

Submission regarding the draft Cork City Development Plan

2022-2028

Walsh Group Submission in respect of Lands at Ardarostig, Bishopstown, Cork.

October 4th, 2021

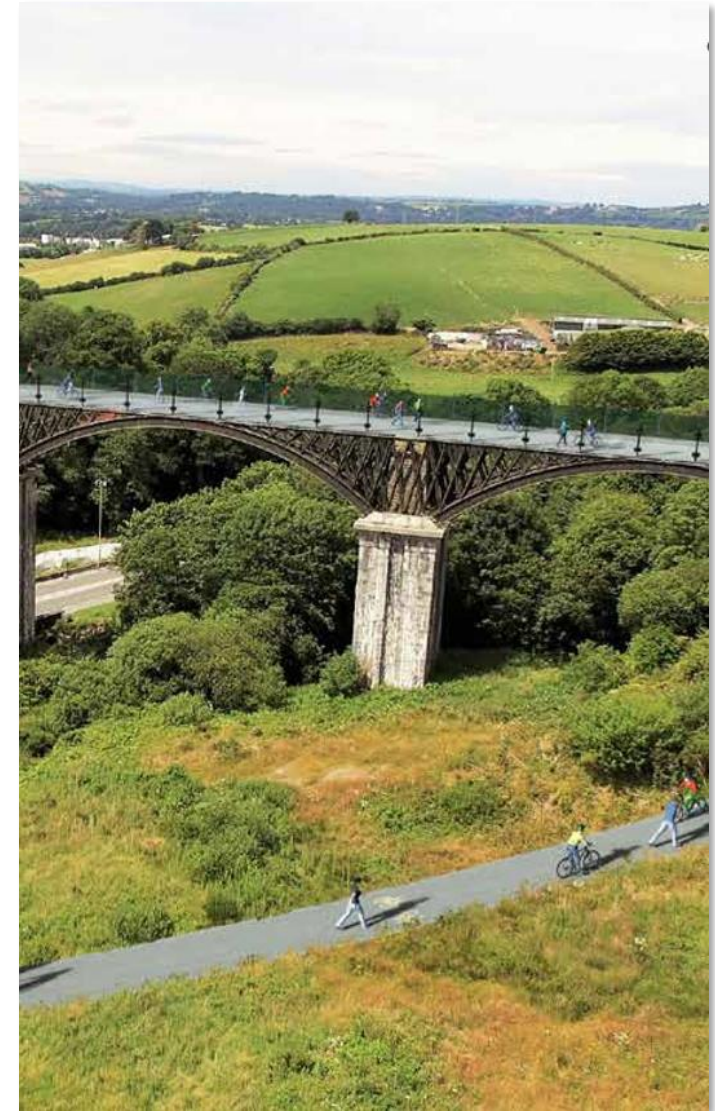


Image from Cork Metropolitan Area Transport Strategy

Summary of Amendment Proposed by Walsh Group

Zoning Proposal & Draft Plan Map	Map 08, 15 & 16
Proposed Update	Amend Maps 08, 15 & 16 to change 109 acres (44.2 hectares) of land zoned ZO 21 City Hinterland and ZO 01 Sustainable Residential Neighbourhoods in the draft Cork City Development Plan, 2022-2028 to ZO 02 New Residential Neighbourhood.
Comments	<p>Walsh Group's principal has a contract in respect of the subject lands and proposes to develop these lands during the lifetime of the new City Development Plan.</p> <p>This submission is made in the context of concerns regarding the prospects of the City Council delivering housing and employment within the lifetime of the Plan without harnessing alternative private sector supported initiatives on sustainably located, and serviced/serviceable lands.</p> <p>This submission also has regard to, and adopts much of the same rationale used by the City Council in bringing forward a proposed Variation to the existing Ballincollig – Carrigaline Municipal Area Local Area Plan in 2020.</p> <p>Additional commentary is provided in the main body of this submission.</p>

Specific Rezoning Proposal:

Change 109 acres (44.2 hectares), hachured red in the zoning map below, from ZO 21 City Hinterland and ZO 01 Sustainable Residential Neighbourhoods in the draft Cork City Development Plan, 2022-2028, and previously forming part of Cork County Council's Strategic Land Reserve (SLR 6 West) to **ZO 02 New Residential Neighbourhood**.

