



Comhairle Contae Chorcaí

Cork County Council

Minutes of Proceedings at Meeting of Cork County Council held in the Council Chamber, County Hall, Cork and by Microsoft Teams on 25th April 2022 at 11am.

I LATHAIR

Comhairleoir Gillian Uí Chochláin, Méara Chontae

Comhairleoiri: Uí Chochláin G, Ó Colmáin, Ó Murchú C, Ó Suilleabháin S, Uí Shuilleabháin M, Ó Donnabháin, Ó Coileáin D, Ó Murchú PG, Ní Chróinín, Ó Conaill, Mac Craith, Uí Daltún, Ó Muircheartaigh, Uí Bhuachalla, De Faoite S, Daltún Ó Suilleabháin, Ní Cheallacháin, Barra, Sheppard, Rasmussen, Ó Conchubair S, Ó Conchubair A, MacCarthaigh N, Ó Flionn, Uí Bhriain, Ó Laoghaire, Dawson, De Róiste, Ó Muineacháin B, Ó Dubhghaill, Ó Sé SP, Ó Murchú G, Críod, Ní Mhuineacháin G, Ó Luanaigh, Ó Cochláin M, Uí Loinsigh, Ó Luasa, Ó Haodha Padraig, Ó Murchú Gearóid, Ó Cinnéide, Ó Madaoin, Ó Sé T, Léineacháin Uí Foghlú, Ó Héigheartaigh, Ní Heachtigheirn, Uí Thuama, MacCarthaigh S, Mac Uaid, Ní Cheallaigh, Ó Cearbhaill, Ó Muirthile, Uí Chaochlaioich, Ó Haodha Pól

PRESENT

Councillor Gillian Coughlan, County Mayor, presided.

Councillor: Coughlan, Coleman, Murphy K, O'Sullivan J, O'Sullivan M, O' Donovan, Collins D, Murphy PG, Cronin, O' Connell, McGrath, D'Alton, Murtagh, Buckley A, White J, Dalton – O' Sullivan, O' Callaghan, Barry , Sheppard, Rasmussen, O' Connor S, O'Connor A, McCarthy N, O'Flynn, O'Brien, O'Leary, Dawson, Roche, Moynihan B, Doyle, O'Shea JP, Murphy G, Creed, Moynihan G, Looney, Coughlan M, Lynch, Lucey, Hayes Pat, Murphy Gearóid, Kennedy, Madden, O'Shea T, Linehan – Foley, Hegarty M, Ahern, Twomey, McCarthy S, Quaide, Kelly, Carroll, Hurley, Coakley, Hayes Paul

Chief Executive, Mr. Michael Lynch, Director of Planning, Mr. Padraig Moore, Senior Planner, Senior Executive Officer.

[a] CONFIRMATION OF MINUTES

1/4-2

Proposed by Cllr. Declan Hurley

Seconded by Cllr. John Paul O'Shea

RESOLVED:

That the minutes of the Meeting held on 11th April, 2022 be confirmed and signed by the Mayor.

[b] VOTES OF SYMPATHY

2/4-2

TO: Mr. Tim Daly on the death of his wife Mary Daly.

TO: Ms. Teresa O'Donovan on the death of her brother Anthony O'Donovan.

TO: Ms. Brenda O'Connor on the death of her partner Billy Bermingham.

TO: Mrs. Majella Davis on the death of her mother Mary Sheehy Hussey former Member of Skibbereen Urban District Council.

[c] STATUTORY BUSINESS

3/4-2

DISPOSAL OF PROPERTY:

SECTION 183 OF THE LOCAL GOVERNMENT ACT 2001:

Members noted the following disposals: _

MUNICIPAL DISTRICT OF KANTURK/MALLOW:

Disposal of site at Beenamweel, Bweeng, Mallow, Co. Cork.

3(a)4-1

In accordance with the provisions of Section 183 of the Local Government Act 2001, the disposal of the property as shown hereunder shall be carried out in accordance with the terms specified in the notice issued to members dated 14th April, 2022.

Situation: Disposal of land at Beenamweel, Bweeng, Mallow, Co Cork.

Consideration: €1

MUNICIPAL DISTRICT OF EAST CORK:

Grant of Wayleave at Fana na gCrann, Dungourney, Co. Cork.

3(b)/4-2

In accordance with the provisions of Section 183 of the Local Government Act 2001, the disposal of the property as shown hereunder shall be carried out in accordance with the terms specified in the notice issued to members dated 14th April, 2022.

Situation: Grant of Wayleave at Fana na gCrann, Dungourney, Co. Cork

Area: 18m x 10m wide

Consideration: €1

4/4-2

**PART 8 MANAGER’S REPORT SECTIONS 179(3) OF THE PLANNING & DEVELOPMENT ACT 2000
(AS AMENDED)**

RESOLUTION UNDER SECTION 179 OF THE PLANNING & DEVELOPMENT ACT 2000, AS AMENDED

MUNICIPAL DISTRICT OF KANTURK/MALLOW:

4(a)/4-2

Part 8 Chief Executive’s Report for the Refurbishment/Change of use of HSE Health Centre Building at Charleville, Co Cork.

Proposed by Councillor Ian Doyle

Seconded by Councillor John Paul O’Shea

RESOLVED:

Noting that in accordance with Section 179 of the Planning & Development Act 2000, (as amended), notice of the proposed development and upgrade was published, 0 submissions were received in respect of the proposal, approval pursuant to Section 179 of the Act is given for the following:

Refurbishment/Change of use of HSE Health Centre Building, Charleville, Co. Cork.

4(b)/4-2

Part 8 Chief Executive's Report for the Development of New Public Toilets at Rathgoggin Middle, Charleville, Co Cork.

Proposed by Councillor John Paul O'Shea

Seconded by Councillor Ian Doyle

RESOLVED:

Noting that in accordance with Section 179 of the Planning & Development Act 2000, (as amended), notice of the proposed development and upgrade was published, 1 submission was received in respect of the proposal, approval pursuant to Section 179 of the Act is given for the following:

Development of New Public Toilets at Rathgoggin, Charleville, Co. Cork.

4/5-2

Section 12(10) of the Planning and Development Act, 2000

That in accordance with Section 12(10) of the Planning and Development Act, 2000, as amended, having considered the Draft County Development Plan, 2021, the submissions thereon, the material amendments made on foot of these submissions at the Council Meeting on the 13th December 2021, the further submissions made thereon, the Strategic Environmental Assessment, Strategic Flood Risk Assessment and Habitats Directive Assessment of the Material Amendments and submission made thereon, and the Report of the Chief Executive on the submissions made, and the modifications to the material amendments made at the meeting of Council held on the 25th April 2022, Cork County Council hereby resolves to make the Cork County Development Plan 2022 – 2028 which consists of;

The Draft County Development Plan, 2021, agreed on 1st April 2021.

The Proposed Amendments to the Draft Plan agreed on 13th December 2021.

The Modifications to the Proposed Amendments as recommended by the Development Committee of Council at the meeting held on 14th April 2022 and agreed on 25th April 2022 and resolved to be made by Council following consideration of the Report of the Chief Executive

and resolutions made on the 25th April 2022 in relation to the following proposed amendments following consideration of the Report of the Chief Executive.

Mr. Padraig Moore gave a presentation outlining the legislative background of the County Development Plan as follows:

- 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 amendments as they consider appropriate, which may include the making of a further modification.
 - Such further modifications 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.

Mr. Moore reminded all Members and the Executive of their obligations in terms of compliance with the Ethical framework for Local Government and what is set out in Part 15 of the Local Government Act 2001 regarding Conflicts of Interests and Codes of Conduct.

He outlined the following CDP Review Facts:

- 18 Statutory Planning Documents replaced by one document
- Submissions Total: 3,031
 - Pre Draft: 608
 - Draft: 1,251
 - Proposed Amendments 1,172
- 30 weeks of Public Consultation.
- 3 Chief Executive's Reports.
- 1,600 proposed amendments.
- 68 Statutory Meetings held to date and the details of these were set out for Members.

Mr. Moore then outlined the New Approach to Statutory Planning as follows:

The Cork County Development Plan 2022-2028 will be different from the current County Development Plan in two key areas:

- It will relate to the new administrative boundary of the county, post the extension of the City boundary.
- The Cork County Development Plan 2022-2028 will take effect from Monday June 6th 2022 and replaces:
 - The Cork County Development Plan, 2014.
 - The 8 Municipal District Local Area Plans adopted in 2017.
 - The 9 Town Development Plans of former Town Council Towns.

Mr. Moore said that:

- Options are to accept the Proposed Amendment or revert back to the Draft Plan. Only non material amendments (Minor Modifications) are possible at this stage.
- If a policy/objective in the Draft Plan is not the subject of a Proposed Amendment then it will be in the Final Adopted Plan.
- Adopted County Plan comes into effect Monday 6th June 2022.

Mr. Moore drew Members' attention to documents circulated on Thursday 21st April 2022 as follows:

Volume 1 Document: Chief Executive's Section 12(8) Report-List of Proposed Amendments recommended for Adoption by Members at Special Development Committee Meeting on 14th April 2022 to Full Council Meeting Monday 25th April 2022.

Volume 2 Document: Chief Executive's Section 12(8) Report-List of Proposed Amendments for Further Consideration by Members at Full Council Meeting on Monday 25th April 2022.

He proposed that the meeting format for consideration of these documents be as follows:

- Propose to adopt Proposed Amendments listed in **Volume 1 Document.**
- Propose to go through **Volume 2 Document** on a Volume and Municipal District basis and consider the issues raised 1 to 31 as listed in Volume 2 Document and on Full Council Meeting Agenda.
- After consideration of each item a vote will be called before moving onto the next item.
- Once completed there will be a final overall vote to adopt the Cork County Development Plan, 2022-2028.

The Mayor outlined the process. She stated that significant discussions already had taken place. There was a high level of engagement with Members. There was a huge interest in the Plan. A significant number of submissions were received. It was a very detailed and robust process. The plan sets out context for growth and sustainable development of the County to 2028.

Volume 1 document entitled "Chief Executive's Section 12(8) Report – List of Proposed Amendments recommended for Adoption by Members at Special Development Committee Meeting on 14th April 2022 to Full Council Meeting on Monday 25th April 2022"

The Mayor outlined that it was proposed to adopt Volume 1 first. She said that this was the list of proposed amendments that had been reviewed by Members at the Special Development Committee of 14th April and recommended for adoption by Members.

