

# **Chief Executives Report to Members of Cork City Council**

## **Responding to motions on Agenda at Council Meeting of Monday 24<sup>th</sup> November 2014**

Relating to consideration of the **Draft Cork City Development Plan 2015-2021** and the Chief Executives Report of 5<sup>th</sup> September on issues arising from submissions on the Draft Development Plan

## **Draft Cork City Development Plan 2015-2021**

Cork City Council 24 November 2014

**Draft Cork City Development Plan - Resolutions Proposed by Elected Members and Chief Executive's response (20 November 2014) (updated :Nos 16 and 17 added, 24<sup>th</sup> November 2014)**

No.	Proposed by	Motion (full version of the resolutions and planning rationale are set out in separate enclosure)	Chief Executive's Response
1	Cllr John Buttimer	<p><b>Chapter 1: Local Area Plan status</b></p> <p>Resolution: That all <i>Local Area Plans</i> have a life expectancy of five years from their date of publication, that a policy for review and renewal of Local Area Plans will be developed and put into practice by the end of the 2015-2021 City Development Plan, and that a review of outcomes and efficacy will be carried out. Where changes are recommended that these are updated and incorporated into the City Development Plan through the appropriate mechanism.</p>	<p>Statutory Local Area Plans have a lifetime defined by the Planning and Development Acts 2000-2014. Their lifetime falls under the aegis of s19 of the Acts. Their lifetime is set at 5 years and then they can either be revoked, extended for an additional 5 years or reviewed.</p> <p><b>Recommendation</b> No amendment necessary.</p> <p>If the resolution intends to refer to Area Action Plans then it is agreed that the development plan should include a policy basis for reviewing these plans, similar to statutory Local Area Plans.</p> <p><b>Recommendation</b> Include text that provides a basis for Area Action Plan lifetime.</p>
2	Cllr John Buttimer	<p><b>Chapter 4: Markets Strategy</b></p> <p>'To further amend the Chief Executive's proposed amendment (page 10) in relation to development of a Markets Strategy to include a specific timeframe for the completion of the strategy: <i>It is an objective to support and promote.....and to pursue the development of a Market Strategy which will be completed by quarter 4 2015.</i></p>	<p>The process of preparing a marketing strategy would require:</p> <ul style="list-style-type: none"> <li>- Advice from Markets specialists</li> <li>- Input from all Cork City Council directorates</li> <li>- Public consultation and in particular consultation with city business community</li> </ul> <p><b>Recommendation</b> It is unlikely to be possible to complete a market strategy by the end of 2015 due to existing commitments and scarce resources. It is recommended this be amended to end of 2016, subject to resources being available.</p>

No.	Proposed by	Motion ((full version of the resolutions and planning rationale are set out in separate enclosure))	Chief Executive's Response
3	Cllr John Buttimer	<p><b>Chapter 5: Coach Parking Strategy</b></p> <p>'That the City Development Plan should specify a date by which the Coach Parking Strategy will be published and reviewed'</p>	<p>The Coach Parking Strategy will be completed in 2015. This target can be incorporated into the objective / text.</p> <p><b>Recommendation</b></p> <p>Amend text to include target.</p>
4	Cllr John Buttimer	<p><b>Chapter 5: Sustainable Transport Objective</b></p> <p>With reference to amendment 5.3 of the Chief Executive's Amendments report: 'That the proposed word change [in Objectives 5.1.d and 5.1.e] from encouraging to requiring would not be adopted and that the text would continue to have encouraging.'</p>	<p>Requiring rather than encouraging new development to orient around sustainable transport, particularly in an urban setting such as Cork, is in keeping with national policy. While not all areas have good quality sustainable transport available at present we are working towards achieving it over the coming years. It is important that new development is required to be planned and designed to benefit from the improved sustainable transport infrastructure.</p> <p><b>Recommendation:</b></p> <p>No change</p>
5	Cllr John Buttimer	<p><b>Chapter 5: Vehicular bridge to serve North Mall Distillery Site</b></p> <p>"That a proposed bridge crossing from the Distillery Fields should allow for emergency vehicular as well as pedestrian access and that this can be reviewed with regard to the transport policy as outlined by Cork City Council in respect of the City Centre Strategy and designed and positioned so as not to interfere with proposed flood relief measures under Lee –CFRAMS and to protect the visual amenity of the River Lee."</p>	<p>It is understood that the long-term aim of HSE is to create a new combined campus for the South Infirmary and the Mercy University Hospital.</p> <p>The proposal to provide a new vehicular bridge has been subject to negotiation through pre-planning processes over the last 10 years since UCC / MUH acquired the site. It is not considered appropriate to support the principle of a vehicular bridge to serve the MUH North Mall site on the grounds that:</p> <ul style="list-style-type: none"> <li>• It would be premature to provide an objective for a bridge until a transparent and over-riding case is made to justify its provision;</li> <li>• A bridge would not be acceptable from Grenville Place to the</li> </ul>

