

## **Section 31 Final Ministerial Direction**

# **Planning and Development (Cork County Development Plan 2022 – 2028) Direction 2022 – Implementation Guidance Note**

**28<sup>th</sup> September 2022**



## Introduction

On the 28<sup>th</sup> September 2022, the Minister of State at the Department of Housing, Local Government and Heritage, issued a Direction in accordance with Section 31 of the Planning and Development Act 2000 (as amended) and consequent to a recommendation made to him by the Office of the Planning Regulator under Section 31 AN (4) of the Act, in relation to the Cork County Development Plan 2022-2028.

The Planning Authority is directed to take steps with regard to the Development Plan, specially in relation to text and maps of zoning objectives contained in Volume Three North Cork, Volume Four South Cork and Volume Five West Cork.

A copy of the Direction is available to view [here](#).

The provisions of the Direction has **immediate effect from 28<sup>th</sup> September 2022** and override the policies as set out in the County Development Plan in the specific cases.

This document sets out the specific zoning objectives which were the subject of the Direction and how they are amended to give effect to the Direction.

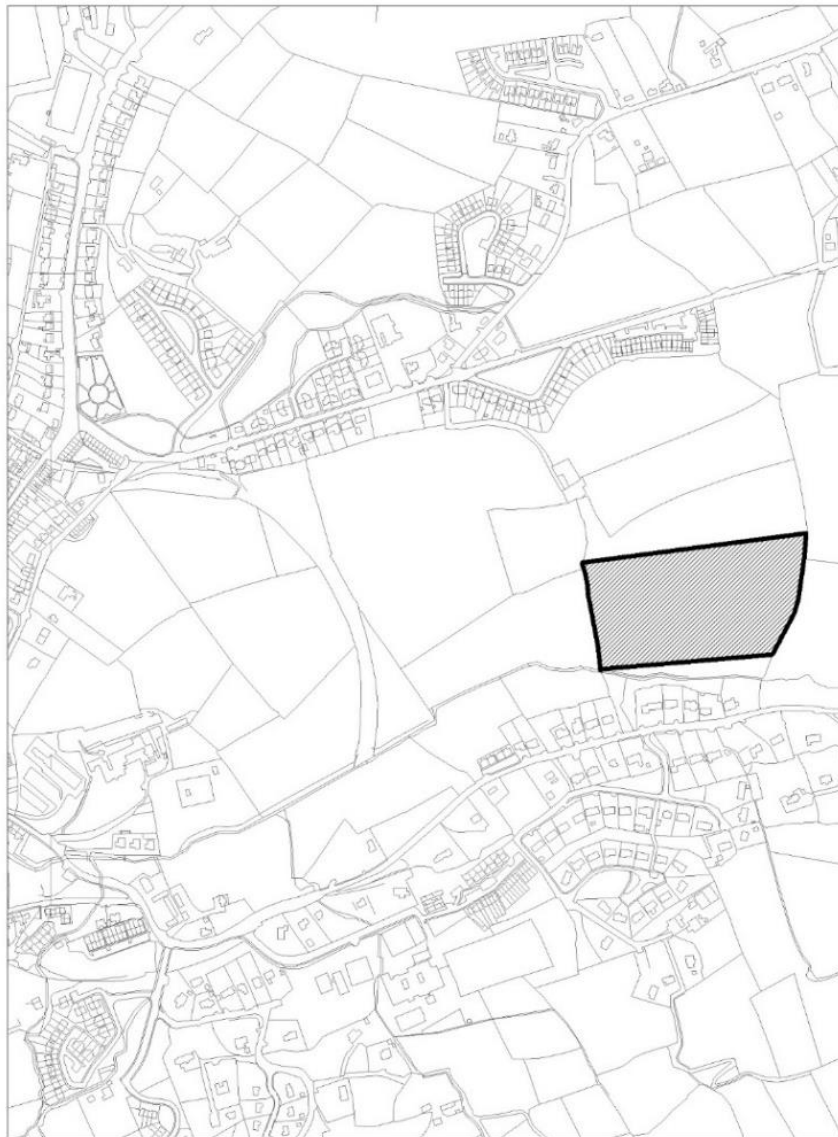
## Direction

- a) Reinstate the zoning objective of those lands subject of zoning objective Bantry BT-R-OX inserted under MA 5.2.6.27(a) to that of the draft Plan i.e. the subject land reverts to BT-AG-01 Agriculture.
  