Councillor John Paul O'Shea proposed, seconded by Councillor Michael Paul Murtagh

Volume 2 document entitled “Chief Executive’s Section 12(8) Report – List of Proposed Amendments for Further Consideration by Members at Full Council Meeting on Monday 25th April 2022”

Item no. 1

VOLUME TWO HERITAGE AND AMENDMENT:

Proposed Amendment Ref No: 2.1.5: Proposed Addition to Record of Protected Structures (RPS): Former Fever Hospital, Mitchelstown.

CE RESPONSE:

This submission does not support the change set out in Proposed Amendment 2.1.5 and requests that the proposed addition of the Former Fever Hospital in Mitchelstown to the Record of Protected Structures be deleted. Supporting documentation has also been submitted. It is noted that this building was assessed for inclusion in the Record of Protected Structures in 2009 and it was subsequently recommended not to include it in the Record of Protected Structures. No further information has been provided to warrant a change to this position. Furthermore, it is noted that the building is afforded statutory protection under the National Monuments Act 1930 (as amended).

CE RECOMMENDATION:

Not to Adopt the Proposed Amendment 2.1.5 and revert back to the Draft Plan.

During this discussion, the Members made the following points:

- Members stated that the owner objected to adding this building to the list of Protected Structures.

Councillor Kay Dawson proposed, seconded by Councillor Noel McCarthy

The Mayor called for a vote to be taken which resulted as follows: -

FOR:

Councillors: Coughlan G, Coleman, Murphy K, O’Sullivan M, O’Donovan, Collins D, Murphy P.G., O’Connell, Cronin, McGrath, D’Alton, Murtagh, Buckley, White J, Dalton O’Sullivan, O’Callaghan, Barry, Sheppard, Rasmussen, O’Connor S, O’Connor A, McCarthy N, O’Flynn, O’Brien, O’Leary, Dawson, Roche, Moynihan B, Doyle, O’Shea J.P., Murphy Gerard, Creed, Moynihan G, Looney, Coughlan M, Lynch, Lucey, Hayes Pat, Murphy Gearóid, Kennedy, Madden, O’Shea T, Linehan-Foley, Hegarty, Twomey, McCarthy S,

Ahern, Quaide, Kelly, Carroll, Hurley, Coakley, Hayes Paul.
[53]

Against [0]

Abstain [0]

The Senior Executive Officer declared the results as follows: 53 For, 0 Against and 0 Abstention.

The Mayor declared the amendment was carried.

Item no. 2

KANTURK/MALLOW MD:

Proposed Amendment Ref No: 3.2.4.24: Charleville: include new Community zoning for nursing home.

CE RESPONSE:

This Proposed Amendment arose from the Notice of Motion at the full Council meeting on the 13th 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 13th 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. There were no submissions in relation to this proposed amendment. As outlined in response to the Notices of Motion at the Council Meeting on 13th 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.'

CE RECOMMENDATION:

Not to Adopt the Proposed Amendment 3.2.4.24

During this discussion, the Members made the following points:

- Members stated that specific zoning should be put on this land for a Nursing home if the land comes available.

Councillor Ian Doyle proposed, seconded by Councillor John Paul O'Shea

The Mayor called for a vote to be taken which resulted as follows: -

FOR: Councillors: Coughlan G, Coleman, O', O'Donovan, Collins D, Murphy P.G., O'Connell, McGrath, D'Alton, Buckley, Dalton O'Sullivan, O'Callaghan, Barry, Rasmussen, O'Connor S, McCarthy N, O'Flynn, O'Brien, O'Leary, Dawson, Roche, Moynihan B, Doyle, O'Shea J.P., Moynihan G, Looney, Coughlan M, Lynch, Lucey, Hayes Pat, Murphy Gearóid, Kennedy, Linehan-Foley, Ahern, Kelly, Carroll, Hurley.

[36]

AGAINST: Councillors: Murphy K, Cronin, Murtagh, White J, Sheppard, O'Connor A, Murphy Gerard, Creed, Madden, O'Shea T, Hegarty, McCarthy S.

[12]

ABSTAIN: Councillors: O'Sullivan M, Twomey, Quaide, Coakley

[4]

The Senior Executive Officer declared the results as follows: 36 For, 12 Against and 4 Abstention.

The Mayor declared the amendment was carried.

Item no. 3

COBH MD:

Proposed Amendment Ref No: 4.2.3.41: Carrigtwohill: change CT-R-18 from Medium A density to Medium B density

CE RESPONSE:

The OPR have concerns that 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 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 10 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.

CE RECOMMENDATION:

It is recommended that this proposed amendment is not Adopted

During this discussion, the Members made the following points:

- Members stated that economic and social sustainability is very important for building communities.
- Members said that 38.5 hectares proposes for high density and this was not acceptable. The current population is 6000 and it is proposed that it will be 13,000 in 2032. The zoning is because there is a railway station in the proximity. There needs to be a balance of choice for people.
- Stated that the change must be radical in terms of land use and there can be well-designed high-density housing that prevents suburban type development spread into the countryside.

Councillor Anthony Barry proposed, seconded by Councillor Sinead Sheppard

The Mayor called for a vote to be taken which resulted as follows: -

FOR: Councillors: Coughlan G, Coleman, Murphy K, O’Sullivan M, O’Donovan, Collins D, Murphy P.G., Cronin, McGrath, D’Alton, Murtagh, Buckley, White J, Dalton O’Sullivan, O’Callaghan, Barry, Sheppard, Rasmussen, O’Connor S, McCarthy N, O’Flynn, O’Brien, O’Leary, Dawson, Roche, Moynihan B, Doyle, O’Shea J.P., Murphy Gerard, Creed, Moynihan G, Looney, Coughlan M, Lynch, Lucey, Hayes Pat, Murphy Gearóid, Kennedy, Madden, O’Shea T, Linehan-Foley, Hegarty, Twomey, McCarthy S, Ahern, Kelly, Carroll, Hurley, Coakley, Hayes Paul. [50]

AGAINST: Councillors: O’Connell, O’Connor A, Quaide [3]

ABSTAIN: [0]

The Senior Executive Officer declared the results as follows: 50 For, 3 Against and 0 Abstention.

The Mayor declared the amendment was carried.

Item no. 4

COBH MD:

Proposed Amendment Ref No: 4.2.3.43: Carrigtwohill: change density of CT-R-04 from High to Medium A.

CE RESPONSE:

The OPR have concerns that 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 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. 12 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.

CE RECOMMENDATION:

It is recommended that this proposed amendment is not adopted

Councillor Anthony Barry proposed, seconded by Councillor Sheila O'Callaghan

The Mayor called for a vote to be taken which resulted as follows: -

FOR:

Councillors: Coughlan G, Coleman, Murphy K, O'Sullivan M, O'Donovan, Collins D, Murphy P.G., Cronin, McGrath, D'Alton, Murtagh, Buckley, White J, Dalton O'Sullivan, O'Callaghan, Barry, Sheppard, Rasmussen, O'Connor S, McCarthy N, O'Flynn, O'Brien, O'Leary, Dawson, Roche, Moynihan B, Doyle, O'Shea J.P., Murphy Gerard, Creed, Moynihan G, Coughlan M, Lynch, Lucey, Hayes Pat, Murphy Gearóid, Kennedy, Madden, O'Shea T, Linehan-Foley, Hegarty, Twomey, McCarthy S, Ahern, Kelly, Hurley, Coakley, Hayes Paul.

[48]

AGAINST:

Councillors: O'Connell, O'Connor A, Quaide

[3]

ABSTAIN:

[0]

The Senior Executive Officer declared the results as follows: 48 For, 3 Against and 0 Abstention.

The Mayor declared the amendment was carried.

Item no. 5

COBH MD:

Proposed Amendment Ref No: 4.2.4.25: Cobh: Change CH-R-11 from Residential to Residential Reserve.

CE RESPONSE:

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 predraft 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 Planning 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 Planning 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 Planning 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 Planning 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. In line with national policy requirements to integrate transport and land use planning and to deliver compact growth, proximity to public transport and other services and the ability to deliver compact growth objectives were key considerations in the categorisation of land for residential zoning in the Plan. It is important to ensure an adequate supply of land for housing and it is considered that 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. Recategorising CH-R-11 as Residential Reserve does not preclude the development of this site in the lifetime of the Plan. Objective ZU-18-21 states that 'Residential Reserve' lands will not generally be required for development over the period of the Plan to 2028. From the beginning of the 4th year of the Plan (2025), consideration may be given to the development of Residential Reserve land subject to criteria specified under (a)-(e) of the objective (as amended by Proposed Amendment 1.18.2, which is also subject of a proposed minor modification). 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.

CE RECOMMENDATION:

Adopt Proposed Amendment 4.2.4.25 with No Modification.

During this discussion, the Members made the following points:

- Members stated that housing is needed in the Cobh area.

Councillor Gillian Coughlan, seconded by Councillor Marcia D'Alton

The Mayor called for a vote to be taken which resulted as follows: -

FOR: [0]

AGAINST: Councillors: Coughlan G, Coleman, Murphy K, O'Sullivan M, O'Donovan, Collins D, Murphy P.G., O'Connell, Cronin, McGrath, D'Alton, Murtagh, Buckley, White J, Dalton O'Sullivan, O'Callaghan, Barry, Sheppard, Rasmussen, O'Connor S, O'Connor A, McCarthy N, O'Flynn, O'Brien, O'Leary, Dawson, Roche, Moynihan B, Doyle, O'Shea J.P., Murphy Gerard, Creed, Moynihan G, Looney, Coughlan M, Lynch, Lucey, Hayes Pat, Murphy Gearóid, Kennedy, Madden, O'Shea T, Linehan-Foley, Hegarty, Twomey, McCarthy S, Ahern, Quaide, Kelly, Carroll, Hurley, Coakley, Hayes Paul. [53]

ABSTAIN [0]

The Senior Executive Officer declared the results as follows: 0 For, 53 Against and 0 Abstention.

The Mayor declared the amendment was not carried.

Item no. 6

EAST CORK MD:

Proposed Amendment Ref No: 4.3.3.4: Midleton: Change land use on the eastern section of MD-R-04 from Residential to Residential Reserve with provision for a primary school.

CE RESPONSE:

This submission disagrees with proposed amendments 1.2.13. and 4.3.2.1 which make changes to the Core Strategy and reduce the growth target for Midleton. The submission also deals with Proposed Amendment 4.3.3.4 in Lakeview, where it is proposed to re-categorise part of the MD- R-04 lands from residential to 'residential reserve'. The submission seeks either the rejection of this amendment or the modification of the area of land included in the amendment to ensure part of their lands are omitted from the area being recategorised as residential reserve so they can be retained as residential. 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 Planning 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 Planning 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 Planning 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 Planning 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. With regard to zoning generally, it should be noted that Section 10 (8) of the Planning and Development Act 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. The adoption of the development plan does not alter the status of any grant of planning permission.

