

County Manager's Report to Members

Under Section 20 (3) (f) of the Planning and Development Acts

**Written Report on the Proposed Amendments
to the Midleton Draft Special Local Area Plan**

**NOTE: This document should be read in conjunction with the Midleton Draft
Special Local Area Plan (Public Consultation Draft – January 2005)**

Section 20(3)(f) Manager's Report to Members

1 Introduction

- 1.1 This report has been prepared in response to the submissions and observations made on the Proposed Amendment to the Midleton Special Local Area Plan dated June 2005 and sets out the Manager's recommendation.
- 1.2 There are two Appendices to this report. Appendix A includes a full list of all of the submissions and observations made as well as a brief summary of the issues raised in each.
- 1.3 Appendix B contains details of the Manager's opinion in relation to the issues raised relevant to each draft change. To meet the requirements of the Planning and Development Acts, this takes account of:
 - The proper planning and sustainable development of the area;
 - Statutory obligations of local authorities in the area; and
 - Relevant policies or objectives of the Government or Ministers.
- 1.4 In submitting this report to Members it is recommended that the Amendment be accepted subject to the detailed modifications, omissions and other recommendations set out in the text of the report.

2 The Process so far

- 2.1 After a lengthy period of informal consultations during 2004, the process of preparing the Midleton Special Local Area Plan commenced formally on 10th January 2005 when the notice of the Town and County Council's intention to prepare the plan was advertised. A total of 75 submissions were received that were relevant to the draft plan and, having considered the Manager's report, the elected Members of both Councils resolved to publish the proposed amendment that was published on 6th June 2005.
- 2.2 A total of 14 submissions or observations have been received in response to the public consultation carried out regarding the proposed amendment and these are the subject of this report.

3 Remaining Steps in the Process

- 3.1 This report commences the final phase in preparing the Special Local Area Plan. The Planning and Development Acts require the Members of the Council to consider this report together with the Amendment.
- 3.2 Under the provisions of section 12 (3) (g) the Planning and Development Act (as amended), the Special Local Area Plan shall be deemed to be made, subject to the modifications recommended by the Manager in this report, six weeks after this report has been furnished to all the members of the Authority unless the members of the planning authority, by resolution, decide to make or amend the plan otherwise (providing that the amendment that authority so decide upon is the original amendment proposed in the document published on 6th June 2005 or such amendment of it, as considered appropriate).
- 3.3 These provisions of the Act (as amended) impose constraints on what can be considered for inclusion in the Special Local Area Plan at this stage. While there is still scope to modify the amendment, it is clear that matters that were not part of the amendment cannot now be introduced. Care should also be taken to ensure that where the amendment is to be modified, restraint should be exercised. This is to ensure that the extent or degree of modification doesn't result materially in a new change that falls outside the scope of what is allowed.
- 3.4 The Act also states as follows: "When performing their functions under this section the members of the authority shall be restricted to considering the proper planning and sustainable development of the area, the statutory obligations of any local authority in the area and any relevant policies or objectives for the time being of the Government or any Minister of the Government" (Section 20(3)(i) of the Planning and Development Act 2000 (as amended)).

4 Scope for Modifying the Proposed Amendment

4.1 A number of submissions received referred only to matters that do not lie within the scope of the proposed amendment. These two submissions, which are listed in table 1 below, referred either to lands or topics that were not included in the amendment or to other general planning matters. As explained above, these submissions cannot now have a bearing on the final plan.

Table 1: Submissions that lie outside the scope of the Proposed Amendment (Ref Nos.)

9250, 9309.

5 Summary of Manager's Recommendations

5.1 The following table summarises the Manager's recommendations in relation to the proposed amendment. It sets out the Manager's view on whether the relevant changes should be accepted (as published), omitted, or modified. The reasons for the recommendations, together with the text of any recommended modifications, are set out in the accompanying Appendix B with the relevant page numbers set out below.

List of Proposed Changes

No.	Proposed Change	Accept/Modify/Omit	Page
MDN SLAP 3.1	New text regarding flood prevention in Midleton	Modify	
MDN SLAP 4.1	Delete Information regarding Iarnród Éireann Feasibility Study of the station which is now superseded	Accept	
MDN SLAP 4.2	Preferred Location for the Station at Midleton	Accept	
MDN SLAP 4.3	Access issues regarding the Preferred Station Location	Modify	
MDN SLAP 5.1	Reference to Recreation Policy	Accept	
MDN SLAP 6.1	New text for Land West of Mill Road	Accept	
MDN SLAP 6.2	Delete References to Informal Submissions	Accept	
MDN SLAP 7.1	New text on the Rail Route and New Station	Accept	
MDN SLAP 7.2	New text regarding Level Crossings	Accept	
MDN SLAP 7.3	New text on the Northern Relief Road	Modify	
MDN SLAP TC 8.1	Proposed Development of Riverside Way	Accept	
MDN SLAP CC 8.2	Site Specific Proposals – Waterrock – (text)	Modify	
MDN SLAP CC 8.3	Site Specific Proposals – Waterrock – (objective)	Modify	

Midleton Draft Special Local Area Plan

No.	Proposed Change	Accept/Modify/Omit	Page
MDN SLAP CC 8.4	Provision for a Primary School in Ballinacurra	Accept	
MDN SLAP CC 8.5	Alternative Provision of a cemetery in Midleton (Park South)	Accept	
MDN SLAP CC 8.6	Increase Open Space Zoning O-05 (and consequential decrease in total area of I-07)	Accept	
MDN SLAP 8.7	Delete Section on Floodplain Protection	Accept	
MDN SLAP 10.1	Provision and Handing over of Schools (Section 10)	Accept	
MDN SLAP CC 11.1	Include an area of established residential and commercial uses within the Development Boundary (off Mill Road)	Accept	
MDN SLAP CC 11.2	Change established Industrial zoning to 'Special' uses at Commissioners Quay, Bailich	Accept	
MDN SLAP CC 11.3	Include 'Rosehill Development' as Established Residential within the Development Boundary of Midleton	Accept	
MDN SLAP 11.4	Relocation of GAA Facilities	Modify	
MDN SLAP CC 11.5	Site Specific Proposals – Proposed Residential Development (Midleton College)	Omit	
MDN SLAP CC 11.6	New Housing development at Banshane, Midleton	Modify	
MDN SLAP CC 11.7	New text regarding future land uses near the proposed Northern Relief Road	Accept	
MDN SLAP CC 11.8	New residential development west of Waterock Road	Accept * *(see CC 8.2 / CC 8.3)	
MDN SLAP C.1	Add table 'Ballinacurra – Conservation Survey Findings' to Appendix C – <i>Built Heritage</i>	Accept	

Appendix A

(i) : Numerical List of Submissions

**(ii): Alphabetical List (by Interested Party) and
Summary of Submissions**

(i): Numerical List of Submissions

<i>Ref</i>	<i>Title</i>	<i>Interested Party</i>
9150	Railway Issues	Iarród Éireann
9250	Lands west of Waterock Road	Geaney Seamus
9282	Lands at Banshane (7 acres)	Jordan, Dr Brian
9285	Lands at Banshane (83 acres)	Castlelands Construction
9286	Railway Station Issues in Midleton	Blackpool Developments
9291	Education Provision in Ballinacurra	Ballinacurra Community Council
9309	Lands at Ballinacurra, Midleton	Navratil, A.J.
9366	Issues regarding the New Neighbourhood at Waterock	Heritage Developments
9449	Lands at Broomfield	McCarthy McGrath Auctioneers
9462	Relocation of Midleton GAA	Leahy, Jim
9477	Proposed Development at Waterock	Dawn Meats, Healy Bros, Paul
9478	Lands west of Waterock Road	O'Donnell, John and O'Keefe, Michael
9518	Various comments Cork City Council	Cork City Council
10004	Issues regarding to Midleton	East Cork Area Development (ECAD)

(ii): Alphabetical List (by Interested Party) and Summary of Submissions

<i>Interested Party</i>	<i>Ref Title</i>	<i>Summary of Submission</i>
Ballinacurra Community Council	9291 Education Provision in Ballinacurra	MDN SLAP CC 8.4 (b): This submission while supporting the proposals to include a Primary School in Ballinacurra consider the location as identified in this proposed change as unsuitable due to its distance from the village, and the road network in its' vicinity (including Kearneys Cross). The submission proposes that the schools be located to the west of the village and makes reference to the proposals as outlined in MDN SLAP C.1 regarding the main village cross roads.
Blackpool Developments	9286 Railway Station Issues in Midleton	MDN SLAP 7.1: This submission proposes that the decision to specify a particular location in the Midleton SLAP is premature ahead of a Railway Order inquiry. The submission also states that locating the station on the east side of Mill Road would have significant adverse impacts on the construction and operation of the railway and would unnecessarily compromise safety for both rail and road users (the submission details a number of accidents on other level crossings nationally and internationally). It therefore requests that the proposed change be omitted from the adopted plan. MDN SLAP 6.1: Regarding this change, the submission suggests that the zoning proposed for this site will not allow for the generation of an attractive gateway to Midleton on arrival by rail. It is also stated that there is no emphasis on how the station can perform an important role as the gateway to the town and how a range of commercial and other uses can assist this. It is therefore proposed to zone this area to allow for a wider range of commercial/retail development that can support and integrate with the proposed railway station and take account of the constraints of the site.
Castlelands Construction	9285 Lands at Banshane (83 acres)	MDN SLAP CC 11.6: This submission outlines a number of objectives regarding the proposed change. Firstly, it notes that the development of Midleton as an urban settlement is now driven by the proposed development of strategic rail provisions, which it notes is potentially hampered by the challenge presented by both delivery and funding. It is noted that if development does not happen at Waterrock area the financial resources available to facilitate the towns growth and to facilitate the development of the rail corridor will not be available. It further notes that the development of lands at Banshane has the potential to contribute to the overall costs under Section 48(2)(c) of the Planning and Development Act at about 100,000 Euro per acre. It is noted that this would be made available to the Council upon zoning. The submission also notes that the development of Social and Affordable housing can be built immediately on zoning by the developer and made available to the County Council. In addition, the submission notes that community and educational lands can be made available immediately and built by the developer at their own cost. Finally it is stated that appropriate access infrastructure is available for the development of these lands through permission 04/8575.

Midleton Draft Special Local Area Plan

Interested Party

Cork City Council

Ref Title

9518 Various comments re SLAPs

Summary of Submission

MDN SLAP CC 11.6: This submission requests that a decision on this proposal take into account the CASP objective to promote development locations with good access to sustainable transport modes such as the rail network, as opposed to locations dependent solely on transport by private car.

Dawn Meats,
Healy Bros,
Paul Moore,
Nordic Cold Storage,
Star Homes,
John O'Donnell,

9477 Proposed Development at Waterrock

This is a detailed submission from a number of land owners within the Waterrock Area including the area proposed in **MDN SLAP CC 11.8.**

MDN SLAP 7.1:

The submission strongly reiterates a clear preference for the location of the new railway station on the west side of Mill Road where it could facilitate a landmark, high density mixed use project. It also notes the traffic management problems associated with locating the station on the eastern side of Mill Road.

