

Marina Commercial Park

Submission to the Draft Cork City Development Plan
on behalf of Templeford Ltd.

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1. Introduction

This submission, in response to the publication of the Draft Cork City Development Plan, has been prepared on behalf of Templeford Ltd who own the Marina Commercial Park on Centre Park Road which is outlined in red on the Location Map which is attached as Fig 1.



Fig 1 Site Location Map

The strategic importance of the site is reflected in the fact that it is identified on the Growth Strategy Map of the Draft City Plan, which we attach as Fig 2, as one of two major Tier 1 sites in the South Docklands Strategic Regeneration Project.

Figure 2.21: Growth Strategy Map 2022-2028.

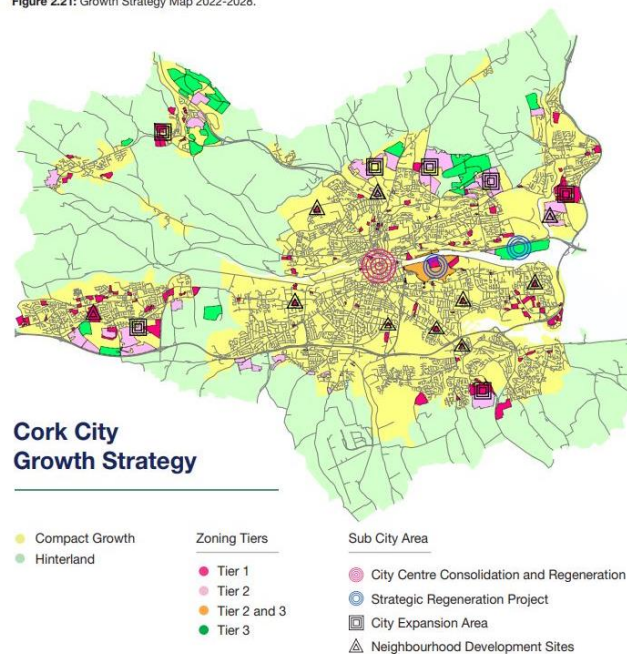


Fig 2 Cork City Growth Strategy

The primary purpose of this submission is to highlight the traffic and transport constraints on the viability of the redevelopment of our client's site which should be addressed in the Amended Draft of the City Plan.

2. Traffic and Transportation Constraints

2.1 Traffic and Transportation Constraints under Planning Register Ref. No. 10/34546

Redevelopment of the Marina Commercial Park is currently constrained by the terms of the planning permission, which was granted to Templeford Ltd. under Planning Register Ref. No. 10/34546. While the duration of the permission extends to October 2022, the commencement of the permitted development has been delayed by Condition 3 which requires:

- (a) that construction of Phases 1 to 3 shall not commence until Phase 1 of the Transportation Infrastructure (as approved by ABP under 28. HA0013) is complete and operational; and
- (b) that construction of Phases 4 to 6 shall not commence until Phase 2 of the Transportation Infrastructure is complete and operational.

The Transportation Infrastructure approved by the Board under 28. HA0013 included the following key elements:

- The Eastern Gateway Bridge and associated road network. This will comprise a swing bridge, with an opening span of 50m to facilitate access for river vessels.
- Water Street Bridge and associated road network to provide access between the N8 National Primary Route adjacent to the North Docklands and the central section of the South Docklands. The Bridge will have an opening span of 50m to provide access for shipping with destinations in the upper City Quays. The associated road network includes a road connection from Centre Park Road and Monahan's Road on the southern side and Water Street and Horgan's Quay on the northern side;
- The raising by 2m to 3m of Centre Park Road within a 30m-wide corridor, which will accommodate a Bus Rapid Transit or Light Rail Transit which will link to Kent Station;
- It was assumed that a corresponding network of local access roads within each development precinct would be put in place by developers as part of the future development of lands within their ownership.

The approval granted by ABP on 13/04/2010 under Ref. No. 28. HA0013 provides that Phase 1 of the Transportation Infrastructure, would include:

- The Eastern Gateway Bridge;
- The approach road to the Eastern Gateway Bridge from Monahan's Road; and
- The upgrade of Albert Road and Albert Quay

The construction of the Water Street Bridge and associated road network would therefore be deferred to Phase 2.

As our client's planning application was submitted 4 months after the approval of the transportation infrastructure, it was specifically designed to integrate with the road layout and road levels approved by the Board. This level of integration and interdependence is also reflected in the phasing restriction in Condition 3 of the grant of permission.