CE RECOMMENDATION:

Adopt Proposed Amendment 1.2.13. with No Modification.
Adopt Proposed Amendment 4.3.2.1. with No Modification.
Adopt Proposed Amendment 4.3.3.4. with No Modification.

During this discussion, the Members made the following points:

- Members asked if the amendment is rejected, will it go back to residential zoned land.

Mr. Moore stated if the amendment is not successful, it will change back to the Draft Plan with provision for school.

Councillor Gillian Coughlan, seconded by Councillor Alan O'Connor

The Mayor called for a vote to be taken which resulted as follows: -

FOR: Councillors: Coleman, O'Sullivan M, Cronin, Murtagh, White J, Barry, O'Connor A, O'Shea J.P, Coughlan M, O'Shea T, Quaide. [11]

AGAINST: Councillors: Coughlan G, Murphy K, O'Sullivan J, O'Donovan, Collins D, Murphy P.G., O'Connell, McGrath, D'Alton, Buckley, O'Callaghan, Sheppard, Rasmussen, O'Connor S, McCarthy N, O'Flynn, O'Brien, O'Leary, Dawson, Roche, Doyle, Murphy Gerard, Creed, Moynihan G, Looney, Lynch, Lucey, Hayes Pat, Murphy Gearóid, Kennedy, Madden, Linehan-Foley, Hegarty, Twomey, McCarthy S, Ahern, Kelly, Carroll, Hurley, Hayes Paul. [40]

ABSTAIN: Councillor: Coakley [1]

The Senior Executive Officer declared the results as follows: 11 For, 40 Against and 1 Abstention.

The Mayor declared the amendment was not carried.

Item no. 7

EAST CORK MD:

Proposed Amendment Ref No: 4.3.3.15: Midleton: change the Draft Plan to remove Residential Zoning MD-R-27 and to re-instate the lands back into the Metropolitan Green Belt.

CE 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 24th 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.

CE RECOMMENDATION:

Not to Adopt Proposed Amendment 4.3.3.3.15 and revert back to the Draft Plan where the lands are zoned for Medium A Residential Development.

During this discussion, the Members made the following points:

- Members stated that the amendment aims to stop inappropriate zoning of the elevated site.
- There is huge demand for homes in Midleton.
- There is a lack of infrastructure, necessary recreation and amenity and shops in this part of town.
- The access road is unsuitable.
- There would be a negative effect on biodiversity.
- The lands were always green belt.
- This site would double the size of Broomfield development which does not have adequate services.
- The creation of future sustainable community is important.
- The local MD Members want to retain this site.
- The issues with the site are elevation, drainage risk, visual and gridlock.
- The advantage of this site, is the proximity of the Railway Station.
- The development of this site would add more cars to the road.

- Housing targets can be met without developing this site.
- Facts have not changed on the ground.
- Said it was critical these sites are retained for development.

Councillor Danielle Twomey, seconded by Councillor Liam Quaide

The Mayor called for a vote to be taken which resulted as follows: -

FOR: Councillors: Coughlan G, O’Connell, McGrath, D’Alton, Murtagh, Barry, Sheppard, Rasmussen, O’Connor S, O’Connor A, Murphy Gearóid, Linehan-Foley, Twomey, McCarthy S, Ahern, Quaide, Hayes Paul. [17]

AGAINST: Councillors: Coleman, Murphy K, O’Sullivan J, O’Sullivan M, O’Donovan, Collins D, Murphy P.G., Cronin, Dalton-O’Sullivan, O’Callaghan, McCarthy N, O’Flynn, Dawson, Roche, Doyle, O’Shea J.P., Murphy Gerard, Creed, Moynihan G, Looney, Coughlan M, Lynch, Lucey, Hayes Pat, Kennedy, Madden, O’Shea T, Hegarty Kelly, Carroll, Hurley, Coakley [32]

ABSTAIN: Councillors: White J. O’Brien, O’Leary. [3]

The Senior Executive Officer declared the results as follows: 17 For, 32 Against and 3 Abstention.

The Mayor declared the amendment was not carried.

Item no. 8

EAST CORK MD:

Proposed Amendment Ref No: 4.3.3.16: Rezone MD-R-28 from Residential to Residential Reserve.

CE RESPONSE:

This submission disagrees with proposed amendments 1.2.13. and 4.3.2.1 which make changes to the Core Strategy and reduce the growth target for Midleton. The submission also seeks the rejection of Proposed Amendment 4.3.3.16. which proposes to change the MD – R-28 lands at Banshane Midleton from Residential to Residential Reserve. 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 Planning 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 Planning

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 Planning 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 Planning 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. With regard to zoning generally, it should be noted that Section 10 (8) of the Planning and Development Act 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.

CE RECOMMENDATION:

Adopt Proposed Amendment 1.2.13 with No Modification.
Adopt Proposed Amendment 4.3.2.1 with No Modification.
Adopt Proposed Amendment 4.3.3.16 with No Modification

Councillor Ann Marie Ahern, seconded by Councillor Mary Linehan-Foley

The Mayor called for a vote to be taken which resulted as follows: -

FOR: Councillors: Murphy K, O’Sullivan J, O’Sullivan M, Cronin, D’Alton, Murtagh, White J, Barry, Sheppard, O’Connor A, McCarthy N, Dawson, O’Shea J.P., Murphy Gerard, Creed, Lynch, Lucey, Madden, O’Shea T, Hegarty, Twomey, McCarthy S, Quaide, Coakley, Hayes Paul.

[25]

AGAINST: Councillors: Coughlan G., Coleman, O’Donovan, Collins D, Murphy P.G., O’Connell, McGrath, O’Callaghan, Rasmussen, O’Flynn, O’Brien, O’Leary, Roche, Doyle, Moynihan G, Coughlan M, Hayes Pat, Murphy Gearóid, Kennedy, Linehan-Foley, Ahern, Kelly, Carroll, Hurley.

[24]

ABSTAIN: [0]

The Senior Executive Officer declared the results as follows: 25 For, 24 Against and 0 Abstention.

The Mayor declared the amendment was carried.

Item no. 9

EAST CORK MD:

Proposed Amendment Ref No: 4.3.3.17: Middleton: change land use of MD-AG-02 to Residential Reserve with provision for a primary school.

CE 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.

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 (e.g. 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 Midleton 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.

CE RECOMMENDATION:

Not to Adopt Proposed Amendment 4.3.3.17 and Revert Back to the Draft Plan where the lands are zoned for agricultural use.

During this discussion, the Members made the following points:

- Members asked for clarification on the impact of the amendment. Could it delay the adoption of the County Development Plan.
- Members asked how long could it take.

- Members asked if the current Plan would remain in place, if this was delayed.
- Asked if a school site be provided in the future.

Mr. Lynch stated if an Appropriate Assessment is carried out and if the assessment finds there is a significant impact, then derogation would be required from the EU. If an Appropriate Assessment is necessary the adoption of the County Development will be delayed. Mr. Lynch said he could not be specific with timelines. Mr. Lynch said it was likely that the current Plan would remain in place. Mr. Moore said that other proposals for part of the site could be considered.

Councillor Danielle Twomey, seconded by Councillor Michael Paul Murtagh

The Mayor called for a vote to be taken which resulted as follows: -

FOR: [0]

AGAINST: Councillors: Coughlan G, Coleman, Murphy K, O’Sullivan J, O’Sullivan M, O’Donovan, Collins D, Murphy P.G., O’Connell, Cronin, McGrath, D’Alton, Murtagh, Buckley, White J, Dalton O’Sullivan, O’Callaghan, Barry, Sheppard, Rasmussen, O’Connor S, O’Connor A, McCarthy N, O’Flynn, O’Brien, O’Leary, Dawson, Roche, Moynihan B, Doyle, O’Shea J.P., Murphy Gerard, Creed, Looney, Coughlan M, Lynch, Lucey, Hayes Pat, Murphy Gearóid, Kennedy, Madden, O’Shea T, Linehan-Foley, Hegarty, Twomey, McCarthy S, Ahern, Quaide, Kelly, Carroll, Hurley, Coakley, Hayes Paul. [53]

ABSTAIN Councillors: Moynihan G. [1]

The Senior Executive Officer declared the results as follows: 0 For, 53 Against and 1 Abstention.

The Mayor declared the amendment was not carried.

Item no. 10

EAST CORK MD:

10. Proposed Amendment Ref. No. 4.3.3.18 (a) & (b): Midleton : Amend the boundary of the MD-X01 site excluding the eastern portion. Replace Objective MD-X-01 with a new objective MD-X-01 for mixed use residential and office development. Also extend MD-GR-03 zoning north of the railway line to incorporate the eastern portion of the X-01 site.

CE RESPONSE:

The development of Flood Zones in Midleton 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 zone mapping in Midleton was developed utilising the most up to date model outputs available from the Midleton Flood Relief Scheme

project. 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.

The site spans the east and west sides of the Owenacurra river. To the east of the Owenacurra, the site is largely within Flood Zone A and B. To the west of the Owenacurra there is some flooding from the Owenacurra River, although the primary source of flooding is from the Water Rock Stream. A significant portion of the site is within Flood Zone B, with another relatively large area of encroachment and ponding of the 1% AEP event, leaving a proportion of the site within Flood Zone A. Land to the west of this part of the site is largely within Flood Zone C.

The presence of a potential, or constructed, flood relief scheme in Middleton does not and will not alter the flood zones because the Flood Guidelines state clearly that the presence of flood protection structures should be ignored in determining 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. However, the outputs from the early stages of the FRS have been reviewed and approved by OPW and form the baseline assessment for the scheme in Middleton and the basis of the Flood Zones in the town.

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. Even within the core of the settlement, the defences do not automatically facilitate new development, but will allow for a reassessment of associated flood risks.

As outlined above, substantial parts of the site are within Flood Zone A and B based on the best currently available information. The Council have examined the Site Specific FRA and it has not provided sufficient justification for moving away from the outputs of the FRS. It is considered appropriate and consistent to continue to use the outputs (flood extents) from the flood relief scheme which provide a comprehensive and consistent data set across the town and its contributing catchment area which can be attributed to the 1% (Flood Zone A) and 0.1% (Flood Zone B) extents. On this basis, the conclusions of Part 3 of the Plan Making Justification Test remain unchanged i.e. the Justification Test has been applied and failed. Water compatible development is therefore the appropriate form of land use on the portion of the lands subject of proposed amendment 4.3.3.18, and green infrastructure zoning should be retained.

