



Oifig an  
Rialaitheora Pleanála  
Office of the  
Planning Regulator

4<sup>st</sup> October 2021

Strategic & Economic Development Directorate,  
Cork City Council,  
Anglesea Street,  
City Hall,  
Cork

**Re: Draft Cork City Development Plan 2022 - 2028**

A chara,

Thank you for your authority's work in preparing the draft Cork City Development Plan 2022 - 2028 (the draft Plan).

The Office of the Planning Regulator (the Office) wishes to acknowledge the considerable work your authority has undertaken in the preparation of the draft Plan against the backdrop of an evolving national and regional planning policy and regulatory context.

As your authority is aware, a key function of the Office is the assessment of statutory plans to ensure consistency with legislative and policy requirements relating to planning.

The Office has evaluated and assessed the draft Plan under the provisions of sections 31AO(1) and 31AO(2) of *the Planning and Development Act 2000*, as amended (the Act) and this submission has been prepared accordingly.

Recommendations issued by the Office relate to clear breaches of the relevant legislative provisions, of the national or regional policy framework and/or of the policy of Government, as set out in the Ministerial guidelines under section 28. As such, the planning authority is required to implement or address recommendation(s) made by the Office in order to ensure consistency with the relevant policy and legislative provisions.



Observations take the form of a request for further information, justification on a particular matter, or clarification regarding particular provisions of a plan on issues that are required to ensure alignment with policy and legislative provisions. The planning authority is requested by the Office to action an observation.

A submission also can include advice on matters that the Office considers would contribute positively to the proper planning and sustainable development of the area. The planning authority is requested by the Office to give full consideration to the advice contained in a submission.

## **Overview**

The draft Plan is being prepared at a crucial time following the preparation of the *National Planning Framework (NPF)* and the *Southern Regional Assembly Regional Spatial and Economic Strategy (RSES)*, which seek to promote the rebalancing of regional development in a sustainable manner. The Office welcomes the approach the planning authority has taken in preparing the draft Plan, which proactively embraces many of the challenges and opportunities identified in the NPF and the RSES through clear and concise policies and objectives within a well-structured draft Plan.

The Office recognises the challenge faced by the planning authority in meeting the ambitions for in the NPF in rebalancing regional growth as an alternative to Dublin. The high targets for population and employment growth set out in the NPF and the RSES will necessitate focus on the planning and delivery of strategic and local infrastructure in a coordinated manner, over the near, medium and longer term. The Office welcomes the strategic approach taken by the planning authority in the draft Plan which recognises that although growth must be planned for now, much of it will not take place within the proposed Plan period but in the two subsequent plans to 2040. The Office strongly supports this approach, as it demonstrates a clear understanding of the scale of the job to be done in laying essential groundwork in the lifetime of the proposed Plan.



The role of Cork City to the wider region in terms of driving economic growth, employment and prosperity and in providing access to services and cultural facilities should not be underestimated. This includes not only County Cork and the neighbouring rural areas, but also the cities of Waterford, Limerick and Galway. The Plan should take the opportunity to maximise the potential to work with the neighbouring county and cities in accordance with the provisions of the RSES.

The setting out of nine strategic objectives for growth provides clarity in the strategic approach of the planning authority, which is focused on sustainable growth and quality of life issues and carries through the draft Plan in a consistent manner. The Office considers this a very positive format.

The Office also supports the overall form of the Core Strategy and Settlement Hierarchy, which is rational and evidence-based and has the potential to support sustainable transport and modal shift. Although there are some issues that need to be addressed in terms of housing supply targets and zoning to ensure consistency with National Strategic Objective 1 compact growth.

The Office strongly commends the planning authority for its strong emphasis on the development of the 15 minute neighbourhood, which concept is clearly integrated across the Plan. Supported by a strategic and generally evidence-based approach to residential density and car parking zones standards, this has the potential to support higher quality of life for citizens, healthier lifestyles and a climate neutral city. The focus in the draft Plan on housing quality and choice, the quality of the public realm, the environment, including green and blue infrastructure, and on active and sustainable transport provision transport will be essential in this regard.

The draft Plan provides an appropriate focus on the regeneration of its strategic docklands areas, in addition to infill and brownfield development in the existing built up area. It will be essential for the planning authority to continue to pursue the full servicing of these areas in order to realise their development as key enablers for the city. In the meantime, the proposed active land management approach in the draft Plan has the potential to revitalise urban areas throughout the planning authority area, through the regeneration of brownfield sites in particular.



Overall, the draft Plan provides a coherent strategy for climate action, including mitigation and adaptation. However, notwithstanding the relatively small size of the planning authority area, the draft Plan should be more ambitious in addressing renewable energy. There are a wide range of renewable energy types suitable for rural and urban areas and therefore, in view of Ministerial guidelines on renewable energy, targets should be included in this regard.

The need to adapt to climate change has become increasingly apparent in recent years, perhaps nowhere more so in Ireland than in Cork City, with its recurrent flooding. The Office would therefore highlight the critical importance of compliance with the Ministerial guidelines on flood risk management, including taking account of future climate change scenarios, in order to protect people and property from flood risk.

Although the Office raises concerns with some land use zoning objectives in the context of impact on the strategic road network, overall the Office commends the planning authority for its approach to setting out a well-considered, integrated land use transport and mobility strategy. In particular the Office welcomes the stated intention to tackle the challenge of retrofitting pedestrian and cycle infrastructure in existing neighbourhoods, in addition to the aim that all roads projects will provide for enhanced provision of public transportation, cyclists and pedestrians. Policies such as these will be essential to engender a favourable modal shift in the existing built up area.

The *Development Plans Guidelines for Planning Authorities – Draft for Consultation* (August 2021) were published shortly after the commencement of the consultation period for the draft Plan. As a consequence, some new requirements would not therefore be fully reflected in the draft Plan. The accompanying Circular NRUP 04/2021 states:

*“Although being issued in Draft format to enable feedback and refinement, it is intended that planning authorities would have regard to the Draft Guidelines, noting that many development plan review processes are currently underway and are at different stages of completion”.*



In view of Circular NRUP 04/2021, the planning authority will have to consider how best the requirements of *the Development Plans, draft Guidelines for Planning Authorities (2021)* can be incorporated in the Plan, whether in the current process or in a future variation.

The planning authority will also be aware that the Office's evaluation of the Plan is required under section 31AM(2)(a) to address, in particular, matters within the scope of section 10(2)(n) of the Act in relation to climate change.

It is within this context the submission below sets out 12 recommendations and 8 observations under the following eleven themes:

Key theme	Recommendation	Observation
<a href="#">Core strategy and settlement strategy</a>	1,2,3,4,5 & 6	1,2
<a href="#">Compact growth and regeneration</a>	-	3
<a href="#">Standards and Guidelines</a>	-	4 & 5
<a href="#">Housing Policies</a>	-	-
<a href="#">Economic development and employment (including retail)</a>	7	6
<a href="#">Sustainable transport and accessibility</a>	8 & 9	-
<a href="#">Climate action and renewable energy</a>	10	7
<a href="#">Flood risk management</a>	11	-
<a href="#">Environment, heritage and amenities</a>	12	-
<a href="#">Implementation and Monitoring</a>	-	8
<a href="#">General and Procedural Matters</a>	-	-

## 1. Core Strategy and Settlement Strategy

### 1.1 Core Strategy Housing and Population targets

The core strategy is required, under section 10(2A)(a) of the Act, to demonstrate consistency with the NPF, RSES and with specific planning policy requirements of section 28 guidelines, and under subsection (b) to show how the core strategy takes



account of Ministerial guidelines in relation to population targets (section 10(2A)(b) and section 10(2A)(f)(iii) refer).