MDN SLAP 7.3:

This submission raises the issue of provision of infrastructure and in particular roads infrastructure as the main inhibition to the fluid development of Waterrock. The submission supports the revised text however, it suggests that the development contributions to the enlarged rail bridge need to be done on an equitable basis as it is argued that a significant portion of the costs of the bridge are due to the strategic need to direct general traffic around Midleton and this needs to be taken into account in apportioning contributions. It also requests that the link road is constructed as part of the bridge undertaking at the Waterrock level crossing.

MDN SLAP CC 8.2/3:

This submission states that the number of units expected is likely to be about 2,500 due to the increased size of the site. It also requests that the major recreational facilities, church and community hall be located adjoining the secondary school /station complex near to the Ballinacurra River flood plain to allow for sharing of facilities. It notes that there will be a need for a smaller second centre (.25 ha) to the northwest of the new Waterrock area, however that this should not contain a cemetery, as it would destroy the cohesion of the complex. It is also proposed that the requirement of structural landscaping along the Waterrock Road should take account of the newly zoned lands to the west of Waterrock and the landscaped buffer around the abbitor should only remain for as long as it is in operation and that this buffer (of about 50m) should be the minimum dimension consistent with normal planning criteria applicable in relation to an existing use of this type. It is also suggested that consideration should be given to individual landowner or group of landowners application if it is accompanied by a design statement setting out an analysis of the physical, environmental, engineering, planning and statutory constraints together with an analysis of how it will correlate with and facilitate the promotion of the objectives of the plan as they effect the neighbourhood as a whole. It is also requested that the indicative proposal for the overall development of the area is amended allowing for three relatively independent modules which would come together as a coherent neighbourhood. Regarding Dawn Meats, it is requested that new text be included stating Cork County Council's support for the inclusion and redevelopment of the industrial zoned lands in Dawn Meats ownership as part of the Waterrock development at a future stage when deemed feasible.

<i>Interested Party</i>	<i>Ref Title</i>	<i>Summary of Submission</i>
East Cork Area Development (ECAD)	10004 Issues regarding to Midleton	This submission states that the growth in Midleton's population should be paralleled by the development of social services, community facilities and amenity space as well as protection of its habitat and heritage.
Geaney, Seamus	9250 Lands west of Waterrock Road	This submission does not relate to any of the proposed changes as published in the Proposed Amendment Document (June 2005). This submission requests that 15 acres (6 ha) of land be zoned for medium density residential development to the west of Waterrock Road.
Heritage Developments	9366 Issues regarding the New Neighbourhood At Waterrock	<p>MDN SLAP 3.1: This submission requests a number of modifications to the proposed amendments. The submission argues that the flood prevention measures in the change are overly prescriptive and therefore requests that the following sentence is included 'This is likely to involve storm water attenuation measures and river channel confinement to ensure that the town centre is not affected by increased river flows in storm conditions.'</p> <p>MDN SLAP 8.2: This submission also includes a modification to the text to include a detailed assessment of the effects of downstream flooding and that the Masterplan should involve the design of channel improvements and flood containment works as required from the down stream to the up stream limits of the X-01 objective. It is also requested that figure 8.3 be removed from the plan.</p> <p>MDN SLAP 8.3 (a): This submission also suggests that the Masterplan shall make appropriate provision to secure the equitable distribution of built development and passive / active open space. The submission also requests a new bullet point be included which includes the modifications regarding the design of channel improvements and a separate bullet point to make provision for informal open space and playing pitches.</p>
Iarnród Éireann	9150 Railway Issues	MDN SLAP 7.1/4.1/4.2/4.3: Iarnród Éireann have no further comment regarding the proposed amendments.
Jordan, Dr Brian	9282 Lands at Banshane (7 acres)	This submission seeks residential zoning on lands which are outside the boundary as indicated in proposed change MDN SLAP CC 11.6
Leahy, Jim	9462 Relocation of Midleton GAA	MDN SLAP CC 11.4 (a): This submission supports the designation of the site at Castleredmond for the relocation of Midleton GAA. It firstly outlines a modification to the text dealing with the existing site which specifically mentions Castleredmond as the preferred location. It also notes that this will allow for the delivery of sufficient land for Midleton GAA to provide an easily accessible, purpose built facility adjacent to the town noting that other locations considered by the GAA are unsustainable from an accessibility point of view. It also states that this will secure the relatively quick release of the strategically located, highly valuable town centre GAA land holding and also provide additional land for housing and for a nursing home in a sustainable location close to schools and to town centre services and facilities.

Midleton Draft Special Local Area Plan

<i>Interested Party</i>	<i>Ref Title</i>	<i>Summary of Submission</i>
McCarthy, McGrath Auctioneers	9449 Lands at Broomfield	MDN SLAP 11.4 (b): This submission requests that the option for locating Midleton GAA to these lands at Broomfield be rejected. The submission argues that this will allow for the lands to be optimised in terms of their development potential and that they can in the future act as an appropriate bridge to realizing the potential of the lands further east.
Navratil, A.J.	9309 Lands at Ballinacurra, Midleton	This submission does not relate to any of the proposed changes as published in the Proposed Amendment Document (June 2005). This submission requests that 43 acres (17 ha) of land be zoned in Ballinacurra.
O'Donnell, John and O'Keefe, Michael	9478 Lands west of Waterrock Road	MDN SLAP CC 11.8: This submission requests that this proposed change be modified from medium to low-density residential development. The submission bases its rationale upon the fact that there is a need for a greater population to sustain and provide for a second railway station. It also argues that the Residential Density Guidelines make provision for low-density residential development in certain circumstances in order to act as an alternative to the provision of one off rural housing. There are also comments on servicing for the site and the importance of including the existing community within the new neighbourhood boundary so as not to act as a barrier to integration.

Appendix B

PROPOSED CHANGE NO. MDN SLAP 3.1

NEW TEXT REGARDING FLOOD PREVENTION IN MIDLETON

PROPOSED CHANGE

It is proposed to make a modification to the Draft Plan by deleting paragraphs 3.12.3 – 3.12.6

~~The town's natural protection from such events has been the 'storage capacity' for floodwater that is provided by the flood plains of the lower reaches of both river systems. In flood conditions, water spills over the top of the river channel and floods adjoining meadows rather than spilling into the town centre or nearby housing areas.~~

~~Over the last few years, a number of developments have been allowed to erode the capacity of these flood plains, and although a number of studies have concluded, on a case by case basis, that these developments will not critically reduce the effectiveness of the flood plains, the scale of development envisaged for the town arising from CASP suggests that it is appropriate to undertake a comprehensive review of the function performed by the flood plains with a view to developing a lasting flood protection strategy for the town.~~

~~Current opinion suggests that such a strategy should provide long term protection from flooding for the developed areas of the town against a 1 in 100-year flood event. However, it may also be prudent, in the light of the possibility of global climate change, to test the resulting strategy for sensitivity to greater events, possibly of up to a 1 in 200-year frequency.~~

~~The Town and County Councils intend to jointly commission this study and it is anticipated that its recommendations will be known before the content of this plan is finalised.~~

and adding the following paragraphs:

'The Town and County Council have recently commissioned studies of likely flooding patterns in both the Owenacurra and Dungourney River systems in the vicinity of the town. The studies point out that the southern part of the town centre could experience some flooding as a result of tidal conditions in the Owenacurra Estuary.

The highest recorded tidal level here occurred in 1962 at 33.56 m OD but this was an exceptionally rare event. The 100- year design water level for the estuary is 2.70 m OD but for planning purposes this should be increased by 0.4 m to 3.10 m water to allow for estimates of the effects of climate change.

The studies indicate that at tide levels of 3.0 m in severe storm conditions parts of the Town Centre could be subject to flooding and it may be appropriate for the town council to consider requiring new buildings to be finished with a minimum floor level that would protect the occupants from a 1 in 100 year flood event.

With regard to new development elsewhere in the town, because of the sensitivity of the town centre to flooding at times of unusually high tides, the primary aim must be to control the extent to which storm water in either of the river systems can exacerbate these conditions. This is likely to involve ensuring that existing flood plains are retained and the river channel can be confined to ensure that it protects the town centre from increased river floods in storm conditions.'

RELEVANT SUBMISSIONS RECEIVED

9366							

PLANNING ISSUES

Submission (9366) claims that this change is overly prescriptive and seeks a revised wording of the last sentence in the fourth paragraph of the proposed change.

Flooding and flood prevention is clearly a very important issue for the Special Local Area Plan. However, both the final paragraph of the proposed change and the alternative sentence proposed in the submission speculate on the likely outcome of the detailed engineering design of the flood plain, the outcome of which will not be known until firm proposals for development are put forward. Therefore, in order to prejudice the outcome of this process, it is considered appropriate to delete the final sentence of this paragraph altogether.

The final paragraph of the proposed change would then read as follows:

“With regard to new development elsewhere in the town, because of the sensitivity of the town centre to flooding at times of unusually high tides, the primary aim must be to control the extent to which storm water in either of the river systems can exacerbate these conditions.”

MANAGER’S RECOMMENDATION:**MODIFY THE PROPOSED CHANGE**

NOTE: THIS CHANGE REFERS TO THE TEXT OF THE PLAN ONLY.

PROPOSED CHANGE NO. MDN SLAP 4.1

DELETE INFORMATION REGARDING IARNROD ÉIREANN'S FEASIBILITY STUDY OF THE STATION WHICH IS NOW SUPERSEDED

PROPOSED CHANGE

It is proposed to make a modification to the Draft Plan by deleting paragraphs 4.2.4 and 4.2.5 and Figure 4.1 'Railway Station – Main Alternatives'

~~'Preliminary discussions with Iarnród Éireann suggest that their aim will be to provide simple, passenger friendly facilities in Midleton that facilitate the operation of the railway with the minimum of running and maintenance costs. The level crossings in the town (3) raise important safety, cost and traffic management concerns. Iarnród Éireann engineers are presently engaged in designing what will amount to almost a new railway from Glounthaune to Midleton and until that process has been completed, and all the operational requirements for the new station identified, it is considered premature to take a final decision regarding the location of the station.'~~

~~This draft plan sets out the main planning issues that have emerged with regard to both the existing station site and a possible alternative location that has been put forward in an informal submission that the County Council have received from a development company. When Iarnród Éireann have completed the design of the railway itself and assessed the suitability of both sites from their operational perspective, it is anticipated that both the Town and County Councils will amend this draft plan to include the preferred station location prior to its adoption.'~~

RELEVANT SUBMISSIONS RECEIVED

9150							

PLANNING ISSUES

There are no new planning issues in relation to this change; the above submission from Iarnród Éireann advises that they have no further comment on the change.