It is considered premature to permit development in Flood Zone A and B on either the east or west of the site until the flood relief scheme has been completed. At that time a reappraisal of flood risks to the site can be undertaken, which will include consideration of residual risks, including scheme failure and climate change.

The SFRA's application of the Justification Test across the county is considered to be consistent.

Also see Response to Key Issue on Water Management in Section 2 of Volume One, Part 1 of this Report.

CE RECOMMENDATION:

Adopt Proposed Amendment 1.11.1 with No Modification.

Adopt Proposed Amendment 4.3.3.20 with No Modification.

Adopt Proposed Amendment 4.3.3.18 (a) with No Modification.

Adopt Proposed Amendment 4.3.3.18 (b) with No Modification.

During this discussion the Members made the following points:

- Members said they take flood reports on this site seriously
- Said this is a viable site with willing and able developers
- Stated the site is fully serviced

- The site is in close proximity to amenities
- The site is a prime location in centre of town
- This site would ensure sustainable development
- Good location for mixed modal transport

Padraig Moore, Senior Planner said that the OPW has endorsed the approach taken and said that Members must be clear on the risks if they decide to go against S.F.R.A. The pumping station is on an adjoining site and mitigation measures cannot be taken into account.

Councillor Liam Quaide proposed the amendment, seconded by Councillor Alan O'Connor

The Mayor called for a vote to be taken which resulted as follows:

FOR: Councillors: Murtagh, O'Connor A, Murphy Gerard, Quaide

[4]

AGAINST: Councillors: Coughlan G, Coleman, Murphy K, O'Sullivan M, O' Donovan, Collins D, Murphy P.G, O' Connell, Cronin, McGrath, D'Alton, Buckley, White, Dalton O'Sullivan, O'Callaghan, Barry, Sheppard, Rasmussen, O' Connor S, McCarthy N, O'Flynn, O'Brien, O'Leary, Dawson, Roche, Doyle, O'Shea J.P, Creed, Moynihan G, Coughlan M, Lynch, Lucey, Murphy Gearóid, Kennedy, Madden, O' Shea T, Linehan-Foley, Hegarty, Twomey, McCarthy S, Ahern , Kelly, Carroll, Hurley, Coakley, Hayes Paul

[46]

ABSTAIN: None

[0]

The Senior Executive Officer declared the results as follows: 4 For, 46 Against and 0 Abstentions.

The Mayor declared the amendment was not carried.

Item no. 11

EAST CORK MD:

11. Proposed Amendment Ref. No. 4.3.3.36: Midleton: Amend the boundary of MD-R-01 to remove the section of the site that is at risk of flooding. Flood risk lands to be zoned as Green Infrastructure MD-GC-19.

CE RESPONSE:

It is proposed to zone the majority of land within Flood Zone A / B for water compatible uses, which is in accordance with the Planning Guidelines and follows the outcome of the Justification Test which has been failed for the site. The submission requests the boundary of the open space be realigned to be consistent with a previously granted planning permission. It should be noted that even if this were to occur, highly and less vulnerable development would still not be permitted in Flood Zone A / B, so redesign of the housing estate would be required in the event of a resubmission or new planning application on the site. It is recommended the amendment is adopted to show a clear delineation between the water compatible and highly / less vulnerable land uses.

Also see Response to Key Issue on Water Management in Section 2 of Volume One, Part 1 of this Report.

CE RECOMMENDATION:

Adopt Proposed Amendment 1.11.1 with No Modification.

Adopt Proposed Amendment 4.3.3.36 with No Modification.

During this discussion the Members made the following points:

- Members expressed concern at loosing units in the site
- Stated this is one of the most significant sites in Midleton that can host social & affordable housing

The Senior Planner suggested that a change to the site layout could reduce the number of units lost. The potential impacts of change in zoning had been discussed with housing directorate. Mr. Moore said the area most likely to flood will be taken out. 3.2 hectares will remain for residential development.

Councillor Liam Quaide proposed the amendment, seconded by Councillor Alan O'Connor

The Mayor called for a vote to be taken which resulted as follows:

FOR:

Councillors: Coughlan G, Coleman, Murphy K, O'Sullivan J, O'Sullivan M, Collins D, Cronin, McGrath, D'Alton, Murtagh, White, Barry, Sheppard, Rasmussen, O'Connor S, O'Connor A, McCarthy N, Dawson , Roche, O'Shea JP, Murphy Gerard, Creed, Coughlan M, Lynch , Lucey, Kennedy, Madden, O'Shea T, Hegarty, Quaide

[30]

AGAINST:

Councillors: O'Donovan, Murphy PG, O'Connell, O'Callaghan, O'Flynn, O'Brien, O'Leary, Doyle, Moynihan

G, Murphy Gearóid, Linehan -Foley, Twomey, McCarthy S, Ahern, Kelly, Carroll, Hurley, Hayes Paul

[18]

ABSTAIN:

Councillor: Coakley

[1]

The Senior Executive Officer declared the results as follows: 30 For, 18 Against and 1 Abstention.

The Mayor declared the amendment was carried.

Item no. 12

12. Proposed Amendment Ref. No. 4.3.8.2: Whitegate and Aghada: proposed to reclassify a portion of WG-GC-04 from Green Infrastructure to Existing Mixed / General Business/ Industrial Use and to update the site area for WG-GC-04 to reflect the change.

CE 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.

CE RECOMMENDATION:

Adopt Proposed Amendment 4.3.8.2 with No Modification.

During this discussion the Members made the following points:

- Members said with the removal of the greenfield site, locals are happy for the Brownfield site to remain
- Asked if the amendment was just in relation to the boatyard

Padraig Moore confirmed the amendment was in relation to the building and boatyard.

Councillor Susan McCarthy proposed the amendment, seconded by Councillor Mary Linehan Foley

The Mayor called for a vote to be taken which resulted as follows:

FOR: Councillors: Coughlan G, Coleman, Murphy K, O'Donovan, Collins D, Murphy PG, Cronin, McGrath, D'Alton, Murtagh, White, Barry, Sheppard, O'Connor S, O'Connor A, McCarthy N, O'Flynn, O'Brien, O'Leary, Dawson, Roche, Doyle, O'Shea JP, Murphy Gerard, Creed, Moynihan G, Coughlan M, Lynch , Lucey, Hayes P, Murphy Gearóid, Kennedy, Madden, O'Shea T, Linehan – Foley, Hegarty, McCarthy S, Ahern, Kelly, Carroll, Hurley, Hayes Paul

[42]

AGAINST: Councillors: O'Sullivan M, O'Callaghan, Rasmussen, Twomey, Quaide

[5]

ABSTAIN: O'Connell, Coakley

[2]

The Senior Executive Officer declared the results as follows: 42 For, 5 Against and 2 Abstentions.

The Mayor declared the amendment was carried.

Item no. 13

WEST CORK MD:

13. **Proposed Amendment Ref. No. 5.2.5.3:** Clonakilty: Amend zoning map and omit portion of land zoned CK-AG-04 and include it in CK-GC-06.

CE RESPONSE:

These lands were zoned for residential development in the Clonakilty Development Plan 2009. The lands are at risk of flooding and residential use is no longer appropriate in accordance with the Guidelines on the Planning system and Flood Risk Management (2009). The lands were zoned for Agricultural use in the Draft County Development Plan. The updated Strategic Flood Risk Assessment reaffirmed that the site is at risk of flooding and recommended that the lands be rezoned to green infrastructure. Chapter 18 Zoning and Land Use of Volume One of the Plan indicates that lands zoned for agricultural use may play a role in the delivery of future residential development. Retaining the agricultural zoning of these lands is therefore no longer appropriate within the provisions of the plan. The green infrastructure zoning will not impede the use of the land for agricultural purposes. The presence of flood defences does not alter the fact that the land is still at risk of flooding.

CE RECOMMENDATION:

Adopt Proposed Amendment 5.2.5.3. with No Modification.

During this discussion the Members made the following points:

- Members stated the landowners want to retain the land as agricultural
- Said the land is part of a farm holding and is prime agricultural land
- Asked if it was zoned as a green area, would it be a park in the future?

Mr. Pdraig Moore, Senior Planner, said the green infrastructure zoning is to reflect SFRA. He said it is not proposed to put a park there. He said there are 3 categories of green infrastructure: green active, green recreation and green conservation.

Mayor Gillian Coughlan proposed the amendment, seconded by Councillor Alan O'Connor

The Mayor called for a vote to be taken which resulted as follows:

FOR:

Councillors: O'Connor A

[1]

AGAINST:

Councillors: Coughlan G, Coleman, Murphy K, O’Sullivan J, O’Sullivan M, O’Donovan, Collins D, Murphy PG, O’Connell, Cronin, McGrath, D’Alton, Murtagh, White, O’Callaghan, Barry, Rasmussen, McCarthy N, O’Flynn, O’Brien, Dawson, Roche, Doyle, O’Shea JP, Murphy Gerard, Creed, Moynihan G, Coughlan M, Lynch, Lucey, Hayes Pat, Murphy Gearóid, Kennedy, Madden, O’Shea T, Linehan-Foley, Hegarty, Twomey, McCarthy S, Ahern, Kelly, Carroll, Hurley, Coakley, Hayes Paul

[45]

ABSTAIN:

None

[0]

The Senior Executive Officer declared the results as follows: 1 For, 45 Against and 0 Abstentions.

The Mayor declared the amendment was not carried.

Item no. 14

WEST CORK MD:

14. **Proposed Amendment Ref. No. 5.2.5.12:** Clonakilty: Insert new Residential Reserve

CE 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.

This site was zoned Agriculture in the Draft Plan. 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.

CE RECOMMENDATION:

Not to Adopt the Proposed Amendment 5.1.5.12. and Revert back to the Draft Plan.

During this discussion the Members made the following points:

- Said great layout has been done by the Developer
- Members said valid concerns have been raised by officials and also by residents
- Asked if concerns by residents of Clogheen area about roads and access routes would be taken into account
- Said Clonakilty was growing fast

Padraig Moore, Senior Planner said that this landowner has land zoned for 270 houses on a separate site. The OPR has raised an issue with the amount of land that is zoned for residential. He said the CE Recommendation is not to adopt the amendment.