- b) Delete the amended residential densities on specific sites under MA 4.2.3.41 Carrigtwohill CT-R-18 to revert to Medium A density and MA 4.2.3.43 Carrigtwohill CT-R-04 to revert to High Density, and
  
- c) Reinstate the zoning objectives of the following lands to that of the draft Plan consistent with the recommendations of the Chief Executive' Report dated 16th March 2022:
  - MA 3.1.4.15 -FY-I-05 Fermoy 'Industrial development' -reinstate the zoning objective of the subject land to that of the draft Plan i.e. the subject land reverts to Greenbelt 1.
  - MA 3.1.4.16 -FY-X-01 Fermoy 'Special Policy Area -Expansion of existing mart facilities and provision of an NCT centre' -reinstate the zoning status of the subject land to that of the draft Plan i.e. the subject land reverts to being unzoned land in a rural area.

## Volume Five West Cork MD – Bantry (BT-R-04) Map & Text Change

In the Adopted Plan the zoning objective Bantry BT-R-0X inserted under MA 5.2.6.27(a) was given the objective number BT-R-04

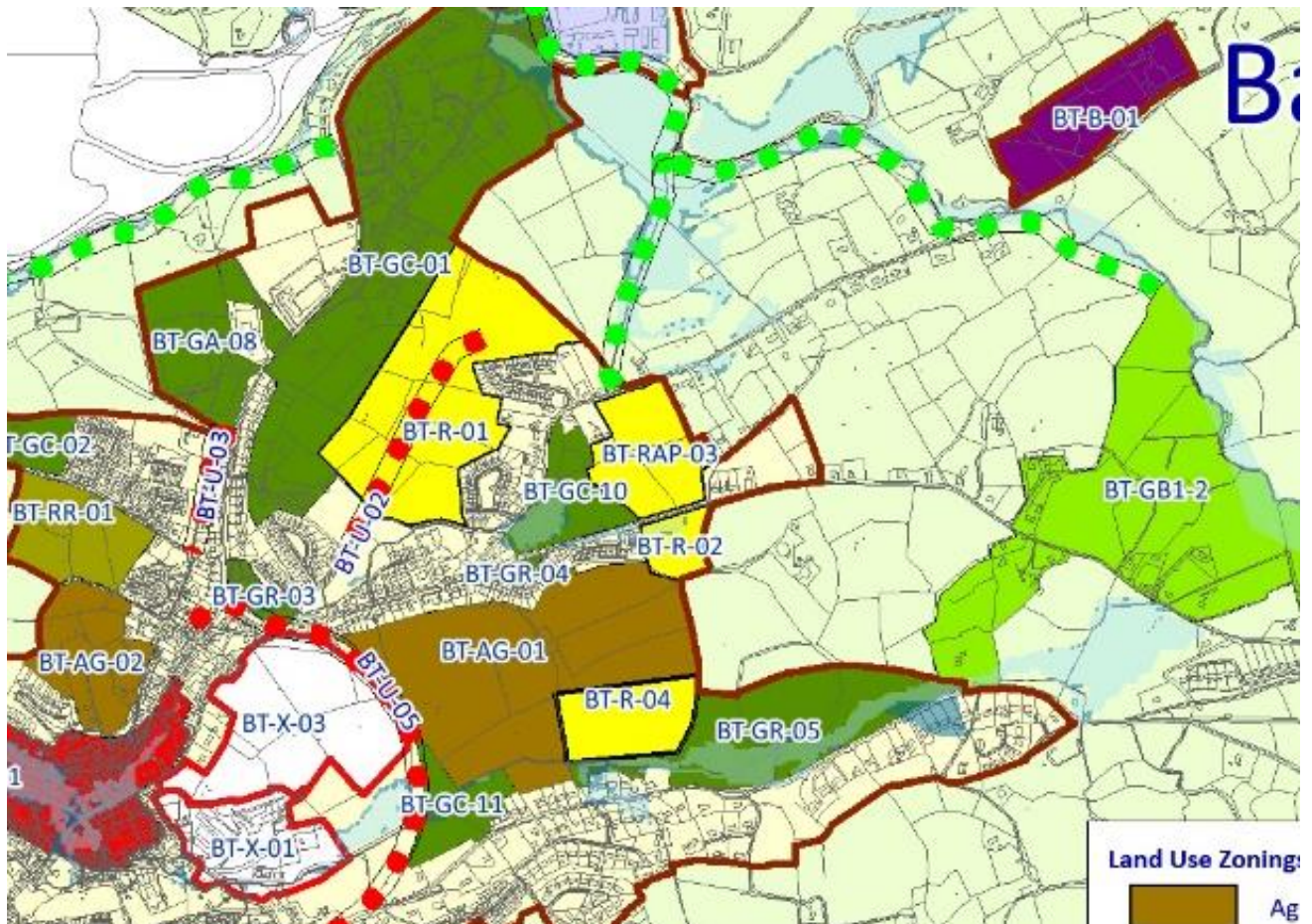
The map relating to MA 5.2.6.27(a) is as follows:



MA 5.2.6.27(a)

## Change to Bantry Zoning Map

As a consequence of the Direction, the residential zoning BT-R-04 **is removed** from the zoning map and the subject lands become part of the BT-AG-01 Agriculture zoning.



Change to the text of the Plan for Bantry (Page 135)

Residential zoning objective **BT-R-04** on page 135 of volume 5 of the Plan is removed from the list of Specific Development Objectives for Bantry. The objective **being omitted** is as follows:

**Specific Objectives**

2.7.76 The specific zoning objectives for Bantry are set out in the following table:

Specific Development Objectives for Bantry	
* Flood Risk: See Objectives in <u>Volume One, Chapter 11 Water Management</u>	^ TIA and RSA Required.
Objective No.	
Residential/Residential Additional Provision	
BT R-01	Medium C Density Residential Development including serviced sites to include the provision of a local access road. Development should be set back, and ridge heights should generally not break the skyline to the west, in order to protect the visual setting of the town. Retention of hedgerows where possible and extensive landscaping will be a prerequisite to any development proposals. Provision should be made for linkages to the nearby Mealagh river valley walkway. Mature trees and woodland should be retained and protected where possible. New development should be set back from watercourses on the boundary of this zone.
BT-R-02	Medium B Residential Development including serviced sites. Provision of pedestrian/cycling linkages to adjoining residential sites. New development should be set back from watercourses on the boundary of this zone.*
BT-RAP-03	Medium B Residential Development. Provision of pedestrian/cycling links to surrounding existing and planned residential areas and the Mealagh River Valley. New development should be set back from watercourses on the boundary of this zone.*
BT-R-04	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.
BT R-05	Medium B Density Residential Development with appropriate access. New development should be set back from watercourses on the boundary of this zone. ^

The Lands will become part of the adjoining Agricultural Zone BT- AG -01 which has the following objective :

Agriculture	
BT-AG-01	Agricultural Use. Consideration should also be given to the sites proximity to a local biodiversity area Bantry river and tributaries corridor giving particular consideration to its local importance and value. *

## Volume Four South Cork – Carrigtwohill (CT-R-04 & CT-RAP-18) Text Change

Part 2 (b) of the Direction relates to two proposed amendments in Carrigtwohill numbered 4.2.3.41 and 4.2.3.43.

MA 4.2.3.41 made provision to change CT-R-18<sup>1</sup> from Medium A Density to Medium B Density. MA 4.2.3.43 made provision to change the density of CT-R-04 from High to Medium A.