MANAGER'S RECOMMENDATION:

ACCEPT THE PROPOSED CHANGE AS PUBLISHED

NOTE: THIS CHANGE REFERS TO BOTH THE TEXT OF THE PLAN AND TO FIGURE 4.1 'RAILWAY STATION – MAIN ALTERNATIVES'

PROPOSED CHANGE NO. MDN SLAP 4.2

PREFERRED LOCATION FOR THE STATION AT MIDLETON

PROPOSED CHANGE

It is proposed to make a modification to the Draft Plan by deleting paragraph 4.2.10

~~The vehicular access to the station, via Railway Street, is narrow and passes through a predominantly residential area. Although Railway Street could provide an access to the new station initially, in the longer term, its junction with Mill Road is likely to require significant improvements likely to necessitate the demolition of some existing property. Traffic to and from the station may have an adverse impact on residential property and on-street parking could cause traffic management difficulties.~~

and adding the following paragraph:

‘In response to the draft plan Iarród Éireann have expressed a strong preference that the existing railway station should be retained as the location for the town’s new station. They have stated that the existing site allows sufficient space for their immediate and longer term requirements and they would be concerned that any alternative site would be more restrictive in this respect.’

RELEVANT SUBMISSIONS RECEIVED

9150							

PLANNING ISSUES

There are no new planning issues in relation to this change; the above submission from Iarród Éireann advises that they have no further comment on the change.

MANAGER’S RECOMMENDATION:

ACCEPT THE PROPOSED CHANGE AS PUBLISHED

NOTE: THIS CHANGE REFERS TO THE TEXT OF THE PLAN ONLY.

NOTE: THIS CHANGE IS ALSO RELEVANT TO THE PROPOSED VARIATION TO THE MIDLETON DEVELOPMENT PLAN 2003.

PROPOSED CHANGE NO. MDN SLAP 4.3

ACCESS ISSUES REGARDING THE PREFERRED STATION LOCATION

PROPOSED CHANGE

(a) It is proposed to make a modification to the Draft Plan by deleting from part of paragraph 4.2.11 to 4.2.25 including figures 4.3 and 4.4:

~~'Not only will this add to the expense of the project, but also, the operation of the crossing will significantly reduce the vehicular capacity of Mill Road, particularly during peak periods. The indications are that the level crossing would operate satisfactorily from a traffic management point of view during the initial period of railway operation. However, by about the year 2012, serious traffic congestion will occur on Mill Road as a result of the level crossing.~~

~~Whilst improved traffic management measures may provide some degree of relief, it seems likely that it will be necessary to either:~~

- ~~• Replace the level crossing with a bridge; or~~
- ~~• Construct a new route diverting Mill Road to the east to link with the proposed northern relief road.~~

Land West of Mill Road

~~The informal submission regarding this plan received from Blackpool Developments (No. 1036) sets out detailed proposals for the development of a new station on land under their control on an alternative site, a short distance away, on the western side of Mill Road. This site comprises premises formerly occupied by 'Erin Foods' and a substantial area to the west of the River Owenacurra.~~

~~Here, it is proposed that the new station be constructed as part of a mixed-use development including about 500 dwellings, significant retail development and offices.~~

~~The submission received by the County Council shows the new station located some 200m distant from Mill Road itself on the western bank of the Owenacurra River. At the time this submission was prepared it was understood that safety and other railway operational requirements effectively prevented the construction of the station any closer to Mill Road. However, Iarnród Éireann have recently confirmed that they will require only a 35m set back from Mill Road on safety grounds.~~

~~A railway station could be constructed on this site so that it would be located about 980m from the town centre (the junction of Main Street and Connolly Street). From survey data collected in July 2003, it is estimated that the number of existing dwellings close to this station location is as follows:~~

- ~~• 661 dwellings within 500m; and~~
- ~~• 1670 dwellings within 1000m.~~

~~To the south of this site is a recent residential development called Mill Brook and although the modern diesel multiple unit trains that will operate the railway service are relatively quiet, there are concerns that engine noise etc. from trains standing in the station between services could adversely affect the amenity enjoyed by residents, particularly early in the morning and late in the evenings.~~

~~To the west the railway line crosses the River Owenacurra by a small bridge and this could cause both engineering difficulties in the construction of the station and further difficulties in the management of the flood plain. The potential impact of a new building here on the effectiveness of the flood plain to provide a natural defence for the town against future inundation by floodwater could result in this area being considered unsuitable for the scale of development proposed by the property development company in their submission. Also, the designation of this area for retail development would raise significant planning and traffic management issues for the town.~~

~~The site is not presently in the ownership of Iarnród Éireann and would need to be acquired from the development company who are its' present owners. This may involve Iarnród Éireann in the use of its' compulsory purchase powers under a "Railway Works Order" and this could result in delays to the construction of the station.~~

A railway station in this location could be served by a purpose built vehicular access directly from the proposed northern relief road. A pedestrian and cycle access could be provided directly to Mill Road.

Significantly, the development of the new station on land to the west of Mill Road will make it unnecessary for trains to cross Mill Road at least until such time as the railway is extended to Youghal, and therefore, the traffic congestion that is likely to arise as a result of a level crossing here could be avoided without the need to provide an alternative route or bridge for vehicular traffic.

Conclusions

The question of which of these two possible station locations is to be preferred is finely balanced and the views of Iarnród Éireann on the relative merits of each location from an operational perspective will be an important consideration. Now that Iarnród Éireann have confirmed that a station can be located as close as 35m back from Mill Road, the distance from the town centre and the number of existing dwellings within the catchment of each location differs by only a small figure. The existing station site is already in the ownership of Iarnród Éireann whilst the alternative would have to be acquired and this could delay the project.

The are concerns regarding the potential for serious traffic congestion arising from the level crossing that would be necessary if the existing station site were chosen whereas if the alternative site were chosen a level crossing would only be necessary at such time as the railway service was extended to Youghal.

There are also other issues to be taken into account including the suitability of Railway Street as the principal means of access to the existing station site, the possible effect on residential amenity and the River Owenacurra flood plain on the alternative site west of Mill Road.

During this plan's public consultation period it is envisaged that the case for both station sites will be advanced by the interested parties. It is envisaged that this will enable a final decision to be made before the plan is adopted.'

and adding the following paragraphs:

During the preparation of this plan consideration has been given to several alternatives to the level crossing including:

- Under/Over pass on Mill Road; and
- Diverting Mill Road to a new alignment.

Both of the main alternatives to the level crossing have their own disadvantages and the complexity of their construction would seriously delay the opening of the new railway service and it seems likely that the level crossing options will be the least disadvantageous choice providing certain mitigating measures can be deployed namely:

- The construction of phase 1 of the northern relief route from Cork Road to Mill Road to co-inside with the opening of the new railway service;
- The completion of the northern relief road to Youghal Road at an early date following the opening of the railway;
- The provision of independently accessed car parks on both the northern and southern sides of the railway;
- A scheme of improvements and traffic management measures to Railway Street / Park Street.

(b) It is also proposed that some additional illustrations may be added to the plan before it is published.

RELEVANT SUBMISSIONS RECEIVED

9150							

Midleton Draft Special Local Area Plan

PLANNING ISSUES

There are no new planning issues in relation to this change; the above submission from Iarnród Éireann advises that they have no further comment on the change.

It has been suggested by members of Midleton Town Council during their deliberations on the proposed changes to the draft plan that rather than state the 'construction' of phase 1 of the northern relief road, that it should state the 'completion' of phase 1 of the northern relief road.

This section of the road has to be in operation before the opening of the railway and in addressing traffic management issues that may arise in the future. In this regard, the suggested modification is proposed as follows:

- The ~~construction~~ **completion** of phase 1 of the northern relief route from Cork Road to Mill Road to coincide with the opening of the new railway service;

MANAGER'S RECOMMENDATION:

MODIFY THE PROPOSED CHANGE

NOTE: THIS CHANGE REFERS TO THE TEXT OF THE PLAN ONLY.

PROPOSED CHANGE NO. MDN SLAP 5.1

REFERENCE TO RECREATION POLICY

PROPOSED CHANGE

It is proposed to make a modification to the Draft Plan by deleting paragraphs 5.6.8 – 5.6.13 and Figure 5.3 ‘Quantity and Type of Leisure Facilities Required in New Residential Areas’.

National Policy is set out in ‘A Policy for the Provision and Maintenance of Parks, Open Spaces, and Outdoor Areas by Local Authorities’ (Department of the Environment, 1987). Although not mandatory, this recommends the following open space standard for urban areas:

- ~~Local Park of 2 ha (min) open space per 1,000 population; and~~
- ~~Neighbourhood Park of 16 ha and two Local Parks per 10,000 population.~~

‘Neighbourhood Parks’ should be capable of including:

- ~~Up to six football pitches;~~
- ~~Up to 10 tennis courts;~~
- ~~Up to two netball/basketball courts;~~
- ~~Up to two golf putting greens;~~
- ~~One children’s play lot;~~
- ~~One athletic facility; and~~
- ~~Car parking.~~

In 1999, Cork County and City Councils commissioned a joint ‘Recreational Needs Report’. The main aim of this report is to identify a joint strategy to cater for the active recreation needs of the Study Area’s¹ population.

The report outlines the importance of identifying land suitable for future sports development and designating or zoning that land for sports purposes. The report also notes that a number of Scottish authorities are encouraging the provision of sports facilities back into the town centre, ‘in order to maintain the mixed character and community function of town centres as well as making facilities more accessible for day-time use and more accessibly by public transport, thus reducing car dependency.’

The main findings of the report are included as objectives in the County Development Plan 2003. The report also outlines a series of minimum standard for leisure facilities. These standards should be flexibly applied and account taken of the extent that they may be provided elsewhere in the area by means of a development levy.

Figure 5.3: Quantity and Type of Leisure Facilities required in New Residential Areas	
Site Capacity (No. of Dwellings)	Minimum quantity and type of leisure facilities required
25 or over	Open space 2.4 ha per 1,000 people. (A minimum of 0.25 hectare must be provided.)
100-199	<u>Public open space to include:</u> a Neighbourhood Play Area.
200-499	<u>Equipped public open space to include:</u> 1 full size grass sports pitch; 1 Local Play area; 1 court multi-use games area with Community

¹ The ‘Study Area’ or the ‘Model Area’ defined in the report is the same extended boundary as used in LUTS (1978) and the LUTS Review (1992) and includes the built up area of Midleton and Midleton Town.

Midleton Draft Special Local Area Plan

	Association / Club Movement.
500-599	<p><u>Public open space to include:</u> 1 full size grass sports pitch; 1 District Play Area or 1 Local Play Area and additional Neighbourhood Play areas; 1 court multi-use games area; 2 tennis courts; 1 community / leisure building including full size badminton / basketball court with community association / club movement.</p>
600 +	<p><u>Equipped public open space to include:</u> 2 full size grass sports pitches; 1 District Play Area or 1 Local Play Area and additional Neighbourhood Play areas; 1 court multi-use games area; 2 tennis courts; 1 community / leisure building including full size badminton / basketball court with community association / club movement.</p>
1,000	<p><u>Equipped public open space to include:</u> 2 full size grass sports pitches; 1 District Play Area or 1 Local Play Area and additional Neighbourhood Play areas; 1 court multi-use games area; 2 tennis courts; 1 community / leisure building including full size badminton / basketball court with community association / club movement.</p>

If the scale of population growth suggested by CASP for Midleton is achieved, this will have a direct effect on the amount of sports and leisure facilities needed for the area. It is anticipated that in addition to the open space, sports and recreation amenity to be provided in accordance with the residential proposals, it will also be necessary to accommodate a large site, within close proximity to the town centre for a range of facilities.

and adding the following paragraph:

‘Chapter 6, Section 6.4 of Volume 1 to the County Development Plan 2003 sets out the policy framework for the provision of leisure facilities in the county and is applicable to the policies and objectives of this plan.’