Councillor Joe Carroll proposed the amendment, seconded by Councillor Declan Hurley

The Mayor called for a vote to be taken which resulted as follows:

FOR: Councillors: O’Sullivan J, Collins D, Murphy PG, McGrath, Buckley, O’Callaghan, O’Flynn, O’Brien, O’Leary, Roche, Moynihan B, Doyle, Moynihan G, Hayes Pat, Ahern, Kelly, Carroll, Hurley, Coakley

[19]

AGAINST: Councillors: Coughlan G, Coleman, Murphy K, O’Sullivan M, O’Donovan, Cronin, D’Alton, Murtagh, White, Barry, Sheppard, Rasmussen, O’Connor A, McCarthy N, Dawson, O’Shea JP, Murphy Gerard, Creed, Coughlan M, Lynch, Lucey, Madden, O’Shea T, Hegarty, McCarthy S, Quaide, Hayes Paul

[27]

ABSTAIN: Councillors: O’Connell, Dalton O’Sullivan, Murphy Gearóid, Kennedy, Twomey

[5]

The Senior Executive Officer declared the results as follows: 19 For, 27 Against and 5 Abstentions.

The Mayor declared the amendment was not carried.

Item no. 15

WEST CORK MD:

15. Proposed Amendment Ref. No. 5.2.6.23: Bantry: include additional land within the Existing Residential/Mixed Residential and Other Uses zone – amend the Settlement Map.

CE RESPONSE:

This Proposed Amendment 5.2.6.23. arose from a Notice of Motion at the Council Meeting of 13th December 2021.

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.

The submission from the Office of the Planning Regulator 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, as 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.

CE RECOMMENDATION:

Not to Adopt Proposed Amendment 5.2.6.23. and revert back to the Draft Plan.

During this discussion the Members made the following points:

- Members said the expansion of the existing nursing home in Bantry is necessary
- Members must provide for the expansion as the population ~~are~~ **is** getting older

Councillor Patrick Gerard Murphy proposed the amendment, seconded by Councillor Danny Collins

The Mayor called for a vote to be taken which resulted as follows:

FOR: Councillors: Coughlan G, Coleman, Murphy K, O’Sullivan J, O’Sullivan M, O’Donovan , Collins D, Murphy PG, Cronin, McGrath, Murtagh, Buckley, White, Dalton O’Sullivan, O’Callaghan, Barry, Rasmussen, McCarthy N, O’Flynn, O’Brien, Dawson, Roche, Moynihan B, Doyle, O’Shea JP, Creed, Moynihan G, Coughlan M, Lynch, Lucey, Hayes Pat, Murphy Gearóid, Kennedy, Madden, O’Shea T, Hegarty, Twomey, McCarthy S, Ahern, Kelly, Carroll, Hurley, Coakley, Hayes Paul

[44]

AGAINST: Councillors: O’Connor A, Quaide

[2]

ABSTAIN: Councillors: O’Connell, D’Alton

[2]

The Senior Executive Officer declared the results as follows: 44 For, 2 Against and 2 Abstentions.

The Mayor declared the amendment was carried.

Item no. 16

WEST CORK MD:

16. Proposed Amendment Ref. No. 5.2.6.27 (a) & 5.2.6.27 (b) : Bantry: remove BT-AG-01 and replace with new zoning objectives including: a new Residential site (a) and a new Residential Reserve site (b).

CE 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.

These lands were zoned Agriculture in the Draft Plan.

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-U05 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).

CE RECOMMENDATION:

Not to Adopt the Proposed Amendment 5.1.6.27 (a) and (b) and Revert back to the Draft Plan.

During this discussion the Members made the following points:

- Members said a lot of land has already been dezoned in Bantry
- These sites BTAG01 & BTR05 are already zoned for development
- Said there is no place in Bantry for affordable housing
- Members said no new homes will be affordable to buy in Bantry

Members said that Minister O'Brien has said Local Authorities should not dezone residential land at a recent AILG conference attended by Members and outlined that the "Development Plans – Guidelines for Planning Authorities" issued by the Minister states as follows:

LAND/SITES ALREADY ZONED:

- *Land and sites already zoned for residential purposes may be regarded as providing a baseline, or starting point to meet projected population and housing targets, especially in cases where planning permission has already been granted, based on the presumption that land subject to planning permission is already serviced or serviceable.*
- *Should it be the case that there is a surplus of well-located zoned and fully serviced land to meet population and housing supply targets already zoned for development in any local authority area when reviewing a development plan, it is recommended that a phased approach be taken to prioritise and rank the preferred sequence of development of such sites.*

Mr. Pdraig Moore, Senior Planner said there are 2 parts to this amendment and it is linked to item no. 17. The OPR has raised the issue of the residential reserve, therefore the CE Recommendation is to revert to the draft plan and agriculture in both cases. Mr. Michael Lynch, Director of Services said the overall landholding was subject of a proposed amendment which had four parts. The OPR had raised issues with a) and b).

The Members agreed that the motion be modified to accept part a) and to reject part b) , i.e. a) would be zoned residential as per the proposed amendment and b) would revert back to Draft Plan zoning which was agriculture.

Councillor Patrick Gerard Murphy proposed the amendment, seconded by Councillor Danny Collins

The Mayor called for a vote to be taken on the amended proposal which resulted as follows:

FOR:

Councillors: Coughlan G, Coleman, Murphy K, O'Sullivan J, O'Sullivan M, O'Donovan, Collins D, Murphy PG, O'Connell, Cronin, McGrath, D'Alton, Murtagh, Buckley,

White, Dalton O'Sullivan, O'Callaghan, Barry, Sheppard, Rasmussen, McCarthy N, O'Flynn, O'Brien, O'Leary, Dawson, Roche, Moynihan B, O'Shea JP, Murphy Gerard, Creed, Moynihan G, Coughlan M, Lucey, Hayes Pat, Murphy Gearóid, Kennedy, Madden, O'Shea T, Linehan-Foley, Hegarty, McCarthy S, Ahern, Kelly, Carroll, Hurley, Coakley, Hayes Paul

[47]

AGAINST: Councillors: O'Connor A, Twomey, Quaide

[3]

ABSTAIN: None

[0]

The Senior Executive Officer declared the results as follows: 47 For, 3 Against and 0 Abstentions.

The Mayor declared the amendment was carried.

Item no. 17

WEST CORK MD:

17. Proposed Amendment Ref. No. 5.2.6.28: Bantry: amend draft plan by reclassifying the BT-R-05 zoning as Residential Reserve BT-RR-02

CE RESPONSE:

It is noted that the submission of the Office of the Planning Regulator has recommended that the plan is made without proposed amendment 5.2.6.27 parts (a) and (b). Please refer to Volume One Part 1: Key Issues for a discussion on this issue and it is a recommendation of this CE report not to adopt proposed amendment 5.2.6.27 (a) and (b) on foot of this.

As the new residential zoning proposed under Proposed Amendment No. 5.2.6.27 (a) is no longer recommended, it is necessary to retain the BT-R-05 zoning to ensure a sufficient supply of residential land over the life of the Plan. Therefore it is recommended that amendment no. 5.2.6.28 is not adopted and lands be retained for residential use as per the Draft Plan.

CE RECOMMENDATION:

Not to Adopt the Proposed Amendment 5.2.6.28 and revert back to the Draft Plan where the lands are zoned for residential use.

Councillor Patrick Gerard Murphy proposed the amendment, seconded by Councillor Danny Collins

The Mayor called for a vote to be taken which resulted as follows:

FOR: Councillors: Coughlan G, Coleman, Murphy K, O’Sullivan M, O’Donovan, Collins D, Murphy PG, O’Connell, Cronin, McGrath, D’Alton, Murtagh, Buckley, White, O’Callaghan, Barry, Sheppard, O’Connor A, McCarthy N, O’Flynn, O’Brien, O’Leary, Dawson, Roche, Moynihan B, O’Shea JP, Murphy Gerard, Creed, Moynihan G, Coughlan M, Lynch, Lucey, Hayes Pat, Murphy Gearóid, Kennedy, Madden, O’Shea T, Hegarty, McCarthy S, Ahern, Kelly, Carroll, Hurley, Coakley, Hayes Paul

[45]

AGAINST: None

[0]

ABSTAIN: Councillor: Quaide

[1]

The Senior Executive Officer declared the results as follows: 45 For, 0 Against and 1 Abstention.

The Mayor declared the amendment was carried.

Item no. 18

WEST CORK MD:

18. Proposed Amendment Ref. No. 5.2.8.15: Dunmanway: Amend text relating to Water Supply (paragraph 2.8.35), Wastewater (paragraph 2.8.87) and Dunmanway Wastewater Network Project.

CE RESPONSE:

Wastewater - The inclusion of the restrictive wording reflects the need to address issues raised in the Environmental Assessment of the plan, specifically issues relating to the discharge of effluent to the Bandon River SAC which is known to host a population of Freshwater Pearl Mussel. The headroom available in the WWTP is not disputed however, even with the current loading the plant is non-compliant with the ELV’s set in the Wastewater Discharge Licence. This is confirmed by the Annual Environmental Report for Dunmanway

in 2020 which also confirms that the receiving water does not meet the EQS for Freshwater Pearl Mussel.

The Plan does not just provide a technical or volumetric assessment of water services capacity but rather the Plan provides a holistic assessment, informed by the potential for environmental impacts that may arise from development and providing the necessary caveats to ensure these impacts are addressed. The text of the Draft Plan and the proposed amendments correctly flag the issues of concern.

We have consulted with Irish Water and they have confirmed that they are in discussions on costs with the DBO Operator to alter the process in the plant so as to achieve the ELVs specified in the licence as a means of addressing the environmental issues raised. This was also confirmed separately to the County Engineer. This may have some impact on the headroom, but given the current headroom of 1,293pe and the growth target of 300 people over the life of the plan, it is recommended that the wording of the Proposed Amendment 5.2.8.15 be modified to acknowledge the headroom but without diluting the environmental caveats.

Drinking Water- it is the view of both IW and the Council’s engineers that there is capacity to cater for the population targets for the town and this is confirmed in the wording of the Proposed Amendment 5.2.8.15. The references to the limitations of the water supply in terms of poor water quality and poor water main network are justified. This was confirmed with Council Engineers in March 2021 where the extent of the leakage, old asbestos pipes through woodland and the poor condition of cast iron mains were highlighted. There are works planned to replace the cast iron mains and address leakage and also upgrades to the water treatment plant but until these are complete the text accurately reflects the water supply situation. Also worth noting that water quality at Coolkelure Lake, the source for Dunmanway, is Moderate Status (Water Framework Directive 2013-2018) and at Risk.