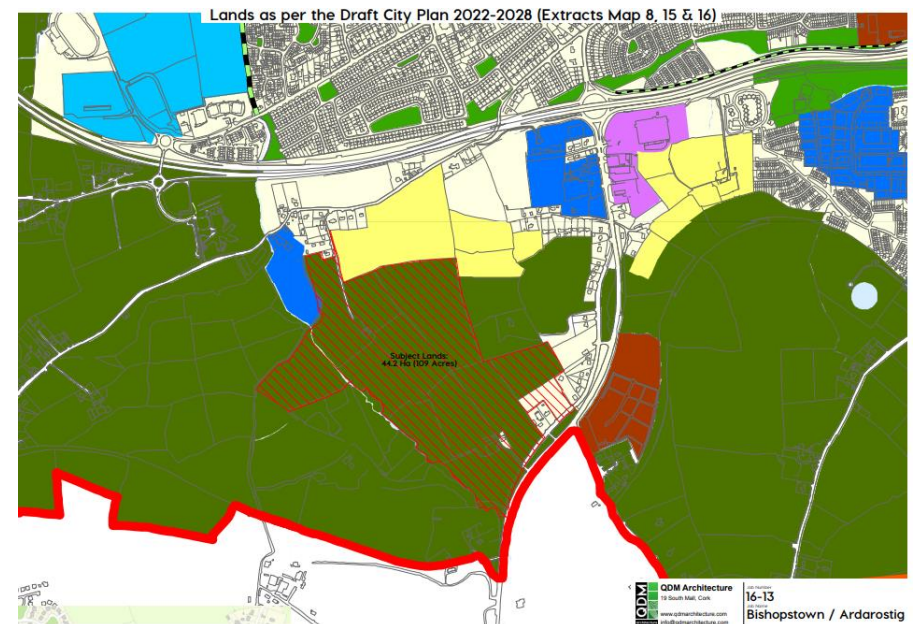


Figure 1: Extract from draft City Plan Development Plan 2022-2028 with proposed amendment hachured red.

1.0 Introduction

This submission is lodged by Walsh Group on behalf of its principal, Ricky Walsh, who has a contract in respect of the subject lands at Ardarosting, Bishopstown. For simplicity, the company and its principal are hereinafter referred to as “the Group”.

The Group welcomes this opportunity to respond to Cork City Council’s Draft City Development Plan, 2022-2028.

2.0 Context

The importance of the next Cork City Development Plan for the future development of Cork cannot be understated in light of:

- the critically important role identified for Cork in the National Planning Framework and the Regional Spatial and Economic Strategy;
- the pro-Cork planning and political environment that, for now, at least, prevails;
- the increasingly perilous state of national finances;
- the length and complexity of the planning and development consent process combined with the greatly increased number of (successful) third party judicial challenges of An Bord Pleanála decisions; and
- the inevitable future cut backs in expenditure for public projects and the competition that is likely to arise between projects for the increasingly limited available national funding.

In this context, it is imperative that the adopted City Development Plan is a progressive and sustainable new Plan that can, and will, be delivered.

A general concern is that this draft Plan for Cork City, which at 210,000 population remains a small city, comprises eight documents, totaling 1368 pages, including a main written statement of 555 pages. It is feared that Tony Robbin’s quote that “Complexity is the enemy of execution”, will work against the delivery of the plan’s key objectives.

It is also of concern to the Group that the plan is overly reliant on the City Centre and Docklands for the delivery of a significant quantum of the City’s future growth and development. Notwithstanding the proposed new measures, including tax penalties for vacant/derelict properties, the fact remains that the “Living over the Shop” project of the 1990s, even with tax relief, was of limited success. The proposed new measures do not inspire private sector confidence because the multiplicity of challenges arising from planning, building regulations, fire requirements, rates, existing tenancies and other costs, that all contributed to the said project’s lack of success, have not gone away.

