indicating waterlogged conditions.

It is not considered that the CT-GC-10 zoning impacts the wider delivery of the UEA. The proposal to zone the site for green infrastructure is a logical planning solution given the need to take a precautionary approach to flood risk and the need to avoid the development of vulnerable uses, such as residential, in areas at risk of flooding in order to protect life.

### ***Chief Executive’s Recommendation***

Adopt Proposed Amendment 4 .2.3.12 with No Modification.

#### 4.4 Submissions for the Cobh Municipal District

The following submissions were received in connection with the Proposed Amendments for the Cobh Municipal District.

Cobh Municipal District		
No.	Name of Interested Party	Submission reference Number
1.	Barlow Properties Ltd.	PADP400957393
2.	Carol Harpur	PADP400570686
3.	Carol Harpur	PADP400571786
4.	Carrig Partnership and Ruden Homes Ltd.	PADP401087379
5.	Claire Casey	PADP401322497
6.	Edgefield Property Developments Limited	PADP401359243
7.	Footpath development committee	PADP401444148
8.	Glounthaune Community Association	PADP401443534
9.	Glounthaune Sustainable Development	PADP401448816
10.	John Horgan	PADP396973697
11.	Ned Murphy as Receiver over certain assets of Higgins & Twomey	PADP401277833
12.	O'Mahony Developments	PADP401308976
13.	Pat O'Connor	PADP401204024
14.	Ruden Homes Ltd.	PADP401371136
15.	Ruden Homes Ltd.	PADP401346381
16.	Whitechurch Development Committee	PADP401427781
17.	Whitechurch Dromgariff Footpath Development Group	PADP401448852

#### 4.5 East Cork Municipal District

In total 915 submissions were received during the public consultation period on the proposed amendments to the East Cork Municipal District section of the Draft Plan.

There were 353 submissions received in relation to Midleton. The majority of these submissions relate to Proposed Amendment No. 4.3.3.15 with respect to lands at Broomfield. This amendment arise from a Notice of Motion at the Council meeting on 13<sup>th</sup> December 2021. The amendment proposes to omit residential zoning MD-R-27 as identified in the Draft Plan and return the lands to the Metropolitan Greenbelt. 124 of the submissions support the change set out in the Amendment to re-instate the lands back into the Greenbelt and 221 submissions oppose the change and request that the land remain zoned for Residential Development as proposed in the Draft Plan.

513 submissions were received in relation to the settlement of Whitegate and Aghada and specifically Proposed Amendments 4.3.8.2 and 4.3.8.3. one submission from the owner of the lands concerns supports the amendments while the other 512 oppose both amendments.

There were 18 submissions received relating to Proposed Amendment No. 4.3.6.3 in Castlemartyr and 2 submissions for Ballycotton.

### *Key issues raised for the East Cork Municipal District*

#### *Key Issue 1 – Notice of Motion re lands at Broomfield Midleton - MD-R-27 to Greenbelt*

##### **Proposed Amendment 4.3.3.15. Midleton: Omit residential site MD-R-27 and re-instate the lands back into the Metropolitan Green Belt.**

The purpose of the proposed amendment is to omit residential lands MD-R-27 in Midleton as proposed in the Draft Plan and to re-instate the lands back into the Metropolitan Green Belt. These lands are located in Broomfield to the north of the town.

##### **Context**

In the current 2017 Local Area Plan for Midleton the MD R-27 lands form part of the Metropolitan Green Belt. The land was zoned for Medium A Density Residential Development in the 2021 Draft County Development Plan in response to a pre-draft submission from Castle Rock Homes – submission reference DCDP346122060.

In response to the publication of the Draft Plan approximately 40 submissions were received in opposition to the zoning.

Following the publication of the Draft Plan and in response to various submissions from Statutory Bodies and the public, a number of changes were made to the Core Strategy of the Draft Plan. As part of these Core Strategy changes the Chief Executive’s Report of 24<sup>th</sup> September 2021 recommended that the MD-R-27 lands should be re-categorized as Residential Reserve. As set out in the Draft Plan and the proposed amendments, development on lands classified as Residential Reserve could be considered from year four of the plan, subject to certain conditions being met.

At the Council Meeting on 13<sup>th</sup> December 2021, in response to a Notice of Motion proposing that the land be returned to the greenbelt, Members voted in favour of the Motion contrary to the Recommendation of the Chief Executive and the Proposed Amendment, to return the land to the Metropolitan Greenbelt, went out for Public consultation (Proposed Amendment No. 4.3.3.15 - Volume 4 South Cork).

##### **Submissions in relation to this amendment**

345 submissions were received in relation to Proposed Amendment 4.3.3.15.

124 number of submissions support the change set out in the Proposed Amendment and want these lands at Broomfield in Midleton to be returned to the Metropolitan Greenbelt. These submissions are varied in the

points raised and they all outline a number of reasons for opposing additional residential zoning at this location, including the following:

- elevated nature of the lands. Development of the land would have a negative visual impact development would adversely impact on the privacy on adjoining houses in Broomfield.
- Surface water run-off and drainage issues on the site due to its elevated nature which may cause a risk to lower lying properties.
- Inadequate road infrastructure in the area - development will result in increased traffic and congestion.
- Lack of amenities in the area, particularly for children, including schools, green spaces and playgrounds in the Broomfield area, will be exacerbated by additional housing.
- There is already sufficient zoned residential sites in the town to cater for the population and housing targets set out in the plan.

A total of 221 submissions were received opposing the Proposed Amendment, wanting the lands retained for residential use. Submissions opposed to the amendment raised a number of points, including the following:

- The current shortage of new homes.
- The close proximity of the MD R-27 site to Midleton Town Centre, Midleton Train Station and the Midleton – Youghal Greenway.
- The contribution which a new housing development could bring to employment and income generation of the town.

A submission from the site owner, Castlerock Homes, also re-iterates its support for the zoning of the land and requests that the lands are included for residential development. Submission notes that changes to the Core Strategy / land supply for Midleton were needed but expresses surprise at the choices made in this regard, particularly in relation to MD-R 27 given its proximity to the Midleton railway station.

### ***Chief Executive's Response***

The Planning Authority acknowledges the significant number of submissions received in relation to this amendment and the genuine concerns expressed in the submissions from parties both supporting and opposing the amendment.

These lands were zoned for Residential Development in the Draft Plan. Given the adjustment in the housing unit allocations on foot of submissions received around the Draft Plan Core Strategy a proposed amendment to change lands to Residential Reserve was proposed in the CE Section 12(4) Report dated 24<sup>th</sup> September 2021. This would allow the lands to be considered for future residential development subject to certain criteria been met in the second half of the Plan period beyond mid-2025. Given the location of these lands adjoining existing housing developments and within walking distance of the Midleton Railway Station it is important that these lands are retained with the potential to deliver housing in the future.

It should be noted that if the lands are needed for development, the layout and design of any development on this site would need to take account of the site's characteristics and the provision of upgrades to water services and roads infrastructure. These issues could be addressed at the development management stage.

Therefore, it is considered that the lands the subject of Proposed Amendment No. 4.3.3.15 should now be retained for residential use as originally proposed in the Draft Plan. If the proposed amendment is not adopted the lands revert back to Medium A Residential Development as per the Draft Plan.

### ***Chief Executive's Recommendation***

**Not to Adopt Proposed Amendment 4.3.3.15 and revert back to the Draft Plan where the lands are zoned for Medium A Residential Development.**

## **Key Issue 2**

### **Proposed Amendment reference 4.3.8.2. and 4.3.8.3: Whitegate- Aghada: Change of Land use from Green Infrastructure to Existing Mixed/General Business/Industrial Uses.**

These are two separate but related amendments.

Proposed Amendment 4.3.8.2 relates to the site of an existing boatyard.

Proposed Amendment 4.8.8.3. relates to a greenfield site west of the boatyard.

In the East Cork Local Area Plan 2017, both the site of the boatyard and the greenfield site to the west are within the development boundary of Whitegate- Aghada but are not zoned for any specific purpose.

In the Draft Plan both sites were identified as part of a larger green infrastructure conservation zone WG -GC-04 with the objective to:

‘Retain open space where existing land uses will remain largely unchanged. This zone is within Cork Harbour Special Protection Area and is not suitable for development. The area makes a significant contribution to the attractiveness of longer distance views from the Cobh area and provides important visual and physical separation between the village of Aghada and industrial areas to the west.’

In response to the Draft Plan, submission DCDP345738391 from EI-H2 sought to have the boatyard site and adjoining greenfield area to the west zoned for new industrial uses to facilitate the development of a hydrogen electrolysis plant.

The Chief Executive’s Report of September 2021 noted that the site included an existing boatyard use and it was therefore considered reasonable to rezone both the site of the boatyard and adjoining lands to Existing Mixed/General Business/Industrial Use.

Following further consideration of the issues and the recommendations of the Habitats Directive Assessment, it was decided to prepare two separate amendments, one dealing with the site of the boatyard (4.3.8.2) and one for the greenfield site (4.3.8.3). Each Amendment proposed to change the zoning of each site from green infrastructure to Existing Mixed/General Business/Industrial Use. These proposed amendments were published for public consultation.

### ***Submissions received in relation to these amendments***

513 submissions were received in relation to amendments 4.3.8.2 and 4.3.8.3.

512 of the submissions do not support the amendments and want the land retained as green infrastructure. The submissions outline a number of reasons for opposing the proposed amendments including the following:

*Safety:* It is considered that the proposal to locate a facility for the production of an explosive material within a village on a site which adjoins a tennis and sailing club, is adjacent to the ‘People’s Path’ and adjoins a Special Protection Area, a main road and local houses is entirely irresponsible. The main road also carries a large volume of oil, petrol and diesel tankers travelling from the oil refinery in Whitegate.

- *Unsuitability of development:* The proposed development is deemed to be entirely inappropriate and completely out of context in such a beautiful rural area in the centre of a village. It is considered that there are more suitable industrial zones all around Cork Harbour to cater for the proposed use. This development would be out of context with village design principles.