The government's targets for the delivery of homes in line with population growth are set out through the National Planning Framework Implementation Roadmap and the Section 28 Guidelines: *Housing Supply Target Methodology for Development Planning* (2020). These documents set out the assumptions and methodology to be followed to ensure that the overall objectives of the *National Planning Framework*, as transposed through the RSES, can be met and that housing can be delivered in a sustainable and planned manner and in alignment with investment in infrastructure.

The Housing Supply Target Guidelines (HSTG) sets out the required methodology for determining housing supply targets for the plan period. These Guidelines provide a focussed approach to the delivery of just over 33,000 new households per annum, nationally, in line with government policy and in accordance with the NPF targeted population growth and the distribution of this growth across our counties. The Office estimates the housing supply target for your authority calculated in accordance with Guidelines as **c.14,800** for the plan period (under adjustment E of the Guidelines).

While the population projection to 2028 in Table 2.2 of the Core Strategy is considered to be consistent with the RSES, the Core Strategy does not include housing supply targets, as required by the Guidelines. This will require a review of the draft Plan in order to plan to provide for housing to the extent identified in the Guidelines and the accompanying Circular in the Core Strategy, settlement strategy and associated identification of development potential and zoning exercises.

In relation to the distribution of housing supply targets across the settlement hierarchy, the *Development Plans, Guidelines for Planning Authorities, Draft for Consultation (August, 2021)* (the draft DPGs) indicate that the allocation of housing targets to settlements is a critical element of the Core Strategy, necessary to inform the land use zoning objectives of the Plan. Housing supply targets will also be necessary should the planning authority wish to employ the 'Additional Provision' mechanism as per section 4.4.3 of the draft Guidelines, as discussed below. Further



guidance is available in the worked example of the Core Strategy attaching to the draft Guidelines and should be considered in response to the recommendations of the Office.

## Recommendation 1

### Recommendation 1 – Core Strategy Housing and Population Targets

In accordance with Section 10(2A) of the *Planning and Development Act 2000* (as amended), and having regard to the *Section 28 Guidelines: Housing Supply Target Methodology for Development Planning* (2020), the *Guidance Note on Core Strategies* (2010), and the *Development Plans, Guidelines for Planning Authorities, Draft for Consultation* (2021), the planning authority is required to review the Core Strategy and to revise as necessary to:

- (i) comply with the requirements of the *Section 28 Guidelines: Housing Supply Target Methodology for Development Planning* (2020) and Appendix 1 of the accompanying Ministerial Letter to Local Authorities of 18/12/20;
- (ii) provide a single core strategy table for the planning authority area as a whole which clearly identifies population growth and housing targets for each tier across the settlement hierarchy, including for each individual urban town (tier 4) and the rural hinterland (tier 5).

Note: Appendix A of the *Development Plans, Guidelines for Planning Authorities, Draft for Consultation* (August 2021) provides a useful reference and illustrative example of a core strategy table.

## 1.2 Settlement Hierarchy

The Office is satisfied that the settlement hierarchy is generally appropriate and consistent with national and regional policy including the settlement typology under Table 3.2 of the RSES. The identification of three tiers within the city, comprising the (1) city centre, (2) docklands and (3) city suburbs, is considered to be consistent with



the draft DPGs which advise that, for cities, the settlement strategy may be focused around particular public transport corridors, transport nodes or major SDZ sites. The draft Plan also appropriately defines the urban towns, and the rural hinterland as separate tiers (4 and 5, respectively).

### 1.3 Distribution of Growth

The Core Strategy proposes to allocate 57% of population growth to the city and suburbs and almost 42% going to the Urban Towns. While the redevelopment of urban areas within the city and suburbs provides very significant opportunities for sustainable and compact growth, which would point towards a greater focus of growth in these areas, the Office acknowledges that much of this growth is dependent on infrastructure that will come on stream towards the end of, or after the current plan period. The Office also notes the rationale set out in the draft Plan regarding the need to develop sufficient population in Ballincollig to justify the proposed Light Rail Transit route, which is included in the *National Development Plan*. Within this context the Office is satisfied that the overall balance is reasonable for the plan period.

The Office has a concern, however, regarding the high growth rate allocated to Blarney/Stoneview in light of the current uncertainty in the timeframe for delivery of key enabling infrastructure over the plan period. Blarney/Stoneview is identified for major growth in Cork Metropolitan Area Strategic Plan (CMASP), primarily due to its highly strategic location on the national rail network, based on improved accessibility through the development of Cork's suburban rail and a new station at Stoneview.

The Cork Metropolitan Area Transport Strategy indicate that without this infrastructure the accommodation of significant development risks the creation of further unsustainable car-based development, inconsistent with the achievement of National Strategic Outcome 3 Sustainable Mobility under the NPF. The Office is aware that Cork Suburban Rail has been allocated funding for electrification under the EU Covid-19 stimulus package. This is an important step forward for the project, however there are a number of other steps to be completed before





Blarney/Stoneview becomes accessible by rail and the timeline for delivery is somewhat uncertain.

In addition, the east side of the settlement would appear to have strategic water services infrastructure constraints that may not be resolved within the Plan period and will inhibit development potential for the settlement

In this context, the Office considers that the planning authority should examine the potential for the phasing of development in Blarney/Stoneview consistent with the anticipated timeframe for the provision of the suburban rail project including the new station, and reflecting the timeline to resolve water infrastructure constraints, in consultation with the relevant infrastructure and prescribed authorities. The planning authority should, in particular, consider these constraints in its response to the Office's recommendation on Tiered Approach to Zoning, below.

The Office also considers that the appropriateness of the proposed growth allocation to Tower should be reviewed in view of its less accessible location by sustainable modes, which is also likely to result in unsustainable car-based development.

## Recommendation 2

### Recommendation 2 - Distribution of Growth

Having regard to the NPO3b and NSO 3, the planning authority is required to review the proposed distribution of population and housing allocation in its Core Strategy to:

- (i) ensure that the level of growth proposed for Blarney/Stoneview is aligned to with the level of services, including water services infrastructure and public transport services upgrades, anticipated to become available over the Plan period or within a reasonable period thereafter.



- (ii) Where there is uncertainty on infrastructure delivery timelines, phasing should be provided for growth in tandem with the delivery of key enabling services and infrastructure.
- (iii) Review the level of growth for Tower to reflect its less accessible location and redistribute the growth to locations that are consistent with compact growth and sustainable mobility.

#### **1.4 Core Strategy and Zoning for residential use**

The Core Strategy sets out the estimated housing yield from proposed tier 1 and tier 2 zoned land (18,741 housing units). Although this is higher than the housing supply target calculated by the Office, the Office would draw attention to section 4.4.3 of the draft DPGs, which allows for '*Additional Provision*' of residential lands, not exceeding 20-25% of the required quantum of zoned land and sites in any settlements, for the six year plan period, subject to justification.

However it is not clear whether the quantum of zoned land referred to in the Core Strategy Table takes account of lands zoned primarily residential and lands zoned for residential and a mix of uses. This should be clarified and the figures amended as necessary to take account of all lands with residential potential.