The **Docklands project**, which the City Council has actively promoted since 1998 when it prepared the City Docks’ Integrated Area Plan as a submission to central government for urban renewal tax incentives remains, despite recently promised funding, a source of concern as it is still a medium to long term project/aspiration. The Group considers that in the **23 years** since the Integrated Area Plan was launched the major impediments to development remain substantially the same as they were in 1998: road connectivity including the provision of bridges; public transport provision; pedestrian connectivity; land contamination; ongoing Seveso activity; ground level/flood risk challenges; and the need for the relocation of a multiplicity of operating commercial businesses to alternative locations which have not yet been made available in adequate supply.

It is questionable whether lands in Docklands can be considered ‘Tier 1’ when significant road, bridge and public transport infrastructure is necessary to facilitate development. Do these Tier 1 lands meet the definition as set out in Appendix 3 of the National Planning Framework entitled “A Methodology for a Tiered Approach to Land Zoning”:

“This zoning comprises lands that are able to **connect to existing development services, i.e. road and footpath access** including public lighting, foul sewer drainage, surface water drainage and water supply, **for which there is service capacity available**, and can therefore accommodate new development (emphases added)”.

Similar questions might arise in respect of other Tier 1 and 2 lands identified in the draft City Plan.

Appendix 3 of the NPF also includes the following statement:

“Current development or area plans may include zoned lands that cannot be serviced during the life of a development or area plan by reference to the infrastructural assessment of the planning authority. This means that they cannot be categorised as either Tier 1 lands or Tier 2 lands per the above and therefore are not developable within the plan period. **Such lands should not be zoned for development or included within a development plan core strategy for calculation purposes**” (Emphasis added).

The Group’s concerns in respect of the short-term delivery of Docklands are acknowledged in the Office of the Planning Regulator’s detailed submission to the Issues Paper (Our City – Our Future) in which the OPR indicates, inter alia, that in drafting a new City Plan the City should give consideration to:

“scenario planning and resilience measures in devising the development plan, by explicitly considering the **uncertainties in facilitating development of the aforementioned strategic areas**. For example, in the event that the **infrastructural needs of certain strategic areas, such as the Cork City Docks**, cannot feasibly be met in the short term, what **alternative areas will be developed consistent with compact growth targets, under the NPF and RSES**, to ensure delivery of the core strategy over the proposed plan period?” (emphases added) (Ref. Bullet 3, Page 10, OPR Pre-Draft Plan Submission, August 21st, 2020).

This submission in respect of lands at Ardarostig, Bishopstown, is made in the context of the Group’s concerns associated with the delivery of draft plan objectives within the lifetime of the Plan. The Group asks the City Council to ensure that all reasonable sustainable development opportunities are pursued in order for Cork City to have any prospect of playing the role envisaged for the City in the National

Planning Framework. It is vital that the power of the private sector is harnessed to secure the delivery of the level of compact urban development identified for Cork in the National Planning Framework and to address the current housing deficit.

3.0 Rezoning Proposal

3.1 This submission seeks the rezoning of lands at Ardarostig, Bishopstown. It is considered that these lands can play a vital role in the creation of a '15 minute suburb' with sustainable access to the wide range of employment, health, retail, sport and recreation facilities available within and adjacent to the existing Bishopstown catchment area. Specifically, this document proposes to:

Change 109 acres (44.2 hectares), hachured red in the zoning map below, from ZO 21 City Hinterland and ZO 01 Sustainable Residential Neighbourhoods in the draft Cork City Development Plan, 2022-2028, and previously forming part of Cork County Council's Strategic Land Reserve (SLR 6 West) to **ZO 02 New Residential Neighbourhood**.