- *Biodiversity*: The site is immediately adjacent to a Special Protection Area. Many of the submissions note that two environmental reports were prepared by Cork County Council for the Draft Development Plan – the Addendum to the SEA Environmental Report and the Habitats Directive Screening Assessment Report. In both reports it was recommended that the Green Infrastructure Zoning should be retained on the greenfield site (proposed amendment 4.3.8.3) and that any further development on the boatyard site (proposed amendment 4.3.8.2) may need further assessment with regard to the Habitats Directive. The submissions request that, in accordance with Cork County Council’s own environmental recommendations to protect the SPA and Ireland’s Natura 2000 obligations, that both proposed amendments be rejected. Submissions also note that approximately 10% of the site is within the floodplain.
- *Amenity*: The Aghada People’s Path (adjoining the site) is a valuable resource to all those living locally in the parish of Aghada, Whitegate and beyond. It provides a safe family friendly and environmentally friendly amenity. Priority should not be given to industry over citizens both young and old.
- *Lower Aghada Tennis and Sailing Club* – The rezoned area borders Lower Aghada Tennis and Sailing Club which is a very active club in the community. Each week 200 children are coached in the club and 700 people play tennis in the club. The club encourages wide usage with the Cope Foundation, the Aghada Sea Scouts and the Irish Coast Guard using the club on a frequent basis. To rezone the land adjoining the club makes no sense from a safety and noise point of view.
- The majority of the submissions note that Lower Aghada is a scenic location and attracts a large number of people who enjoy the open spaces and water-based activities on offer. The submissions state that the imposition of an industrial space, to facilitate the production of an extremely explosive gas, on the basis of one submission from EI-H2 is appalling and reckless and that the proposed amendments should be rejected.

A submission from the owner of the land EI-H2, which is the subject of the amendments 4.3.8.2 and 4.3.8.3, was made in support of the proposed amendments. In their previous submission to the Draft County Development Plan EI-H2 considered that the Boatyard site was a suitable site for a hydrogen electrolysis plant. In response to the public consultation on the proposed amendments, EI-H2 are now of the view that the Boatyard does not represent the most suitable or sustainable location for a hydrogen electrolysis plant in Whitegate & Aghada and the submission states that their search for a more suitable site is currently ongoing.

Notwithstanding this, the company continues to support the change provided for by the proposed amendments. They regard to boat yard as an industrial use and have plans to undertake site remediation and further develop of the site for uses consistent with its historic use and the proposed Existing Mixed/General Business/Industrial Use zoning category. The submission considers that the proposed amendments reflect current planning policy as the boatyard/ adjoining sites are “zoned within the Existing Built-up area” in the 2017 LAP.

The submission further requests a modification of the text of paragraph 3.8.15 of Volume Four of the Draft Plan – South Cork in respect of Whitegate & Aghada to include the following supportive text - “The redevelopment of the Aghada Boatyard for appropriate business/industrial uses will be supported, subject to normal planning criteria, with the exception of a hydrogen electrolysis plant, which is not considered a suitable use.” The submission suggests that this additional wording will reflect the landowners plans for the site and provide clarity for the community regarding these plans.

### ***Chief Executive’s Response***

There were a significant number of submissions received in relation to these amendments. The submitters highlighted their opposition to a heavy industrial use at this location and in their desire to retain the green infrastructure zoning of the land to maintain the safety and amenity of area and adjoining village uses. There are a large number of dwellings immediately adjacent to the site and the tennis and sailing club is located to the immediate east of the site. Submissions are also concerned about the impact of industrial development on

the adjoining Cork Harbour Special Protection Area and on the scenic amenity of the area and note the availability of zoned industrial lands elsewhere in the village and the harbour generally where industrial development could be accommodated.

It is also noted that EI-H2 have outlined in their submission that they no longer intend to locate a Hydrogen Plant on these lands but continue to support both amendments to rezone the land. The company has indicated that they intend to undertake site remediation and redevelop the site for suitable uses consistent with its historic use as a boatyard and the proposed 'Existing Mixed/General Business/Industrial uses zoning. As noted in the submission appropriate uses within that category include:

*General warehousing, trade warehousing and distribution, manufacturing and repairs, storage, builder's provider/yard, food processing facility, logistics, fitting and business to business activity, wholesaling, vehicle sales outlets, high technology manufacturing plant and tool hire, public services, service station, vehicle servicing/maintenance garage, incubator units, childcare facilities.*

It is also noted that EI- H2 are also seeking further changes to the text of the plan so that the plan would specifically support the redevelopment of the boatyard for appropriate business/industrial uses.

#### **Proposed amendment 4.3.8.2.**

This amendment relates to the site of the existing boatyard and seeks to acknowledge the established use on site and facilitate appropriate future development of the site. This is considered reasonable and any specific issues about future development of the site can be assessed as part of the project stage as part of the development management process. Boat yards and boat storage facilities provide an important service and the plan seeks to support and facilitate such uses.

The Habitats Directive Screening Assessment Report of this site and proposed amendment 4.3.8.2 has identified no potential for significant effects on EU sites and the requirement for Appropriate Assessment at this stage has been screened out. However, as the area lies immediately adjacent to the Cork Harbour Special Protection Area, the HDA report determines that any further development or re-development of the site may need to be subject to Appropriate Assessment.

It is noted that EI-H2 have stated that they no longer intend to seek to locate a Hydrogen Plant on the site and do intend to develop the site in a manner consistent with the historic use as a boatyard and the proposed Existing Mixed / General Business / Industrial Uses zoning.

The proposed amendment to change the zoning to Existing Mixed / General Business / Industrial Uses zoning category reflects the current mix of uses on the site. In the current East Cork Local Area Plan, 2017 the site is within the development boundary of Whitegate- Aghada but is not zoned for any specific purpose.

In this context it is considered that **Proposed amendment 4.3.8.2.** should be adopted.

#### **Proposed Amendment 4.3.8.3.**

This amendment relates to the undeveloped greenfield site west of the boatyard which lies immediately adjacent to the foreshore and the Cork Harbour Special Protection Area.

OPR submission notes that the Nature Impact Report concludes that, apart from MA 4.3.8.3, no proposed amendments of the County Development Plan have been identified to have the potential to cause or contribute to significant effects on one or more European Sites. MA .4.3.8.3 proposes to amend c.0.98ha from Green Infrastructure WG-CG-04 to 'Existing Mixed / General Business / Industrial Uses'.



The Planning Authority, as the Competent Authority will be aware of the requirements under Articles 6(3) and 6(4) of the Habitats Directive, as transposed.

OPR notes that the subject site would appear to be greenfield in nature, and that it is in agricultural use with no record of extant planning permission on the NPAD system. As such, the proposed zoning of the site as 'Existing Mixed / General Business / Industrial Uses' would not appear to be justified.

The Local Authority note the OPR's recommendation in this case and in particular the implications for the Planning Authority, as the Competent Authority of the requirements under Articles 6(3) and 6(4) of the Habitats Directive, as transposed.

Therefore, in order to ensure the protection of the Cork Harbour SPA and that the Plan is compliant with the requirements of the Habitats and Birds Directives, it is recommended that this amendment not be adopted.

### ***Chief Executive's Recommendation***

**Adopt Proposed Amendment 4.3.8.2 with No Modification.**

**Not to Adopt the Proposed Amendment 4.3.8.3 and revert back to Draft Plan (Green Infrastructure Zoning).**

(In relation to Proposed Amendment 4.3.8.3, see also the Recommendation to OPR Submission in Key Issues Section 2.2 of Volume One, Part 1 of this Report)

#### *4.6 Submissions for the East Cork Municipal District*

The following submissions were received in connection with the Proposed Amendments for the East Cork Municipal District.

East Cork Municipal District		
No.	Name of Interested Party	Submission reference Number
1.	A Barry	PADP401119416
2.	A Hugh Qullinan	PADP400930147
3.	Aaron Berry	PADP400576790
4.	Aaron Boyle	PADP400786119
5.	Aaron Boyle	PADP400785169
6.	Adrian Hickey	PADP402148327
7.	Adrienne Kelly	PADP399174044
8.	Aidan Berry	PADP400578668
9.	Aidan Murphy	PADP400969448

**East Cork Municipal District**

<b>No.</b>	<b>Name of Interested Party</b>	<b>Submission reference Number</b>
10.	Aileen and Ray Whalley	PADP401328964
11.	Aileen Lehane	PADP400567020
12.	Aileen Pomphrett	PADP401628373
13.	Aileen Pomphrett	PADP401651440
14.	Ailish Kearney-Boyle	PADP400781620
15.	Ailish Kearney-Boyle	PADP400783256
16.	Aine White, Cronin Wall Properties Ltd.	PADP402001697
17.	Aisling Dwyer	PADP400523321
18.	Aisling Gilroy	PADP400643301
19.	Aisling Mulhall	PADP398999966
20.	Alanna Quinn	PADP400949785
21.	Alfie Smyth	PADP401272718
22.	Amanda Cody	PADP401384000
23.	Amanda Leahy	PADP400639907
24.	Amy Cody	PADP401381482
25.	Amye Wilson	PADP401527051
26.	Andre Roche	PADP401659892
27.	Andrea Murphy	PADP401042108
28.	Andrew Dillon	PADP401446919
29.	Andrew Lynch	PADP401639256
30.	Angela Hurley	PADP401582170
31.	Angela Kelleher	PADP399531947
32.	Angela Kelleher	PADP400952607

**East Cork Municipal District**

<b>No.</b>	<b>Name of Interested Party</b>	<b>Submission reference Number</b>
33.	Ann Casey	PADP400971455
34.	Ann Marie Cashman	PADP398693722
35.	Ann Marie Cashman	PADP398696533
36.	Ann O'Dowd	PADP400891371
37.	Ann O'Meara and Paul O'Meara	PADP401341887
38.	Anna Hughes	PADP401655143
39.	Anna Rogers	PADP401268073
40.	Anne Landry	PADP400296997
41.	Anne Marie Brennan	PADP401541960
42.	Anne Marie Brown	PADP397762793
43.	Anne Marie Mulcahy and Fearghal O' Maolcatha	PADP401578365
44.	Anne McCarthy	PADP400448163
45.	Anne Sweeney	PADP400519483
46.	Anne Sweeney	PADP401585465
47.	Anne-Marie Sheridan	PADP397314919
48.	Annett Dahill	PADP401537177
49.	Annette Gibney	PADP401263414
50.	Annette O'Brien	PADP401595766
51.	Anthony & Claire O Connor	PADP401365685
52.	Anthony Kidney	PADP396696651
53.	Anthony Loughry	PADP401553803
54.	Antoinette Scannell	PADP401439371
55.	Aoibhín Burke	PADP400467282