It is also unclear whether the core strategy potential yield takes account of all lands zoned ZO 01 Sustainable Res Neighbourhoods (effectively 'existing residential') in addition to ZO 02 New Res Neighbourhoods (new residential). There would appear to be a significant discrepancy in Tower, in particular, where it is proposed to newly zone, apparently undeveloped / underdeveloped, greenfield lands. This may also be the case elsewhere, where extensive lands are proposed as ZO 01 Sustainable Residential Neighbourhoods, such as at Ardrostig on Waterfall Road. This has implications for the effective implementation of compact growth in accordance with NPO 3a, 3b and 3c of the NPF and the achievement of a sustainable settlement and transport strategy in accordance with section 10(2)(n) of the Act.



Assumptions concerning residential density are critical to determining the potential housing yield of the lands proposed to be zoned under the draft Plan. Although the Core Strategy figures show that higher densities have been provided for in the city centre and the Docklands, the densities applied to the City Suburbs and to the Urban Towns appear very low, calculated at 24.5uph and 26.4uph, respectively, from Table 2.3 of the Core Strategy.

The Office fully accepts that it is reasonable for the draft Plan to provide a tailored approach to densities when estimating the requirement for zoned land depending on the size and character/function of individual settlements or areas. It is nonetheless important that the assumptions used are consistent with the ranges advised in the *Section 28 Guidelines on Sustainable Residential Development in Urban Areas* (2009) and *Circular NRUP 02/2021 Residential Densities in Towns and Villages* in order to support national and regional policy objectives for compact growth, particularly where significant investment in public transport is being made.

### Recommendation 3

#### Recommendation 3 - Core Strategy and Zoning for Residential Use

Having regard to sections 10(2A)(c) and (d) of the Act and to the provisions of the *Development Plans, Guidelines for Planning Authorities, Draft for Consultation* (August, 2021), the planning authority is required to review the core strategy to:

- (i) Provide details of the existing area (ha) and associated housing yield for residential use and for lands zoned for residential and a mixture of other uses, as required under s.10(2A)(c)).
- (ii) Take account of all lands proposed to be zoned under the Plan which have potential to accommodate residential development. This includes not only ZO 02 New Res Neighbourhoods, but lands zoned Z0 01 Sustainable Res



Neighbourhoods and all lands proposed to be zoned to accommodate residential uses and a mixture of other uses.

- (iii) Review the density assumptions in Table 2.3 of the Core Strategy to ensure that residential densities within the ranges advised in the *Sustainable Residential Development in Urban Areas Guidelines* (2009) and Circular NRUP 02/2021 Residential Densities in Towns and Villages have been applied.

## 1.5 Tiered Approach to Zoning

### Infrastructure Assessment

The Office welcomes the preparation of a City Capacity Study to assess the capacity of Cork City for future development within existing underutilised zoned lands in view of the requirements under NPO72a for a Tiered Approach to Zoning and the requirement for Settlement Capacity Audit to inform the preparation of the Core Strategy under the draft DPGs. However, this study has not been included as part of the draft Plan and does not appear to be available through the Council's website and, therefore, cannot be evaluated for consistency with the specific requirements of NPF.

The importance of carrying out an appropriately detailed assessment at an early stage to inform the Core Strategy is highlighted by the strategic capacity constraints that have been raised in respect of Blarney/Stoneview.

The Office also welcomes the provision of Figure 2.2 Growth Strategy Map and Figure 2.22 Built Up Footprint and Greenfield Growth Target Locations 2022-2028 in the draft Plan. These maps helpfully identify the existing built up area and Tier 1 serviced and Tier 2 serviceable lands and reflect the guidance regarding



infrastructure assessments and Settlement Capacity Audits set out in the draft DPGs.

However, except for the Docklands regeneration areas the study only appears to consider lands zoned for residential use. The requirement for tiered approach to zoning refers to all proposed zonings as the planning and provision of infrastructure has to be carried out for all development lands.

#### Recommendation 4

##### Recommendation 4 - Tiered Approach to Zoning Infrastructure Assessment

Having regard to NPOs 72a to 72c and to the provisions of the *Development Plans, Guidelines for Planning Authorities, Draft for Consultation (August 2021)*, the planning authority is required to complete and publish as part of the draft Plan, an infrastructure assessment / Settlement Capacity Audit consistent with the requirements of the *National Planning Framework* for a standardised approach to the tiered approach to zoning and the provisions of the draft *Development Plan Guidelines for Planning Authorities (2021)* concerning settlement capacity audits.

The assessment is required to address all relevant development lands proposed to be zoned under the Plan.

The Office would advise that the planning authority should, in particular, consider the capacity constraints affecting Blarney/Stoneview and how they may best be resolved during the Plan period to ensure the delivery of the housing supply targets.

#### Tier 3 Lands

The draft Plan identifies greenfield Tier 3 lands as a specific land use zone ZO 03 Tier 3 Res Neighbourhoods, which is contrary to the NPO 72c which states '*land...that cannot be serviced within the life of the relevant plan...should not be*



zoned for development'. Sections 12.3 and ZO 3.2 allows for Tier 3 lands to be considered for development in the proposed Plan period as a substitution for Tier 1 and Tier 2 lands, if only in exceptional circumstances, where Tier 1 and Tier 2 lands are not capable of being delivered during that period.

The Office considers it good practice to identify Tier 3 brown and greenfield lands in the Plan, or as part of the infrastructure assessment informing the Plan, as part of the longer term strategic planning approach in line with the NPF and the RSES. However, the current policy has the potential to create an additional bank of zoned lands that have not been subject to a full infrastructural assessment under the tier-approach to zoning and for which there is no basis in national or regional policy.

This is particularly so in view of the flexibility for land use zoning introduced under the draft Development Plan Guidelines by which a planning authority make 'Additional Provision' for zoned residential land in addition to those required to meet the housing supply target.

However, in view of the provisions of the draft DPGs concerning the treatment of longer term strategic development sites, the Office would consider the City Docks as an exception in this regard due to its highly strategic location and nature as a major, strategic brownfield regeneration site and the likely longer timeline for its build out. The draft Plan identifies those lands as Tier 2 / Tier 3.

## Recommendation 5

### Recommendation 5 - Tiered Approach to Zoning

Having regard to NPO 72c and to the provisions of the *Development Plans, Guidelines for Planning Authorities, Draft for Consultation (2021)* concerning the mechanism for 'Additional Provision', the planning authority is required to omit the zoning objective ZO 3 Tier 3 Res Neighbourhoods and to not zone tier 3 lands in the final Plan.



The planning authority may consider other objectives in the Plan and associated maps to ensure that longer term development lands are identified as it may consider necessary for strategic purposes.

### **1.7 Standardised land use zoning**

The draft DPGs advise that a standardised approach be taken to land use zoning objectives of development plans (Appendix B of the draft Guidelines refer). It includes particularly important land use zones, such as 'Regeneration Areas', in the context of the NPF objectives for compact growth (NPO 3a, 3b and 3c) and in the context of the regeneration of Cork City.

The standardised approach has advantages for planning authorities in terms of being able to directly compare the land use quantum, per land use type, being applied by other planning authorities. It also has advantages for the general public; being consistent and clearer. The planning authority should consider the feasibility of adopting the standard land use zoning categories in the Plan.