In our opinion the Planning Authority is obliged to either honour the commitment to deliver the infrastructure in time for the permission to be implemented or to agree to delete the phasing restriction in Condition 3.

2.2 The New Traffic and Transportation Objectives in the Draft City Plan

Paragraph 10.90 of the Draft City Plan states that the Area-Based Transport Assessment (ABTA) proposes three new bridges that will provide multi-modal connectivity between the City Docks and Tivoli Docks and wider connectivity to Metropolitan Cork. While the nature of the public transport role of the bridges is subject to NTA confirmation, it is assumed that the bridges will comprise:

- *A new bridge to connect Kent Station to the South Docks for walking, cycling and public transport.*
- *Eastern Gateway Bridge: Multi-modal bridge catering for bus, cycle, pedestrian and general traffic movements; and*
- *Water Street Bridge: Pedestrian and cycle only*

The indicative locations of the three bridges are illustrated on Fig 3. The change in the modal status and phasing of the bridges is clearly a radical change from the road and bridge strategy set out in the 2009 and 2015 City Plans on which the approval granted by the Board under 28. HA0013 is based.

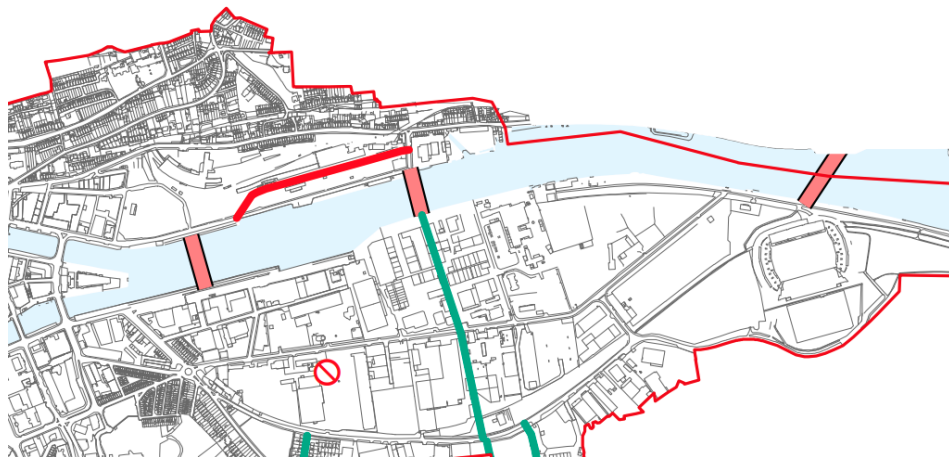


Fig 3: Indicative Location of Bridges

Paragraph 10.88 sets out the public transport network which will be based on the revised bridge strategy and will include a dedicated LRT corridor running east-west through Centre Park Road and connecting to the City Centre via Kent

Station. The City Council appears to have decided not to proceed with the Transportation Infrastructure as approved by the Board under 28. HA0013 as:

- The Eastern Gateway Bridge is being redesigned as a multi-modal link and will no longer comply with the terms of the approval granted under 28. HA0013;
- It is no longer proposed to raise Centre Park Road to the level approved by the Board;
- As Water Street Bridge is now to be restricted to pedestrians and cyclists it will not comply with the approved design and will no longer form part of the approved local road network.
- The City Council no longer intends to construct a new road through the Templeford site to link the Water Street Bridge to Centre Park Road as the route of the approved link road is now shown as a major cycle lane
- The road and bridge infrastructure is now to be delivered in three tranches as shown in Tables 10.7 and 10.15 rather than the two phases as approved under 28. HA0013.

Apart from these deviations from the design and phasing of the approved transport infrastructure, there are also significant changes in the way any future development on our client's site would be served by, and benefit from, the revised infrastructural schemes. Paragraph 10.85 of the Draft City Plan proposes a new street hierarchy for the South Docklands which has been configured to prioritise pedestrian, cyclist and public transport users. While the arterial and link routes remain multi-modal the design of local streets will use filtered permeability techniques to reinforce pedestrian and cyclist priority and place-making with design speeds set at 30kph (or lower).