RELEVANT SUBMISSIONS RECEIVED

None							

PLANNING ISSUES

There are no new planning issues in relation to this change.

MANAGER'S RECOMMENDATION:***ACCEPT THE PROPOSED CHANGE AS PUBLISHED***

NOTE: THIS CHANGE REFERS TO THE TEXT OF THE PLAN ONLY.

PROPOSED CHANGE NO. MDN SLAP 6.1**NEW TEXT FOR LAND WEST OF MILL ROAD****PROPOSED CHANGE**

It is proposed to make a modification to the Draft Plan by deleting section 6.3 (including Figure 6.1 Land West of Mill Road):

'Land West of Mill Road

This is of particular significance to the implementation of a rail-led development strategy in Midleton because of its location close to the existing station site and immediately adjoining the railway route as it approaches the town. It is the subject of a series of detailed submissions by Blackpool Developments who suggest that the area could be suitable as the location for the town's railway station, a major shopping centre, office development and new residential development (see submissions: 67, 133 & 1036).

Issues regarding the suitability of the site as the location for the town's railway station have already been discussed in Section 4 of this plan. However, whether or not the new station is located here, this site, because of its location close to the railway line, will have an important role to play in the development of the station hinterland.

The site to the west of Mill Road comprises about 13.7 ha. About $\frac{2}{3}$ of the site lies to the west of the Owenacurra River and is largely undeveloped except for the remains of a redundant effluent treatment plant. The remainder of the site is to the east of the Owenacurra River and is largely developed for industry. The eastern boundary of the site has a 400m frontage to Mill Road and the southern boundary adjoins the railway line on both sides of the river.

The site is bisected on an east – west axis by the route of the proposed northern relief road. The construction of this road is likely to necessitate the demolition of a number of the existing industrial buildings to the east of the Owenacurra River and will, in effect divide this site into two.

The Owenacurra River forms part of the northern boundary to the site before flowing south through its centre. The presence of the river raises two issues;

- *To what extent is the land on either side of it susceptible to inundation by floodwater?*
- *Can land located within the river's natural flood plain be utilised for development without increasing the risk of flooding downstream of the site, particularly near the town centre, in storm or adverse tidal conditions?*

The presence of the river also offers opportunities for the development an amenity corridor through the site in the form of a linear park.

Because of its proximity to both the railway line and the possible station locations, it is important that the development strategy for this site should promote a mix of land uses that maximise its potential to be either the origin or destination of journeys with a rail component. The most important use in this respect is housing and the northern part of the site, beyond the proposed relief road. Here, there is potential to accommodate relatively high densities in an attractive setting created by the river corridor that encloses the site on two sides.

To the south of the proposed relief road, in addition to the possibility of accommodating the station itself, there is also significant potential for housing. The proximity of both the new road and the railway line itself may give rise to less attractive environmental conditions than found further north, but with a sensitive approach to design, maximising the potential afforded by the River Owenacurra, and the use of high densities it should be possible to secure a high quality environment for residents.

Office development, or possibly a hotel, could also be considered on those parts of the site that are located closest to the new railway station. If this option is chosen, care should be taken to ensure that a sufficiently high employment density is achieved to represent the best use of this strategic site and that office workers not travelling by train do not compete with rail travellers for parking spaces.

Major shopping development, although a possibility on this site only if it is selected as the location for the new station, could bring with it significant disadvantages:

- *Excessive traffic congestion, particularly in peak periods;*
- *Adverse impacts on the vitality and viability of the established town centre as the primary location for new retail development;*

- ~~Unnecessary competition between shoppers and rail travellers for parking spaces; and~~
- ~~A reduction in the incentive for retail development to act as an engine for urban renewal within the established town centre.~~

and adding the following paragraphs:

- (a) 'In the Draft Plan, this area west of Mill Road was given consideration as a possible alternative location for the new railway station but is no longer considered suitable for that use.

The eastern bank of the Owenacurra River is occupied by a timber building products manufacturing company and a former treatment plant and open meadows occupy the western bank. The area will be bisected from west to east by the first phase of the proposed Northern Relief Road.

The area is at a sensitive location in the Owenacurra River. The area upstream of the Avoncore bridge functions as a floodplain protecting the town centre area downstream from inundation by floodwaters in storm conditions. The bridges in this vicinity serve to regulate the flow of floodwater and they themselves contribute to the protection of the town centre.

It is therefore important that any development of this area should not reduce the capacity or effectiveness of the floodplain. The recent study undertaken by the Town and County Councils suggest that river levels upstream of the Avoncore Bridge could rise to over 9.5 m OD in future storm conditions.

Providing these considerations are taken into account, the proximity of the area to both the new railway station and the town centre, create the potential for high density development predominantly residential but perhaps with a mix of other suitable uses (e.g. offices or small scale retail on the Mill Road frontage.)

These areas that form part of the river floodplain must remain free of built development.'

- (b) Include a new objective for special use zoning to create the potential for high-density development predominantly residential, office or small-scale retail onto Mill Road.
- (c) This will also require a change in the corresponding maps including the zoning map.

RELEVANT SUBMISSIONS RECEIVED

9286							

PLANNING ISSUES

This submission proposes that a wider range of uses should be accommodated on this land to the west of Mill Road, including commercial and larger scale retail development. It is further argued that the plan should outline how the station can perform an important role as the gateway to the town.

This site, considered as a possible location for the town's new railway station in the draft plan, is presently part of an established industrial area. In the future it will adjoin the Northern Relief Road at its junction with Mill Road and is close to the preferred location for the railway station off Railway Street.

The revised objective for this site put forward in this change suggests that a mix of uses (predominantly residential, office or small-scale retail onto Mill Road) will be appropriate in the future. This location is not considered suitable for large retail developments for the reasons given in section 5.5 of the draft plan. The Governments' Retail Planning Guidelines, the Cork Strategic Retail Study and the draft Special Local Area Plan all suggest that town centres should be the preferred location for major new retail development.

Midleton Draft Special Local Area Plan

MANAGER'S RECOMMENDATION:

ACCEPT THE PROPOSED CHANGE AS PUBLISHED

NOTE: THIS CHANGE REFERS TO BOTH THE TEXT OF THE PLAN, TO FIGURE 6.1, AND TO THE ZONING MAP

PROPOSED CHANGE NO. MDN SLAP 6.2

DELETE REFERENCES TO INFORMAL SUBMISSIONS

PROPOSED CHANGE

It is proposed to make a modification to the Draft Plan by deleting part of paragraph 6.6.3:

~~'Although one submission received suggests that there may be some capacity for further development in the village (131) while three others (126, 1006 & 1008) make a strong case in favour of restraint.'~~

RELEVANT SUBMISSIONS RECEIVED

None							

PLANNING ISSUES

There are no new planning issues in relation to this change.

MANAGER'S RECOMMENDATION:

ACCEPT THE PROPOSED CHANGE AS PUBLISHED

NOTE: THIS CHANGE REFERS TO THE TEXT OF THE PLAN ONLY.

PROPOSED CHANGE NO. MDN SLAP 7.1**NEW TEXT ON THE RAIL ROUTE AND NEW STATION****PROPOSED CHANGE**

It is proposed to make a modification to the Draft Plan by deleting paragraphs 7.2.1 – 7.2.10 inclusive and objectives TRA 7-1 and TRA 7-2;

'The New Railway Station'***Location***

Section 4 of this plan outlines the planning considerations associated with the two principal options for the location of the new railway station in Midleton:

- ~~The existing station site; and~~
- ~~Land west of Mill Road.~~

~~Iarnród Éireann are conducting their own assessment of each location from an operational perspective. In planning terms, the question of which of these two possible station locations is to be preferred is finely balanced and the views of Iarnród Éireann on the relative merits of each location from an operational perspective are an important consideration. Land ownership, traffic congestion, access, residential amenity and the need to protect the flood plain are amongst the other issues that need to be taken into account before a clear preference can be expressed.~~

~~So that the public, community groups and others can have an opportunity to express their views, this draft plan sets out alternative proposals for each of the potential station locations. At the end of the plan's public consultation period and when Iarnród Éireann have completed their own assessment of both locations the County and Town Councils intend to amend the draft plan, taking all the relevant considerations into account, to make clear the preferred location for the new station.~~

Specification

~~So far as the design of the new station itself is concerned, the Cork Suburban Rail Feasibility Study suggested that the new station on the line to Midleton should, generally, be based on designs adopted for the Maynooth line west of Dublin.~~

~~Iarnród Éireann are presently carrying out their own assessment of passenger requirements for the Midleton route but preliminary indications suggest that a generally simple and straight forward approach to station layout and design will be appropriate for the Midleton route. The design principles are likely to include the following:~~

- ~~Track layout designed to require the minimum of signalling consistent with the highest standards of passenger safety and efficient train operation;~~
- ~~Where possible, reduce/eliminate level crossings;~~
- ~~Facilitate the future extension of train services to Youghal;~~
- ~~Safe & convenient access to stations for pedestrians, cyclists, busses and private cars;~~
- ~~Reduce/eliminate requirements for permanent staff at stations;~~
- ~~Good quality/low maintenance buildings for passenger comfort;~~
- ~~Automated facilities to allow easy access to platforms and trains;~~
- ~~Dedicated car parking spaces (up to 550 in Midleton), on a phased basis, with good access to platforms;~~
- ~~Dedicated set down/pick up ("kiss-and-ride") area in all station forecourts.~~

~~In Midleton, the new station is likely to become the focus of the town's transportation system. Its development will result in considerable demand for car and bus journeys both from within the town and from outlying areas. In addition, this plan aims to encourage a greater proportion of new development, particularly housing and offices to locate near the station so that a greater number of journeys can either begin or end by walking or cycling to or from the station. Therefore, a high priority must be given to facilitating safe and convenient access to the station buildings for, pedestrians, cyclists, busses and private cars.~~

Objective No.	New Railway Station
	<ul style="list-style-type: none"> • Dedicated set-down/pick-up (“kiss-and-ride”) area in all station forecourts.

amending the existing text and adding the following paragraph and objectives:

The New Rail Route

Procedural Issues

Iarnród Éireann have indicated that they intend to apply to the Minister for Transport for a ‘Railway Order’ under section 37 of the Transport (Railway Infrastructure) Act, 2001. It is a requirement of the Act that an Environmental Impact Statement accompany the application. The public are allowed to inspect the application and make submissions to the Minister in regard to it. Before approving the application the Minister is required to arrange for a Public Inquiry into the proposed Railway Order.

When the Minister has granted the Railway Order then the railway works that it referred to are ‘exempted development’ for the purposes of the Planning and Development Acts. The order may specify any land or other property rights, the acquisition of which is considered necessary for the implementation of the order.

The New Station

Iarnród Éireann have already carried out preliminary design work for the new railway and envisage that the existing station buildings which are included in the record of protected structures will be retained and refurbished. The Environmental Impact Statement that will accompany their application for a Railway Order will include a detailed traffic assessment in relation to the proposal and, in discussion with the Town and County Councils this will identify the scale and nature of any localised improvements necessary to the Station approaches. Provision will be made at the new station to provide access for busses at the outset although Bus Éireann have indicated that they do not need conventional requirements for bus services at the station until the Northern Relief Road is completed.