### **1.8 Development Approach for Settlements**

The development strategy for the county is primarily focused on the city, suburbs and the urban towns. However, notwithstanding that this approach can be seen to be consistent with the objectives of the NPF and RSES, the Office has significant concern about the approach to development proposed between Ballincollig and the city and suburbs. This area currently comprises greenfield lands identified as a long term growth area in the Cork City Concept Plan (figure 2.8), through which the Light Rail Transit (LRT) is proposed. Pending the provision of the LRT, a high frequency bus service will be provided along the intended route in order to facilitate development consolidation to support its delivery.

The Office considers the proposed ZO 02 New Res Neighbourhood to the east of Ballincollig and a ZO 03 Tier 3 Residential Neighbourhoods on the western periphery



of the city and suburbs, in the townland of Carrigrohane to be premature pending the determination of LRT route. The proposed zonings represent a non-sequential approach to development planning and is inconsistent with the achievement of NSO 1 compact growth. The latter proposed zoning is also inconsistent with NPO 72c which provides that lands that cannot be serviced within the life of the Plan should not be zoned.

In addition, the Office is concerned that the proposed zoning at Ardrostig, adjacent the south of the N40 on the southern periphery of the City, in addition to the extensive undeveloped / underdeveloped new ZO 01 Sustainable Res Neighbourhood lands, represents the continuance of car-based development.

### Recommendation 6

#### Recommendation 6 - Development Approach for Settlements

Having regard to the National Strategic Objective for compact growth under the NPF, the provisions of NPO 72c, the planning authority is required to remove proposed land use zonings:

- ZO 02 New Res Neighbourhood and ZO 03 Tier 3 Residential Neighbourhoods at Carrigrohane to the east of Ballincollig; and
- ZO 02 New Res Neighbourhood and ZO 01 Sustainable Res Neighbourhood at and / or adjacent the north of Ardrostig, to the south of the N40.

It will also be important that development within and to the south of Ballincollig, which will be of very considerable scale, is phased in accordance with the provision of the high frequency bus service along the intended LRT, consistent with the integrated approach to land use transport under Cork MASP PO 7 Integrated Land Use Transport. This is necessary to ensure that such development does not form a continuation of unsustainable car-based development, in order to achieve National Strategic Outcome 3 Sustainable Mobility.





## Observation 1

### Observation 1 – Development Approach for Settlements

The planning authority is requested to provide for the phasing of development lands in Ballincollig in tandem with the provision of the high frequency bus service along the intended Light Rail Transit and, ultimately with the planned delivery of the Light Rail system.

#### 1.9 Local area plans

Section 19 of the Act sets out the obligation on the planning authority to make Local Area Plans (LAPs) for towns of 5000+ population, and for settlements of 1500+ population where objectives under 10(2) of the Act are not set out in the development plan. Section 10(7) of the Act also allows the development plan to indicate that specified development in a particular area will be subject to a local area plan, such as to provide detailed planning direction for the development of larger development areas. The draft Plan does not include objectives to prepare local area plans, generally, or for specified areas.

Given the significant challenge of accommodating very high growth rates in its Urban Towns and in the city suburbs, consistent with the integrated land use transport approach, it would be appropriate for the Plan to identify those settlements and other areas where it is intended to prepare a local area plan, including the time-line for same.



## Observation 2

### Observation 2 – Local Area Plans

The planning authority is advised to include objectives for the preparation of local area plans for its relevant towns and or any area it may decide to specify under section 10(2)(7) and the time-line for same.

## 2. Compact Growth and Regeneration

The Office welcomes the positive policies, objectives and strategies included in the draft Plan promoting compact growth and urban regeneration in support of NPO3b (50% compact growth). This includes highly ambitious targets (Objective 2.25 Compact Growth) to deliver 65% of all new homes in the city on lands within the existing footprint of the city (metropolitan area) and (Obj 3.4 Compact growth) to provide >33% of new homes on brownfield sites in Cork.

These targets are support by a detailed approach including Active Land Management, with Cork City proposing to act as development agency to kickstart regeneration, use of forward planning tools (master planning and framework plans), and the identification of brownfield sites and proposals for retrofitting projects. This approach is further supported by the inclusion of detailed objectives for the development of key growth areas and the identification of specific neighbourhood development sites in Chapter 10.

It is also acknowledged that the planned major regeneration sites in the City Docklands will take place over the longer term, and it is clear from the draft Plan that the planning authority will continue to pursue the necessary infrastructural planning and investment for those longer term regeneration sites as a matter of priority.

The Office notes, however, that the Core Strategy Map 2022-2028, Figure 2.20, and the City Growth Strategy Map 2022-2028, Figure 2.21, identify extensive greenfield



lands as ‘city suburbs’ and as ‘compact growth’, including for example, those lands situated between Grange and the airport and between the city and Glanmire. This is also reflected in the Built-Up Footprint and Greenfield Growth Target Locations 2022-2028, Figure 2.22. These areas do not accord with the UN definition of ‘built-up area’ under the NPF (definition 17) for compact growth. It is noted, however, that these areas are not proposed to be zoned in the draft Plan, and may have been included in a drafting error. The three maps should be amended to correct these and other such errors in order to avoid confusion over the status of lands not proposed to be zoned under the Plan.

### Observation 3

#### Observation 3 – Compact growth

The planning authority is advised to amend the maps in Figures 2.20, 2.21 and 2.22 of the Core Strategy to omit those extensive greenfield lands defined as ‘City Suburbs’ and as ‘compact growth’, which it is not proposed to zone and which are not identified in the tiered approach to zoning.

## 3. Standards and Guidelines

### 3.1 Residential Density

The Office commends the planning authority for undertaking an evidence-based approach to the determination of its policy on residential density and building height through its Cork City Urban Density, Building Height and Tall Building Study. Overall the approach to density, as set out in chapters 2 Core Strategy, chapter 3 Delivering Homes and Communities and chapter 11 Placemaking and Managing Development is well-considered and cognisant of need of development to respond to the wide range of urban contexts that exist.

The detailed standards set out in Table 11.2, are generally consistent with the density standards set out in the *Sustainable Residential Development in Urban Areas Guidelines for Planning Authorities* (2009) (the SRDUAGs), which the



planning authority is required to implement. However, notwithstanding the need to protect the special character of Blarney the proposed the density standards for the settlement, at 25 to 50 units per hectare, would facilitate very low density development that would be inconsistent with the Guidelines. This is particularly so in view of Blarney's location on the proposed suburban rail and the high level of growth proposed for the settlement to bring its population to in excess of 5,000, although the separate standards for Stoneview are acknowledged.

#### Observation 4

##### Observation 4 - Residential Density

The planning authority is required to:

- (i) include a commitment under sections 11.69 to 11.72 Residential Density to implement the residential density standards of the *Sustainable Residential Development in Urban Areas Guidelines for Planning Authorities* (2009);
- (ii) review the proposed density standards for Blarney to ensure consistency with the Guidelines.

### 3.2 Parking standards

The Cork Metropolitan Area Transport Strategy (CMATS) recognises that parking standard are major determinants of the relative attractiveness of the private car versus sustainable transport options and an extremely effective demand management tool.

The Office welcomes the introduction of a zonal approach to parking and the application of maximum standards. However the Office would query the actual standards proposed across the range of residential and non-residential use, particularly for the settlements within zone 2 and zone 3, which include the Urban Towns and outer suburbs where very high levels of population and housing growth are proposed. In particular, the parking standards for zone 3, including Blarney,



Glanmire and Tower Urban Towns and the suburban area of Rochestown are the same as those for the hinterland or open countryside. The acceptability of high growth rates for these locations is predicated on the implementation of CMATS and an integrated approach to land use transport planning based on sustainable transport modes, to achieve NSO 3 Sustainable Mobility.