			<p>Distillery site for reasons of landscape / visual impact, flood risk, transport impact and impact on the built heritage. This is one of the most beautiful stretches of the River Lee in Cork.</p> <ul style="list-style-type: none"> <li>• It is not appropriate to identify a location for a bridge from the Mardyke to the Distillery Site in the absence of an agreed masterplan and until a decision has been made to agree to the principle of purchasing the land necessary to connect the bridge to the Mardyke. An acceptable masterplan would clearly demonstrate how the site would be developed and provide a compelling rationale for a vehicular bridge.</li> </ul> <p>From a transportation point of view any bridge at this location is not desirable. Under the City Centre Movement strategy it is intended to make Grenville place one way eastbound and if possible to provide a footpath along the existing quay wall. There is high levels of traffic congestion in this area at present due to the nature of the acute services being provided there. The City Council Transportation Division is working with the hospital as part of the City Centre Movement Strategy to alleviate problems for the ambulance parking, patients, deliveries, residents and the general public in this area. The presence of a vehicular bridge would compound problems in the area and give rise to serious road safety concerns, for ambulance parking, pedestrians and vehicles seeking to enter the traffic eastbound on Grenville place.</p> <p>There would also be significant issues with regard to flood defences associated with any bridge. In particular heights of abutments, clearance and in-channel obstruction that would directly affect water throughput.</p> <p><b>Recommendation</b></p> <p>Do not include objective to provide vehicular bridge to serve the North Mall Distillery Site. In the event that an objective is included in the DCDP PA then it will need to be screened for flood risk and other environmental impacts.</p>
--	--	--	--

No.	Proposed by	Motion (full version of the resolutions and planning rationale are set out in separate enclosure)	Chief Executive's Response
6	Councillor John Buttimer	<p><b>Chapter 6: Residential Strategy / Objective 6.6 (p72 of DCDP)</b>            To add the following bullet point to Objective 6.6 of the Draft City Development Plan            "To work with self-advocates, the HSE and the voluntary sector in the provision of housing for people with intellectual disability and or autism consistent with the National Disability Act and the policy on Congregated Settings.</p>	<p>This is considered a reasonable acceptable objective, subject to resources being available.</p> <p><b>Recommendation:</b>            Insert as Objective 6.6 (f).</p>
7	Cllr John Buttimer	<p><b>Chapter 7: Inclusive Neighbourhoods</b>            Objective 7.XX            To support the development of a strategy to meet housing and social needs of people with an intellectual disability and or autism.</p> <p><b>People with Disability and Autism</b>            With a population of people with an intellectual disability and or Autism, there is a need to ensure a supply of adequate community based services to meet their needs. National and international policy and frameworks recommend that people with intellectual disability and or autism should live in their local community and use in so far as possible generic services and facilities. To this end, Cork City Council will develop a strategy for People with Intellectual Disability and or Autism over the lifespan of the current development plan. The Strategy will be guided by the National Disability Strategy (2013) and will inform future Council policy.</p> <p>The Strategy will recognise that there is a desire to move away from residential congregated settings to ordinary housing options in local communities. Social housing developments will be assessed for their suitability and ability to include and support people with intellectual disability and or autism. Council will work with self-advocacy groups, the HSE and the voluntary sector to inform and develop this strategy.</p>	<p>This is a detailed matter that should form part of the Local Community Development Committee (LCDC) remit and be developed through the process of preparing the <i>Local Economic and Community Plan</i>.</p> <p><b>Recommendation:</b>            No change.</p>