**East Cork Municipal District**

No.	Name of Interested Party	Submission reference Number
56.	Aoife Fitzgerald	PADP400700061
57.	Aoife Kearney	PADP401220031
58.	Aoife Ryan Beatty	PADP401595300
59.	Aoife Waterman	PADP400897188
60.	Arun Sasisdharan	PADP401292999
61.	Ashleigh Wellman	PADP401555241
62.	Ashlin O'Sullivan	PADP400411406
63.	Ashling Horgan	PADP400536021
64.	Athena Private Investments Limited	PADP401448017
65.	Austin Stack	PADP401446358
66.	Ava Cronin	PADP401572346
67.	Ava Mangan	PADP401140151
68.	Avril Wallis and F. M. Wallis	PADP400453177
69.	Bairbre Healy	PADP401347842
70.	Barrie Paine	PADP401356480
71.	Barry Kearney	PADP399541776
72.	Barry Moran	PADP400995080
73.	Barry Rumley	PADP401602557
74.	Batt and Eileen Cronin	PADP401249902
75.	Beata Mankowska	PADP400559425
76.	Ben Griffin	PADP401415134
77.	Ben Sheehy	PADP401997619
78.	Ber McCarthy	PADP400912950

**East Cork Municipal District**

<b>No.</b>	<b>Name of Interested Party</b>	<b>Submission reference Number</b>
79.	Bernadette Fitzgerald	PADP401125656
80.	Bernard Fortune	PADP402130857
81.	Betty O’Riordan	PADP400992916
82.	Betty O’Riordan	PADP400979092
83.	Bill Steele	PADP400367329
84.	Bill Steele	PADP401213702
85.	Billy Hennessy	PADP398754924
86.	Blossom hill and Broomfield residents	PADP401117693
87.	Breda Cashman	PADP401243902
88.	Breda O’Riordan	PADP400908779
89.	Brenda Cashman	PADP401218648
90.	Brendan and Rose Ryan	PADP400978371
91.	Brendan Crowley	PADP400945014
92.	Brendan Kearney	PADP399036301
93.	Brendan Murphy	PADP402140127
94.	Brendan Wolohan	PADP401114370
95.	Brian & Michelle Hughes	PADP401244007
96.	Brian Cronin	PADP401387534
97.	Brid Goggin	PADP400509580
98.	Brid Kelly	PADP400575335
99.	Bridget Barrett	PADP401254699
100.	Bridget McCarthy	PADP400686160
101.	Bridie O’Connor	PADP400988245

**East Cork Municipal District**

<b>No.</b>	<b>Name of Interested Party</b>	<b>Submission reference Number</b>
102.	Bronagh Bolger	PADP400519048
103.	Bryan Daly	PADP400487886
104.	Bryan Meade	PADP400918048
105.	Bryan Stack	PADP399316309
106.	C Cavallo	PADP401679739
107.	C. Frazer	PADP396779127
108.	Caitriona Graham	PADP400528906
109.	Caitriona O'Driscoll	PADP400832685
110.	Callum Moloney	PADP400525966
111.	Candice Hudelot	PADP401260520
112.	Carina Walsh	PADP399160624
113.	Carmel Bolger	PADP400907771
114.	Carmel Day	PADP400071707
115.	Carmel Kearney	PADP401245125
116.	Carmel O'Donoghue	PADP402142969
117.	Carol Quinn	PADP401593419
118.	carol shields	PADP399538783
119.	Caroline Brady	PADP400992452
120.	Caroline Byrne	PADP401285393
121.	Caroline Caplice	PADP401651403
122.	Caroline Doyle	PADP400958263
123.	Caroline O'Shea	PADP401236964
124.	Caroline O'Sullivan	PADP400641040

**East Cork Municipal District**

No.	Name of Interested Party	Submission reference Number
125.	Castle Rock Homes (Midleton) Limited	PADP401389129
126.	Castlemartyr Mogeely Community Alert	PADP396715013
127.	Castlemartyr Resort & The Hunted Hog Pub	PADP397062434
128.	Castlemartyr Tidy Towns	PADP396603643
129.	Cathal Roche	PADP401644612
130.	Catherine Cahill	PADP401647433
131.	Catherine Cashman	PADP401213064
132.	Catherine Daly	PADP400496270
133.	Catherine Donovan	PADP401607122
134.	Catherine Flynn	PADP401397674
135.	Catherine Hennessy	PADP400517645
136.	Catherine Nestor	PADP400570812
137.	Catherine Ryan	PADP400422915
138.	Cathrina Canavan	PADP401195479
139.	Cathryn McCarthy	PADP400546903
140.	Cathy Stafford	PADP401053228
141.	Catriona O'Donovan	PADP401241128
142.	Cayleigh Fitzgerald	PADP399985858
143.	Celia Daly	PADP400643519
144.	Chanelle o Regan	PADP400520935
145.	Chloe O'Reilly Lowther	PADP401663502
146.	Chris Cashman	PADP400440475
147.	Chris Mulcahy	PADP401306452

**East Cork Municipal District**

<b>No.</b>	<b>Name of Interested Party</b>	<b>Submission reference Number</b>
148.	Chris Power	PADP401299177
149.	Christian Smyth	PADP401371769
150.	Christine McNamara	PADP401566112
151.	Christopher Morrissey	PADP401662193
152.	Cian Fleming	PADP398510196
153.	Cian Prendergast	PADP400505452
154.	Ciara Collins	PADP401385865
155.	Ciara Cronin	PADP402160902
156.	Ciara Fortune	PADP400537233
157.	Ciara Gosnell	PADP401580527
158.	Ciara Nic Llam	PADP401352755
159.	Cinty O'Riordan	PADP401284409
160.	Claire Fitzgerald	PADP400699733
161.	Claire Maher	PADP401310956
162.	Claire O'Brien	PADP401566971
163.	Clare Boylan	PADP398753387
164.	Clare Ellis	PADP401518589
165.	Clodagh Finn	PADP400699505
166.	Clodagh McCarthy	PADP400574798
167.	Clodagh McGrath	PADP401544103
168.	Coleen O'Brien	PADP401369154
169.	Colette L'Hostis	PADP396623729
170.	Colin Byrne	PADP401574450



**East Cork Municipal District**

<b>No.</b>	<b>Name of Interested Party</b>	<b>Submission reference Number</b>
171.	Collette Gallagher	PADP401655985
172.	Colm Cronin	PADP400408008
173.	Colm Quinn	PADP401540871
174.	Colman McCarthy	PADP400575244
175.	Committee of Youghal Lawn Tennis Club	PADP400779476
176.	Conor J Phelan	PADP401279558
177.	Conor O'Callaghan	PADP401000956
178.	Conor O'Callaghan	PADP401002137
179.	Conor O'Flynn	PADP400829308
180.	Conor O'Sullivan	PADP400639068
181.	Cora Cashman	PADP400513517
182.	Cora Murphy	PADP401040341
183.	Cormac Alcock	PADP401205274
184.	Cormac, Triona and Hazel Whalley	PADP401335692
185.	Craig Leahy	PADP400641869
186.	D & B Waterman Ltd	PADP401449902
187.	D O'Sullivan	PADP399516838
188.	Damian O'Brien	PADP401588619
189.	Damien & Katie Kearns	PADP401132896
190.	Damien and Katie Kearns	PADP401134732
191.	Damien Daly	PADP401360488
192.	Dan Callanan	PADP401207915
193.	Daniel Cowman	PADP400989007

**East Cork Municipal District**

<b>No.</b>	<b>Name of Interested Party</b>	<b>Submission reference Number</b>
194.	Daniel Fitzgerald	PADP400700528
195.	Daniel Gerard McCarthy	PADP400914369
196.	Daniel Gilroy	PADP400645931
197.	Daniel O Callaghan	PADP401002729
198.	Daniel O Callaghan	PADP401003454
199.	Daniel O'Sullivan	PADP397415246
200.	Daniel Weathers	PADP401532079
201.	Danny McCarthy	PADP401219137
202.	Darragh Graham	PADP401129572
203.	Darragh Graham	PADP401130231
204.	Darren Lynch	PADP401570714
205.	Darren Swart	PADP401547993
206.	Dave Ring	PADP401659490
207.	David Creedon	PADP400578349
208.	David Daly	PADP400417938
209.	David Daly	PADP401531703
210.	David Hartnett	PADP400126416
211.	David McGowan	PADP400651887
212.	David Murray	PADP401542833
213.	David O Callaghan	PADP397195572
214.	David O'Sullivan	PADP401665838
215.	David O'Sullivan	PADP402128829
216.	David Walsh	PADP400664218

**East Cork Municipal District**

No.	Name of Interested Party	Submission reference Number
217.	Dean Broderick	PADP401526076
218.	Debbie Dillon	PADP401322765
219.	Deborah Hawkins	PADP400559237
220.	Deborah O'Connell Solicitors	PADP401623621
221.	Declan Devoy	PADP402135577
222.	Declan O Neill	PADP401281404
223.	Dee Byrne	PADP401563431
224.	Deirdre Connolly	PADP401216995
225.	Deirdre Cronin Daly and Family	PADP401264892
226.	Deirdre De Faoite	PADP401357105
227.	Deirdre Dennigan	PADP401001100
228.	Deirdre O'Sullivan	PADP400503154
229.	Deirdre O'Sullivan	PADP398284668
230.	Deirdre Triggs	PADP401856077
231.	Denis Desmond	PADP401394913
232.	Denis O'Driscoll	PADP401114154
233.	Denise Collins, Lawrence Collins	PADP400929429
234.	Dennis Murphy	PADP401572330
235.	Derry Collins	PADP401601084
236.	Derry Healy	PADP401516646
237.	Desmond Rothwell	PADP401129069
238.	Diana Smolko	PADP401131550
239.	Diana Smolko	PADP401046592

**East Cork Municipal District**

No.	Name of Interested Party	Submission reference Number
240.	Dianka Smolko	PADP401594027
241.	Diarmuid Moloney	PADP400457777
242.	Dolores O'Riordan	PADP401012693
243.	Donal & Margaret O'Shea	PADP400399027
244.	Donal Higgins	PADP401102326
245.	Donal McCarthy	PADP400635298
246.	Donal Wall	PADP401351836
247.	Donnagh Crowley	PADP400951484
248.	Doreen Byrne	PADP401295654
249.	Dr R. Griffin	PADP401257488
250.	Eamon Ahern	PADP400827766
251.	Eamonn Ahern	PADP400828129
252.	Eamonn Crotty	PADP401643220
253.	Eamonn Kearney	PADP401211244
254.	Ed Sexton	PADP401340333
255.	Edel Cronin	PADP400638227
256.	Edmond Broderick	PADP401661862
257.	EI-H2	PADP401355642
258.	Eileen Burke	PADP401600144
259.	Eileen Finn	PADP400698671
260.	Eileen O'Brien	PADP400687393
261.	Eileen O'Brien	PADP400685819
262.	Eileen Triggs	PADP401223469