The high level of investment for public transport in Cork under the National Development Plan can only be justified on the basis of transit oriented development, including at Ballincollig in conjunction with the LRT and at Blarney in conjunction with suburban rail. The planning authority will also be aware that the Department of Transport will shortly publish the *National Investment Framework for Transport in Ireland*, which will determine how such transport projects will be funded in future within the context of Ireland's obligations to mitigate climate change. It is therefore essential that the final Plan represents an integrated land use transport planning approach, consistent with the requirements of the RSES, the Cork MASP and the CMATS, to maximise the potential for funding.

In view of the pressure that is likely to arise during the development management process for development meeting the maximum standard, the Office considers that the proposed standards will work against the implementation of cost-effective, sustainable transport and the modal shift in favour of active and sustainable modes.

#### **Observation 5**

##### **Observation 5 - Parking standards**

Having regard to the significant planned investment in sustainable and active transport infrastructure under *National Development Plan* and the planning authority is required to review its proposed car parking standards, in consultation with the National Transport Authority and Transport Infrastructure Ireland, to determine appropriately lower maximum car parking standards for the final Plan.



## 4. Housing Policies

### 4.1 Rural Housing

In respect of rural housing, the Office notes that the entire rural area of Cork City is under strong urban influence and it is the policy of the council to restrict the spread of urban generated dwellings within those areas based on social and economic need, generally consistent with NPO 19 and with the *Sustainable Rural Housing Guidelines for Planning Authorities* (2005). The Office has reviewed the rural housing policies and objectives in the draft Plan and concludes that no recommendations or observations are required at this time.

### 4.2 Specialised Housing

The draft Plan makes detailed provision for specialised housing under chapter 3, providing a comprehensive and rational approach to accommodate diverse housing needs. The Office is satisfied that the provisions of the draft Plan for Traveller accommodation is consistent with the requirements under section 10(2)(i) of the Act. It also provides for the delivery of housing for older people and people with disabilities, through an integrated housing and development approach, which is supported by Objective 3.10 and Objective 3.31 (inclusive design) and are supported by the housing quality standards under section 11.3 of the plan. In addition, provision is made for student accommodation, critical for this university city, and build to rent consistent with the policy context set by the '*Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities*' (DHLG&H, 2018). The approach may be regarded as best practice.



## 5. Economic Development and Employment

### 5.1 Economic Development

The draft Plan sets out a positive, strategic approach to the development of the economic and employment base for the City in chapter 7, acknowledging the national and regional policy context under the NPF, the national economic plans (Future Jobs Ireland, 2019 and the National Recovery and Resilience Plan), the RSES which sets out the overall strategic approach for the region, the CMASP which identified key employment sites for development included the Docklands, Cork Science and Technology Park (Curraheen) and Mahon, and the South West Regional Enterprise Plan (to 2020; new plan in preparation).

The draft Plan sets an ambitious target for 31,000 additional jobs to 2028, based on an evidence-based approach set out under section 7.17 Spatial Economic Strategy, comprising the *Cork Strategic Employment Locations Study 2021* (SELS). The SELS is thorough, systematic and rational and is generally consistent with the approach suggested in Appendix A of the draft DPGs (s.1.4 Enterprise and Employment Zoning).

The draft Plan makes provision for 243ha zoned, undeveloped employment lands, including an allowance for employment within the City Centre, Town Centres, District Centres and mixed use sites over the period to 2028. It is important for the implementation of an integrated approach to land use and transport planning and to the facilitation of modal shift to active and sustainable modes in order to mitigate climate change, that employment lands are located so as to accommodate and encourage sustainable and active modes. In this regard, the Office has raised concerns in respect of three new or extended strategic employment locations (at Blarney, Glanmire and the South Link Industrial Park), below.



## 5.2 Retail

Section 10(2A)(e) requires the core strategy to include relevant information to show that the retail objectives have had regard to the Retail Planning Guidelines. Under the *Guidelines for Planning Authorities Retail Planning* (2012), the retail policy approach set out in the development plan is required to be informed by a Joint Retail Strategy prepared in conjunction with Cork City Council in order to secure plan-led development, in an evidence-based approach, in accordance with the first national policy objective of the Ministerial guidelines.

The draft Plan indicates that a *Draft Joint Retail Strategy* was still in preparation at time of publication and therefore has not informed the policy approach. Also, the proposed strategy is in respect of Cork City planning authority and only the Metropolitan Area of the County Council. The Guidelines indicate that a Joint Retail Strategy is required for the full extent of the planning authorities concerned, with reference to the additional retail floor space required to support the settlement hierarchy, the quantity and type of retail floor space requirements by constituent authorities, and guidance on the location and function of retail objectives taking account of the policy objectives of the Guidelines and the relevant settlement hierarchy.

Having regard to Variation No. 1 to the current *Cork County Development Plan*, it is essential that the Joint Retail Strategy for the combined area of the two planning authorities considers the locational aspects of any such regionally significant form of retail development.

In view of the provisions of section 9(4) of the Act and the issuing of a Ministerial letter to Cork County and Cork City Councils under section 9(7) of the 2000 Act concerning co-ordination of the objectives for retail outlet centres, it is anticipated that the Joint Retail Strategy and the development plans for the two authorities will determine the capacity and scope for retail outlet development in Cork City and County, and if applicable, the general location, format and scale (i.e. floor space) of any retail outlet centre development during the development plan period.





In this regard, Office would envisage that although the Joint Retail Strategy would primarily focus on the Metropolitan Area, it would also consider the provisions for certain types of retail within the wider County outside the Metropolitan Area, with a view to addressing the implications for the vitality and viability of the City planning authority area, including the city centre.

The Office advises that particularly in view of the need to address climate change through sustainable settlement and transportation strategies under section 10(2)(n) of the Act, the draft Plan (and Joint Retail Strategy) should more fully reflect the provisions of the *Retail Planning Guidelines* under section 4.11.4 Outlet Centres, which states 'outlet centres should not be permitted in more remote out-of-town locations.'

It is also noted that the draft Plan does not provide the minimum information required for development plans under section 3.3 of the Guidelines, including, inter alia the defined boundary of core shopping areas (and district centres) and a broad assessment of additional retail requirement. The planning authority should consider including these boundaries on the land use zoning maps.

### Recommendation 7

#### Recommendation 7 - Retail

Having regard to the requirements of the *Retail Planning Guidelines for Planning Authorities* (DECLG, 2012) the planning authority is required to prepare an appropriately detailed Joint Retail Strategy with Cork County Council to secure plan-led development for retail within the two neighbouring authorities. The Joint Retail Strategy is required to:

- (i) appropriately address the functional area of the two authorities;
- (ii) inform the core strategy, retail hierarchy and retail policy approach of the county development plan consistent with the provisions of the Guidelines, including in particular the key messages, the five national policy objectives



- in section 2.5, and the detailed 'Development Plan and Retailing' requirements as set out under section 3.3;
- (iii) identify the additional retail floor space required to support the settlement hierarchy, the quantity and type of retail floor space requirements by constituent authorities, and provide guidance on the location and function of retail objectives taking account of the Retail Planning Guidelines policy objectives and the relevant settlement hierarchy; and
  - (iv) having regard to the Minister's letter under section 9(7) of the Act concerning co-ordination of the objectives for retail outlet centres, the Joint Retail Strategy is required, in particular, to consider the implications of retail developments that should be contemplated in the draft Plan, including outlet centres.