**As a consequence of the Direction, the residential density on site objective reference CT-RAP-18 reverts to Medium A, and the density on site objective reference CT-R-04 reverts to High.**

### Text Change

On page 117 of Volume Four of the Plan relating to Carrigtwohill, the wording of the CT-R-04 zoning objective **is amended** as follows:

	County Development Plan Objectives Specific Development Objectives for Carrigtwohill	
Objective No.	Residential/Residential Further Additional Provision (including Carrigtwohill North Phase 1)	Site Area
CT-R-04	Carrigtwohill North UEA. <del>Medium A</del> <b>High</b> -density residential development. Development on this site requires provision to be made for the delivery of the infrastructure described in Tables 4.2.6 and 4.2.7.	6.2

On Page 118 of Volume Four, the wording of the CT-RAP-18 zoning objective is amended as follows:

	County Development Plan Objectives Specific Development Objectives for Carrigtwohill	
Objective No.	Residential/Residential Further Additional Provision (including Carrigtwohill North Phase 1)	Site Area
CT-RAP-18	<del>Medium B</del> <b>Medium A</b> density residential development.	2.2

There is no change to the Land use zoning map in the Adopted Plan in either case.

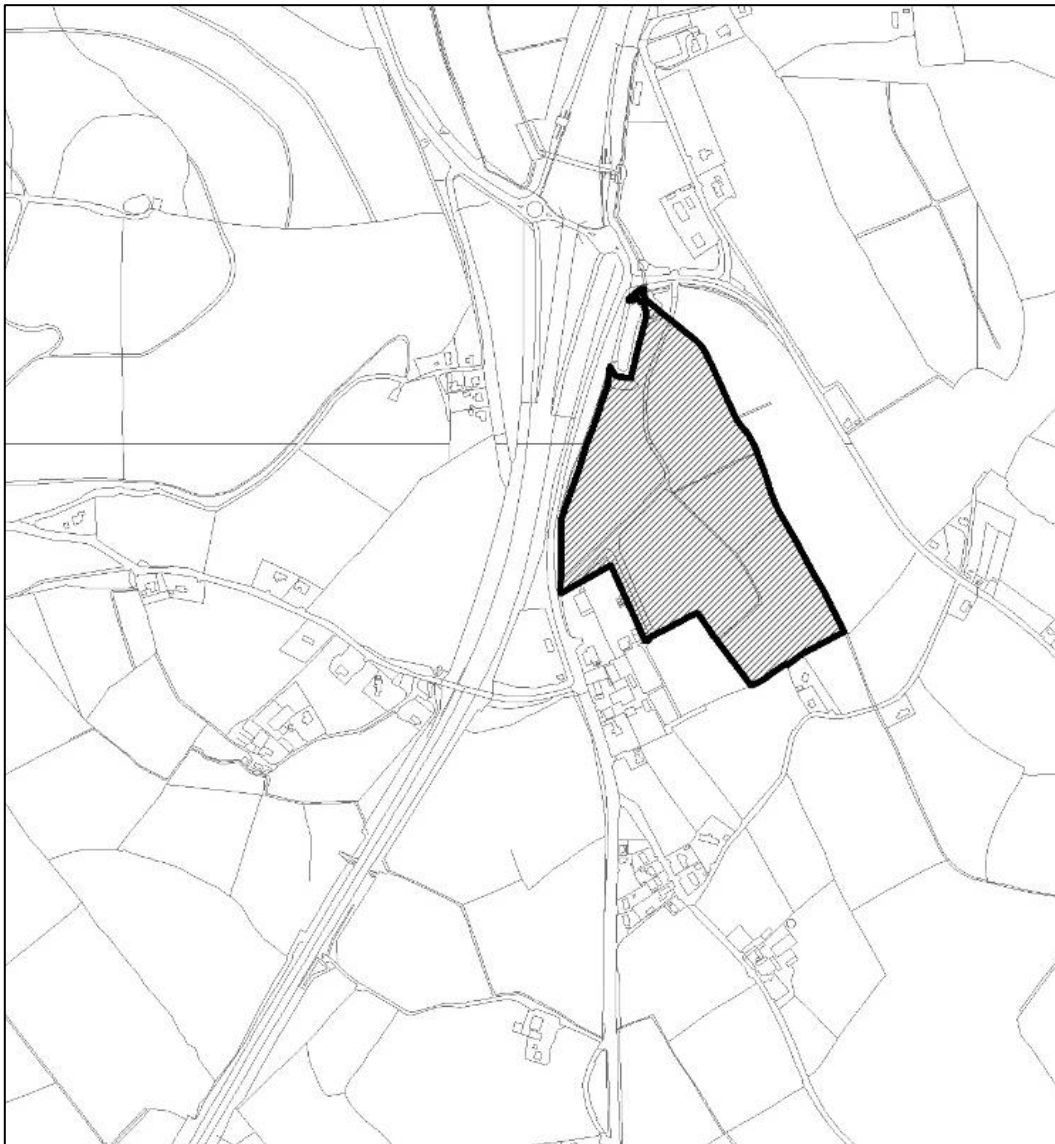
<sup>1</sup> On foot of proposed amendment no. 4.2.3.8; the CT-R-18 Objective no. changed to CT-RAP-18 in the final plan