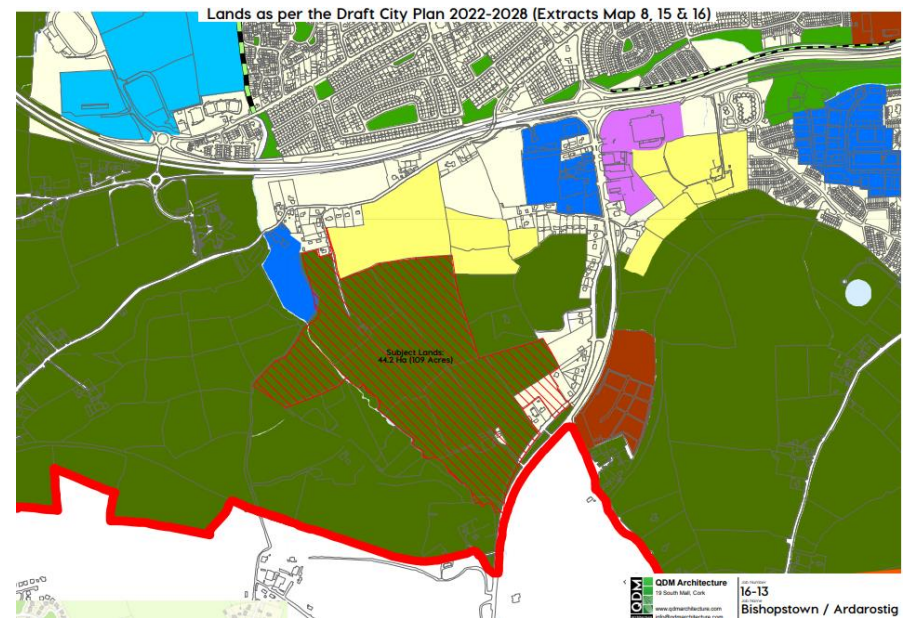


Figure 1: Extract from draft City Plan Development Plan 2022-2028 with proposed amendment hachured red.

4.0 Rationale for Proposed Rezoning

4.1 Strategic Rationale

4.1.1 The concept of Strategic Land Reserves was first proposed in the 2014 County Development Plan as a response to the South Western Regional Planning Guidelines which made provision for “an additional allowance for headroom, to allow for choice, sequencing and other local factors”. (Ref. para. 2.2.16, Cork County Development Plan 2014). Notably one of the reasons for creating a land reserve was stated as being “To offset the risk of a **major parcel of zoned land failing to commence development or the continuation of low levels of development activity in the city docklands and other sites**” (Ref. Para. 2.2.25).

4.1.2 The County Council’s SLR report took from 2014 to 2018 to be delivered and it was quickly obsolete as it was overtaken within 18 months by:

- i) the Cork City Boundary Extension, **May 31st, 2019**;
- ii) the adoption of the Regional Spatial and Economic Strategy, which included a Metropolitan Area Strategic Plan, **January 31st, 2020**; and
- iii) the ‘game changing’ Cork Metropolitan Area Transport Strategy adopted by National Transport Authority (NTA) in **February 2020**.

4.1.3 While circumstances have changed considerably the need for zoned and serviced or serviceable lands has increased with the housing crisis. Furthermore, the Strategic Land Reserves now have planning ‘status’ as they are referenced in the Metropolitan Area Spatial Strategy which forms part of the Regional Spatial and Economic Strategy for the south west:

“The Cork MASP identifies strategic housing and regeneration locations within the metropolitan area.....as identified in Chapter 3 of the RSES and MASP Goal 7, new initiatives must meet NPF growth targets. Achieving these targets will **require in-depth consideration for new locations and initiatives by each local authority (such as the Strategic Land Reserve**

Initiative undertaken by Cork County Council).” (Ref. page 248 of the RSES/MASP).

4.1.4 In the report prepared by Cork County Council in 2017 c.48 hectares (117 acres) to the west of the N71 Bandon Road were identified as “**Strategic Land Reserve 6” (West)**. Please refer to SLR 6 West outlined in black below superimposed on draft City Plan 2022 Zoning Maps 08, 15 & 16.