### 5.3 Quarries and aggregate resources

The draft Plan includes no policies or objectives for the extractive industry. Although there may be limited potential for quarrying within the planning authority area, the Plan is required to include policy provisions for the extractive industry and to identify or map the location of major deposits as advised by the section 28 *Quarries and Ancillary Activities Guidelines for Planning Authorities* (DEHLG, 2004) and to reference the Guidelines.

#### Observation 6

##### Observation 6 - Quarries and Aggregate Resources

Having regard to the provisions of *Quarries and Ancillary Activities Guidelines for Planning Authorities* (DEHLG, 2004) and to the important role that extraction activities play in the rural economy, the planning authority is required to appropriately reference the Guidelines and include relevant policy provisions for the extractive industry in the Plan and to prioritise the identification of major mineral deposits in the development Plan, including through mapping as appropriate



## 6. Sustainable Transport and Accessibility

### 6.1 Modal shift targets

Cork City has the benefit of the detailed Cork Metropolitan Area Transport Strategy (CMATS) to help achieve sustainable, integrated land use and transport planning for the future development of the city. The commitment to implement CMATS as part of its strategic vision of the Plan will be instrumental in achieving NSO 3 Sustainable Mobility and the integrated approach to land use and transport planning promoted under the RSES and Cork MASP, including the 15 minute city concept.

The Office welcomes the overall approach to transport and mobility set out in chapter 4, including addressing the different modes in the order of the road user hierarchy set out in the *Design Manual for Urban Roads and Streets* (2019). The planning authority is commended for its track record on planning for active modes and should aim to lead innovations in this area as an exemplar for Ireland. The policy approach to public transport and to road development, which aims for all roads' projects to provide for enhanced provision of public transportation, cyclists and pedestrians are also considered to represent a positive approach. The commitment in the draft Plan to implementing the 15-minute city through the neighbourhood approach is considered positively. The Office would encourage the planning authority to consider referencing and ensuring the Plan is aligned with the Avoid-Shift-Improve (ASI) framework approach, similar to the approach proposed by Cork County Council.

The setting of modal share targets for the Plan period is an important tool to increase priorities for and focus action on the delivery of active and sustainable modes, in support of the 15 minute city (and neighbourhood) concept. Appropriate local or planning authority-specific modal share targets form a key indicator for the implementation of climate actions related to transport under the draft Plan. However the modal share baseline and targets included in the draft Plan relate to the CMATS



figures for the Cork Metropolitan Area as a whole to 2040. RPO 163 provides that evidence-based targets should be set in the Plan supported by identification of actions to help achieve higher performance in modal shift to sustainable mobility.

### **Recommendation 8**

#### **Recommendation 8– Modal shift targets**

In order to ensure the effective planning, implementation and monitoring of the development plan requirements under section 10(2)(n), the planning authority is required, in consultation with the NTA and TII, to include:

- (i) Appropriate existing baseline figures for modal share for the planning authority area and / or its constituent part.
- (ii) Ambitious targets for modal change against the baseline figures provided under (i), above, to form a basis for an effective monitoring regime for the implementation of the planning authority’s sustainable transport strategy and climate actions.

## **6.2 Strategic National Road Network**

The draft Plan is inconsistent with the *Spatial Planning and National Roads Guidelines for Planning Authorities (2012)* (SPNRGs) in a number of respects, including in that it does not include appropriate objectives or policies which seek to maintain and protect the safety, capacity and efficiency of national roads and associated junctions, avoiding the creation of new accesses and the intensification of existing accesses to national roads where a speed limit greater than 50 kmh applies.

In addition, the draft Plan is not supported by the evidence-based approach required by the SPNRGs concerning the zoning and objectives proposed for a number of key sites adjacent the strategic national road network. This approach is inconsistent with



Cork MASP Objective 7 Integrated Landuse and Transport Planning, Cork MASP Objective 8 CMATS Key Infrastructure Objectives, and Cork MASP Objective 12 Infrastructure for Strategic Employment Location. The sites of particular concern include:

- Strategic Employment Site 1, Blarney Business Park Extension at a junction with the M/N20 junction;
- Strategic Employment Site 4, Lands at Glanmire at a junction with the M8;
- Strategic Employment Site 5, South Link Industrial Estate at junction with the N27;
- Strategic Consolidation and Regeneration Area Tivoli Docks, proposed zoning ZO 04 Long Term Strategic Regeneration, and suggested access onto the N8 Dunkettle Interchange (figure 10.31);
- Proposed zoning ZO 02 New Res Neighbourhoods, alongside at a junction with the existing N28 / proposed M28;

It is critical that, in pursuing an evidence-based approach for these sites that the planning authority consults closely with the NTA and TII, in accordance with the SPNRGs and the 'Area Based Transport Assessment' (ABTA) guidance/advice notes published by the two authorities. This approach should take due account of the published CMATS and have regard to the provisions of RPO 153 Capacity of Inter-Urban Road Connections, RPO 154 Land Use Plans, RPO 155 Managing the Region's Transport Assets, and RPO 151 Integration of Land Use and Transport under the RSES.

Having regard to this policy framework, the Office considers the proposed zonings for the Strategic Employment Sites at Glanmire and at the South Link Road, have the potential to significantly adversely affect the capacity at critical junctions on the national road network through car based development,. The M8 and N40 form part of the EU-TEN-T network and have been subject of very significant investment in recent years, and it is critical for national and regional connectivity that the strategic capacity of these routes are maintained and protected.



In addition, pending the finalisation of the M20, the N20 will continue to perform as a strategic national route, important for regional connectivity, and the proposed rezoning is considered premature at Strategic Employment Site 1 Blarney Business Park Extension.

### **Recommendation 9**

#### **Recommendation 9 - Strategic National Road Network**

Having regard to the provisions of the Spatial Planning and National Roads Guidelines for Planning Authorities, the planning authority is required to:

- (i) Include objectives or policies which seek to maintain and protect the safety, capacity and efficiency of national roads and associated junctions, avoiding the creation of new accesses and the intensification of existing accesses to national roads where a speed limit greater than 50-60 kph applies;
- (ii) Remove proposed zonings:
  - a. Strategic Employment Site 1 Blarney Business Park Extension;
  - b. Strategic Employment Site 4, Lands at Glanmire; and
  - c. Strategic Employment Site 5, South Link Industrial Estate;
- (iii) apply the evidence-based approach to the proposed ZO 02 New Res Neighbourhoods zonings within the vicinity of the existing N28 / proposed M28 to inform the proposal, in consultation with the NTA and TII, and in accordance with the SPNRGs and the 'Area Based Transport Assessment' (ABTA) guidance/advice notes published by the two authorities, taking account of the published CMATS;



- (iv) apply the evidence-based approach to the proposed Strategic Consolidation and Regeneration Area Tivoli Docks to inform the proposal, in consultation with the NTA and TII, and in accordance with the SPNRGs and the 'Area Based Transport Assessment' (ABTA) guidance/advice notes published by the two authorities, taking account of the published CMATS.