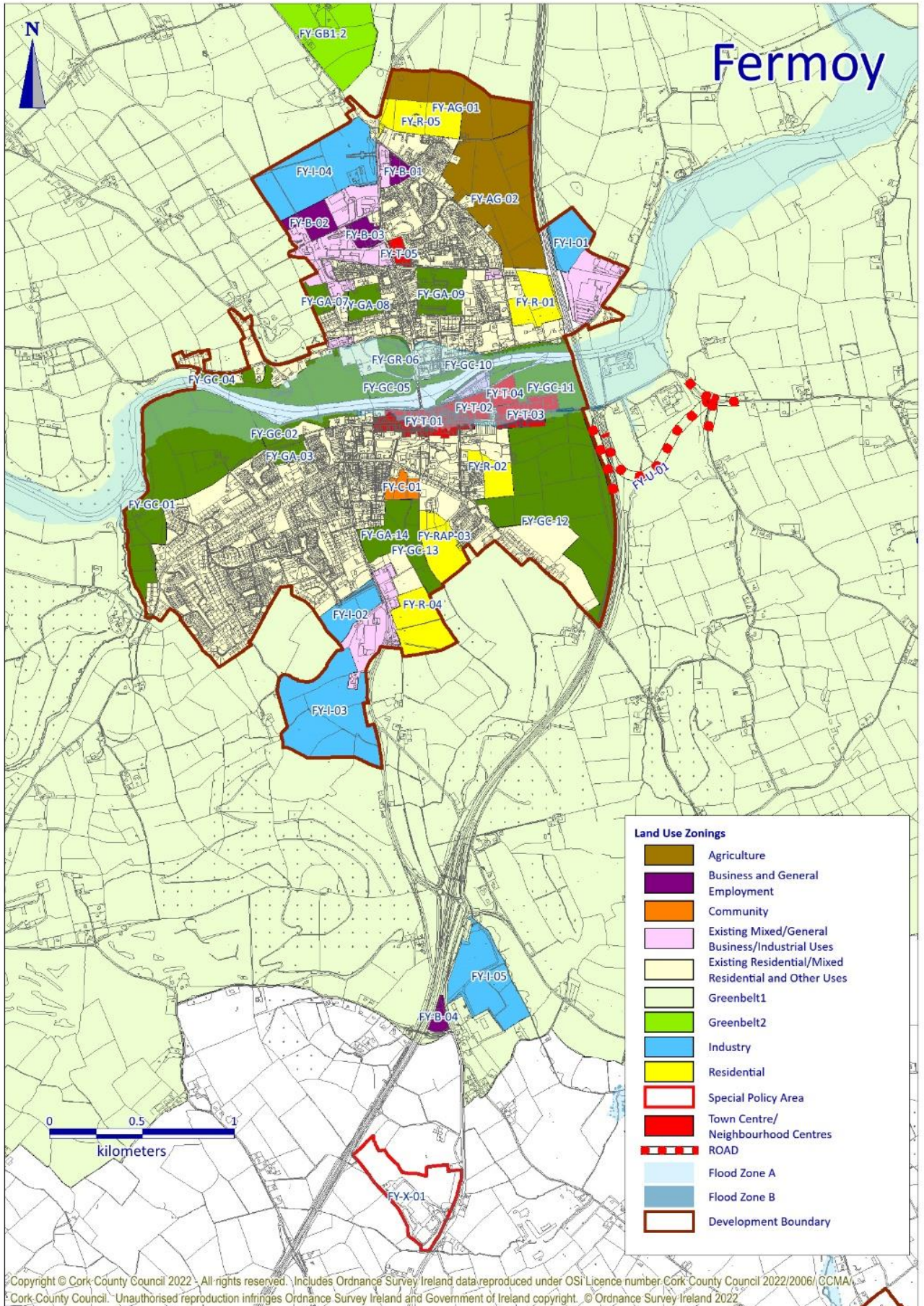
## Volume Three- Fermoy MD - Fermoy (FY-I-05) Map & Text Change