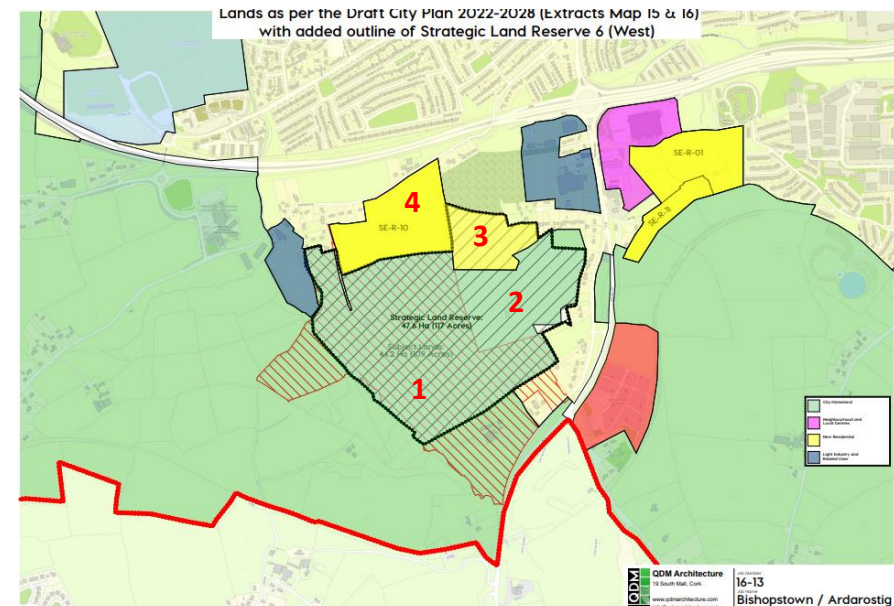


Figure 2: Selected draft City Plan Development Plan 2022-2028 Objectives with Strategic Land Reserve hatched black.

4.1.5 The lands within SLR 6 West are in three main holdings identified as numbers 1, 2 and 3 (in red) in Figure 2 above. These are:

1. The lands on which the Group is contracted hatched red. The hatched red lands within the SLR designation comprise c.31.2 hectares (77 acres); these lands are zoned ‘City Hinterland’ in the draft City Plan 2022;

2. Lands to the north and west of the Group's interests are also zoned 'City Hinterland' in the draft City Plan 2028; and
3. Lands to the north of the latter lands which are **within SLR 6 West** and have been zoned '**ZO 02 New Residential Neighbourhood**'.

4.1.6 It should be noted that the lands numbered '4' are where An Bord Pleanala granted permission for 276 residential units under ABP Ref 310274-21.

4.1.7 Based on Figure 2, the 77 acres within area '1', are well located to facilitate expansion of a '15 minute' Bishopstown suburb and can act to deliver many of the projects identified in CMATS for the south west suburb.

4.2 Geographic Rationale

4.2.1 These lands are a **natural expansion of Bishopstown**, which is a low-density suburb that is well provided with all services and facilities (e.g. employment, health, retail, educational and sport). The development of Bishopstown was curtailed by the historic administrative boundary which determined that the lands to the immediate south and west of the suburb were strictly controlled green belt lands within the County Council area. Unlike the Frankfield/Grange/Douglas/Rochestown Ridge there has been no significant residential zoning provision in the southwest or west of the City for in excess of forty years.

4.2.2. The May 2019 City boundary extension allowed for the longstanding development deficit to be addressed but the draft City Development Plan has missed this opportunity and the objectives set out in the plan will reinforce the housing deficit in one of the best serviced suburbs. The contrast between the north and south sides of the City as set out in Figure 2.21, Growth Strategy Map 2022-2028, is stark (Please refer to **boxes** and **triangles** in Figure 2).

4.2.3 In the northside there are 5 City Expansion Areas and 3 Neighbourhood Development Sites between Glanmire and Blarney. In contrast, the southside has 2 City Expansion Areas with nothing between those identified at Castletreasure and Ballincollig. In terms of Neighbourhood Development Sites the closest one to

Bishopstown is near Dennehy's Cross. There are very few significant windfall sites in Bishopstown that could be developed for higher density housing/apartments which might be attractive to the ageing empty nesters that occupy the low-density suburbs.

4.2.4 The Group considers that growth in the Bishopstown area is fundamental to providing the sustainable support necessary for the high level of services and facilities available in this suburb. Not doing so is contrary to sound planning principles and it is submitted that the lands at Ardarostig are ideally placed to play this role.

Figure 2.21: Growth Strategy Map 2022-2028.