Where it is decided to continue with the land use zoning proposals referred to under (iii) and (iv), above, relevant appropriate objectives and measures arising from the application of the evidence-based approach should be included in the Plan to guide the nature and form of development and associated mitigation measures agreed with TII and the NTA

## **7. Climate Action and Renewable Energy**

### **7.1 Climate Action**

The Office welcomes the integration of climate actions as a cross-cutting theme for the draft Plan and the inclusion of a separate chapter addressing on climate change and the environment in support of Strategic Objective 4 Climate and Environment of draft Plan. The focus on the Council's approach on local strategies and commitments, including the implementing a pilot decarbonising zone, on implementation of energy efficiency and use of resources, on facilitating renewable and low carbon energy, and on urban drainage and green and blue infrastructure, is consider appropriate and addresses mitigation and adaptation measures. Overall, the scope of the provisions are considered positively. The Office is also satisfied that the draft Plan includes objectives to promote sustainable settlement and transport strategies as required under section 10(2)(n).

The inclusion of a table detailing the key policy objectives for mitigating and adapting to climate change provides transparency and a coherence to the overall strategy for



climate action. It may be appropriate to include the relevant objectives from Chapter 5 in this table, also.

The Office commends the proposals to require the submission of a Scheme Sustainability Statement for development above a certain threshold, which should help focus the planning applications on keep mitigation and adaption elements. The wording of paragraph 11.268 should be reconsidered to avoid implying this is a discretionary requirement.

The manner of addressing climate change in statutory development plans is the subject of ongoing policy development. Accordingly, it would be prudent to include an objective in the draft Plan to the effect that an assessment will be undertaken in relation to the implications of the introduction of such future policy mechanisms, with a view to varying the draft Plan as made to ensure consistency with relevant climate assessment and development plan guidelines.

### Observation 7

#### Observation 7 – Climate Action

Given the importance attributed to climate action by Government, as evidenced by, inter alia, the recent *Climate Action and Low Carbon Development Bill* (March, 2021) and the *Climate Action Plan 2019*, the planning authority is advised that the draft Plan should also include an objective to consider a variation of the development plan within a reasonable period of time, or to include such other mechanism, as may be appropriate, to ensure the development plan will be consistent with the approach to climate action recommended in the revised *Development Plan Guidelines* as adopted or any other relevant guidelines.

## 7.2 Renewable Energy

The Office notes the provisions for renewable energy and energy efficiency. Regarding the policy provisions for district heating (objective 5.21), the Office welcomes the identification of three key areas where district heating will be required





to be addressed in planning applications above a specified threshold. However, the implementation of district heating is likely to require a more hands on approach by the planning authority in the planning of such infrastructure on a district-wide basis, particularly where there is a multiplicity of landowners. The planning authority should therefore explore how the policy objectives of the Plan could better facilitate the implementation of district heating in these and other development areas. The planning authority may find consideration of the South County Dublin draft Plan and the ongoing Tallaght District Heating project of assistance.

Overall, the Office considers that there is an opportunity in the draft Plan to strengthen the renewable energy policy. For example, the policy approach to wind energy, that is whether it is open for consideration within the planning authority area, is contradictory between sections 11.245 to 11.250, section 10.3.4 and land use zoning objective ZO 2. Policy on other renewable energy types and Chapter 9 Environmental Infrastructure (s.9.10 and objective 9.14) could also be expanded. It is also noted that no renewable energy strategy (RES) is attached to the draft Plan, although the draft Plan's support of the preparation of a regional RES is noted.

No renewable energy targets have been included in the draft Plan. Although the planning authority has a relatively small functional area, it is obliged to implement the SPPR of the *Interim Guidelines for Planning Authorities on Statutory Plans, Renewable Energy and Climate Change and Wind Energy Development Guidelines 2006 – Update on Review* (July 2017). This requires the Plan to, among other things, to include renewable energy targets for its functional area having regard to national targets under the Climate Action Plan 2019.



## Recommendation 10

### Recommendation 10 - Renewable Energy

In accordance with the provisions of section 28(1C) of the Act, the planning authority is required to amend the draft development plan in order to fully implement the Specific Planning Policy Requirement contained in the Interim Guidelines for Planning Authorities on Statutory Plans, Renewable Energy and Climate Change, including:

- (i) Suitably supportive policy objectives, such as the identification of areas through sieve mapping where larger scale renewable energy projects would be acceptable in principle; and
- (ii) Identify how the Plan over its effective period will contribute to realising overall national targets on renewable energy and climate change mitigation, and in particular wind energy production and the potential wind energy resource (in megawatts).

## 8. Flood Risk Management

The draft Plan includes several positive objectives related to flood risk and flood risk management, which are welcomed by the Office. The Office notes that a Strategic Flood Risk Assessment (SFRA) has been published as part of the draft Plan, as required by *The Planning System and Flood Risk Management Guidelines for Planning Authorities* (2009).

However, the Justification Test has not been applied correctly to the land use zones proposed to accommodate vulnerable and / or highly vulnerable uses flood risk zones A and B, as part of the SFRA, contrary to the requirements of section 4.23 of the Guidelines (and clarifying Circular PL2/2014). The Justification Tests that have been carried out are inadequate in detail, are generic on considerations and are not site specific, but relate to broad swathes of land. They are therefore of little practical



use in decision making on zoning, as well as being inconsistent with the requirements of the Guidelines.

In addition, the flood risk zones have not been overlaid on the land use zoning map in order to clearly outline what lands are impacted by flood risk and to assess if the sequential approach has been applied. This approach would also provide clarity in terms of the implementation of appropriate flood risk management through development management.

The planning authority is advised that a Justification Test is required to be carried out for the following proposed zoning objectives:

- Map 01 - Highly vulnerable *New Residential Neighbourhoods* (ZO02) and *Educational* (ZO13), *Mixed Use* (ZO05) and *Neighbourhood & Local Centres* (ZO09) in Flood Zone B. *City Centre* (ZO06) in Flood Zones A and B.
- Map 03 - Highly vulnerable *Sustainable Residential Neighbourhoods* (ZO01) in Flood Zone A and B along the Lee.
- Map 04 - Highly vulnerable *Sustainable Residential Neighbourhoods* (ZO01), and *Neighbourhood & Local Centres* (ZO09) in Flood Zones A and B. *District Centres* (ZO08) in Flood Zone B. *Business & Technology* (ZO11) in Flood Zone adjacent to the Bride.
- Map 05 - *Long Term Strategic Regeneration* (ZO04) in Flood Zone B and *Mixed Use Development* (ZO05) in Flood Zone A in Tivoli Docks.
- Map 06 - Highly vulnerable *Sustainable Residential Neighbourhoods* (ZO01) in Flood Zones A and B in Rochestown and Douglas Village, and *Urban Town Centre* (ZO07) in Flood Zone A and B in Douglas Village.
- Map 07 - Less vulnerable *Light Industry & Related Uses* (ZO10) in Flood Zone A at Togher, and highly vulnerable *Sustainable Residential Neighbourhoods* (ZO01) in Flood Zones A and B in Douglas and in Flood Zone B in Donnybrook Hill.
- Map 08 - Highly vulnerable *Sustainable Residential Neighbourhoods* (ZO01) and less vulnerable *Light Industry & Related Uses* (ZO10) in Flood Zones A



and B in the Togher and Douglas areas. Highly vulnerable *Public Infrastructure & Utilities* (ZO15) in Flood Zones A and B at the ESB lands in Wilton. *Neighbourhood & Local Centres* (ZO09) in Flood Zone B at Garrane Darra. *Sustainable Residential Neighbourhoods* (ZO01) and *Business & Technology* (ZO11) in Flood Zones A and B in Curraheen.