No.	Proposed by	Motion (full version of the resolutions and planning rationale are set out in separate enclosure)	Chief Executive's Response
8	Cllr Paudie Dineen	<p><b>Chapter 7: SEFRA</b>            'That Chapter 7 (Inclusive Neighbourhoods) of the Cork City Development Plan 2015-2021 be amended to include SEFRA (Special Exemptions for Residential Areas)'.</p>	<p>The issues and the related “exemptions” identified are operational matters that are more appropriately considered at the respective functional committees for each Directorate.</p> <p>However, the motivation for this submission is understood and supported in full. It is recognised that residential communities in inner city areas can have more difficulties with parking, litter, noise traffic etc than other areas and it is agreed that they should be given support to ensure protection of their residential amenities where possible.</p> <p>It is considered that the operational issues identified should be explored through the <i>Cork Neighbourhoods Strategy</i> process.</p> <p>It is noted that the motion does not specify what textual changes are proposed to the Draft Development Plan and that the Development Plan does not have the power to put in place exemptions as suggested.</p> <p><b>Recommendation</b>            No change to the development plan</p>
9	Cllr John Buttimer	<p><b>Chapter 14: Suburban Areas / The Rise, Bishopstown</b>            That the existing boundary of the Rise Estate, Bishopstown will be retained and protected from development and no new vehicular or pedestrian access will be allowed. (See 11.10 in the CEO's report for a method of protection).</p>	<p>This is a detailed local issue which should be dealt with in the Development Management process rather than in the City Development Plan.</p> <p><b>Recommendation</b>            No change. If this objective is incorporated then the resolution would need to specify where in the Draft Plan it should be inserted.</p>

No.	Proposed by	Motion (full version of the resolutions and planning rationale are set out in separate enclosure)	Chief Executive's Response
10	Cllr John Buttimer	<p><b>Chapter 14: Suburban Areas / The Rise, Bishopstown</b></p> <p><b>Volume 2 Mapped Objectives / South-Western Suburbs</b></p> <p>That the landbank created by the removal of the Ardrostig Relief Road would have a restrictive zoning to limit the density and intensity of development.</p>	<p>The removal of the objective to provide a link street does not change the zoning objective for the site. The land use objective is Residential, Local Services and Institutions.</p> <p>Density considerations relating to residential development are set out in 16.40-16.42 of <i>Chapter 16: Development Management</i>. All sites are treated on their merits and in relation to their location and context and it is not appropriate to treat any one site differently in the development plan without overriding justification.</p> <p><b>Recommendation</b> No change</p>
11	Cllr Henry Cremin	<p>'To delete the Chief Executive's recommended amendment to rezone Melbourne Business Park from Business and Technology to Residential Local Services and Institutions and to retain the zoning as Business and Technology.'</p>	<p>It is noted that the motion as proposed refers only to the Melbourne Business Park. The proposed zoning change referred to a wider area of land. Clarity is needed on whether the proposer intends the remainder of the area to also revert to the Business and Technology Zoning as it would not be appropriate to change one area in isolation of the other.</p> <p>This issue of the zoning change is addressed in the Chief Executive's report (Page 29, issue 4.15). Most of the units in the business park are either vacant or do not conform with the Business and Technology zoning. Similarly the uses in the adjoining Business and Technology zoned lands no longer conform to the Business and Technology zoning therefore it seems logical to change the zoning as recommended in the CE's report.</p> <p><b>Recommendation</b> Retain Residential, Local Services and Institutions objective.</p>
12	Cllr John Buttimer	<p>Melbourne Road Business Park 'that there be no change to the current designated zoning'</p>	<p>See 11 above</p>