Up to 550 car parking spaces are required and to assist in the management of traffic in the area these should be provided in two areas, one to the north and one to the south of the station.

Objective No.	New Railway Station
TRA 7-1	<p>Location</p> <p>It is an objective of this plan to secure the timely provision of a new railway station to serve the town at the existing station site off Railway Street.</p>
TRA 7-2	<p>Design Principles</p> <p>The new railway station will be designed according to the following principles:</p> <ul style="list-style-type: none"> • <i>Track layout designed to require the minimum of signalling consistent with the highest standards of passenger safety and efficient train operation;</i> • <i>Where possible, reduce/eliminate level crossings;</i> • <i>Facilitate the future extension of train services to Youghal;</i> • <i>Safe & convenient access to stations for pedestrians, cyclists, busses and private cars</i> • <i>Reduce/eliminate requirements for permanent staff at stations;</i> • <i>Good quality/low maintenance buildings for passenger comfort;</i> • <i>Automated facilities to allow easy access to platforms and trains;</i> • <i>Dedicated car parking spaces (up to 550 in Midleton), on a phased basis, and provided to both</i>

Objective No.	<u>New Railway Station</u>
	<p><i>the north and south of the station site with good access to platforms;</i></p> <ul style="list-style-type: none"> • <i>Dedicated set-down/pick-up (“kiss-and-ride”) area in station forecourts.</i>

RELEVANT SUBMISSIONS RECEIVED

9286	9477	9150					

PLANNING ISSUES

Submissions 9286 & 9477 do not favour this proposed change suggesting that land to the west of Mill Road would be a preferable location for the new railway station. One claims that the decision to favour the existing station site is premature, until the outcome of the ‘Railway Order’ procedure is known. However this view is not accepted and no other new issues are raised in the submission.

Iarnród Éireann (9150) have considered the merits of both of these alternative sites and have indicated in a submission made with regard to the draft plan that they strongly favour the existing station site and in relation to this change they have not sought any further modification.

MANAGER’S RECOMMENDATION:

ACCEPT THE PROPOSED CHANGE AS PUBLISHED

NOTE: THIS CHANGE REFERS TO BOTH THE TEXT OF THE PLAN AND TO THE ZONING MAP FOR THE SETTLEMENT.

NOTE: THIS CHANGE IS ALSO RELEVANT TO THE PROPOSED VARIATION TO THE MIDLETON DEVELOPMENT PLAN 2003.

PROPOSED CHANGE NO. MDN SLAP 7.2**NEW TEXT REGARDING LEVEL CROSSINGS****PROPOSED CHANGE**

It is proposed to make a modification to the Draft Plan by deleting the following text;

~~'Also, in the longer term, preliminary indications suggest that the Mill Road level crossing, as the town grows, will have become a major source of traffic congestion and it will be necessary to provide an alternative route for traffic so that the crossing can be closed. The two main options for this are:~~

- ~~• Replace the level crossing with a fly-over bridge; or~~
- ~~• Construct a new route diverting Mill Road through the redeveloped GAA grounds passing to the east of the existing station to link with the proposed northern relief road.~~

The replacement of the level crossing with a fly-over bridge will have a serious impact on the generally attractive character of this part of Mill Road and for this reason, at this stage, is not favoured. The second alternative, diverting Mill Road through the GAA grounds relies on acceptable proposals for the major redevelopment of this area coming forward and, if the railway is ultimately to be extended to Youghal, may also require a bridged crossing of the railway east of the existing station.

Option B – Land West of Mill Road

~~The alternative option for the construction of the new railway station is on land to the north of the railway line, west of Mill Road. This area is currently used for the manufacture of timber frames and roof trusses used in the house building industry.~~

~~The principal advantages of this site are that:~~

- ~~• It will not be necessary for the railway to cross Mill Road until such time as it is extended to Youghal; and~~
- ~~• The site would adjoin both Mill Road and the southern side of the proposed first phase of the northern relief road enabling the vehicular access to be provided in accordance with modern standards.~~

~~The land necessary for the construction of a station and other necessary facilities here is not in the ownership of Iarnród Éireann. In order to ensure that the new facilities were provided by the projected opening date for the new rail service it would be likely that the land would need to be acquired through the use of a compulsory purchase order.~~

~~The principal access to the site for busses and cars should be from the proposed northern relief road. Pedestrian and cycle access could also be provided direct from Mill Road to allow the shortest route to and from the town centre.¹~~

and adding the following paragraphs and new objective;

Level Crossings

There are a total of five level crossings either within the town of Midleton or on the western approach to it;

Ballyrichard;

Waterock;

Knockgriffin (private);

Kennel Road (private);

Mill Road.

Iarnród Éireann are concerned to eliminate as many of these crossings as possible particularly on grounds of the safety threat that they pose to both railway users and to the public.

At Ballyrichard a narrow rural road links a small group of houses north of the railway with the N25 south of the railway. It is proposed to eliminate this level crossing entirely and construct a new road linking the small group of houses north of the railway directly to the Waterrock Road.

At Waterrock the County Road is narrow and links the N25 to the south of the railway with a number of individual dwellings and a commercial property that front the Waterrock Road north of the crossing. The road also serves a golf club and provides a secondary route from the N25 to the Ballyedmond area north of Midleton.

It is proposed to replace this crossing with an over-bridge and connecting roads to be constructed to the east of the level crossing broadly in line with proposed arrangement shown in figure 8.3.

At Knockgriffin there is a private level crossing providing access from the meat products factory to an effluent treatment factory south of the railway. The proposed overbridge at Waterrock will eliminate the need for this crossing.

At Kennel Road, the County Road stops on the southern side of the railway line and a private level crossing provides access to the industrial area to the north. The construction of the proposed northern relief road prior to the opening of the new railway service will facilitate the closure of this crossing.

At Mill Road, it has proved impossible to develop a practical alternative to the level crossing and therefore it is proposed to implement a series of mitigating measures to assist in the management of traffic nearby.

Objective No.	<u>Level Crossing Replacement</u>
TRA 7-1	It is an objective of this plan to secure the elimination of the following level crossings on safety grounds; Ballyrichard – New Road link to Waterrock Road. Waterrock – New Road links and over bridge to east Knockgriffin – Access road to Waterrock Road Bridge Kennel Road – Construction of Phase 1 of the Northern Relief Road

Note: A figure diagram will be inserted into the final plan indicating these level crossing points

RELEVANT SUBMISSIONS RECEIVED

None							

PLANNING ISSUES

There are no new planning issues in relation to this change

MANAGER’S RECOMMENDATION:

ACCEPT THE PROPOSED CHANGE AS PUBLISHED

NOTE: THIS CHANGE REFERS TO THE TEXT OF THE PLAN ONLY.

PROPOSED CHANGE NO. MDN SLAP 7.3

NEW TEXT ON THE NORTHERN RELIEF ROAD

PROPOSED CHANGE

It is proposed to make a modification to of the Draft Plan by deleting paragraphs 7.5.8-7.5.12;

~~Preliminary indications suggest that the scale, nature and location of the development proposed in this plan will necessitate the construction of a second orbital route, linking the N25 to Mill Road, to follow an alignment “further out” than the northern relief road. The requirement for this route arises directly as a result of the new development planned for the town and therefore, its’ construction will be carried out in phases by the developer of adjoining land. It will involve the construction of a new bridge over the railway line near Waterrock Road and revisions to the interchange with the N25 west of the town. Land will be reserved near this route to facilitate the possible construction of a second station to serve what will become the western suburbs of the town.~~

~~Direct access will not be permitted from individual properties to either this route or the northern relief route.~~

Mill Road

~~The growth in population, housing and jobs that is planned for Midleton will, together with the proposed railway station, bring significant volumes of traffic to Mill Road. The County Council has commissioned a traffic model of the area, based on development proposed in this plan, and the indications are that the reinstatement of the railway level crossing will cause serious congestion in the years to come.~~

~~During the early years of the plan, the level crossing will operate satisfactorily but provision will need to be made for either:~~

~~The diversion of Mill Road onto a new alignment east of the station, linking with the northern relief road; or~~

~~The construction of a bridge to carry Mill Road over the railway line.~~

~~These options are being made the subject of a preliminary assessment and it is envisaged that proposals for the preferred option will be included in this plan at the amendment stage.~~

adding the following paragraph:

‘Preliminary indications suggest that the scale, nature and location of the development proposed in this plan will necessitate the construction of a second orbital route, linking the N25 to Mill Road, to follow an alignment “further out” than the northern relief road. The requirement for this route arises directly as a result of the new development planned for the town and therefore, its’ construction will either be carried out in phases by the developer of adjoining land or as a special contribution levied at the planning stage. It will involve the construction of a new bridge over the railway line near Waterrock Road and revisions to the interchange with the N25 west of the town. It is envisaged that Iarnród Éireann will now construct this bridge as part of their proposals to eliminate the Waterrock level crossing. Additional expenses in ensuring that this bridge is of a sufficient capacity to accommodate a road of the appropriate standard will be levied as special contribution from the developers of adjoining land.

In order to facilitate the development of this area once the rail line is opened, consideration will be given to the construction of a link road connecting the southern side of this bridge with the northern relief road as shown in Fig 8.3. This link could be constructed by the developers of nearby land or if it can be the subject of a special contribution by the County Council.

Land will be reserved near this route to facilitate the possible construction of a second station to serve what will become the western suburbs of the town.

Direct access will not be permitted from individual properties to either this route or the northern relief route.’

RELEVANT SUBMISSIONS RECEIVED

9477							
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PLANNING ISSUES

This submission seeks greater priority for the construction of a link road connecting the southern side of the proposed bridge near Waterock Road with the northern relief road as shown in Fig 8.3 (paragraph 2 of the proposed change). It is argued that this link is needed before the opening of the railway and in any event, it is needed generally to facilitate effective traffic management in Midleton and therefore the special contribution should be levied on an equitable basis.

It is considered that there is some merit in this argument, as the early completion of this road will assist the implementation of some of the plan's most significant proposals. Although the question of funding is not considered to be directly relevant to the Special Local Area Plan, it is proposed to modify the proposed change to better reflect the importance that is attached to the completion of this link road as follows:

"In order to facilitate the development of this area once the rail line is opened, **high priority** will be given to the construction of a link road connecting the southern side of this bridge with the northern relief road as shown in Fig 8.3. This link could be constructed by the developers of nearby land or by Cork County Council. Consideration will be given to the application of Special Contributions, under section 48 of the Acts, from relevant developers to assist the completion of the link "

MANAGER'S RECOMMENDATION:***MODIFY THE PROPOSED CHANGE***

NOTE: THIS CHANGE REFERS TO BOTH THE TEXT OF THE PLAN AND TO THE ZONING MAP FOR THE SETTLEMENT.