Paragraph 10.86 states that walking and cycling are embedded into the City Docks Transport Plan from the outset, based on the street user hierarchy principles set out in the DMURS. Strategic Greenways utilising the quaysides will be frontloaded to embed active travel and recreational benefits from the outset, including the closing of The Marina to through-traffic. Paragraph 10.91 refers to the introduction of new car parking standards based upon the Draft ABTA which, in the case of our client's property, will restrict parking spaces to 1 space per employee or 0.2 to 0.4 spaces per dwelling unit.

These are very significant changes to the transportation policies and standards which apply under the current City and Local Area Plans and on which the current planning permission is based. Paragraph 10.91 states that Cork City Council will seek to engage with applicants for major development proposals to identify solutions for car parking provision where the public transport infrastructure and services envisaged for Docklands has not yet been provided, subject to the overall long-term achievement of the maximum capacity targets set out in the Draft ABTA. In our opinion there is also a need for the City Council to engage with the developers on the road and bridge strategy as that will be the major determinant of the viability of the redevelopment of the South Docklands.

2.3 Impact of the Draft Traffic and Transportation Objectives on the Viability of Redevelopment

Our client has the following concerns in regard to the impact of the transportation objectives of the Draft City Plan on the development potential of the Marina Commercial Park.

In the first place the legal implication of the adoption of the draft traffic and transportation objectives is that Condition 3 of the of the permission granted under 10/34546 is null and void. Cork City Council no longer intends to carry out the works which were approved by the Board under 28. HA0013 and which are specified as prior requirements for the commencement of the permitted development under 10/34546.

The second concern is that the changes to the modal configuration of the transport network will undermine the commercial viability of residential or commercial redevelopment at the Marina Commercial Park. The combined effect of:

- (a) the down grading of the Water Street Bridge to a pedestrian cycle link and the removal of the arterial multi modal route through the site;
- (b) the reduction of vehicular circulation within the site;
- (c) the imposition of very restrictive parking standards; and
- (d) the revised phasing which will defer the most relevant projects until the third tranche of the infrastructural investment programme;

will significantly reduce the status of Centre Park Road and put any redevelopment at Marina Commercial Park at a significant disadvantage vis a vis similar projects which would be directly serviced by the Eastern Gateway Bridge and the upgraded Monahan's Road.

It is essential for the viability of our client's development that the multi-modal status of Water Street Bridge be restored and that provision be made for a vehicular link through the site from Water Street to Centre Park Road. It is also important that the level of Centre Park Road be raised to ensure that accessibility is maintained during flood events. We formally request that these changes be included in the Proposed Amendments to the Draft City Plan

3. Implementation Issues

While Chapter 13 of the Draft City Plan is devoted to "Implementation" there is very little detail in regard to how the objectives for the South Docklands will be implemented over the period of the next City Plan. Paragraph 2.65 undertakes that, in future, the City Council will monitor the delivery of the actions and objectives set out in the new City Plan to better understand to what extent the Plan is being realised and to provide statutory progress reports to the Regional Assemble and the members of the City Council. However it would appear that no review has been carried out on the reasons for the lack of progress in the South Docklands during the period of the current City Plan (2015 to 2021).

Paragraph 2.37 welcomes the recent increase in housing completions and notes that, while this increase in planning activity is a progressive step, it illustrates how the implementation of planning permissions and the delivery of residential units remains largely dependent on the market. It also acknowledges that further measures are needed to ensure the housing market in Cork City can deliver the housing stock required to meet the ambitious NPF population growth targets set out in the Draft Plan. However, the data on housing completions applies to the City as a whole and no specific analysis has been published in the Draft Plan as to why there has been so little progress on delivering the population and employment targets for the South Docklands.

In our opinion the primary causes of the lack of progress in the redevelopment of the Docklands are:

- (a) Delays in delivering the necessary road and bridge infrastructure;
- (b) Unduly onerous phasing conditions and development charges;
- (c) Lack of clarity in regard to the flood attenuation strategy for the area.
- (d) Lack of consistency in planning decisions.
- (e) Lack of commitment by the City Council to the implementation of the current Development Plan and Local Area Plan

These issues must be addressed in the Amended Draft of the City Plan in order to ensure that the targets for the period 2022 to 2028 will be achieved.

We are particularly concerned about the fact that, instead of deciding to press on with the master plans which have already been adopted and with the permissions which have already been granted, the Draft Plan is proposing radical changes to the current policies and objectives on which the existing permission were granted.

The current Cork City Plan notes that:

"The provision of the appropriate transport and other infrastructure in a timely fashion is essential to facilitate the development of Docklands as envisaged."