In conclusion, the water services position stated in the Plan reflects the position at a point in time and it is accepted that should issues which are raised be resolved, then there is scope for development to occur – hence the plan attributes a growth target to the town. Therefore, when a proposal is submitted over the lifetime of the Plan it will be assessed against the water services position at that time.

CE RECOMMENDATION:

Adopt the Proposed Amendment no. 5.2.8.15 with No Modification.

During this discussion the Members made the following points:

- Members said they were happy to accept the wording of the amendment and that the word “limited” would be removed from the text
- Expressed concern with the limitations of the plan and wanted this put on record

Padraig Moore, Senior Planner said that when any planning application is lodged, it will be assessed against the best available information at that time.

Councillor Declan Hurley proposed the amendment, seconded by Councillor Deirdre Kelly

The Mayor called for a vote to be taken which resulted as follows:

FOR: Councillors: Coughlan G, Coleman, Murphy K, O’Sullivan M, O’Donovan, Collins D, Murphy PG, O’Connell, Cronin, McGrath, D’Alton, Murtagh, Buckley, White, O’Callaghan, Barry, Sheppard, Rasmussen, O’Connor A, McCarthy N, O’Flynn, O’Brien, O’Leary, Dawson, Roche, Doyle, O’Shea JP, Murphy Gerard, Creed, Moynihan G, Coughlan M, Lynch, Lucey, Hayes Pat, Murphy Gearóid, Kennedy, Madden, O’Shea T, Linehan-Foley, Hegarty, Twomey, McCarthy S, Ahern, Quaide, Kelly, Carroll, Hurley, Coakley, Hayes Paul

[49]

AGAINST: None

[0]

ABSTAIN: None

[0]

The Senior Executive Officer declared the results as follows: 49 For, 0 Against and 0 Abstention.

The Mayor declared the amendment was carried.

Item no. 19

WEST CORK MD:

19. **Proposed Amendment Ref. No. 5.2.13.3:** Ballydehob: Extended the development boundary to include additional land – map change.

CE 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.

CE RECOMMENDATION:

Not to adopt the proposed amendment 5.2.13.3 and revert back to the Draft Plan.

During this discussion the Members made the following points:

- Members said the Ballydehob site must be zoned for housing
- Facilities are adjacent to the site and it should be part of the settlement
- Members queried the numbers of houses for this site

Padraig Moore, Senior Planner said there is no specific number of units in the zoning but it would be a small number of houses.

Councillor Danny Collins proposed the amendment, seconded by Councillor Joe Carroll

The Mayor called for a vote to be taken which resulted as follows:

FOR: Councillors: Coughlan G, Coleman, Murphy K, O’Sullivan J, O’Sullivan M, O’Donovan, Collins D, Murphy PG, O’Connell, Cronin, McGrath, D’Alton, Murtagh, Buckley, White, Dalton O’ Sullivan, O’Callaghan, Barry, Rasmussen, McCarthy N, O’Flynn, O’Brien, O’Leary, Dawson, Roche, Moynihan B, Doyle, O’Shea JP, Murphy Gerard, Creed, Moynihan G, Coughlan M, Lynch, Lucey, Hayes Pat, Murphy Gearóid, Kennedy, Madden, O’Shea T, Linehan-Foley, Hegarty, McCarthy S, Ahern, Kelly, Carroll, Hurley, Coakley, Hayes Paul

[48]

AGAINST: Councillor: O’Connor A

[1]

ABSTAIN: Councillor: Twomey, Quaide

[2]

The Senior Executive Officer declared the results as follows: 48 For, 1 Against and 2 Abstentions.

The Mayor declared the amendment was carried.

Item no. 20

WEST CORK MD

20. **Proposed Amendment Ref. No. 5.2.14.7:** Baltimore: Amend the development boundary of the settlement by omitting areas from the development boundary that overlap with the Sheep’s Head to Toe Head SPA.

CE RESPONSE:

At present there is an overlap between the boundary of the Sheep's Head to Toe Head Special Protection Area (SPA) and the development boundary of the village of Baltimore. As part of the plan review, it was sought to minimise the potential for conflict between the SPA and the development boundary of Baltimore by minimising the overlap between the two.

Special Protection Areas are designated under the Birds Directive to support the conservation of wild birds. Regulations in relation to the Sheep's Head to Toe Head Special Protection Area (SPA) were made in 2010.

This particular SPA is designated for the protection of two species, namely Chough and Peregrine Falcon. Both of these species breed on the cliff face edges of the SPA. Chough feed on invertebrates in grassland habitats proximal to their breeding sites. The SPA boundary was drawn to include both their breeding sites and important feeding areas.

The lands referenced in this amendment comprises a rocky coastal headland and would not generally be considered suitable for development. The lands are at the very edge of the settlement in an area of very high landscape and ecological value. The land is elevated and visually sensitive and prominent close to the coastline. There is considerable pressure for development in the area.

The Natura Impact Report recommended that the lands be zoned as Green Infrastructure Conservation to protect them from inappropriate development. Instead, it was decided to exclude the land from the development boundary entirely as proposed in this amendment to prevent further incremental erosion of lands within the SPA and to support the conservation objectives for the area.

Ample alternative land is available within the Development boundary of Baltimore to cater for housing development and it is recommended that these lands be omitted from the boundary.

CE RECOMMENDATION:

Adopt Proposed Amendment 5.2.14.7 with No Modification

During this discussion the Members made the following points:

- Members said they are against this amendment, there is existing housing on site
- Family want to protect any future housing on site
- Said it goes against Rural Housing Policy if this site is taken out
- Said site will not be developed for profit

Padraig Moore, Senior Planner said that the site is currently designated SPA but within the development boundary. He said there is no change to the Rural Housing Policy that applies outside the development boundary. He said all applications must be considered under proper planning and development merits. Michael Lynch, Director of Services, said there is no implication for rural housing in this amendment.

Councillor Alan O'Connor proposed the amendment, seconded by Councillor Liam Quaide

The Mayor called for a vote to be taken which resulted as follows:

FOR:

Councillors: O'Callaghan, O'Connor A, Quaide

[3]

AGAINST:

Councillor: Coughlan G, Coleman, Murphy K, O’Sullivan J, O’Sullivan M, O’Donovan, Collins D, Murphy PG, O’Connell, Cronin, McGrath, D’Alton, Murtagh, White, Dalton O’Sullivan, Barry, Rasmussen, McCarthy N, O’Flynn, O’Brien, O’Leary, Dawson, Roche, Doyle, O’Shea JP, Creed, Moynihan G, Coughlan M, Lynch, Lucey, Hayes Pat, Murphy Gearóid, Kennedy, Madden, O’Shea T, Linehan-Foley, Hegarty, Twomey, McCarthy S, Ahern, Kelly, Carroll, Hurley, Coakley, Hayes Paul

[45]

ABSTAIN:

None

[0]

The Senior Executive Officer declared the results as follows: 3 For, 45 Against and 0 Abstentions.

The Mayor declared the amendment was not carried.

21/4-2

Item no. 21

WEST CORK MD:

21. **Proposed Amendment Ref. No. 5.2.41.2:** Goleen: Amend the draft plan by deleting the X-01 zoning and removing the flood risk area from the development boundary of the settlement. The remaining area will be brought within the development boundary of the village.

CE RESPONSE:

Proposed Amendment 5.2.41.2. relates to the X-01 site as contained in the 2017 LAP. The site straddles Harbour Road. For the portion of the site that is north of the public road (Map no. 1), the entire central section of the site (over 65% of the area) is within Flood Zone A.

A linear strip to the west, behind existing properties is not at risk of flooding and a portion of land further to the east, is also outside the area at risk of flooding.

The SFRA recommends all the X-01 land north of the public road be removed from the development boundary. The section of land to the eastern end, that is not at risk of flooding would be too isolated from the village to retain within the boundary.

The portion of the X-01 site to the south of the public road (Map no. 2), which is not at risk of flooding is being retained within the development boundary of the village. The X-01 objective will no longer apply to these lands but they are being retained within the boundary and proposals to develop them can be assessed on their merits.

CE RECOMMENDATION:

Adopt Proposed Amendment 5.2.41.2 with No Modification.

During this discussion the Members made the following points:

- Members asked to reject this amendment as the site is outside flooding area
- Said that retention will allow for long term objectives
- Said that residents have plans to enhance the village of Goleen
- An amenity space is planned, proposals will allow for something valuable to happen

Padraig Moore, Senior Planner said that the site in question is too isolated from the village to retain it within the village boundary.

Councillor Gillian Coughlan proposed the amendment, seconded by Councillor Alan O'Connor

The Mayor called for a vote to be taken which resulted as follows:

FOR:

Councillors: O'Connor A,

[1]

AGAINST:

Councillor: Coughlan G, Coleman, Murphy K, O'Sullivan J, O'Sullivan M, O'Donovan, Collins D, Murphy PG, O'Connell, Cronin, McGrath, D'Alton, Murtagh, White, Dalton O'Sullivan, O'Callaghan, Barry, Sheppard, Rasmussen, McCarthy N, O'Flynn, O'Brien, O'Leary, Dawson, Roche, Doyle, O'Shea JP, Creed, Moynihan G, Coughlan M, Lynch, Lucey, Hayes Pat, Murphy Gearoid, Kennedy, Madden, O'Shea T, Linehan-Foley, Hegarty, Twomey, Ahern, Kelly, Carroll, Hurley, Coakley, Hayes Paul

[46]

ABSTAIN:

None

[0]

The Senior Executive Officer declared the results as follows: 1 For, 46 Against and 0 Abstentions.

The Mayor declared the amendment was not carried.

Item no. 22

BANDON/KINSALE MD:

22. Proposed Amendment Ref. No. 5.1.4.22: Bandon: reclassify zoning of BD-AG-02 to Residential Reserve

CE 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.

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.

CE RECOMMENDATION:

Not to Adopt the Proposed Amendment 5.1.4.22 and Revert back to the Draft Plan.