**East Cork Municipal District**

No.	Name of Interested Party	Submission reference Number
263.	Eilish Kenny	PADP400523518
264.	Eilish Triggs	PADP400984099
265.	Eimear Boyle	PADP400788562
266.	Eimear Boyle	PADP400787688
267.	Elaine Moran	PADP401005662
268.	Elaine Muledy	PADP400413930
269.	Elaine O'Sullivan	PADP401383052
270.	Elaine Ryan	PADP401341125
271.	Elaine Seacy	PADP401580711
272.	Eleanor O'Sullivan	PADP401197265
273.	Elizabeth Keeling	PADP401638356
274.	Elizabeth Ryan Moloney	PADP400511772
275.	Ella O Sullivan	PADP400441788
276.	Ellen Barrett	PADP401248558
277.	Ellen O'Riordan	PADP400576070
278.	Emma Fitzgerald	PADP400700932
279.	Emma O'Farrell	PADP401515554
280.	Emma Trundle	PADP400344495
281.	Eniko Sipos	PADP400887633
282.	Eoghan Callery	PADP401086004
283.	Eoghan Daly	PADP401334790
284.	Eoin Mangan	PADP401139630
285.	Eoin O'Riordan	PADP400969244

**East Cork Municipal District**

<b>No.</b>	<b>Name of Interested Party</b>	<b>Submission reference Number</b>
286.	Eoin O'Sullivan	PADP400924849
287.	Eric Desmond	PADP401393415
288.	Eric Florentin	PADP401121058
289.	Eric Smith	PADP400503796
290.	Eric Smith	PADP400501921
291.	Erika Liptajovp	PADP401005617
292.	Erin Jacobson	PADP400989560
293.	Erwin Roche	PADP401360281
294.	Esther Lane	PADP400541260
295.	Eucharía Owers	PADP400579003
296.	Eugene Fogarty	PADP401635679
297.	Eugene O'Riordan	PADP400991319
298.	Eva Vaughan	PADP401657524
299.	Evarose Boylan	PADP398705076
300.	Evelyn Richardson	PADP401392309
301.	Faye Prendergast	PADP401592677
302.	Fergie Cahill	PADP401377822
303.	Finbar Alcock Agell	PADP400948154
304.	Finbar Mulcahy	PADP401557372
305.	Finola O'Brien	PADP400446614
306.	Fiona Brennan	PADP401220728
307.	Fiona Dwyer	PADP400528816
308.	Fiona Hickey	PADP401329836

**East Cork Municipal District**

<b>No.</b>	<b>Name of Interested Party</b>	<b>Submission reference Number</b>
<b>309.</b>	Fiona MacHale	PADP401657945
<b>310.</b>	Fiona O'Sullivan	PADP400792291
<b>311.</b>	Fiona Walsh	PADP400984259
<b>312.</b>	Fran Fitzpatrick	PADP400927072
<b>313.</b>	Frances Ahern	PADP401199089
<b>314.</b>	Frances Day	PADP400068544
<b>315.</b>	Frank Hussey & Bernice Hussey	PADP400060916
<b>316.</b>	Gaelle Monnier	PADP401115790
<b>317.</b>	Garry, Suzanne and Simon Fitzgerald	PADP401246888
<b>318.</b>	Gary Gosnell	PADP401582411
<b>319.</b>	Gary Harrington	PADP401559008
<b>320.</b>	Gary O'Sullivan	PADP401345812
<b>321.</b>	Gary Twomey	PADP400302172
<b>322.</b>	Gavin Dahill	PADP401666975
<b>323.</b>	Gavin Roche	PADP401515005
<b>324.</b>	Gayle Elmore	PADP401357024
<b>325.</b>	Ger Fitzgerald	PADP401355335
<b>326.</b>	Geraldine Coleman	PADP400993977
<b>327.</b>	Geraldine Cunningham	PADP400990488
<b>328.</b>	GERALDINE OBRIEN	PADP401124715
<b>329.</b>	GERALDINE OBRIEN	PADP401125507
<b>330.</b>	Gerard and Karen O'Brien	PADP401251227
<b>331.</b>	Gerard and Lucy Lambe	PADP401201072

**East Cork Municipal District**

No.	Name of Interested Party	Submission reference Number
332.	Gerard Collins	PADP400847154
333.	Gerard Collins	PADP400845638
334.	Gerard Griffin	PADP401283063
335.	Gerard Hennessy	PADP400517939
336.	Gerard Melvin and Orla Leahy	PADP400522003
337.	Gerard Sheehan	PADP401254680
338.	Gerry Crowley	PADP400957772
339.	Gill Berry	PADP400578059
340.	Gill Byrne	PADP401282205
341.	Gina Fitzgerald	PADP400920820
342.	Glenda Gavin	PADP401529619
343.	Glenveagh Properties	PADP401417074
344.	Grafix	PADP401538311
345.	Graham Curtin	PADP400957478
346.	Gwen cunningham	PADP400546967
347.	Gwen O'Shea	PADP401535652
348.	Habeeb Odunsi	PADP400834580
349.	Helen Barrett	PADP400636406
350.	Helen Guerin	PADP401668008
351.	Helen Prendergast	PADP400504326
352.	Henry Flynn	PADP401293299
353.	Hilary Lane	PADP400403863
354.	Hilary McCully	PADP401625691



**East Cork Municipal District**

<b>No.</b>	<b>Name of Interested Party</b>	<b>Submission reference Number</b>
355.	Hilda Bohane	PADP402145269
356.	Huba Lehel Sipos	PADP400891160
357.	Hugh Smiddy	PADP400972850
358.	Iain Wrafter	PADP401326899
359.	Ian O'Loughlin	PADP401116628
360.	Iarla Cott	PADP400642706
361.	Imelda Duhig-Budden	PADP400163848
362.	Ivaia Vasic	PADP401643895
363.	Ivan and Rachel O'Riordan	PADP401344215
364.	Ivana Boyet	PADP401547358
365.	Ivor Burns	PADP399529076
366.	Izzy Scallon	PADP400920368
367.	Jackie Lee	PADP401342935
368.	Jacqui's Hair salon	PADP398377900
369.	James Cashman	PADP400466265
370.	James Corcoran	PADP400981990
371.	James Flavin	PADP401641006
372.	James Kelleher	PADP401597336
373.	James O Reilly	PADP400540208
374.	James O'Súilleabháin	PADP401518328
375.	Jamie Manley	PADP401076764
376.	Jane Robertson	PADP401258937
377.	Janet Lynch	PADP401534196

**East Cork Municipal District**

<b>No.</b>	<b>Name of Interested Party</b>	<b>Submission reference Number</b>
<b>378.</b>	Janet O'Reilly	PADP401112612
<b>379.</b>	Janet O'Reilly	PADP401112356
<b>380.</b>	Janet Seacy	PADP401597570
<b>381.</b>	Janet Turra	PADP400947700
<b>382.</b>	Janette Foley	PADP399689835
<b>383.</b>	Jason & Lynda Colbert	PADP401570664
<b>384.</b>	Jason Boyle	PADP398722372
<b>385.</b>	Jason Boyle	PADP398724750
<b>386.</b>	Jason Cashman	PADP401548383
<b>387.</b>	Jason Colbert	PADP400579843
<b>388.</b>	Jason Murphy	PADP401538923
<b>389.</b>	Jay Keating	PADP400575069
<b>390.</b>	Jean Horgan	PADP400909705
<b>391.</b>	Jean Horgan	PADP400903526
<b>392.</b>	Jeff Huntington	PADP401677418
<b>393.</b>	Jen McPherson	PADP401621522
<b>394.</b>	Jen Waechter	PADP401588729
<b>395.</b>	Jennifer Daly	PADP401297966
<b>396.</b>	Jennifer O'Driscoll	PADP401607385
<b>397.</b>	Jeremiah Daly	PADP401400504
<b>398.</b>	Jerry Melvin	PADP400634204
<b>399.</b>	Jerry O'Riordan	PADP400575588
<b>400.</b>	Jessica Lee	PADP401565656

**East Cork Municipal District**

No.	Name of Interested Party	Submission reference Number
401.	JIM Mullins	PADP396745923
402.	Jim Fortune	PADP400911073
403.	Jim Luby & Tom Rodgers, Joint Statutory Receivers over certain assets of John and Elaine Barry	PADP401399474
404.	Jimmy Condon	PADP398750185
405.	Jimmy O'Leary	PADP400424104
406.	Joan Barry	PADP401252975
407.	Joan Barry	PADP401296214
408.	Joanna Fogarty	PADP401658820
409.	Joanne Collins	PADP401580717
410.	Joanne Currie	PADP400530313
411.	Joe Dwyer	PADP400525442
412.	Joe Fitzgerald	PADP400898269
413.	Joe Hetherington	PADP400990756
414.	Joe Higgins	PADP401354343
415.	Joenne Korhenowsate	PADP401372011
416.	John and Ina Hennessy	PADP400437214
417.	John and Siobhan Conway	PADP401318480
418.	John Connell	PADP401602480
419.	John Fitzgerald	PADP400235037
420.	John Hannon	PADP401539690
421.	John Hogan	PADP400368638
422.	John Keane	PADP401380988

**East Cork Municipal District**

<b>No.</b>	<b>Name of Interested Party</b>	<b>Submission reference Number</b>
423.	John Lynch	PADP401634318
424.	John Mangan	PADP399688950
425.	John Manning	PADP400455083
426.	john murphy	PADP400386748
427.	John Murphy	PADP400775409
428.	John O Connell	PADP400914733
429.	John Paul Ivers	PADP401575790
430.	John Quinn	PADP401638006
431.	John Tierney	PADP401327389
432.	John Walsh	PADP401349103
433.	Jonathan Frankham	PADP400606695
434.	Joseph Dwyer	PADP400901951
435.	Josephine Broderick	PADP401223825
436.	Judith Meagher	PADP400533598
437.	Julie Dwyer	PADP401240480
438.	Juliet Corcoran	PADP400160833
439.	Justin Ackland	PADP400401985
440.	Justin Dennehy	PADP400454546
441.	K. Smolko	PADP401590143
442.	Kamila Przybulowska	PADP401556343
443.	Kannan Natchimuthu	PADP401586412
444.	Karen Burns and Simon Horgan	PADP400310513
445.	Karen Casey	PADP401263966