No.	Proposed by	Motion (full version of the resolutions and planning rationale are set out in separate enclosure)	Chief Executive's Response
13	Cllr Chris O'Leary Cllr Shane O'Shea Cllr Terry Shannon, Cllr Nicholas O'Keeffe Cllr Des Cahill	<p><b>Chapter 4: Retail Strategy</b>  <b>Chapter 14: Suburban Areas</b>  <b>Volume 2: Mapped Objectives</b></p> <p><b>Jacob's Island</b>            'The Chief Executives recommendations for alterations to the draft zoning objectives for Jacob's Island as contained in Section 14.1, 14.2 and 14.3 of the Chief Executives Report are rejected for the reasons outlined.' (see attached)</p>	<p>Please refer to Issue 14.1 (pp105-109), 14.2 (p110), and 14.3 (p111) of the <i>Chief Executive's Report</i> (5 September 2014) for my comments AND recommendations on this matter.</p> <p>Elected Members have received copies of the submissions from the Minister, the South-West Regional Authority, the NRA and the NTA.</p> <p>The reasons for any decision to omit the <i>Proposed Amendments</i> relating to these issues (4.1, 14.1, 15.1, 16.6 and M5) will be notified to the Minister and the Regional Authority.</p> <p>This proposal is contrary to resolution 11, which suggests constraining offices on the overflow car park site because there isn't sufficient traffic / transport capacity to enable development to proceed. Very similar logic would be applied to the Jacob's Island site, although notably this would be more car dependent than the overflow car park site as it will be much less accessible to green transport modes.</p>



No.	Proposed by	Motion (full version of the resolutions and planning rationale are set out in separate enclosure)	Chief Executive's Response
14	Cllr Des Cahill	<p><b>Volume 2 Mapped Objectives / South-Eastern Suburbs</b></p> <p>'That the 'ice rink' site in Mahon Point remains zoned as it did in 2009" (i.e. Residential, Local Services and Institutions).'</p>	<p>The site is zoned 'residential community and institutional uses in the current Development Plan. The Draft Development Plan proposes a change of zoning to Business and Technology uses.</p> <p>It should be noted that developing business and technology uses on the overflow car park / ice rink site would be preferable to developing offices on Jacob's Island for planning, transport and urban design reasons. This was debated at great length through the <i>Mahon Local Area Plan</i> process.</p> <p>The development of the overflow car park for residential, local services and institutional uses is unlikely to yield a quick development of this site until medium-high density housing is in demand in the suburban areas of the city. However, it is acknowledged that the traffic capacity to serve office uses on this site is unlikely to be available until there has been a sizeable modal shift and bus rapid transit is brought to Mahon. However, it is considered that business and technology uses are the most appropriate primary use for the site in the medium-long term.</p> <p><b>Recommendation</b> Retain business and technology zoning subject to the specific objectives in the local area plan.</p>
15	Cllr Tim Brosnan	<p>'That the zoning of the Tank Field revert to the situation as agreed in the Cork City Development Plan 2009-2015 (as shown in attached photocopy of the zoning from the 2009-2015 Plan).'</p>	<p>This issue is already responded to in the CE's report page 80, issue number 11.6. The revised zoning is intended to reflect the planned educational and sporting uses.</p> <p><b>Recommendation:</b> No change.</p>