PROPOSED CHANGE NO. MDN SLAP TC 8.1

PROPOSED DEVELOPMENT OF RIVERSIDE WAY

PROPOSED CHANGE

(a) It is proposed to make a modification to the Draft Plan by deleting the existing text

It is considered that several of the opportunities for mixed use redevelopment, including new housing, in Midleton town centre may occur in the future but the main proposals are likely to focus on:

- ~~The completion of Market Green and Waters Edge developments; and~~
- ~~Redevelopment of:~~
 - ~~Sites along Riverside Way;~~
 - ~~Cuddigan’s Yard;~~
 - ~~Eircom/Chadwick’s site; and~~
 - ~~Atkin’s site~~

and adding the following paragraphs:

It is considered that several of the opportunities for mixed use redevelopment, including new housing, in Midleton town centre may occur in the future but the main proposals are likely to focus on:

- *The completion of Market Green and Waters Edge developments; and*
- *Redevelopment of:*
 - *Sites along Riverside Way;*
 - *Cuddigan’s Yard;*
 - *ESB;*
 - *Chadwick’s site; and*
 - *Atkin’s site.*

‘Midleton Town Council intend to commission consultants to prepare a three dimensional study for the future development of the area shown in figure 8.2. It is anticipated that this study will be used as a means of evaluating development proposals when agreed by the Town Council.’

(b) It is also proposed to make a modification to figure 8.2 to revise the indicative framework building line on the southern side of Thomas Street.

RELEVANT SUBMISSIONS RECEIVED

None							

PLANNING ISSUES

There are no new planning issues in relation to this change.

MANAGER'S RECOMMENDATION:***ACCEPT THE PROPOSED CHANGE AS PUBLISHED***

NOTE: THIS CHANGE REFERS TO BOTH THE TEXT OF THE PLAN AND TO FIGURE 8.2 IN THE PLAN (SEE BELOW)

NOTE: THIS CHANGE IS ALSO RELEVANT TO THE PROPOSED VARIATION TO THE MIDLETON DEVELOPMENT PLAN 2003.

PROPOSED CHANGE NO. MDN SLAP CC 8.2

SITE SPECIFIC PROPOSALS – WATEROCK – (TEXT)

PROPOSED CHANGE

(a) It is proposed to make a modification to Section 8 of the draft plan by adding additional text before paragraph 8.4.5:

‘Land Uses & Urban Design

The public consultation draft of this plan set out detailed proposals for a total of five development phases for the new residential neighbourhood proposed at Waterock and a variety of submissions were received. The concept of phasing was generally welcomed but a number of landowners and developers felt that the detailed approach taken in the draft plan could be unnecessarily prescriptive.

It is considered that one of the key principles for the development of this area is to secure comprehensive proposals at the outset so that the development as a whole can be planned as a single entity together with its’ physical and social infrastructure. Therefore, whilst this plan facilitates many of the proposals put forward in submissions, the plan’s objectives for the site seek the provision of a master plan before individual proposals can commence. It is envisaged that developers and landowners will play a key role in the preparation of the master plan and they will be expected to consult with the public before it is submitted to the Council for approval.

The objective for the site provides for a master plan for the development to be prepared at the outset and must also include clear unambiguous proposals for the phasing of the development and the timing of provision for all its supporting physical and social infrastructure.

Provision is made in this plan for the construction of about 2,000 new dwellings and a variety of other elements that make up this mixed-use proposal including schools, a new distributor road network, footpaths and cycle ways, shops, a church and community buildings, open space and leisure and recreation facilities. Land is also to be set aside to facilitate the construction of a second railway station if it is considered appropriate in the future.

The master plan will provide for the construction of the proposed new housing at a wide range of densities with higher densities located close to the proposed new railway station and the neighbourhood centre and lower density development in the north and east where the northern and eastern boundaries of the site adjoin the Metropolitan Cork Green Belt. The master plan will need to ensure that a wide variety of house types and sizes are provided in a way that would be attractive to people from all walks of life.

Neighbourhood Centre & Community Facilities

The proposed neighbourhood centre will consist of convenience shops (including a modest sized supermarket), a primary school and post-primary educational campus, a new church and cemetery, a community hall and sports, leisure and recreation facilities and the proposed master plan will make clear and unambiguous proposals to secure the timely provision of each of its elements.

The timely provision of primary schools is considered to be one of the most important building blocks of a new community. The development should be phased so that the primary schools are provided progressively, in parallel with the development of new housing. Developers will be required to construct the school buildings as part of the development of adjoining or nearby land (as indicated in the master plan) and to make these buildings available to the appropriate education provider on terms that mirror the approach taken with regard to social and affordable housing.

Transportation

The proposed master plan will include provision for the construction of a new distributor road network linking the proposed northern relief route with the Mill Road near Broomfield, and the new railway bridge proposed as a replacement for the Waterrock level crossing in the south western part of the site. These roads will be capable of accommodating public transport.

In addition, a separate network of walkways and cycleways will be provided to link the principal residential areas with the neighbourhood centre, the schools, the railway station and the town centre. The layout and design of these routes will give priority to public safety and amenity considerations.

Open Space, Recreation and Landscape and Conservation

The master plan will provide comprehensive proposals for the design and layout of the floodplain of the River Owenacurra as a linear park to provide informal open space and playing pitches. It will be a minimum requirement of the proposals for this area that they should maintain its' flood storage capacity at current levels. Wherever possible, the proposals for the area should include measures that will serve to increase the flood storage capacity of the area as a whole.

The linear park itself, to include land on both banks of the river's main channel, will form an attractive corridor for pedestrian and cycle routes as well as providing new sports pitches to meet the need of the towns growing population.

The master plan will also include proposals for structural landscaping to the northern and western site boundaries to protect the setting of both the golf course and existing rural properties along Waterrock Road and to provide a long-term edge to the built up area of the town.

A Habitat Management Plan to include a detailed assessment of both Heritage and Landscape Issues will need to be carried out for the entire site and included in the master plan.

Phasing & Co-ordination

The public consultation draft of this plan set out detailed proposals for a total of five development phases for the new residential neighbourhood proposed at Waterrock and a variety of submissions were received. The concept of phasing was generally welcomed but a number of landowners and developers felt that the detailed approach taken in the draft plan could be unnecessarily prescriptive.

It is considered that one of the key principles for the development of this area is to secure comprehensive proposals at the outset so that the development as a whole can be planned as a single entity together with its' physical and social infrastructure. At the same time, there is recognition of the need to allow the development industry sufficient flexibility within the planning framework for the development to meet changes in market and other conditions that may arise during the lifetime of the development.

Therefore this plans' proposals are based on the submission of a comprehensive master plan for the site as whole to be prepared by landowners or developers acting individually or jointly who will be expected to consult with the public before submitting their proposals to the council for approval either in the form of an application for outline planning permission or by other formal means. Once the master plan has been approved by the Council it will be used as the basis to regulate the granting of planning permission for the constituent elements of the development.

The master plan for the development must also include clear and unambiguous proposals for the phasing of the development and the timing of provision for all its' supporting physical and social infrastructure. In the draft plan it was envisaged that development would commence in the southeastern corner of the site, adjoining the northern ring road. A number of submissions sought flexibility to allow development to begin in other locations, particularly the southwestern part of the site near Waterrock Road. There is also known to be pressure to allow development to commence independently in the northern part of the site off Mill Road.

In principal, the commencement of development in up to three locations could be acceptable providing that the single Masterplan and phasing proposals ensure its' proper co-ordination. Indeed, the more rapid rate of development that would result from such an approach could hasten the provision of key infrastructure and community facilities. However, care needs to be taken to ensure that this approach would not have an adverse effect on those living or working

Midleton Draft Special Local Area Plan

close to the approach routes to the site. In this respect, Waterock Road is particularly sensitive and is considered unsuitable as an access road to the development. Development in this part of the site should not commence until such time as the new bridge proposed as a replacement for the level crossing has been provided and connected directly to the proposed northern ring road.'

(b) It is proposed to make a change to the draft plan by deleting the following:

- (i) Modify the indicative proposal for Waterock to reflect this change in the final plan;
- (ii) Paragraphs 8.4.5 to 8.4.29 (inclusive); and
- (iii) Figures 8.4 to 8.8 (inclusive).

RELEVANT SUBMISSIONS RECEIVED

9477	9366						

PLANNING ISSUES

The summary of this submission 9477 sets out a number of detailed proposals for the further modification of this change. Amongst the most significant is the proposal to increase the overall number of dwellings to 2,500 as a consequential modification that will arise if proposed change MDN SLAP CC 11.8 is adopted by the Council.

As part of a wider group of landowners, the operator of a meat processing plant within an established industrial area to the south has sought an indication in the plan regarding the future approach to the redevelopment of its own operational land should the existing uses cease within the lifetime of the plan.

Other issues raised including the phasing (or modularisation), scale and location of neighbourhood facilities, cemetery and landscaping are issues considered best resolved at the master plan stage.

If the Council accept proposed change MDN SLAP CC 11.8 then it is clearly appropriate to modify this change accordingly. With regard to the issue of the existing meat processing plant to the south, this land is within the existing development boundary for Midleton and any future proposal for its development would normally be considered on its merits. Therefore no further modification to the plan is considered necessary.

Submission 9366 requests that the indicative illustration of the proposals for Waterock be deleted from the plan so that it should be interpreted prescriptively. Rather than follow this course of action, it is suggested that the additional text be included in the plan before its publication re-enforcing the indicative status of this illustration.

It is proposed to make a change to draft plan by ~~deleting the following~~:

- (iv) **Modifying** the indicative proposal for Waterock to reflect this change ~~in the final plan~~ **(in this regard, see indicative proposal for Waterock on next page)**
- (v) **Deleting** paragraphs 8.4.5 to 8.4.29 (inclusive); and
- (vi) **Deleting** figures 8.4 to 8.8 (inclusive).