**East Cork Municipal District**

<b>No.</b>	<b>Name of Interested Party</b>	<b>Submission reference Number</b>
446.	karen Padden	PADP398130395
447.	KAREN WALSH	PADP400985760
448.	Katarina Szofka	PADP401335797
449.	Kate Barry	PADP401120489
450.	Kate Elliott	PADP400502234
451.	Kate Ivory	PADP401551066
452.	Kate O'Shea	PADP401270627
453.	Katherine Daly	PADP401089763
454.	Kathleen Corcoran	PADP401351764
455.	Katie Sheehan	PADP401623878
456.	Keith Cotter	PADP402133329
457.	Keith Fahy	PADP400069594
458.	Keith Hegarty	PADP401612193
459.	Keith Taylor	PADP401289538
460.	Ken McIlreavy	PADP401083495
461.	Ken McIlreavy	PADP399691662
462.	Ken Seymour	PADP401291671
463.	Kenneally Property Services	PADP401643297
464.	Kevin Alcock	PADP401074175
465.	Kevin Corkery	PADP401003854
466.	Kevin Daly	PADP401109138
467.	Kevin Dwyer	PADP400440826
468.	Kevin Finn	PADP400699299

**East Cork Municipal District**

<b>No.</b>	<b>Name of Interested Party</b>	<b>Submission reference Number</b>
469.	Kevin Forde	PADP401596098
470.	Kevin Lydon	PADP401276153
471.	Kevin O Reilly	PADP401110022
472.	Kevin O Reilly	PADP401112097
473.	Kevin O'Connor	PADP400989284
474.	Kevin Reilly	PADP401636783
475.	Kevin Ronin	PADP401530761
476.	Kiera Hennessy	PADP398751937
477.	Kieran Murphy	PADP397469400
478.	Kieran Walsh	PADP401553985
479.	Kyle McCarthy	PADP400452553
480.	Lakshmi saikumar kasibatla	PADP400313451
481.	Lauern Hodden	PADP401668700
482.	Laura Broderick	PADP401362732
483.	Laura Martini	PADP399858363
484.	Laura O'Donnell	PADP401351294
485.	Laura O'Keeffe	PADP400993926
486.	Laura Walsh	PADP401401482
487.	Laura Wilson	PADP401671169
488.	Laurie Sjostrom	PADP399853506
489.	Leanne Lowther, Cronin Wall Properties Ltd.	PADP402003345
490.	Leila Stack	PADP401540005
491.	Lena Doyle	PADP400916698

**East Cork Municipal District**

<b>No.</b>	<b>Name of Interested Party</b>	<b>Submission reference Number</b>
492.	Leona Cremin	PADP400514813
493.	Leonard O'Driscoll	PADP396957283
494.	Leonard O'Driscoll	PADP396962090
495.	Leonard Whyte	PADP401370452
496.	Levi O'Keefe	PADP401009667
497.	Liam and Helen Wall	PADP400507279
498.	Liam Hennigan	PADP401602071
499.	Liam Kelly	PADP400888982
500.	Liam O Floinn	PADP401283243
501.	Liam Quaide	PADP401446400
502.	Liam Walsh	PADP399491778
503.	Liam Walsh Agri Limited	PADP401397343
504.	Lilian McCarthy	PADP401604735
505.	Lillian Hennessy	PADP400396702
506.	Lily Mae Steele	PADP400062099
507.	Lina Gilroy	PADP400645627
508.	Linda Mc Kenna	PADP398867566
509.	Linda Ryan	PADP401322821
510.	Lisa Cashman	PADP399384265
511.	Lisa Cashman	PADP399384677
512.	Lisa Ring & Liam McSweeney	PADP401356182
513.	Lisa Sexton	PADP401338478
514.	Liz Callery	PADP400962539

**East Cork Municipal District**

No.	Name of Interested Party	Submission reference Number
515.	Liz Lolies	PADP397358216
516.	Lollipop Kids	PADP401614121
517.	Lorraine McCarthy	PADP400576416
518.	Lorraine Parr	PADP398090876
519.	Louise Cremin and Denis Keane	PADP401600477
520.	Louise Harvey	PADP401542357
521.	Louise Walsh	PADP401661043
522.	Lower Aghada Action Group	PADP401094701
523.	Lower Aghada Action Group	PADP401060944
524.	Lower Aghada Action Group	PADP401058851
525.	Lower Aghada Tennis & Sailing Club	PADP400509288
526.	Lower Aghada Tennis & Sailing Club	PADP400512080
527.	Luca Cavallo	PADP401629449
528.	Lucy Wallis	PADP400147406
529.	Lucy Wallis	PADP400150578
530.	Lynda Burke	PADP400977583
531.	Lynda Colbert	PADP400579449
532.	M Brosnan	PADP400997736
533.	M Lewis	PADP401221433
534.	Maciek Lukicemiek	PADP401557763
535.	Maeve Moroney	PADP396681546
536.	Mag Interior LTD.	PADP401579313
537.	Magdalena Persinska	PADP401648832



**East Cork Municipal District**

<b>No.</b>	<b>Name of Interested Party</b>	<b>Submission reference Number</b>
538.	Mairéad & Niall Hickman	PADP401116533
539.	Mairead Hitchnough	PADP401676102
540.	Mairead O'Driscoll	PADP397761385
541.	Mairead Ryan	PADP400986845
542.	Manon Murray	PADP400428740
543.	Marcella McGrath	PADP400961131
544.	Margaret Bohane	PADP397100600
545.	Margaret Buckley	PADP401627650
546.	Margaret McCarthy	PADP400528565
547.	Margaret Noonan	PADP400223515
548.	Margaret Ryan	PADP400799360
549.	Maria Cronin	PADP401587250
550.	Marianne Draper	PADP400969738
551.	Marie Cahill	PADP400472475
552.	Marie Cremin	PADP401652681
553.	Marie Fitzpatrick	PADP400546118
554.	Marie Gonzalez	PADP401203953
555.	Marie Moran	PADP401051603
556.	Marie O Leary	PADP400450798
557.	Marie O'Sullivan	PADP401358803
558.	Marie Walsh	PADP399519227
559.	Mark Brett	PADP397361127
560.	Mark Brett	PADP397353470

**East Cork Municipal District**

No.	Name of Interested Party	Submission reference Number
561.	Mark McCarthy	PADP400541478
562.	Mark Twomey	PADP400935401
563.	Martha Walsh	PADP398929675
564.	Martha Walsh	PADP398930168
565.	Martin and Fiona Hill	PADP401378690
566.	Martin Brennan	PADP401248096
567.	Martin Doyle	PADP400531106
568.	Martin Flynn	PADP400263063
569.	Martin Hennigan	PADP401579267
570.	Martin Horgan	PADP399788696
571.	Martin Ryan	PADP400162351
572.	Martina joyce postmaster	PADP397103474
573.	Martina O'Donovan	PADP400499774
574.	Martina O'Driscoll	PADP399384927
575.	Martina O'Driscoll	PADP399378886
576.	Mary Coleman	PADP401266696
577.	Mary Corcoran	PADP401595870
578.	Mary Cott	PADP400430688
579.	Mary Crowley	PADP400941108
580.	Mary Culligan	PADP401292992
581.	Mary Fitzgerald	PADP400413957
582.	Mary Fitzgerald	PADP398703776
583.	Mary Fox	PADP401439877

**East Cork Municipal District**

No.	Name of Interested Party	Submission reference Number
584.	Mary J. Rogers	PADP399168886
585.	Mary Kelly	PADP401605923
586.	Mary ONeill	PADP398999201
587.	Mary O'Sullivan	PADP400519252
588.	Mary Prendergast	PADP401599120
589.	Mary Prendergast	PADP401116941
590.	Mary Prendergast	PADP401117425
591.	Mary Roche	PADP401365070
592.	Mary Rohan	PADP401624326
593.	Mary Rose	PADP401331978
594.	Mary T. Cashman	PADP400922134
595.	Mary-Kate McConnell	PADP401514206
596.	Matthew Smyth	PADP401368644
597.	Maura Brady (nee Kelly)	PADP401081598
598.	Maureen Ahern	PADP400416702
599.	Maurice and Ann Ring	PADP401122138
600.	Maurice Coleman	PADP400537209
601.	Maurice Cott	PADP400439379
602.	Maurice O'Keeffe	PADP401658960
603.	Maurice Reaney	PADP400485135
604.	Maurice Ring	PADP400803263
605.	Maurice Roche	PADP401667927
606.	May O'Sullivan	PADP401600271

**East Cork Municipal District**

No.	Name of Interested Party	Submission reference Number
607.	MCO Construction	PADP401590489
608.	Megan Alcock	PADP401197123
609.	Megan Paine	PADP401545194
610.	Melanie O'Donovan	PADP401645863
611.	Michael and Louise Walsh	PADP400475317
612.	Michael Bailey	PADP401579815
613.	Michael Boylan	PADP398701988
614.	Michael Corbett	PADP400573184
615.	Michael Fitzgerald	PADP401551767
616.	Michael Kenefick	PADP401044330
617.	Michael Lane	PADP401116600
618.	Michael MacSweeney	PADP401586993
619.	Michael Mc Carthy	PADP401220501
620.	Michael McCarthy	PADP401355641
621.	Michael McCarthy	PADP399861707
622.	Michael Mortell	PADP401011235
623.	Michael O'Brien	PADP401040947
624.	Michael Shanahan	PADP398253423
625.	Michael Walsh	PADP401669923
626.	Michael White	PADP400757716
627.	Mícheál Burke	PADP400435017
628.	Mick McCarthy	PADP401576879
629.	Mike Falahee	PADP398366825