2. c) (i) MA 3.1.4.15 - FY-I-05 Fermoy 'Industrial development' – **reinstate the zoning objective of the subject land to that of the draft Plan i.e. the subject land reverts to Greenbelt 1.**

The map relating to MA 3.1.4.15 is as follows:



As a consequence of the Direction, the Industrial zoning FY-I-05 as shown on the attached zoning map **is removed** and the subject lands become part of the adjacent Greenbelt GB1-1.



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## Text Change Required

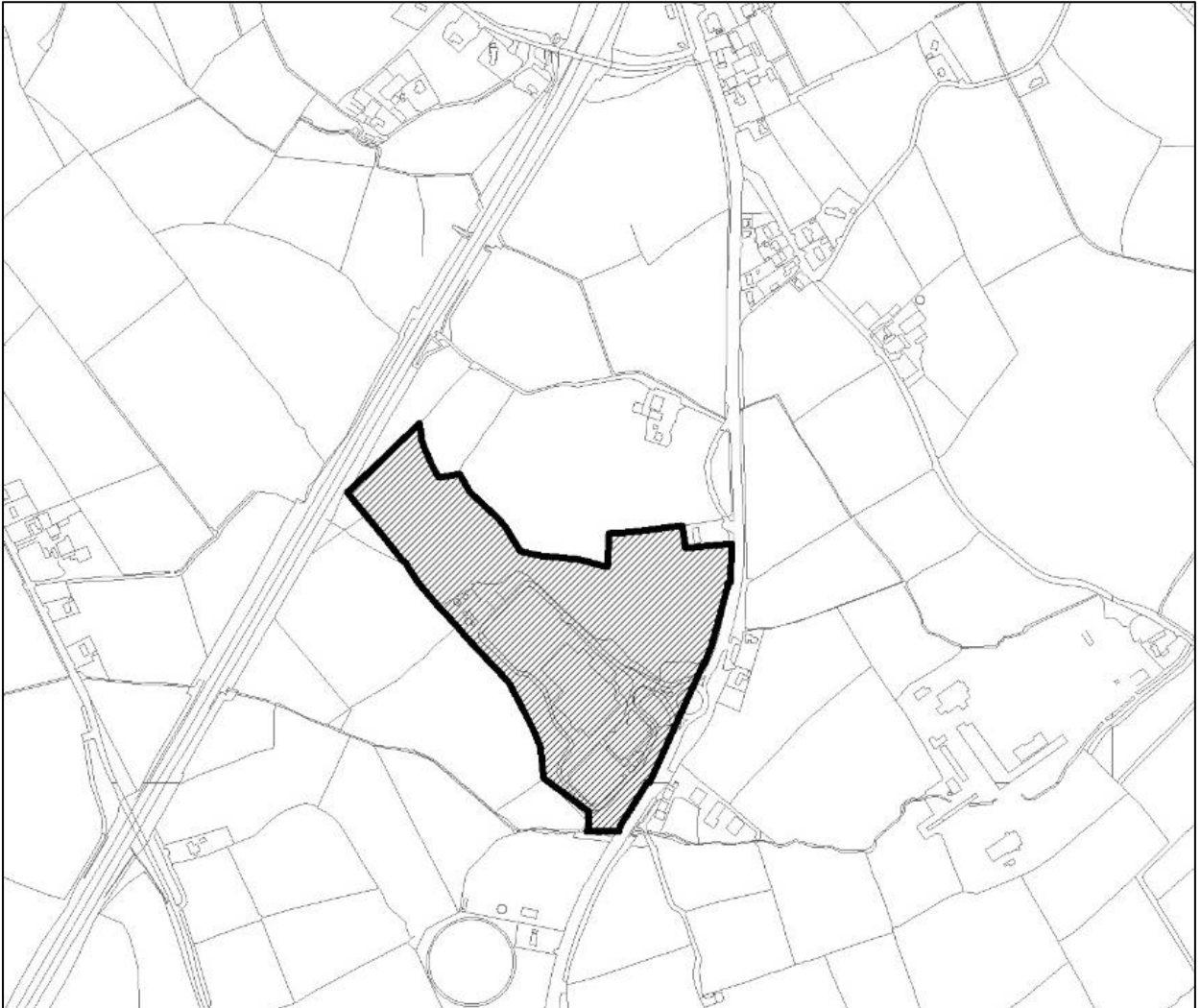
Industrial zoning objective FY-I-05 on page 26 in Volume 3 of the plan **is removed** from the list of Specific Development Objectives for Fermoy.