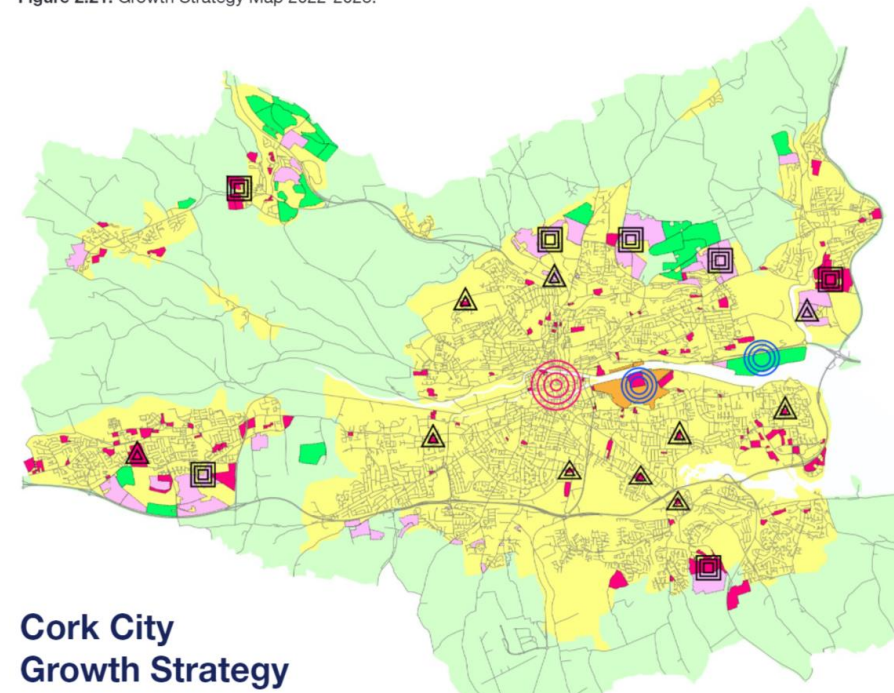


Figure 3: Growth Strategy Map from draft City Plan Development

4.2.5 One of the criticisms in the County Council's SLR Report was that the SLR 6 West lands are elevated and sloping. It is acknowledged that the lands rise to 70 metres O.D but this is significantly lower than recent developments along the Frankfield, Grange, Douglas, Rochestown Ridge where development has been constructed at between 100-110 metres O.D. It should also be recognised that hillside development is very much part of the City's urban building tradition.

4.3 Delivery of Cork Metropolitan Area Transport Strategy Objectives (CMATS).

4.3.1 The lands at Ardarostig comprise a relatively compact and natural infill of the City Hinterland the development of which could bring multiple planning gains to the City's future development in line with specific Cork Metropolitan Transport Strategy objectives, including:

- The provision of walking and cycling connectivity to the, recently funded, Viaduct Green Route, the N71 Secondary Route and the Curraheen Road Primary Route;
- The delivery of the Bus Connects on the N71 and the potential for the accommodation of a 'Park and Ride' hub of 400-600 spaces in this area as envisaged in CMATS. This could be used as a new terminus for services including the 205, 208, City Orbital and City Express routes; and
- The scope to facilitate the connection of the proposed Southern Distributor Road (SDR) to the Curraheen Interchange in the event that the preferred route for the SDR comes as far as the N71 – such a route would better deliver the intention of CMATS which seeks to reduce the traffic burden on the N40. It would also improve local congestion at the Bandon Road Roundabout.

4.4 City Council Precedent

4.4.1 There are two noteworthy precedents set by the City Council that support the principle of the subject rezoning proposal.

4.4.2 The **first** is the rationale applied by the City Council in the recently Proposed Amendment Number 1 of the Ballincollig Carrigaline MD LAP for lands at Castletreasure. In the latter case the City Council emphasized the following in support of changing the zoning objective at Castletreasure:

- Development of this site is desirable in terms of **both general planning principles and national policy on compact urban growth** (Ref. page 6, Proposed Amendment 1, Ballincollig Carrigaline MD LAP);
- There is a **strong demand at this location....**(it) would be in accordance with the provisions set out in the NPF which sets out ambitious targets for Cork City and Suburbs in particular NPO 3(a) (Ref. page 6, Proposed Amendment 1, Ballincollig Carrigaline MD LAP);
- The site is located within the **existing built-up footprint** of Cork City and Suburbs and development of this site for residential purposes is in accordance with NPO 3(b) (Ref. page 6, Proposed Amendment 1, Ballincollig Carrigaline MD LAP);
- The site has been specifically identified as being **potentially suitable** for residential development in the Metropolitan Cork Strategic Land Report prepared by Cork County Council in October 2018 (Ref. page 6, Proposed Amendment 1, Ballincollig Carrigaline MD LAP).