**East Cork Municipal District**

No.	Name of Interested Party	Submission reference Number
630.	Miriam Day	PADP400067112
631.	Mollie Steele	PADP400362838
632.	Monica Moore	PADP401555143
633.	Moya Geraghty	PADP401582820
634.	Mr and Mrs Peter Clifton	PADP400931600
635.	Mr Brian O'Driscoll	PADP401657467
636.	Mr Seamus Coghlan	PADP401437905
637.	Mr. Ger Donegan	PADP401664634
638.	Mr. John Finn	PADP401605935
639.	Mr. Martin O'Donoghue	PADP401361647
640.	Mrs Siobhan Donegan	PADP401642604
641.	Mrs Susan Tait	PADP400760689
642.	Mrs. Claire Loughry	PADP401656619
643.	Ms Bini Prabha Omana Blessy Bhavan	PADP401645812
644.	Ms Caroline Murphy-Cronin	PADP401560877
645.	Ms Leanna Dilworth	PADP401573731
646.	Ms Niamh Moynihan	PADP401543667
647.	Ms. Laura O Donoghue	PADP401653558
648.	Ms. Mairead Buckley	PADP401648551
649.	Ms. Mary O'Donoghue	PADP401680232
650.	Ms. Melissa Horgan	PADP401358717
651.	Ms. Veronica Dilworth	PADP401522093
652.	Myles Ponsonby	PADP400917546

**East Cork Municipal District**

<b>No.</b>	<b>Name of Interested Party</b>	<b>Submission reference Number</b>
653.	Nathan Richardson	PADP401389515
654.	Neil White	PADP401300212
655.	Niall O'Driscoll	PADP401600085
656.	Niall O'Sullivan	PADP401126875
657.	Niamh & Denis O'Leary	PADP400511636
658.	Niamh and Alan Roberts	PADP401242577
659.	Niamh Callanan	PADP401222729
660.	Niamh Callanan	PADP401211875
661.	Niamh Cashman	PADP401128945
662.	Niamh Dempsey	PADP400985896
663.	Niamh Gosnell	PADP401577510
664.	Niamh Hughes	PADP401337662
665.	Niamh Murphy	PADP401674916
666.	Niamh O'Connell	PADP401356549
667.	Niamh O'Riordan	PADP401631777
668.	Niamh O'Shea	PADP401262268
669.	Nicholas Coffey	PADP400524671
670.	Nicholas Greig	PADP397972983
671.	Nicholas Greig	PADP397980034
672.	Nick Parkinson	PADP400407867
673.	Nicole Kennedy	PADP401509076
674.	Nicole Reardon	PADP400485800
675.	Nicole Reardon	PADP407880961

**East Cork Municipal District**

<b>No.</b>	<b>Name of Interested Party</b>	<b>Submission reference Number</b>
676.	Noel Meade	PADP401088437
677.	Noel O'Riordan	PADP401633362
678.	Nora O'Shea	PADP401267203
679.	Nora O'Shea	PADP401271837
680.	Norma Goldspring	PADP398965174
681.	Norman Mahony	PADP401568437
682.	Nuala Cronin	PADP401651161
683.	Nuala Murphy	PADP401582935
684.	O'Dwyer Shoes	PADP401619219
685.	O'Farrell Meats Ltd.	PADP401621228
686.	O'Flynn Construction Co. Unlimited Company	PADP401395221
687.	O'Flynn Construction Co. Unlimited Company	PADP401283627
688.	Oliver Gould	PADP401641940
689.	Oliver Moloney	PADP400502719
690.	Olivier Compagnon	PADP400817874
691.	Omar Shavan	PADP401594770
692.	Orla Burke	PADP400472004
693.	Orla Fronc	PADP396915471
694.	Orla O Regan	PADP400975467
695.	Orla O Shea	PADP401284925
696.	Orlagh Bolger	PADP400534987
697.	Paddy Bolger	PADP400524678
698.	Padraig Finn	PADP400697785

**East Cork Municipal District**

<b>No.</b>	<b>Name of Interested Party</b>	<b>Submission reference Number</b>
<b>699.</b>	Pádraig O Neill	PADP400899799
<b>700.</b>	Padraig Sisk	PADP401003864
<b>701.</b>	Paltel Ltd	PADP401619564
<b>702.</b>	Pamela Barry	PADP401230014
<b>703.</b>	Pampered Paws	PADP401374732
<b>704.</b>	Pat Cashman	PADP399383008
<b>705.</b>	Pat Cashman	PADP399378778
<b>706.</b>	Pat Goggin	PADP400473700
<b>707.</b>	Pat Nolan	PADP400937229
<b>708.</b>	Pat O'Donovan	PADP401583705
<b>709.</b>	Pat O'Sullivan	PADP399384080
<b>710.</b>	Pat O'Sullivan	PADP399385324
<b>711.</b>	Pat Walsh	PADP401591841
<b>712.</b>	Patric Gilroy	PADP400645315
<b>713.</b>	Patricia Hayden	PADP401585657
<b>714.</b>	Patricia Mangan	PADP401118215
<b>715.</b>	Patrick and Mary O'Donovan	PADP400460701
<b>716.</b>	Patrick Cashman and Assoc.	PADP401585560
<b>717.</b>	Patrick Fitzgerald	PADP398699048
<b>718.</b>	Patrick Fitzgerald	PADP400416027
<b>719.</b>	Patrick Fortune	PADP400533832
<b>720.</b>	Patrick Fortune Jnr	PADP400532678
<b>721.</b>	Patrick Healy	PADP401679284



**East Cork Municipal District**

No.	Name of Interested Party	Submission reference Number
722.	Paul Bridgeman	PADP401585181
723.	Paul Daly	PADP400427769
724.	Paul Duggan	PADP400982492
725.	Paul Feeney	PADP400749468
726.	Paul Flynn	PADP397495869
727.	Paul Foley	PADP401585627
728.	Paul Kearney	PADP400156940
729.	Paul Kearney	PADP400157875
730.	Paul Mahony	PADP401379643
731.	Paul McGrath	PADP400910960
732.	Paul Moore	PADP401293888
733.	Paul O Reilly	PADP401129027
734.	Paul Prendergast	PADP401115215
735.	Paul Prendergast	PADP401116343
736.	Paul Prendergast	PADP401590917
737.	Paula McManus	PADP401579025
738.	Paula O'Keeffe	PADP400072891
739.	Paula Taft	PADP400988497
740.	Pauline McCarthy	PADP400547839
741.	Pauline Mizgin	PADP401304320
742.	Pawel Mankowski	PADP400806610
743.	Peg Cashman	PADP400452219
744.	Peg Sheedy	PADP401544156

**East Cork Municipal District**

<b>No.</b>	<b>Name of Interested Party</b>	<b>Submission reference Number</b>
745.	Peter Ahern	PADP400490133
746.	Peter Cashman	PADP400465002
747.	Peter Cashman	PADP400389442
748.	Peter Cashman JNR	PADP400459613
749.	Peter Crowley	PADP401017392
750.	Peter Hetherington	PADP401007775
751.	Peter Tattan	PADP401641347
752.	Phil Haly	PADP401351172
753.	Philip Cronin	PADP400947478
754.	Philip Kealing	PADP401636928
755.	Phillip O'Hare	PADP401635132
756.	Phillip O'Hare	PADP400462204
757.	Philomena Conway	PADP398459348
758.	Philomena Conway	PADP398460349
759.	Philomena Triggs	PADP400985416
760.	Pierce Long	PADP398763661
761.	PJ O'Connor	PADP401069044
762.	Pouting Puppies	PADP400784663
763.	Pouting Puppies	PADP400784173
764.	Prince A. Abimbola	PADP400972834
765.	Przemek Persinski	PADP401568260
766.	Queenie Calma O'Riordan	PADP400977491
767.	Rachel Walsh	PADP400010040

**East Cork Municipal District**

<b>No.</b>	<b>Name of Interested Party</b>	<b>Submission reference Number</b>
768.	Raegon Carroll	PADP400382883
769.	Raegon Carroll	PADP401243819
770.	Ray and Naomi O Sullivan	PADP401273452
771.	Ray Ryan	PADP401634945
772.	Raymond Murphy	PADP401002371
773.	Rebecca Fitzgerald	PADP401332718
774.	Regina Whyte	PADP402006320
775.	Resident of Blossom Hill	PADP401163037
776.	Resident of Wheatley/ Blossomhill	PADP400691197
777.	Residents of Carneys Cross, Ballinacurra	PADP401375268
778.	Rhodri Mears	PADP400830888
779.	Ria Burgoyne	PADP400959768
780.	Richard Condon	PADP401018841
781.	Richard Hennessy	PADP400394153
782.	Riina Parn	PADP400637253
783.	Rikkie Donovan	PADP401598386
784.	Rob Winter	PADP400422343
785.	Robbie Rutledge	PADP401255975
786.	Robert Deane	PADP398143985
787.	Robert Walsh	PADP401302393
788.	Robert Walsh	PADP401655246
789.	Robin Triggs	PADP401078756
790.	Roger McGrath	PADP400949397

**East Cork Municipal District**

No.	Name of Interested Party	Submission reference Number
791.	Roise Steele	PADP400209251
792.	Roisin Cuddihy	PADP401439342
793.	Ronan McCarthy	PADP401114616
794.	Ronan Scallon	PADP400520374
795.	Rosaleen Finn	PADP401604600
796.	Rosanne Cahill	PADP401275348
797.	Rose Jaworksa	PADP401358458
798.	Rose Morrissey	PADP401596395
799.	Ross McCarthy	PADP400456119
800.	Rowena Seward	PADP400918905
801.	Ruairi Morrison	PADP401418164
802.	Ruairi Morrison	PADP401397778
803.	Ruth Evans	PADP400989107
804.	S Brackett	PADP400797590
805.	S O'Mahony	PADP401552396
806.	Sam Lilburn	PADP401603790
807.	Sandie Sheppard	PADP401257533
808.	Sandra Harrigan	PADP401087370
809.	Sandra Mc Sweeney	PADP400912538
810.	Sara Flanagan	PADP400398663
811.	Sarah Berry	PADP400577791
812.	Sarah Fitzgerald	PADP399984383
813.	Sarah Hayes	PADP401561163

### East Cork Municipal District

No.	Name of Interested Party	Submission reference Number
814.	Sarah Horan	PADP401399794
815.	Sarah Malik	PADP401517779
816.	Sarah McCarthy	PADP401583766
817.	Sarah Murphy	PADP401015704
818.	Sarah Power	PADP401300846
819.	Sauda Tonic	PADP401354881
820.	Seamas O'Heocha	PADP400202415
821.	Séamus & June O'Sullivan	PADP399850098
822.	Sean Breheny	PADP400829046
823.	Sean Breheny	PADP400829411
824.	Sean Goggin	PADP401286412
825.	Sean Horan	PADP401558863
826.	Sean MacHale	PADP401662241
827.	Sean McSweeney	PADP399571616
828.	Sean Quirke	PADP401998709
829.	Sean Sunderland	PADP401565110
830.	Sean Twomey	PADP401594120
831.	Sean, Samantha O'Keeffe and family	PADP402167805
832.	Shane Coleman	PADP401192675
833.	Shane Finn	PADP400699077
834.	Shane Murphy	PADP401046344
835.	Shane O'Dowd	PADP400957925
836.	Shane Scanlan	PADP400810560