"Extensive new local streets infrastructure is planned to facilitate redevelopment of the Docklands, including three bridges; there are also plans for new streets in some suburban locations."

With specific regard to Eastern Gateway Bridge it was anticipated that construction might begin during the lifetime of the current Plan. Paragraph 13.84 of the current Plan states that as part of the transport infrastructure of the South Docklands,

"The Water Street Bridge and Eastern Gateway Bridge are initially proposed, with further study required to progress the Mill Road Bridge and pedestrian bridges linking the 'tip of the island' (Custom House Quay site) with the North and South Dock."

The requirement for bridge crossings is further highlighted in the South Docklands Local Area Plan (SDLAP) where:

“Two river crossings are proposed at the Eastern Gateway Bridge and Water Street in the short-term with a third option at Mill Road in the longer term.”

“The Water Street Bridge and link road will connect to Centre Park Road and Monahan’s Road and the surrounding strategic road network. This bridge is significantly progressed in terms of procurement following a feasibility study during 2004/2005 and the preparation of a Draft Environmental Impact Statement.”

No adequate explanation has been given in the Draft City Plan for the decision not to implement these objectives by downgrading the Water Street Bridge to a pedestrian cycle link and deferring delivery of the bridge to the end of the infrastructure programme,

The lack of commitment to the policies in the current City Plan and SDLAP is also reflected in Objective 10.17 of the Draft City Plan, which states that the Council will seek to prepare a new masterplan for the South Docklands “to reconcile strategic design issues and Character Area Masterplans to provide more detailed guidance for development and public realm”. In our opinion the master planning phase has already been completed and the task now is to implement the permissions which were granted on foot of the adopted master plans. Instead of making up for lost time the approach proposed in the Draft Plan will have the effect of repeating a lengthy planning process that has already been completed and unduly extending the period required for delivery of the housing and employment targets for the South Docklands.

This lack of urgency in implementation is also reflected in Paragraph 2.66 which accepts that planning policy objectives often take a number of plan cycles to be fully realised. It would appear that the primary purpose of the proposed monitoring and implementation of the new Plan will not be to deliver key infrastructural projects within the period of the next Plan but to “provide a first step towards assessing the plans outcomes, continuing through successive City Development Plans”.

Paragraph 10.126 claims that Cork City Council has a clear understanding of the infrastructure programme and the infrastructural projects that are necessary to unlock the potential of the City Docks and to create a sustainable neighbourhood and that it will seek to deliver the key infrastructure projects set out in Table 10.14 during the lifetime of the Plan. However, this clarity is not evident in the phasing programme in Figure 10.7 which is particularly unclear in the following respects:

- There is a lack of consistency between the phasing programmes for the City Docks (Figure 10.7) and the Tivoli Docks (Figure 10.21) and it is not clear how they relate to the delivery programmes in Tables 10.14 and 10.15.
- Although the same strategic infrastructure is common to both Docks, the phasing for Tivoli is presented in terms of calendar years while the City Docks is presented in tranches which are not tied to any specific time period.
- By comparing the two figures, it would appear that the Eastern Gateway Bridge will be completed sometime between 2026 and 2031 but neither

the Water Street Bridge not the Light Rail Transit (LRT) on Centre park Road will be delivered until the period 2031 to 2040.

It is essential that the City Council's phasing programme is presented in a clear and consistent way in the amended Draft of the City Plan as the private developers who will be expected to deliver the jobs and homes required for the Core Strategy need to know when their sites will have the connectivity required for a viable development. If the Council has a clear understanding of the implementation programme, the target dates for delivery of each of the infrastructure projects should be specified in the written text of the Plan and it should not be necessary to deduce the likely dates from the pictographs on Figures 10.7 and 10.21.

While the Marina Commercial Park is designated Tier 1 in the Growth Strategy, the extant permission is directly linked to the delivery of the bridges which the Draft City Plan indicates will not be available within the next Plan period. As the City Council is responsible for the implementation of the redevelopment of the South Docklands it is essential that the phasing programme in the Draft City Plan is revised so that the infrastructure required for a viable redevelopment of our client's site is delivered within the period of the next City Plan.