While the Variation did not proceed, it is notable that the lands at Castletreasure are included as **ZO 02 New Residential Neighbourhood** in the draft City Plan 2022. In short, the Group considers that the lands at Ardarostig compare favourably to those at Castletreasure from planning and sustainable development viewpoint.

4.4.3 Walsh Group considers that the need for housing adjacent to Bishopstown is greater than in the Rochestown to Lehenaghmore part of the Southern City Environs where there has been a steady, supply over the past 20-30 years. Many of the existing residents in Bishopstown are empty nesters living in dwellings too large for their needs and who are conservative when it comes to proposals for high

density development in their midst. The provision of a range of house types including high density apartments at Ardarostig would provide a range of options and potentially release those four and five bed roomed dwellings in the suburbs for redevelopment at higher densities or for use by larger households with young families.

4.4.4 With the delivery of the proposed objectives of the Cork Metropolitan Area Transport Strategy, the lands at Ardarostig will be within a 5-10 minute walking, cycling or bus trip from all services and facilities. This level of accessibility will be at least as good as Castletreasure where the Council describes the access to services as “Various multiples at a five minute drive” (Ref. Page 6, Amendment 1).

4.4.5 The **second** precedent which support the inclusion of the subject proposal is the fact that An Bord Pleanála granted consent for 276 residential units on the lands zoned SE-R-10 immediately to the north and Cork City Council has included lands within SLR 6 West (number ‘3’ in Figure 2 above) as part of a new **ZO 02 New Residential Neighbourhood**. These actions indicate that the lands in Ardarostig have substantial development potential, are serviceable and, accordingly, merit further detailed consideration.

4.5 Infrastructural Justification

4.5.1 The permission granted by An Bord Pleanála for 276 residential units on the lands zoned SE-R-10 immediately to the north and the City Council proposed zoning of lands within SLR 6 West as a ‘ZO 02 New Residential Neighbourhood’ indicates confidence that this part of the City has an important role to play and is serviceable.

4.5.2 In addition, the Part 8 granted for a roundabout and road improvements on the N71 and will require funding. Increased residential development would make the unit cost of delivering the expensive roads and sanitary services infrastructure more economically viable. Irish Water have previously indicated that this western suburb can be serviced subject to the costs of infrastructure delivery being borne by development on a per unit cost basis.

5.0 Conclusion

5.1 In order to meet the ambitious targets set for Cork City in the national hierarchy of plans all reasonable opportunities must be considered by the City Council. It is of concern that the City Council is seeking to achieve these targets by reliance on the traditional, and previously unsuccessful, measures and the adoption of a very conservative approach to the City’s future development. It is feared that this approach will conspire against the City with the result that Cork will fall short of playing the nationally important role identified for the City in the National Planning Framework.

5.2 It is questioned whether the draft Plan embraces the intention of MASP which requires, inter alia, “in-depth consideration for new locations and initiatives by each local authority (such as the Strategic Land Reserve Initiative undertaken by Cork County Council” (Ref. page 248).

5.3 It is also notable that the Office of the Planning Regulator, in its pre-draft submission of August 21st, 2020, has specifically raised the issue of contingency planning in the event that the infrastructural needs of certain strategic areas, such as the Cork City Docks, cannot feasibly be met in the short term. The OPR asks, “what alternative areas will be developed consistent with compact growth targets, under the NPF and RSES, to ensure delivery of the core strategy over the proposed plan period?”

5.4 In proposing the rezoning of a portion of the lands within SLR6 West in the draft Plan and supporting the SHD development on SE-R-10 the City Council has already accepted the principle of development in this location. This submission asks that the remainder of the SLR 6 (West) lands, on which the principal of Walsh Group has a contract, is given equally favourable consideration for the reasons set out herein.

Lands as per the Draft City Plan 2022-2028 (Extracts Map 8, 15 & 16)