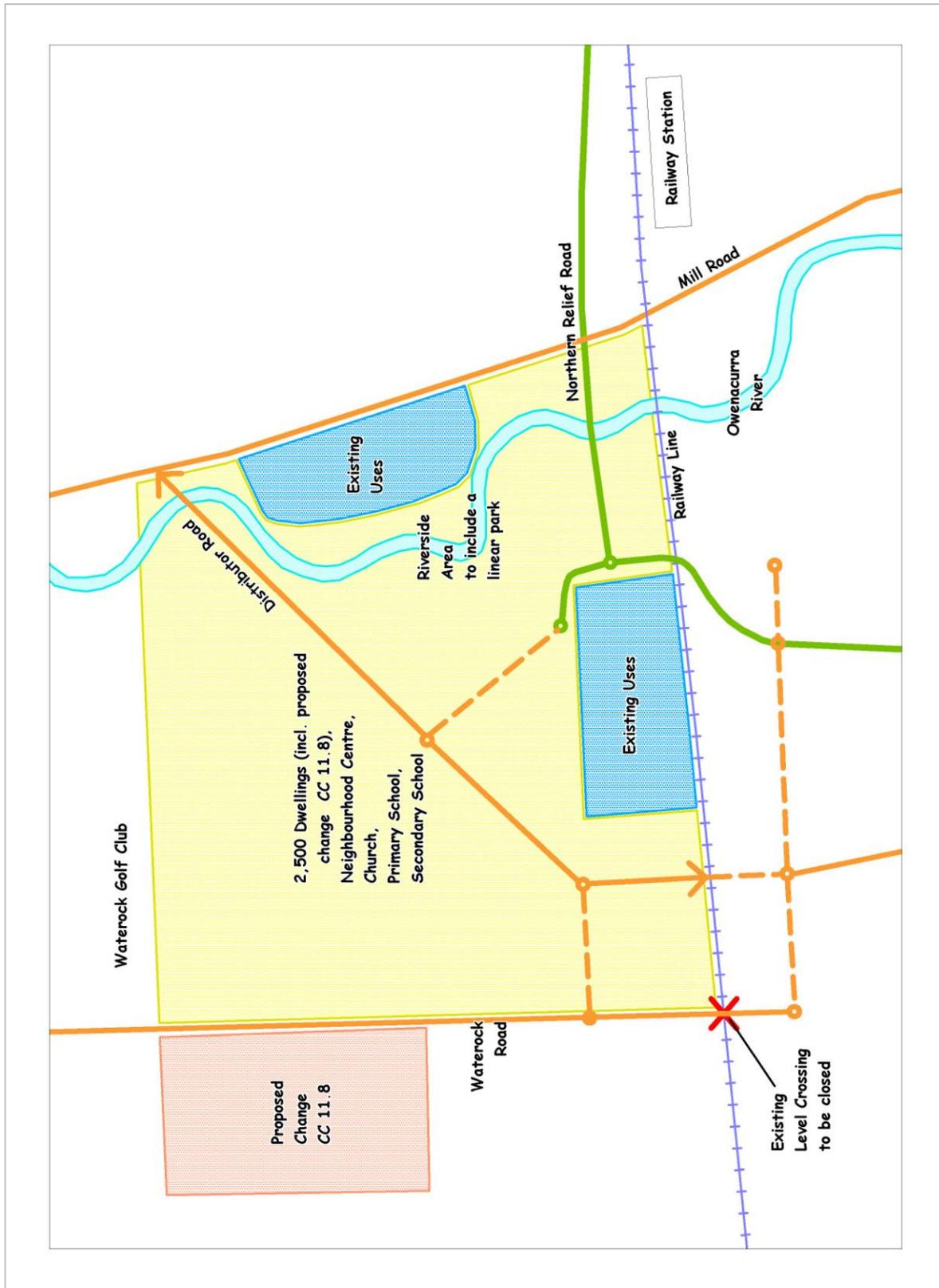
MANAGER'S RECOMMENDATION:

MODIFY THE PROPOSED CHANGE providing the Manager's recommendation with regard to proposed change MDN SLAP CC 11.8 is adopted.

NOTE: THIS CHANGE REFERS TO THE TEXT OF THE PLAN ONLY.

NOTE: THIS CHANGE IS ALSO RELEVANT TO THE PROPOSED LOCAL AREA PLAN AND SPECIAL LOCAL AREA PLAN ENABLING VARIATION TO THE CORK COUNTY DEVELOPMENT PLAN 2003.

Indicative Proposal for Waterrock



PROPOSED CHANGE NO. MDN SLAP CC 8.3**SITE SPECIFIC PROPOSALS – WATEROCK – (OBJECTIVE)****PROPOSED CHANGE**

It is proposed to make a modification to section 8, Objective HOU 8-4 of the draft plan by amending the existing text as follows:

(a) 'Housing and Community Facilities - Proposed Development at Waterock

The County Council consider that the area to which this objective relates is an appropriate location for a major expansion of the town that is required in order to achieve the scale of growth suggested in the Cork Area Strategic Plan.

It is the Councils' objective to secure the development of about 2,000 new dwellings on this site through a phased programme of development that will secure the timely provision of the necessary physical, social and economic infrastructure. So that the development of this land can be properly co-ordinated, it will only be in accordance with a master plan for the area to which this objective relates that has been approved by the County Council. The master plan may be prepared by a single developer or landowner or by a group of developers or landowners acting jointly. Taking into account the physical characteristics of the site and the proper planning and sustainable development of the area, the Master Plan may also include appropriate provision to secure the equitable distribution of built development.

The master plan will pay particular attention to:

- The steps taken by the developers and landowners preparing the Masterplan to consult with other landowners and residents in the area generally;
- The provision of clear and unambiguous proposals for the timing and construction of all the elements of the development in a number of sequential phases;
- Provision of new housing within a clearly defined network of 'character areas' so that each area can develop its own identity and sense of community;
- The timing and provision of appropriate drinking water and waste water disposal services for the development including, where necessary, the upgrading of off-site infrastructure;
- Proposals for the construction of a distributor road network capable of accommodating public transport and a segregated footway and cycle way system linking the proposed northern relief route with the Mill Road near Broomfield, and the new railway bridge proposed as a replacement for the Waterock level crossing in the south western part of the site;
- Proposals for the provision and construction of national or primary schools to meet the educational requirements of those likely to live in the development including the timing of their construction (minimum 2 ha);
- The setting aside of land for the construction of a new secondary school (minimum 5 ha);
- The construction and timing of a neighbourhood centre consisting mainly of convenience shops, a new church and cemetery, a community hall and sports, leisure and recreation facilities;
- The master plan will provide comprehensive proposals for the design and layout of the floodplain of the River Owenacurra as a linear park to provide informal open space and playing pitches. It will be a minimum requirement of the proposals for this area that they should maintain its' flood storage capacity at current levels. Wherever possible, the proposals for the area should include measures that will serve to increase the flood storage capacity of the area as a whole;

- In addition to the open space normally required within new housing developments, the provision of a minimum of 14ha to provide for recreation, sports and leisure facilities;
- Structural landscaping within the site itself and to the site boundaries to protect its' setting and to provide a long-term edge to the built up area of the town;
- Proposals for the future management and maintenance (including funding or sub-contracting arrangements) of the open-space areas included within the development;
- A Habitat Management plan to include a detailed assessment of both Heritage and Landscape Issues will need to be carried out for the entire site and included in the master plan; and
- The implementation of the phasing proposals embodied in this plan to secure the overall co-ordination of the development.'

(b) Amend Figure 8.3 'Waterrock Indicative Proposal' to better reflect this objective in the final version of the plan (**See illustration in Proposed Change MDN SLAP CC 8.2**)

(c) Delete draft plan objectives HOU 8-4 to HOU 8-9 inclusive.

RELEVANT SUBMISSIONS RECEIVED

9477	9366						

PLANNING ISSUES

Issues raised in submissions regarding this change have been addressed through the manager's recommendation in relation to proposed change MDN SLAP CC 8.2

MANAGER'S RECOMMENDATION:

MODIFY THE PROPOSED CHANGE providing the Manager's recommendation with regard to proposed change MDN SLAP CC 11.8 is adopted.

NOTE: THIS CHANGE REFERS TO BOTH THE TEXT OF THE PLAN AND TO THE ZONING MAP FOR THE SETTLEMENT.

NOTE: THIS CHANGE IS ALSO RELEVANT TO THE PROPOSED LOCAL AREA PLAN AND SPECIAL LOCAL AREA PLAN ENABLING VARIATION TO THE CORK COUNTY DEVELOPMENT PLAN 2003.

PROPOSED CHANGE NO. MDN SLAP CC 8.4

PROVISION FOR A PRIMARY SCHOOL IN BALLINACURRA

PROPOSED CHANGE

It is proposed to make a modification to the Draft Plan by deleting paragraph 8.6.2

~~Social and community facilities should be built up in Ballinacurra including, perhaps, the provision of a primary school. The existing village centre area could be extended to include provision for such a facility and other community – social facilities to serve its growing population.~~

and adding the following paragraph:

(a) ‘Social and community facilities should be built up in Ballinacurra including, the provision of a primary school. The existing village centre area could be extended to include provision for such a facility or other community – social facilities to serve its growing population. This plan has also identified a location close to the existing village centre and within close proximity to the established residential areas within Ballinacurra for a primary school.’

(b) Include new zoning objective for ‘Education Uses’:

E-01 ‘Primary School provision.’

This change, if adopted will have consequential changes to the development boundary around the village of Ballinacurra.

RELEVANT SUBMISSIONS RECEIVED

9291							

PLANNING ISSUES

The main issues raised in this submission relate to the proposed location of the primary school at Ballinacurra. The submission proposes that it be located to the west of the village as part of a proposed housing development.

A number of sites for a primary school were considered during the proposed amendment process. The factors that were considered included the existing land use and roads infrastructure, proximity to the existing village and location relative to existing and proposed future housing.

The possibility of including a site to the west of the village, as requested in this submission, was considered. However, because all of the land closest to the village to its’ west is currently zoned for residential development, it was not possible to consider it for education uses. In any event, it is no longer open to the Council to accede to this submission as the land to the west of the village is not part of the amendment.

It is considered that the site in this proposed change fulfils the criteria set out at the outset and is the best possible location for a school, under 400m from the village, adjacent to an existing housing development and for the most part located inside the speed limits for the village, on lands not previously zoned for other uses and located near existing sports pitches. It is recommended therefore that this change be accepted as published.

MANAGER’S RECOMMENDATION:

ACCEPT THE PROPOSED CHANGE AS PUBLISHED

NOTE: THIS CHANGE REFERS TO BOTH THE TEXT OF THE PLAN AND TO THE ZONING MAP FOR THE SETTLEMENT.

NOTE: THIS CHANGE IS ALSO RELEVANT TO THE PROPOSED LOCAL AREA PLAN AND SPECIAL LOCAL AREA PLAN ENABLING VARIATION TO THE CORK COUNTY DEVELOPMENT PLAN 2003.

PROPOSED CHANGE NO. MDN SLAP CC 8.5

ALTERNATIVE PROVISION OF A CEMETERY IN MIDLETON (PARK SOUTH)

PROPOSED CHANGE

It is proposed to make a modification to the Draft Plan by including a new site (of approximately 2 ha) for the provision of a cemetery (educational, institutional, civic uses) in Midleton on lands previously included as part of O-05.

This will also result in consequential changes to the zoning map for Midleton.

RELEVANT SUBMISSIONS RECEIVED

None							

PLANNING ISSUES

There are no new planning issues in relation to this change

MANAGER'S RECOMMENDATION:

ACCEPT THE PROPOSED CHANGE AS PUBLISHED

NOTE: THIS CHANGE REFERS TO BOTH THE TEXT OF THE PLAN AND TO THE ZONING MAP FOR THE SETTLEMENT.

PROPOSED CHANGE NO. MDN SLAP CC 8.6

**INCREASE OPEN SPACE ZONING O-05
(AND CONSEQUENTIAL DECREASE IN TOTAL AREA OF I-07)**

PROPOSED CHANGE

It is proposed to make a modification to the Zoning Map of the Draft Plan by extending the proposed area of open space, sports, recreation and amenity to the indicative line for the Northern Relief Road. This will have consequential changes in the text regarding the overall area of this site and also to the maps including Figure 8.13.

The consequential change which results will be a change to the industrial area at Park South (including the overall area of the site and also Figure 9.5).

RELEVANT SUBMISSIONS RECEIVED

None							

PLANNING ISSUES

There are no new planning issues in relation to this change

MANAGER'S RECOMMENDATION:

ACCEPT THE PROPOSED CHANGE AS PUBLISHED

NOTE: THIS CHANGE REFERS TO BOTH THE TEXT OF THE PLAN AND TO THE ZONING MAP FOR THE SETTLEMENT.