**East Cork Municipal District**

<b>No.</b>	<b>Name of Interested Party</b>	<b>Submission reference Number</b>
837.	Shauna Murphy	PADP401044057
838.	Shay Cronin	PADP401603522
839.	Sheila Barry	PADP400526555
840.	Sheila Daly	PADP400523364
841.	Shirley Byrne	PADP401597754
842.	Shirley Garde	PADP400459405
843.	Sinead Healy	PADP401297786
844.	Sinéad O'Connor	PADP401602905
845.	Sinead Walsh	PADP401337016
846.	Siobhan and Jim Morrissey	PADP400819644
847.	Soci@ble	PADP401565566
848.	Sonia Santry	PADP401582426
849.	Sophie Lahive	PADP396691398
850.	Stephanie Lynch	PADP401663037
851.	Stephen and Helen Gilroy	PADP400464168
852.	Stephen Daly	PADP400449602
853.	Stephen Fitzgerald	PADP401327886
854.	Stephen Gilroy JNR	PADP400400518
855.	Stephen O'Riordan	PADP401199191
856.	Stephen Ryan	PADP401540213
857.	Steve Barry	PADP400276653
858.	Subathra Rengasamy	PADP401588392
859.	Susan Ahern	PADP399596272

**East Cork Municipal District**

No.	Name of Interested Party	Submission reference Number
860.	Susan Brennan	PADP400826415
861.	Susan Brennan	PADP400828707
862.	Susan O Regan	PADP400398197
863.	Susan O'Callaghan	PADP400784228
864.	Susan O'Callaghan	PADP400783608
865.	Susan Prendergast	PADP400986752
866.	Suzanne Lowell	PADP400956645
867.	Svetlana Creedon	PADP400226950
868.	Tara Prendergast	PADP401207765
869.	Tara Smyth	PADP401270828
870.	Ted and Marie O'Hanlon	PADP401222204
871.	Thelma Crotty	PADP401546012
872.	Theresa Maher	PADP401567784
873.	Theresa O Sullivan	PADP401661127
874.	Thomas Cody	PADP401385401
875.	Thomas Prendergast	PADP400984602
876.	Thomas Roche	PADP401678263
877.	Thomas Schett	PADP400461084
878.	Tim Hawkins	PADP400527934
879.	Timothy Connors	PADP401072012
880.	Timothy Connors	PADP401083276
881.	Timothy Mc Gillycuddy	PADP401314315
882.	Tom Mangan	PADP400237987

### East Cork Municipal District

No.	Name of Interested Party	Submission reference Number
883.	Tom Prendergast	PADP401604869
884.	Tomas Konopka	PADP401000312
885.	Tony Delaney	PADP401599081
886.	Tony Hughes	PADP401542112
887.	Tony Moore	PADP401512765
888.	Tony O'Connor	PADP401265667
889.	Tony O'Shea	PADP401260091
890.	Tony Tait	PADP400406479
891.	Tony Walsh	PADP401296725
892.	Tracy Ring	PADP401546195
893.	Trevor O'Shea	PADP401627135
894.	Una O'Leary	PADP400404500
895.	Ursula Brown	PADP400514958
896.	Ursula Cronin	PADP400918297
897.	Valeria Felice	PADP401327911
898.	Vanitha Boylan	PADP399163917
899.	Victoria Coleman	PADP401645766
900.	Vincent Byrne	PADP401279562
901.	Vincent Tobin	PADP401398520
902.	Virginia Metcalfe	PADP401242441
903.	Virginia O'Driscoll	PADP401138837
904.	Vladimir Cmarko	PADP401008406
905.	Walsh Group (See submission for full description)	PADP401394612



East Cork Municipal District		
No.	Name of Interested Party	Submission reference Number
906.	Warren Hayes	PADP401558100
907.	Wayne Fitzpatrick	PADP399209799
908.	Wayne Fitzpatrick	PADP399212377
909.	Wheat blossom	PADP401278733
910.	William Bulman	PADP400864008
911.	William M Flynn	PADP400465515
912.	William Sjostrom	PADP400195461
913.	William Whelan	PADP400524683
914.	Yvonne Flynn	PADP401274139
915.	Yvonne Hegarty	PADP401262190
916.	Yvonne Kennedy	PADP398506194
917.	Zena Mullane	PADP401091502

#### 4.7 Macroom Municipal District

In total 14 submissions were received which raised issues relating either directly to the Macroom Municipal District, Gaeltacht Mhúscraí or to a particular settlement within the Municipal District. Of these, 9 submissions were concerned with the following proposed amendment 4.4.3.25 regarding the zoning of land for Business and General Employment Uses at Coolyhane, Macroom.

##### Key Issue 1

##### **Proposed Amendment 4.4.3.25 Zoning of land for Business and General Employment use at Coolyhane Macroom.**

The proposed amendment provides for a new zoning objective MM-B-02 at Coolyhane Macroom as follows:

*MM-B-02: Business and General Employment Uses. Development of this site will require road improvements along Mill Road as well as improved pedestrian and cycle connectivity to surrounding area including the town centre. \**

This amendment arose following representations from Elected Members in response to a draft plan submission from Matt O Mahony (Submission DCDP345231978) and the need to provide for more employment lands to serve Macroom town.

In the Chief Executive's Report to Members dated 24 September 2021 the Chief Executive, in response to the submission from Matt O Mahony, it was noted that lands had already been specifically zoned for employment use in the draft plan and other opportunities were available within the established use zonings and the town centre to accommodate employment uses. A commitment was also given, as part of the amendments to Volume One of the Plan (Chapter 8 Economic Development), to undertake a review of the supply of employment land across the county within two years of the plan being adopted. It was considered that the need for additional employment land in Macroom would be best considered as part of that review, and the Chief Executive did not recommend any change to the Plan.

Elected Members considered the Chief Executive's Recommendation but favoured an amendment to the plan to provide for the additional employment zoning at Coolyhane.

### **Submissions in relation to this amendment**

In response to the public consultation process on the proposed amendments to the Draft Plan, eight submissions were received from local residents/ landowners objecting to the proposed business zoning at Coolyhane. No submissions were received in support of the proposed amendment.

One of the parties who is objecting to the proposed amendment is a joint owner / farmer of the lands to be rezoned and does not want the lands to be rezoned. They indicate that they were not consulted about this change and have not sought it. This party is also the sole owner of the much of the other land along the public road frontage in the area and is opposed to the further land take that would be required to upgrade the public road in the area in other facilitate the business use of the site. This party's farm has already been subject to land take and severance to facilitate the construction of the Macroom bypass and they are opposed to any further disturbance to the farm. Such disturbance would be inevitable to enable the proposed business use of these lands. The submission notes that the topography of the site is steep and there have been a number of collapses onto the public road already which have put the public at risk and resulted in the closure of the road. It is further noted that previous planning applications in the area have been refused due to the substandard nature of the Mill Road / L3423 road in terms of width, alignment, sightlines, lack of footpaths / cycle paths and public lighting etc. Development fronting the road has been refused previously on the basis that it would endanger public safety by reason of traffic hazard. Developing the site for business use would lead to an increase in HGVs using the road and it is not suitable for same. Submission further questions the feasibility of bring water services to the site.

Other submitters object to the proposed introduction of business uses to the area on the basis that it would result in the loss of open countryside, create negative impacts on the environment and safety issues for the public and residents due to the increased volume of traffic and the poor road conditions. The public road serving the site is considered very substandard and cannot cater for the use proposed. Other concerns include the adverse impact the proposed use would have the amenity, landscape and biodiversity of the area, the topographical unsuitability of the site to business uses, the adverse impact the development would have on the town centre and the need to protect the town greenbelt. It is considered that there are other areas more suited to the provision of lands for employment use.

One of the parties objecting to the amendment is also concerned that the site of his dwelling house and garden have been included in the area to be rezoned for business use and he is opposed to that.

### ***Chief Executive's Response***

The submissions from the public on this issue raise a number of valid concerns about the proposed change in zoning and the suitability of the infrastructure in the area to support development of the type proposed. Two parties with a legal interest in the site are opposed to the zoning thereby creating uncertainty about its deliverability. Substantial upgrades to the public road would be necessary to enable the development. The landowners who would need to be closely involved in such a project have indicated their strong opposition to

such work taking place. It is considered unlikely therefore that these lands will be available for development, or can be serviced, over the life of the plan and the zoning would therefore be premature at this stage.

The Council intend to review the employment land supply across the whole county in the next two years and the supply of land in Macroom will be assessed as part of this process. It is considered that this review provides the best opportunity to consider all options for optimising the employment land supply of the town to support compact growth and regeneration of the town centre.

Under the circumstances therefore it is considered appropriate in this case not to adopt the proposed amendment. This means the land would remain in the town greenbelt as provided for in the Draft Plan.

### **Chief Executive's Recommendation**

Not to Adopt the Proposed Amendment 4.4.3.25 and Revert back to the Draft Plan.

### **4.8 Submissions for the Macroom Municipal District**

The following submissions were received in connection with the Proposed Amendments for the Macroom Municipal District.

Macroom Municipal District		
No.	Name of Interested Party	Submission reference Number
1.	Annette Harrington	PADP401136246
2.	Bridie and Francis Purcell	PADP400484060
3.	Bridie and Francis Purcell	PADP398793849
4.	Catherine Harrington	PADP401118441
5.	Comhaltas Cosanta Gaeltachta Chúil Aodha	PADP401312356
6.	John and Kathleen Harrington	PADP401002748
7.	John O'Sullivan	PADP400953217
8.	Joseph Lawler	PADP398856909
9.	Liz Harrington	PADP401140421
10.	Michael O' Brien	PADP401084054
11.	Patrick Kelleher	PADP401384440
12.	Peter Dineen	PADP400931420
13.	Ruden Homes Ltd.	PADP401388380
14.	Timothy Kelleher	PADP401386658

## 5 Response and Recommendations on the Key Issues - Volume Five West Cork

### *5.1 Bandon Kinsale Municipal District*

In total twenty-two submissions were received which related to issues relating to the Bandon – Kinsale Municipal District section of the Plan. There were fifteen submissions in relation to Kinsale, three in relation to Bandon and one each for Belgooly, Courtmacsherry, Kilbrittain and Riverstick.