- Map 09 - Highly vulnerable *Sustainable Residential Neighbourhoods* (ZO01) in Flood Zones A and B near Sunday's Well Road and Lee Road.
- Map 11 - Highly vulnerable *Tier 3 Residential Neighbourhoods* (ZO03) and *Urban Town Centre* (ZO07) in Flood Zone A and B.
- Map 12 - Highly vulnerable *Sustainable Residential Neighbourhoods* (ZO01) near Glenville Street in Dublin Pike in Flood Zones A and B.
- Map 13 - Highly vulnerable *Sustainable Residential Neighbourhoods* (ZO01), and *Urban Town Centre* (ZO07) at Meadowbrook and East Cliff Road, and *Sustainable Residential Neighbourhoods* (ZO01) and *New Residential Neighbourhoods* (ZO02) along the Lisheen River in Flood Zones A and B. Less vulnerable *Light Industry & Related Uses* (ZO10) adjacent to junction 18 of the M8 motorway in Flood Zone A.
- Map 14 - Highly vulnerable *Sustainable Residential Neighbourhoods* (ZO01) near Donnybrook Hill in Flood Zone B.
- Map 15 - Highly vulnerable *Sustainable Residential Neighbourhoods* (ZO01) and less vulnerable *Light Industry & Related Uses* (ZO10) in Flood Zones A and B adjacent to Lehenagh Beg stream south of Togher Industrial Estate.
- Map 16 - Highly vulnerable *Sustainable Residential Neighbourhoods* (ZO01) in Woodview, Ballincollig in Flood Zone B. Highly vulnerable *New Residential Neighbourhoods* (ZO02), and *Tier 3 Residential Neighbourhoods* (ZO03) in Flood Zone B south of Ballincollig, and highly vulnerable *Education* (ZO13) has been zoned in Flood Zones A and B south of Ballincollig.
- Map 18 - Highly vulnerable *Sustainable Residential Neighbourhoods* (ZO01) in Flood Zones A and B alongside river Shournagh.



- Map 19 - Highly vulnerable *Sustainable Residential Neighbourhoods* (ZO01) in Flood Zones A and B alongside the Butlerstown River southeast of Coláiste an Phiarsaigh.

## Recommendation 11

### Recommendation 11 - Flood Risk Management

Having regard to detailed requirements of the *Planning System and Flood Risk Management – Guidelines for Planning Authorities* (DEHLG and OPW, 2009) and clarifying *Circular PL2/2014*, the planning authority is required to:

- (i) carry out the plan-making justification test for all lands proposed to be zoned to accommodate development vulnerable to flooding within areas at a high or moderate risk of flooding;
- (ii) any lands which do not pass the Justification Test are required not be zoned for highly vulnerable (Flood Zones A and B) or less vulnerable Flood Zone A) development;
- (iii) where non-structural (and structural, if applicable) flood risk management measures are recommended under point 3 of the Justification Test, these measures are required to be included in the Plan in order to prevent flood risk to vulnerable uses; and
- (iv) overlay the flood risk zone mapping on the land use zoning objective maps.

The planning authority is advised to consult with the OPW in respect of the above.

## 9. Environment, Heritage and Amenities

### 9.1 Environmental Reports

The Office notes that the environmental report (SEA) concludes that no significant residual adverse impacts are identified in the SEA taking into account the detailed



mitigation which has been integrated into the draft Plan. The SEA is considered to be comprehensive and generally consistent with the requirements of the section 28 Guidelines.

The Natura Impact Report (NIR) concludes that having incorporated mitigation measures the draft Plan is not foreseen to give rise to any adverse effects on the integrity of the European sites, alone or in-combination with other plans or projects, in view of the conservation objectives of the habitats or species for which the subject sites have been designated. The Office notes that the AA process is ongoing and will inform and be concluded at adoption of the Plan.

## 9.2 Public rights of way

The draft Plan includes provisions and objectives relating to its commitment to preserve public rights of way in Cork City, and to encourage the formalising of new public rights of way to improve access to green and blue infrastructure assets in Cork City. However, the existing public rights of way are not mapped as required under section 10(2)(o) of the Act. In this regard the Office would direct the attention of the planning authority to *'Public Rights of Way and the Local Authority Development Plan'* (OPR, 2021).

### Recommendation 12

#### Recommendation 12 - Public Rights of Way

Having regard to the provisions of section 10(2)(o) of the Act, the planning authority is required to include identify public rights of way both by marking them on at least one of the maps forming part of the Plan and by indicating their location on a list appended to the Plan.

## 10. Implementation and Monitoring

Although the draft Plan includes chapter 13 Implementation, this chapter does not contain any specific information on implementation and monitoring, other than a reference to the broad areas to be considered. Although there is no specific



requirement for monitoring of implementation under the *Development Plan Guidelines for Planning Authorities* (2007), monitoring is addressed in detail in Chapter 10 of the *Development Plans, Guidelines for Planning Authorities – Draft for Consultation* (August 2021).

To better assist the planning authority in implementing the Plan in line with the obligation on the authority to take such steps necessary to secure the objectives of the Plan, and to facilitate the progress review of the Plan required under section 15(2) of the Act, the planning authority should include appropriate implementation monitoring measures as part of the final Plan. In this regard the Office considers the approach of the Dun Laoghaire-Rathdown draft Plan to be an example of good practice.

#### **Observation 8**

##### **Observation 8 – Implementation and Monitoring**

Having regard to the duty and function of the planning authority under section 15(1) and 15(2) of the *Planning and Development Act 2000* (as amended), the planning authority is advised to provide for Plan implementation monitoring as part of the Plan.

*Note:* Chapter 10 of the *Development Plans, Guidelines for Planning Authorities, Draft for Consultation* (August 2021) provides useful guidance in this regard.

#### **11. General and Procedural Matters**

The following errors are noted in the draft Plan:

- Table 4.2 (incorrectly labelled);
- Incorrect labelling of some of the principle Strategic Objective for each chapter of the Plan – e.g. Chapter 7 Employment and Economy refers to SO 6 Green and Blue Infrastructure, Open Space and Biodiversity; and



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- Objective 6.23 Designated Sites and Protected Species refers only to public rights of way, as per objective 6.16.

In addition, regarding Strategic Objective 4 (p.157), the planning authority should update this section to remove reference to the National Mitigation Plan.

### Summary

The Office requests that your authority addresses the recommendations and observations outlined above. As you are aware, the report of the chief executive of your authority prepared for the elected members under section 12 of the Act must summarise these recommendations and the manner in which they will be addressed.

At the end of the process, your authority is required to notify this Office within five working days of the decision of the planning authority in relation to the draft Plan. Where your authority decides not to comply with the recommendations of the Office, or otherwise makes the plan in such a manner as to be inconsistent with the recommendations made by this Office, then the chief executive shall inform the Office and give reasons for this decision.

Please feel free to contact the staff of the Office in the context of your authority's responses to the above, which we would be happy to facilitate. Contact can be initiated through [plans@opr.ie](mailto:plans@opr.ie).

Yours sincerely,

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Anne Marie O'Connor

Deputy Regulator and Director of Plans Evaluations