During this discussion the Members made the following points:

- Happy to accept CE's recommendation
- Members said investment is needed in this area
- Stated the infrastructure is inferior in this part of the town
- Expressed disappointment at Tier 3 category for water supply

Councillor Gillian Coughlan proposed the amendment, seconded by Councillor Alan Coleman

The Mayor called for a vote to be taken which resulted as follows:

FOR:

None

[0]

AGAINST:

Councillor: Coughlan G, Coleman, Murphy K, O'Sullivan J, O'Sullivan M, O'Donovan, Collins D, Murphy PG, O'Connell, Cronin, McGrath, D'Alton, Murtagh, White, O'Callaghan, Barry, Sheppard, Rasmussen, O'Connor A, McCarthy N, O'Flynn, Dawson, Roche, Doyle, O'Shea JP, Murphy Gerard, Creed, Moynihan G, Coughlan M, Lynch, Lucey, Hayes Pat, Murphy Gearóid, Kennedy, Madden, O'Shea T, Linehan-Foley, Hegarty, Twomey, McCarthy S, Ahern, Kelly, Carroll, Hurley, Coakley, Hayes Paul

[46]

ABSTAIN:

None

[0]

The Senior Executive Officer declared the results as follows: 0 For, 46 Against and 0 Abstentions.

The Mayor declared the amendment was not carried.

Item no. 23

BANDON/KINSALE MD:

23. Proposed Amendment Ref. No. 5.1.4.23: Bandon: amend development boundary to include lands zoned Residential Reserve.

CE 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 Middleton, 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.

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 R14 is EBUA in Draft CDP 2021. 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.

CE RECOMMENDATION:

Not to Adopt the Proposed Amendment 5.1.4.23 and revert back to the Draft Plan.

During this discussion the Members made the following points:

- Members said only development land in triangular section is not zoned
- Accepts it is impacted by flooding of access road from Kilbrittan Road but there are other options

- Said it is important that there is some zoning here, as adjacent to schools and services

Mr Pdraig Moore, Senior Planner said an infrastructure assessment indicated an upgrade is needed to the existing network. He said the site is bound to the west by a regional road and there is problematic access from Kilbrittan Road. Mr. Moore said this amendment is linked to item no. 24.

Councillor Alan Coleman proposed the amendment, seconded by Mayor Gillian Coughlan

The Mayor called for a vote to be taken which resulted as follows:

FOR: Councillor: Coughlan G, Coleman, Murphy K, O’Sullivan J, O’Sullivan M, O’Donovan, Collins D, Murphy PG, O’Connell, Cronin, McGrath, D’Alton, Murtagh, White, O’Callaghan, Barry, Sheppard, Rasmussen, McCarthy N, O’Flynn, O’Leary, Dawson, Roche, Doyle, O’Shea JP, Murphy Gerard, Creed, Moynihan G, Coughlan M, Lynch, Lucey, Hayes Pat, Murphy Gearóid, Kennedy, Madden, O’Shea T, Linehan-Foley, Hegarty, Twomey, Ahern, Kelly, Carroll, Hurley, Coakley, Hayes Paul

[45]

AGAINST: Councillor: O’Connor A

[1]

ABSTAIN: None

[0]

The Senior Executive Officer declared the results as follows: 45 For, 1 Against and 0 Abstentions.

The Mayor declared the amendment was carried.

Item no. 24

BANDON/KINSALE MD:

24. **Proposed Amendment Ref. No. 5.1.4.24:** Bandon: amend development boundary to include lands as Existing Residential/Mixed Residential/Other Uses.

CE RESPONSE:

It is proposed to amend the development boundary of Bandon and include the existing dwellings at either side of the proposed Residential Reserve zoning as Existing Residential / Mixed Residential and Other Uses.

CE RECOMMENDATION:

Not to Adopt the Proposed Amendment 5.1.4.24 and revert back to the Draft Plan.

Mayor Gillian Coughlan proposed the amendment, seconded by Councillor Alan Coleman

The Mayor called for a vote to be taken which resulted as follows:

FOR:

None

[0]

AGAINST:

Councillor: Coughlan G, Coleman, Murphy K, O’Sullivan J, O’Sullivan M, O’Donovan, Collins D, Murphy PG, O’Connell, Cronin, McGrath, D’Alton, Murtagh, White, O’Callaghan, Barry, Sheppard, Rasmussen, O’Connor A, McCarthy N, O’Flynn, O’Leary, Dawson, Roche, Doyle, O’Shea JP, Murphy Gerard, Creed, Moynihan G, Coughlan M, Lynch, Hayes Pat, Murphy Gearóid, Kennedy, Madden, O’Shea T, Linehan-Foley, Hegarty, Twomey, Ahern, Kelly, Carroll, Hurley, Coakley, Hayes Paul

[45]

ABSTAIN:

Councillor: Quaide

[1]

The Senior Executive Officer declared the results as follows: 0 For, 45 Against and 1 Abstention.

The Mayor declared the amendment was not carried.

Item no. 25

BANDON/KINSALE MD:

25. **Proposed Amendment Ref. No. 5.1.5.2:** Kinsale: Rezone KS-R-01 Residential to Residential Reserve KS – RR-01,

CE RESPONSE:

Text and Map Change Proposed Medium A Residential Development. The development of this site should be carried out on a phased basis and will include the construction of a section of the Northern Relief Road as proposed in the Kinsale Transportation Study. Local water storage within the northern most extremity of the site will be a requirement in developing these lands.

Development should include pedestrian and cycleway linkages to the KS-R-02 site to the south.

Having regard to the site's location within an area of potential associated with the Kinsale Siege and Battlefield, an archaeological assessment will be required in advance of development works in order to guide the design and layout of any future residential scheme. The assessment should include geo-physical assessment to determine sub-surface archaeology and should determine whether parts of the site formed part of the strategic locations of campsites or entrenchments of the 1601 military landscape.

CE RECOMMENDATION:

Adopt Proposed Amendment 5.1.5.2 with No Modification.

During this discussion the Members made the following points:

- Members said this is a substantial site, land had been zoned originally in the 2016 Development Plan for residential
- Stated Kinsale has had a lot of land dezoned
- Said more modifications need to be put into the site, e.g., for services
- Willing to accept CE recommendation as residential reserve zoning.

Padraig Moore, Senior Planner said that there is a change in core strategy numbers. He said the roadline indicated as an access road is not the subject of an amendment and is included in the draft plan.

Councillor Kevin Murphy proposed the amendment, seconded by Councillor Alan Coleman

The Mayor called for a vote to be taken which resulted as follows:

FOR:

Councillor: Coughlan G, Coleman, Murphy K, O'Sullivan J, O'Sullivan M, O'Donovan, Collins D, Murphy PG, O'Connell, Cronin, McGrath, D'Alton, Murtagh, White, Dalton O'Sullivan, O'Callaghan, Barry, Sheppard, Rasmussen, O'Connor A, McCarthy N, O'Flynn, O'Brien, O'Leary, Dawson, Roche, O'Shea JP, Murphy Gerard, Creed, Moynihan G, Coughlan M, Lynch, Lucey, Hayes Pat, Murphy Gearóid, Kennedy, Madden, O'Shea T, Linehan-Foley, Hegarty, Twomey, McCarthy S, Ahern, Kelly, Hurley, Coakley, Hayes Paul

[47]

AGAINST: None

[0]

ABSTAIN: Councillor: Quaide

[1]

The Senior Executive Officer declared the results as follows: 47 For, 0 Against and 1 Abstention.

The Mayor declared the amendment was carried.

Item no. 26

BANDON / KINSALE MD:

26. Proposed Amendment Ref. No. 5.1.21.2: Dunderrow: extend development boundary of Dunderrow. A map change is required.

CE RESPONSE:

As outlined in response to the Notices of Motion at the Council Meeting on 13th 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.

CE RECOMMENDATION:

Not to Adopt the Proposed Amendment 5.1.21.2 and revert back to the Draft Plan.

During this discussion the Members made the following points:

- Members said there is a community benefit to this amendment

- Said Dunderrow adjoins a major employment centre

Councillor Alan Coleman proposed the amendment, seconded by Councillor Kevin Murphy

The Mayor called for a vote to be taken which resulted as follows:

FOR: Councillor: Coughlan G, Coleman, Murphy K, O’Sullivan J, O’Sullivan M, O’Donovan, Collins D, Murphy PG, O’Connell, Cronin, McGrath, D’Alton, Murtagh, White, Dalton O’Sullivan, O’Callaghan, Barry, Rasmussen, McCarthy N, O’Flynn, O’Brien, O’Leary, Dawson, Roche, O’Shea JP, Creed, Moynihan G, Coughlan M, Lucey, Hayes Pat, Murphy Gearóid, Kennedy, Madden, O’Shea T, Linehan-Foley, Hegarty, Twomey, McCarthy S, Ahern, Kelly, Hurley, Coakley, Hayes Paul

[43]

AGAINST: Councillor: O’Connor A

[1]

ABSTAIN: Councillor: Quaide

[1]

The Senior Executive Officer declared the results as follows: 43 For, 1 Against and 1 Abstention.

The Mayor declared the amendment was carried.

Item no. 27

CARRIGALINE MD:

27. **Proposed Amendment Ref. No. 4.1.4.11:** Extend the development boundary of Passage West/Glenbrook/Monkstown to include lands outlined in map and zone as existing residential / mixed residential and other uses.

CE 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 the Proposed Amendment in relation to Rockenham House as one of 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.

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.

CE RECOMMENDATION:

Not to Adopt the Proposed Amendment 4.1.4.11 and revert back to the Draft Plan.

During this discussion the Members made the following points:

- Members said that Rockenham House is a huge piece of heritage entwined with Passage West Town
- Said there is a genuine motivation to protect Rockenham House

Padraig Moore, Senior Planner said that part of the site is within flood zone A is only suitable for water compatible uses.

Councillor Marcia D’Alton proposed the amendment, seconded by Councillor Jack White

The Mayor called for a vote to be taken which resulted as follows:

FOR: Councillor: Coughlan G, Coleman, Murphy K, O’Sullivan M, O’Donovan, Collins D, Murphy PG, O’Connell, Cronin, McGrath, D’Alton, Murtagh, White, Dalton O’Sullivan, Barry, Sheppard, Rasmussen, McCarthy N, O’Flynn, O’Brien, O’Leary, Dawson, Roche, O’Shea JP, Creed, Moynihan G, Coughlan M, Lynch, Lucey, Hayes Pat, Murphy Gearóid, Kennedy, Madden, O’Shea T, Linehan-Foley, Hegarty, Twomey, McCarthy S, Ahern, Kelly, Carroll, Hurley, Coakley, Hayes Paul

[44]

AGAINST: Councillor: O’Callaghan, O’Connor A

[2]

ABSTAIN: Councillor: Quaide

[1]

The Senior Executive Officer declared the results as follows: 44 For, 2 Against and 1 Abstention.

The Mayor declared the amendment was carried.