* Flood Risk. See Objectives in Volume One, Chapter 11 Water Management		^TIA and RSA Required	
Objective No.		Site Area (Ha)	
Industry			
FY-I-01	To facilitate expansion of existing industrial use. Proposals should include measures to guard against any adverse impact (including noise impacts) from the adjoining M8 and make provision for possible lands required on this site for future road improvements Proposals for development should provide for a buffer along the western boundary to protect the Strawhall & Rath-Healy Ecological Corridor.	5.49	
FY-I-02	Industrial uses suitable for standalone industry or light industrial and warehousing use. This site is also a suitable option for a hotel fronting onto the Cork Road.	5.20	
FY-I-03	This site is suitable for medium to large sized industrial uses including warehousing and distribution. A traffic and Transport Assessment is to be submitted to the Planning Authority with any development proposals for the site. ^	22.92	
FY-I-04	This site is suitable for medium to large sized industrial uses, large scale warehousing/distribution uses and subject to a sequential test, non-retail general offices. The provision of a hotel at the eastern end of the site with frontage onto the Dublin Road, would also be acceptable in principle. Proposals for development should consider incorporating the existing pond on site as part of the SUDs solution for the site.	19.91	
FY-I-05	Industrial development. Proposals should include a detailed landscaping plan and on-site SuDS to manage surface water. The Shanowennadrinna 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. ^	19.91	