No.	Proposed by	Motion (full version of the resolutions and planning rationale are set out in separate enclosure)	Chief Executive's Response
16	Cllr Laura McGonigle	<p><b>Volume 2 Mapped Objectives / South-Eastern Suburbs</b></p> <p>To change the zoning objective for the Mahon Industrial Estate from “Residential, Local Services and Institutional” as proposed in the draft Cork City Plan 2015-2021 to “Business and Technology” as an amendment to the Draft Plan.</p>	<p>I refer you to my response to issue2 2.9 and 14.5 of the <i>Chief Executive's Report</i> (pp18 and pp113-115 respectively)</p> <p>Mahon is identified as a key development area for residential and employment uses in the Core Strategy of the Draft Development Plan. Changing the use of lands in the Mahon Industrial Estate from employment to residential uses does not contradict the overall Core Strategy objective or the CASP objectives for the Mahon area as will continue to have an important employment role. The amount of land zoned business and technology in the Mahon area will still exceed the amount required to meet future employment targets for the area.</p> <p>The Mahon Industrial Estate has a Business and Technology zoning in the Cork City Development Plan 2009-2015. Following the Mahon Local Area Plan process it was decided to recommend that the estate should be redeveloped as new residential neighbourhood. The reasons for this are set out in the Chief Executive's Report.</p> <p>As a first step towards moving towards the development of a new residential area the Mahon Local Area Plan allowed residential uses to be open for consideration in areas zoned for Business and Technology uses in Mahon Industrial Estate. (Objective MSA2).</p> <p>Redevelopment of the Mahon Industrial Estate as a residential neighbourhood is essential for three main reasons:</p> <ul style="list-style-type: none"> <li>• The employment targets for Mahon for the next 10 years can be met by lands in the Lough Mahon Technology Park;</li> <li>• There is a need for a balance of residential and employment uses</li> </ul>

			<p>in Mahon to enable the transport and traffic system to function effectively;</p> <ul style="list-style-type: none"> <li>• The transport capacity to accommodate additional high density employment development in the Mahon Industrial Estate does not exist.</li> </ul> <p>If the land use in the Mahon Industrial Estate does not become part of a residential neighbourhood then the capacity for further employment development in Mahon will be severely constrained.</p> <p><b>Recommendation</b> Retain Residential, Local; Services and Institutional zoning objective.</p>
<b>No.</b>	<b>Proposed by</b>	<b>Motion (full version of the resolutions and planning rationale are set out in separate enclosure)</b>	<b>Chief Executive's Response</b>
17	Cllr John Buttimer Cllr Des Cahill Cllr Chris O'Leary Cllr Terry Shannon	To change the zoning objective for the former Beamish and Crawford site from "Commercial Core Area" as proposed in the Draft City Development Plan 2015-2021 to "City Centre Retail Area" in the amended Draft City Plan 2015-2021, in text and associated maps; To amend the paragraph 13.52 of the Written Statement of the Draft City Development Plan 2015-2021 by adding the following "The percentage of total floorspace allocated to comparison retailing in future planning permissions will be limited to a maximum of twenty percent (20%)."	<p>The emphasis in the new Development Plan is to strengthen and consolidate the existing retail core. Taking into account the need to support the existing core retail area it is desirable that the redevelopment of more peripheral sites such as the Beamish and Crawford is not retail-led. It would be undesirable that a major quantum of retail development at the B &amp; C site would compete and potentially undermine the existing retail core. Therefore, the change of zoning to 'Commercial Core Area' was proposed in the Draft Plan. The definition of this zoning does not permit comparison retailing.</p> <p>However, the said lands have a permission for a mixed-use scheme with circa 5,000sq.m. gross / 3,500sq.m. net retail floorspace, (unclassified retail floorspace).</p> <p>It is accepted that this site should include retail space to support the primary uses. An application for an extension of duration of the permission would consider the application as it stands, including the permitted quantum of unspecified retailing.</p>

			<p>The resolution proposes to amend paragraph 13.52 to include a 20% retail floorspace cap. If this percentage were applied to the 1.8hectare site coupled with appropriate plot ratios for the city centre, it could result in excess of 12,000sq.m. of comparison retail floorspace (significantly higher than that currently permitted). This is equivalent to 20% of the new Comparison Floorspace allocation for the City Centre as per the Retail Strategy. This is considered to be inappropriate and contrary to the Retail Strategy which focuses on protecting the Primary and the Key Secondary Retail Frontages of the City Centre.</p> <p>Furthermore, it is considered that the permitted scheme is adequate to provide for tourism/ heritage orientated retailing.</p> <p><b>Recommendation</b> No change</p>
--	--	--	--