Of the fifteen submissions relating to Kinsale, eleven of these submissions related to Proposed Amendment 5.1.5.9 which proposes an additional Community Zoning in Kinsale.

### *Key Issue 1 Notice of Motion Re Dunderrow Boundary Extension*

#### **Proposed Amendment reference 5.1.21.2: Extend Development Boundary of Dunderrow**

This Proposed Amendment arose from a Notice of Motion at the Council Meeting on the 13<sup>th</sup> December 2021. The Chief Executive recommended against the proposed change, but the amendment was passed following a vote by the Elected Members.

The purpose of the amendment is to extend the development boundary of Dunderrow which was proposed to be reinstated as a village in the Municipal District under Proposed Amendment Number 5.1.21.1 by an additional 7.5ha at the western side of the village.

#### **Submissions in relation to this amendment**

There were no submissions received in relation to this Proposed Amendment.

#### ***Chief Executive's Response***

As outlined in response to the Notices of Motion at the Council Meeting on 13<sup>th</sup> December 2021, it was proposed to reinstate a development boundary around Dunderrow and to formalize its position as a Village in the settlement hierarchy for the MD (Proposed Amendment Number 5.1.21.1). The associated development objectives allow for the provision of up to 20no. additional dwelling houses during the Plan period. While Dunderrow currently has a drinking water supply it is not supported by an Irish Water wastewater treatment plant.

The proposed development boundary extension amounts to 7.5ha at the western side of the village. This is a significant proposal having regard to the size of the existing village and the scale of development planned for this plan period. In this context, 7.5ha is a substantial extension to the village development boundary. Also, the northern part of the proposed extension is very elevated and visually prominent.

Having regard to the reinstatement of the development boundary under Proposed Amendment 5.1.21.1, it is considered that there is sufficient land available within the village boundary for the provision of the 20no. additional units allowed for within proposed objective DB-01.

#### **Chief Executive's Recommendation**

Not to Adopt the Proposed Amendment 5.1.21.2 and Revert back to the Draft Plan

## 5.2 Submission for the Bandon Kinsale Municipal District

The following submissions were received in connection with the Proposed Amendments for the Bandon Kinsale Municipal District.

Bandon Kinsale Municipal District		
No.	Name of Interested Party	Submission reference Number
1.	Ashbourne Holdings Limited	PADP401094628
2.	Bandon Golf Club	PADP401066798
3.	Bernard O' Donovan	PADP398361072
4.	Con Nyhan	PADP401388579
5.	Cotter Estates	PADP401385584
6.	Damien Buckley	PADP400144322
7.	Donal and Joan Foran	PADP400552291
8.	Donal Kelleher	PADP401208761
9.	Eugene & Sheila O'Callaghan	PADP400258942
10.	JJ Hurley	PADP401236824
11.	Kinsale Chamber of Tourism	PADP401344490
12.	Liam & Sarah Corkery	PADP400805042
13.	Mark Gannon & Denis Cahalane	PADP400489625
14.	Mark Robertson	PADP400478798
15.	Martin McGinn	PADP399655064
16.	Mary Lynch	PADP401375530
17.	Michael Barry and Hatley Homes Ltd.	PADP401385607
18.	Myriam McAuliffe	PADP400281915
19.	Peppard Investments Ltd. and Micheál O'Sullivan	PADP401034530

Bandon Kinsale Municipal District		
No.	Name of Interested Party	Submission reference Number
20.	Riverstick Walkway Committee	PADP401390670
21.	Siobhan & Brian O Driscoll	PADP400918052
22.	Siobhan Connell and Joseph Connell	PADP400403149

### 5.3 West Cork Municipal District

In total 26 submissions were received which raised issues relating directly to the West Cork Municipal District. Eleven submission relate to Clonakilty, four to Bantry, five to Baltimore, three to Schull and the remaining three were for Skibbereen, Goleen and Sherkin Island.

#### Key issues raised for the West Cork Municipal District

The main Key Issue for West Cork arises from a Notice of Motion brought forward by Members at the Council Meeting on 13th December 2021

#### Key Issue 1 – Notice of Motion Re Bantry

##### **Proposed Amendment 5.2.6.23. -Bantry**

This Proposed Amendment arose from a Notice of Motion at the Council Meeting of 13th December. The amendment proposed to change the zoning of a section of land from Green Infrastructure to Existing Residential/Mixed Residential and Other Uses. The lands are located south west of the town adjacent to the Apree Nursing Home. The Chief Executive recommended against the motion, but it was passed by a vote of Members.

In the current 2017 Local Area Plan for Bantry these lands are within an area zoned as Open Space to protect the setting of Bantry House. In the Draft County Development Plan 2021, the lands are within an area zoned as Green Infrastructure to protect the setting of Bantry House.

In response to Draft Plan submission No. DCDP346293933 from Apree Bantry Ltd., seeking a change to the zoning of the land, the Chief Executive's Report of 24th September recommended against any changes to the plan.

Following discussions at the Special Municipal District Meeting for West Cork on 1st November 2021, it was proposed to include a smaller area of land adjacent to the nursing home within the Existing Residential/Mixed Residential and Other Uses zoning.

At the Council Meeting of 13th December, a Notice of Motion was put forward seeking to include a larger area of land within the Existing Residential/Mixed Residential and Other Uses zoning. The Chief Executive advised against this change on the basis that while the ground levels on part of the site near the public road have been altered, the northern portion of the lands fall away steeply down to a stream and rise again on the northern side of the stream to a dense woodland. The northern portion of the lands could only be developed if the trees were cleared, the stream culverted and the land filled by several meters. The woodland supports habitats of

biodiversity value and the area adjoining the stream is at risk of flooding. It is thus considered that the works required to develop the lands would be very destructive and unwarranted and Members were advised against the proposal.

In response to the Notice of Motion at the Council Meeting on 13th December 2021, Members voted in favour of taking a larger area of land out of the green infrastructure zoning and putting it into the Existing Residential/Mixed Residential and Other Uses zone. The proposed Amendment to the Plan was published on this basis.

### ***Submissions received in relation to this Amendment***

The submission from the Office of the Planning Regulator recommends that the plan be made without this amendment.

### ***Chief Executive's Response***

See Response to OPR Submission in Key Issues Section 2.2 of Volume One, Part 1 of this Report.

### ***Chief Executive's Recommendation***

See Recommendation to OPR Submission in Key Issues Section 2.2 of Volume One, Part 1 of this Report

## ***Key Issue 2– Notice of Motion Re Ballydehob***

### **Proposed Amendment 5.2.13.3. - Ballydehob**

This Proposed Amendment arose from a Notice of Motion at the Council Meeting of 13th December.

The Notice of Motion sought to include additional lands within the development boundary of the Ballydehob in response to Draft Plan submission number DCDP345936847 from Sean O Driscoll.

The Chief Executive recommended against the motion, noting that there were sufficient lands within the development boundary of Ballydehob to cater for the growth allocation of 20 units. In addition, the lands proposed for inclusion were topographically challenging and supports habitats of biodiversity value which are part of the wider landscape character of the area, and if brought inside the development boundary of the settlement should be zoned as Green Infrastructure. A new WWTP and network upgrade for Ballydehob is required.

### ***Submissions received in relation to this Amendment***

No submissions were received in relation to this proposed amendment.

### ***Chief Executive's Response***

There are sufficient lands within the development boundary of Ballydehob to cater for the growth allocation of 20 units. If these lands were to be brought inside the development boundary of the settlement they should be zoned as Green Infrastructure.

### ***Chief Executive's Recommendation***

NOT to ADOPT the proposed amendment 5.2.13.3 and Revert to the Draft Plan.





#### 5.4 Submissions for the West Cork Municipal District

The following submissions were received in connection with the Proposed Amendments for the West Cork Municipal District.

West Cork Municipal District		
No.	Name of Interested Party	Submission reference Number
1.	Baltimore Tidy Towns	PADP401090587
2.	Bernard O'Brien	PADP401098614
3.	BFTA Ltd	PADP400945617
4.	Carhue Developments	PADP401308748
5.	Carmel Costigan	PADP401042192
6.	Cork South West Green Party	PADP401420268
7.	Dan Connolly & Michael O'Neill	PADP401273775
8.	David & Geraldine Jennings	PADP400274383
9.	David O' Hea	PADP401043355
10.	Dúchas Clonakilty Heritage	PADP401121934
11.	Dúchas Clonakilty Heritage	PADP400900698
12.	Dunnes Stores	PADP401377535
13.	Dunnes Stores	PADP401340646
14.	Gerald O'Brien	PADP401100964
15.	Vincent Kerr	PADP400940729
16.	John & Paul O'Connor	PADP401195316
17.	John Luke McCarthy	PADP401089010
18.	Liam Harnedy	PADP400959841
19.	Mark Robins	PADP398893931
20.	Murnane O'Shea Limited	PADP401383419
21.	Peter Allis	PADP400922195
22.	Sherkin Island Development Society	PADP394111015
23.	Susan Hill	PADP401064479
24.	Tom and Deirdre Bushe	PADP401096423

West Cork Municipal District

No.	Name of Interested Party	Submission reference Number
25.	Tony & Frances O'Dwyer	PADP400542132
26.	Walsh Group	PADP401336592

## 6 Response and Recommendations on the Key Issues – Environmental Reports

Two submissions were received relating directly to the addendum to the Strategic Environmental Assessment (SEA) in Volume 6. The submissions were received from the Department of the Environment Climate and Communications and the Environmental Protection Agency. The submissions presented no key issues in relation to the SEA.

### ***Chief Executive's Response***

See Volume Two Part Two for Response and Recommendations to the submissions.

### ***Chief Executive's Recommendation***

See Volume One Part Two for the recommendations on the relevant Proposed Amendments on whether to adopt the proposed amendment/adopt with minor modification/ not adopt and revert back to the Draft Plan.

Submissions on the Addendum to the SEA Environmental Report		
No.	Name of Interested Party	Submission reference Number
1.	Department of the Environment Climate and Communications	PADP401357213
2.	Environmental Protection Agency	PADP396852546



Comhairle Contae Chorcaí  
Cork County Council