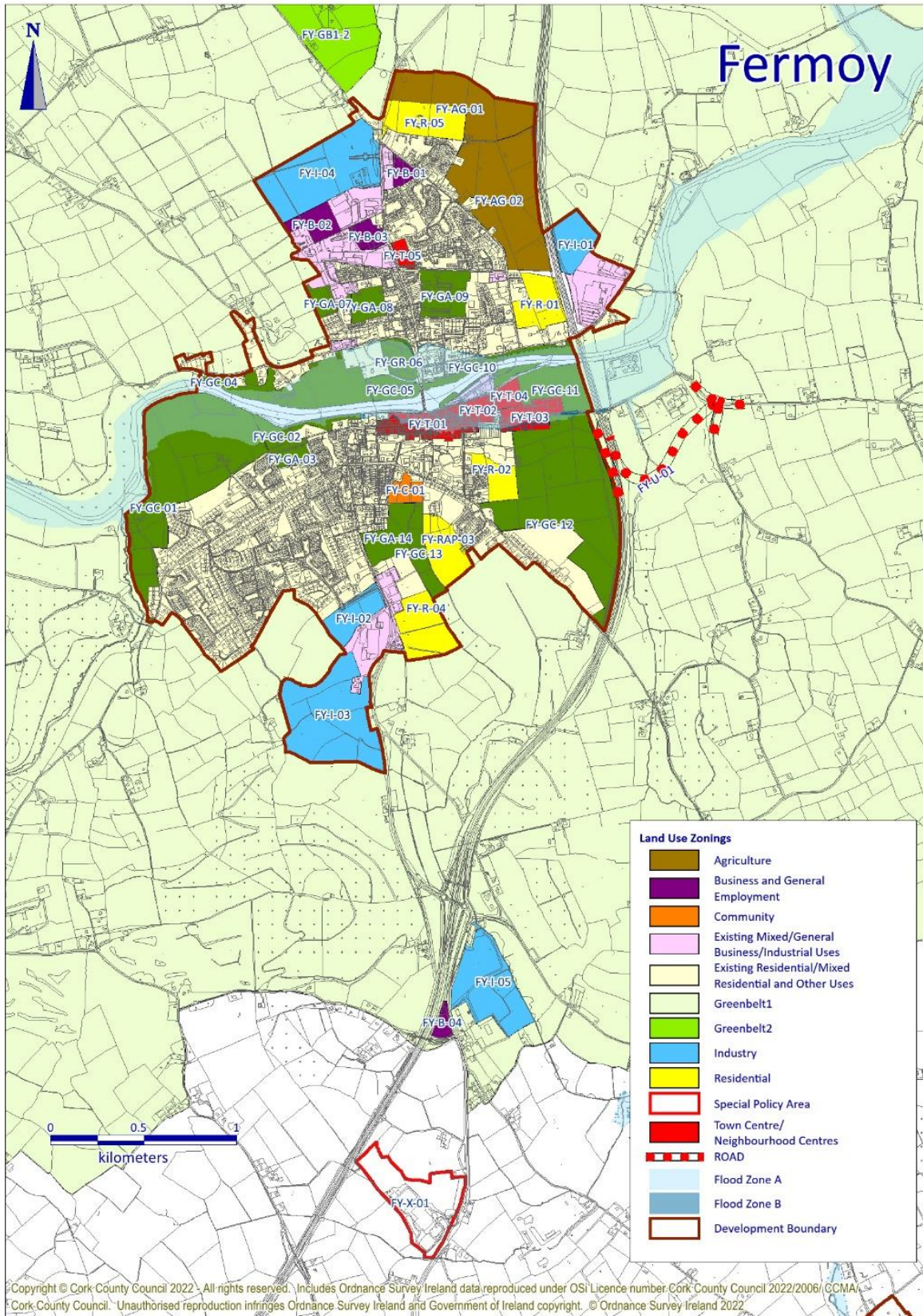
## Volume Three- Fermoy MD - Fermoy (FY-X-01) Map & Text Change

2. c) (ii) MA 3.1.4.16 - FY-X-01 Fermoy 'Special Policy Area – Expansion of existing mart facilities and provision of an NCT centre' - reinstate the zoning status of the subject land to that of the draft Plan i.e. the subject land reverts to being unzoned land in the rural area.

The map relating to MA 3.1.4.16 is as follows:



As a consequent of the Direction, the Special Policy Area zoning FY-X-01 as shown on the attached zoning map **is removed**, and the subject lands will revert to being unzoned lands in the rural area.



## Text Change Required

Special Policy Area zoning objective FY-X-01 on page 28 in Volume 3 of the plan **is removed** from the list of Specific Development Objectives for Fermoy.

* Flood Risk. See Objectives in Volume One, Chapter 11 Water Management		^TIA and RSA Required
Objective No.		Site Area (Ha)
<b>Utility Objective</b>		
FY-U-01	Proposed slip road to bypass. This proposed road is within close proximity to the Blackwater River Special Area of Conservation and the Blackwater Callows Special Protection Area and will need to be designed carefully to ensure that impacts on these sites will be avoided. FY-GO-03 applies	-
<b>Agriculture</b>		
FY-AG-01	Agriculture.	15.31
FY-AG-02	Agriculture.	25.07
<b>Special Policy Area</b>		
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.^.	15.11