4. Strategic Employment Locations

Another important factor in the delivery of the redevelopment of the Docklands and other regeneration areas is the need to make provision for the efficient relocation of established uses. The supporting documents for the Draft City Plan include a Strategic Employment Locations Study which reviews the existing position in relation to land use zoning and makes recommendations to inform the employment strategy

The study considered the extent to which the redevelopment of the Docklands and the Tramore Road will lead to the decanting of existing jobs to other locations. These issues are addressed in paragraph 7.38 and 7.39 of the Draft City Plan, which concludes that sufficient land has been zoned to cater, not only for the planned growth in employment, but also the decanting of up to 4,000 jobs from the proposed regeneration areas including City Docks, Tivoli and Tramore Road.

The Draft also proposes the adoption of Objective 7.16 Decanting of Industrial Uses from Regeneration Areas which seeks:

To support and facilitate the decanting of industrial uses from the Cork Docklands (City Docks and Tivoli Docks) to more suitable zoned strategic employment locations. This includes supporting occupiers in existing industrial areas that are under regeneration influence close to the City Centre, such as Tramore Road, in relocating to more suitable and flexible locations elsewhere in Cork City.

While we welcome this approach, the following issues may need to be addressed in more detail:

- (a) The figure of 4,000 may be an under estimate of the total number of jobs to be decanted from all regeneration areas as, according to the Strategic Employment Locations Study, it is the number of existing jobs in the Docklands and does not include the other regeneration areas.
- (b) Jobs that are decanted should not be included in the estimate of the land required for employment growth as they are existing jobs that are relocated rather than new jobs generated by population growth and/or increasing participation rates.
- (c) The extent to which relocated businesses can be accommodated in a particular zone will depend on the zoning objective as the Draft City Plan makes a sharp distinction between business and light industrial zones.
- (d) The strategic employment land survey found that the vacancy rate in the industrial warehouse manufacturing sector is currently just 1.61% which indicates a very tight market and a shortage of suitable zoned land.
- (e) Paragraph 9.4 of the Strategic Employment Locations Study suggests that the City Council should be more proactively involved in the relocation of uses by developing suitable serviced sites and financial supports.

It may be appropriate therefore for the Amended Draft of the City Plan to zone additional land in the locations that would be particularly suitable for businesses relocating from the South Docklands. The City Council should also consider offering exemption from rates and development contributions to businesses that are relocating from regeneration areas.

5. Conclusion

The current review of the Cork City Development Plan 2015 – 2021 provides the opportunity to tackle the implementation problems which, if not addressed, will prevent the South Docklands from making an appropriate contribution to the delivery of the very challenging population and employment targets which are set out in the Core Strategy.

The priority should be to ensure that the key sites in the South Docklands which are designated Tier 1 and have already come through a lengthy assessment and approval process, can be developed during the next City Plan period. In our opinion there is sufficient capacity in the existing transportation networks to allow development to proceed in the short term while the infrastructural upgrades are being implemented.

Our client was granted permission under Planning Register Ref. No. 10/34546 for a comprehensive redevelopment of the Marina Commercial Park which is now listed as a Tier 1 site in the Draft City Plan. The only impediment to the immediate development of our client's lands is the City Council's requirement in Condition 3 of the permission that the Eastern Gateway Bridge be in place prior to the commencement of development.

In our previous submission to the Issues Paper we asked the planning authority to:

- (a) Reconsider the approach whereby priority was given to the Eastern Gateway Bridge as the City Plan policy of developing the South Docklands as an extension to the City Centre justifies giving priority to the Water Street Bridge;
- (b) Allocate the LIHAF funding to sites which can facilitate the early development of the Water Street Bridge and supporting road access;

The Draft City Plan has taken the opposite approach. Delivery of the Eastern Gateway Bridge has now been prioritised and the Water Street Bridge has been downgraded to a pedestrian/cycle link and deferred to the long term.

It is essential for the viability of the redevelopment of the Marina Commercial Park that adequate connectivity is provided to the city road network in the short to medium term. It is acknowledged that radical traffic management measures will be introduced to reduce demand on the road network when a high capacity public transport network is available in the medium to long term. However, that long term objective is not sufficient reason for the failure to provide the improvements to the road network which are

- (a) specific objectives of the current City Plan and SDLAP;
- (b) formally approved by An Bord Pleanála under 28. HA0013; and
- (c) essential to facilitate any viable redevelopment projects in the short to medium term.

We request that the Draft City Plan be amended to include a clear and realistic strategy to facilitate development of the Tier 1 sites in the South Docklands within the next Plan period. In our opinion this must include provision for a multi-modal Water Street Bridge to be developed within the first tranche of the Infrastructure Programme.