Item no. 28

CARRIGALINE MD:

28. **Proposed Amendment Ref. No. 4.1.6.1:** Crosshaven and Bays: Extend the development boundary of Crosshaven and Bays to include three existing dwellings in Fountainstown Bay.

CE RESPONSE:

The following submission was received following the publication of the Draft Plan. The submission sought a larger boundary extension than proposed by Proposed Amendment 4.1.6.1. (It sought to include additional greenfield lands to the north of the existing houses.)

CE RECOMMENDATION:

Adopt Proposed Amendment 4.1.6.1 with No Modification.

During this discussion the Members made the following points:

- Members said the proposed amendment did not achieve its objective

Padraig Moore, Senior Planner said the footprint of 3 houses were outside the development boundary currently. He said submissions were received to include within the development boundary.

Councillor Gobnait Moynihan proposed the amendment, seconded by Mayor Gillian Coughlan

The Mayor called for a vote to be taken which resulted as follows:

FOR: None

[0]

AGAINST: Councillor: Coughlan G, Coleman, Murphy K, O’Sullivan M, O’Donovan, Collins D, Murphy PG, O’Connell, Cronin, McGrath, D’Alton, Murtagh, White, Dalton O’Sullivan, O’Callaghan, Barry, Sheppard, Rasmussen, O’Connor A, McCarthy N, O’Flynn, O’Brien, O’Leary, Dawson, Roche, Doyle, O’Shea JP, Murphy Gerard, Creed, Moynihan G, Coughlan M, Lynch, Lucey, Hayes Pat, Murphy Gearóid, Kennedy, Madden, O’Shea T, Linehan-Foley, Hegarty, McCarthy S, Ahern, Kelly, Carroll, Hurley, Coakley, Hayes Paul

[47]

ABSTAIN: Councillor: Quaide

[1]

The Senior Executive Officer declared the results as follows: 0 For, 47 Against and 1 Abstention.

The Mayor declared the amendment was not carried.

Item no. 29

FERMOY MD:

29. **Proposed Amendment Ref. No. 3.1.4.15** : Fermoy: new Industrial Site FY – I-05 at Corrin.

CE RESPONSE:

As outlined in response to the Notices of Motion at the Council Meeting on 13th 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.

CE RECOMMENDATION:

Not to Adopt the Proposed Amendment 3.1.4.15 and to revert back to the Draft Plan.

During this discussion the Members made the following points:

- Members said developers are willing to develop the site
- Site adjoins 9 other businesses
- Said site is a great opportunity and should not be lost

Padraig Moore, Senior Planner said this motion is inappropriate and is at variance with Development & Spatial Guidelines. Fermoy does not need any further industrial land.

Councillor Frank O'Flynn proposed the amendment, seconded by Councillor William O'Leary

The Mayor called for a vote to be taken which resulted as follows:

FOR:

Councillor: Coughlan G, Coleman, Murphy K, O'Sullivan M, O'Donovan, Collins D, Murphy PG, O'Connell, Cronin, McGrath, Murtagh, White, Dalton O'Sullivan, O'Callaghan, Barry, Rasmussen, McCarthy N, O'Flynn, O'Brien, O'Leary, Dawson, Roche, Doyle, O'Shea JP, Murphy Gerard, Creed,

Moynihan G, Coughlan M, Lynch, Lucey, Hayes Pat, Murphy Gearóid, Kennedy, Madden, O'Shea T, Linehan-Foley, Hegarty, McCarthy S, Ahern, Kelly, Carroll, Hurley, Coakley, Hayes Paul

[44]

AGAINST: Councillor: O'Connor A

[1]

ABSTAIN: Councillor: D'Alton, Quaide

[2]

The Senior Executive Officer declared the results as follows: 44 For, 1 Against and 2 Abstentions.

The Mayor declared the amendment was carried.

Item no. 30

FERMOY MD:

30. Proposed Amendment Ref. No. 3.1.4.16: Fermoy: include a special policy zoning at the mart site in Corrin to the south of Fermoy for site FY-X-01

CE RESPONSE:

As outlined in response to the Notices of Motion at the Council Meeting on 13th 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.

CE RECOMMENDATION:

Not to Adopt the Proposed Amendment 3.1.4.16. and to revert back to the Draft Plan.

During this discussion the Members made the following points:

- Members said marts have a great history of providing NCT centres
- This is a brilliant opportunity and an NCT centre is needed in Fermoy & region
- The site is well serviced
- Said it is a great location off the motorway

Padraig Moore, Senior Planner said that TII have stated that the zoning is inappropriate and is at variance with Department Guidelines and policies.

Councillor Kay Dawson proposed the amendment, seconded by Councillor Noel McCarthy

The Mayor called for a vote to be taken which resulted as follows:

FOR:

Councillor: Coughlan G, Coleman, Murphy K, O’Sullivan M, O’Donovan, Collins D, Murphy PG, O’Connell, Cronin, McGrath, D’Alton, Murtagh, White, Dalton O’Sullivan, O’Callaghan, Barry, Rasmussen, McCarthy N, O’Flynn, O’Brien, O’Leary, Dawson, Roche, Doyle, O’Shea JP, Murphy Gerard, Creed, Moynihan G, Coughlan M, Lynch, Lucey, Hayes Pat, Murphy Gearóid, Kennedy, Madden, O’Shea T, Linehan-Foley, Hegarty, Twomey, McCarthy S, Ahern, Kelly, Carroll, Hurley, Coakley, Hayes Paul

[46]

AGAINST:

Councillor: O’Connor A

[1]

ABSTAIN:

None

[0]

The Senior Executive Officer declared the results as follows: 46 For, 1 Against and 0 Abstentions.

The Mayor declared the amendment as carried.

Item no. 31

FERMOY MD:

31. **Proposed Amendment Ref. No. 3.1.23.1:** Reinstate Coolagown as a Village.

CE 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-andplacemaking.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.

CE RECOMMENDATION:

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

During this discussion the Members made the following points:

- Members said they felt boundary removal was correct for some villages but not for Coolagown
- Removing the boundary would remove aspirations for services going in
- Said there are great facilities in the village
- Members of the community feel passionate about their villages and this is coming from the ground up

Michael Lynch, Director of Services said there is no compelling reason to include Coolagown. He said a strategic approach has been taken, and was fair and equitable to all settlements.

The Chief Executive said the school was 2 miles outside the village and one village in the county was being singled out.

Councillor William O’Leary proposed the amendment, seconded by Councillor Noel McCarthy

The Mayor called for a vote to be taken which resulted as follows:

FOR: Councillor: Coughlan G, Coleman, Murphy K, O’Sullivan M, O’Donovan, Collins D, Murphy PG, O’Connell, Cronin, McGrath, D’Alton, Murtagh, White, Dalton O’Sullivan, O’Callaghan, Barry, Sheppard, Rasmussen, McCarthy N, O’Flynn, O’Brien, O’Leary, Dawson, Roche, Doyle, O’Shea JP, Murphy Gerard, Moynihan G, Lynch, Lucey, Hayes Pat, Murphy Gearóid, Kennedy, Madden, O’Shea T, Linehan-Foley, Hegarty, Twomey, McCarthy S, Ahern, Kelly, Carroll, Hurley, Coakley

[44]

AGAINST: Councillor: O’Connor A, Creed, Coughlan M

[3]

ABSTAIN: Councillor: Hayes Paul

[1]

The Senior Executive Officer declared the results as follows: 44 For, 3 Against and 1 Abstention.

The Mayor declared the amendment was carried.

AGENDA ITEM No. 5

That in accordance with Section 12(10) of the Planning and Development Act, 2000, as amended, having considered the Draft County Development Plan, 2021, the submissions thereon, the material amendments made on foot of these submissions at the Council Meeting on the 13th December 2021, the further submissions made thereon, the Strategic Environmental Assessment, Strategic Flood Risk Assessment and Habitats Directive Assessment of the Material Amendments and submissions made thereon, and the Report of the Chief Executive on the submissions made, and the modifications to the material amendments made at the meeting of Council held on 25th April 2022, Cork County Council hereby resolves to make the Cork County Development Plan 2022-2028 which shall consist of;

The Draft County Development Plan, 2021, agreed on 1st April 2021

The Proposed Amendments to the Draft Plan agreed on 13th December 2021

The Modifications to the Proposed Amendments as recommended by Development Committee of Council at the meeting held on 14th April 2022 and, agreed on 25th April 2022 and resolved to be made by Council following consideration of the Report of the Chief Executive

and resolutions made on the 25th April 2022 in relation to amendments following consideration of the Report of the Chief Executive;

Councillor Declan Hurley proposed the amendment, seconded by Councillor John Paul O'Shea

The Mayor called for a vote to be taken which resulted as follows:

FOR: Councillor: Coughlan G, Coleman, Murphy K, O'Sullivan M, O'Donovan, Collins D, Murphy PG, O'Connell, Cronin, McGrath, D'Alton, Murtagh, White, O'Callaghan, Barry, Sheppard, Rasmussen, O'Connor A, McCarthy N, O'Flynn, O'Brien, O'Leary, Dawson, Roche, Doyle, O'Shea JP, Murphy Gerard, Creed, Moynihan G, Coughlan M, Lynch, Lucey, Hayes Pat, Murphy Gearóid, Kennedy, Madden, O'Shea T, Linehan-Foley, Hegarty, McCarthy S, Ahern, Kelly, Carroll, Hurley, Coakley, Hayes Paul

[46]

AGAINST: None

[0]

ABSTAIN:

None

[0]

The Senior Executive Officer declared the results as follows: 46 For, 0 Against and 0 Abstention.

The Mayor declared the resolution was carried.

[I] ANY OTHER BUSINESS

Mayor Coughlan paid tribute to the Planning Department, especially Michael Lynch, Padraig Moore and the PPU team, for their dedication and work. The Mayor thanked Members for their work on the County Development Plan that had begun under the leadership of former Mayor, Cllr. Mary Linehan Foley and for doing the right thing for their communities. She thanked the Chief Executive and Deputy Mayor for their support. She also thanked the Party and Group Leaders for arriving at a consensus.

The Chief Executive thanked Members for their commitment to the process. He said it responds to the needs of a wide range of communities. He thanked the former & current Mayors, Director of Planning, Padraig Moore and the Planning Department and said there was a wide range of staff from different departments working behind the scenes in respect of the Development Plan process.

Members raised the frequency of the proposed ferry service to Dursey Island.

Members agreed to defer the rest of the agenda items to the next meeting of Council on 9th May 2022.

~ THIS CONCLUDED THE BUSINESS OF THE MEETING ~