PROPOSED CHANGE NO. MDN SLAP 8.7

DELETE SECTION ON FLOODPLAIN PROTECTION

PROPOSED CHANGE

It is proposed to make a modification to the Draft Plan by deleting Section 8.8 Floodplain Protection of the draft plan:

Floodplain Protection

It is important that the potential impact of all future development on river flood plains is known before any development takes place. The OPW have circulated Flood Prevention Recommendations, which outline that for urban areas anticipating further development a floodplain study would need to contain a 100-year time frame.

<i>Objective No.</i>	<u>Floodplain Protection</u>
HOU 8-12	It is an objective of this plan to protect areas that form an essential part of the floodplains from development.
HOU 8-13	Applications for planning permission for development of areas half a hectare or more must be accompanied by a flood risk assessment and proposals for the storage or attenuation of run-off/discharges (including foul drains) to ensure the development does not increase the flood risk in the relevant catchments.
HOU 8-14	All new development must be designed and constructed to meet the following flood design standards: For urban areas or where other existing, proposed or anticipated developments are involved the 100-year flood event is required.

RELEVANT SUBMISSIONS RECEIVED

None							

PLANNING ISSUES

There are no new planning issues in relation to this change

MANAGER'S RECOMMENDATION:

ACCEPT THE PROPOSED CHANGE AS PUBLISHED

NOTE: THIS CHANGE REFERS TO THE TEXT OF THE PLAN ONLY.

NOTE: THIS CHANGE IS ALSO RELEVANT TO THE PROPOSED LOCAL AREA PLAN AND SPECIAL LOCAL AREA PLAN ENABLING VARIATION TO THE CORK COUNTY DEVELOPMENT PLAN 2003.

PROPOSED CHANGE NO. MDN SLAP 10.1

PROVISION AND HANDING OVER OF SCHOOLS (SECTION 7)

PROPOSED CHANGE

It is proposed to make a modification to the Draft Plan by deleting paragraph 10.1.10:

~~‘In this plan land for new schools has been reserved in the normal way. However, where a development is likely to give rise to a school age population that will require its own new school (usually a primary school) the objectives of this plan require that the school should be constructed and provided by the developer as an integral part of the development so that appropriate education facilities are provided for the new population of the area when they are needed. This approach has also been applied to the provision of other new community facilities in the new neighbourhood proposed at Waterrock.’~~

and adding the following paragraph:

‘In this plan land for new schools has been reserved in the normal way. However, where a development is likely to give rise to a school age population that will require its own new school (usually a primary school) the objectives of this plan require that the school should be constructed and made available to the appropriate education provider on terms that mirror the approach taken with regard to social and affordable housing by the developer as an integral part of the development so that appropriate education facilities are provided for the new population of the area when they are needed. This approach has also been applied to the provision of other new community facilities in the new neighbourhood proposed at Waterrock.’

RELEVANT SUBMISSIONS RECEIVED

None							

PLANNING ISSUES

There are no new planning issues in relation to this change

MANAGER’S RECOMMENDATION:

ACCEPT THE PROPOSED CHANGE AS PUBLISHED

NOTE: THIS CHANGE REFERS TO THE TEXT OF THE PLAN ONLY.

PROPOSED CHANGE NO. MDN SLAP CC 11.1

INCLUDE AN AREA OF ESTABLISHED RESIDENTIAL AND COMMERCIAL USES WITHIN THE DEVELOPMENT BOUNDARY (OFF MILL ROAD)

PROPOSED CHANGE

It is proposed to make a modification to the Zoning Map of the Draft Plan by including

- (a) An area previously outside the development boundary as established commercial;
- (b) An area previously outside the development boundary as established residential; and
- (c) Consequent change: Amending the development boundary to include these areas.

RELEVANT SUBMISSIONS RECEIVED

None							

PLANNING ISSUES

There are no new planning issues in relation to this change

MANAGER'S RECOMMENDATION:

ACCEPT THE PROPOSED CHANGE AS PUBLISHED

NOTE: THIS CHANGE REFERS TO THE MAP OF THE PLAN ONLY.

NOTE: THIS CHANGE IS ALSO RELEVANT TO THE PROPOSED LOCAL AREA PLAN AND SPECIAL LOCAL AREA PLAN ENABLING VARIATION TO THE CORK COUNTY DEVELOPMENT PLAN 2003.

Midleton Draft Special Local Area Plan

PROPOSED CHANGE NO. MDN SLAP CC 11.2

CHANGE ESTABLISHED INDUSTRIAL ZONING TO 'SPECIAL' USES AT COMMISSIONER'S QUAY, BAILICH

PROPOSED CHANGE

It is proposed to make a modification the Draft Plan by changing the established industrial zoning at Commissioner's Quay, Bailich to Special Uses including Residential:

The zoning objective should read:

Special Zoning Objective: To redevelop this derelict site to include a mix of uses including residential, or office development which will include a sympathetic design acknowledging the scenic nature of this location, existing public rights of way and in accordance with the principles of proper planning and sustainable development.

RELEVANT SUBMISSIONS RECEIVED

None							

PLANNING ISSUES

There are no new planning issues in relation to this change

MANAGER'S RECOMMENDATION:

ACCEPT THE PROPOSED CHANGE AS PUBLISHED

NOTE: THIS CHANGE REFERS TO BOTH THE TEXT OF THE PLAN AND TO THE ZONING MAP FOR THE SETTLEMENT.

PROPOSED CHANGE NO. MDN SLAP CC 11.3**INCLUDE 'ROSEHILL DEVELOPMENT' AS ESTABLISHED RESIDENTIAL WITHIN THE DEVELOPMENT BOUNDARY OF MIDLETON****PROPOSED CHANGE**

- (a) It is proposed to make a modification to the Draft Plan by including the Rose Hill Development to the south of Ballinacurra village as established primarily residential use
- (b) And also by amending the development boundary to include the Rose Hill development.

RELEVANT SUBMISSIONS RECEIVED

None							

PLANNING ISSUES

There are no new planning issues in relation to this change

MANAGER'S RECOMMENDATION:***ACCEPT THE PROPOSED CHANGE AS PUBLISHED***

NOTE: THIS CHANGE REFERS TO THE MAP OF THE PLAN ONLY.

NOTE: THIS CHANGE IS ALSO RELEVANT TO THE PROPOSED LOCAL AREA PLAN AND SPECIAL LOCAL AREA PLAN ENABLING VARIATION TO THE CORK COUNTY DEVELOPMENT PLAN 2003.

PROPOSED CHANGE NO. MDN SLAP 11.4

RELOCATION OF GAA FACILITIES

PROPOSED CHANGE

It is proposed to make a modification to the draft plan to facilitate the relocation of the town’s GAA facilities to a new site. Paragraph 7.2.11 of the draft plan recognises that the existing site off Railway Street may not be adequate for the future needs of the sport. The draft plan also proposes to make new provision for sports facilities that may be suitable to the GAA at Park South (paragraph 8.7.2 and 8.7.3) and Proposed Change 8.3 includes suitable provision as part of the development proposed for the Waterrock area. Also the GAA have suggested that land at Castleredmond [(see map MDN SLAP 11.4 (a))] may be suitable and there is also a possibility that part of the land at Broomfield [see map MDN SLAP 11.4 (b)] could become available.

In addition to modifying the draft plan to set out an objective for the redevelopment of the existing grounds and adjoining land off Railway Street the Council also intend to consider an additional designation of either the Castleredmond or Broomfield proposals before the plan is finalised.

It is proposed to include the following new objective after paragraph 7.2.11:

‘Subject to the satisfactory relocation of the GAA facilities that presently occupy part of this site, it is an objective of this plan to give consideration to mixed use redevelopment proposals including housing and some retail uses. The opportunity could be taken to locate a new square or other urban space with the railway station as its focus.’

RELEVANT SUBMISSIONS RECEIVED

9462	9449						

PLANNING ISSUES

Submission 9462 is on behalf of the owner of land at Castleredmond outlining the various advantages of relocating the GAA to the site. It suggests that by zoning part of the site (8 acres) for medium density residential development and a nursing home it will provide additional land for housing in a sustainable location close to schools and to town centre services.

It is important to note that whilst there are no zoning obstacles to the land at Castleredmond accommodating the GAA, because sports and recreation uses are generally considered appropriate in areas designated metropolitan green belt, there are considerable planning difficulties with the proposal for a housing and nursing home development. The location of the proposal, being south of the N25 dual-carriageway route, is remote from Midleton town and its facilities and is in an area where it will be difficult to successfully integrate the new development into the physical and social fabric of the town and the existing road network linking the site to the town lacks footways, and cycle facilities.

Submission 9449 raised objections to the development of GAA facilities at Broomfield because of a perceived detriment to the future development of adjacent land.

The GAA authorities have chosen not to make a submission although it is understood that discussions are taking place with the County Council with a view to the GAA giving consideration to relocation here.

Accordingly, it is considered unnecessary to modify the plan in relation to Castleredmond but the adoption of the following objective would facilitate the GAA and other appropriate uses at Broomfield:

“Special Objective: It is an objective to allow for a mix of uses on this site including the potential for re-location of Midleton GAA, provision of a cemetery, residential and industrial uses.”

MANAGER'S RECOMMENDATION:***MODIFY THE PROPOSED CHANGE***

NOTE: THIS CHANGE REFERS TO BOTH THE TEXT OF THE PLAN AND TO THE ZONING MAP FOR THE SETTLEMENT.

NOTE: THIS CHANGE IS ALSO RELEVANT TO THE PROPOSED VARIATION TO THE MIDLETON TOWN DEVELOPMENT PLAN 2003.

NOTE: THIS CHANGE IS ALSO RELEVANT TO THE PROPOSED LOCAL AREA PLAN AND SPECIAL LOCAL AREA PLAN VARIATION TO THE CORK COUNTY DEVELOPMENT PLAN 2003.

PROPOSED CHANGE NO. MDN SLAP CC 11.5

SITE SPECIFIC PROPOSALS – PROPOSED RESIDENTIAL DEVELOPMENT (MIDLETON COLLEGE)

PROPOSED CHANGE

It is proposed to make a modification to the Draft Plan to provide for the development of this existing sports field for new residential development. It is the Council’s intention to proceed with this proposed change only if suitable access arrangements can be identified. The submission made regarding this site did not seek designation at any stated density but proximity of the site to the proposed railway station would suggest that high density would be the most appropriate density if the development of this site were to proceed.

It is also proposed to add the following objective:

‘High Density Residential Development.’

RELEVANT SUBMISSIONS RECEIVED

None							

PLANNING ISSUES

Because of concerns at the lack of suitable access to this land it is stated in the text of the proposed change (above) that: “ It is the Council’s intention to proceed with this proposed change only if suitable access arrangements can be identified”.

As no submissions identifying suitable access options have been received, it is proposed to omit this change.

MANAGER’S RECOMMENDATION:

OMIT THE PROPOSED CHANGE

NOTE: THIS CHANGE REFERS TO BOTH THE TEXT OF THE PLAN AND TO THE ZONING MAP FOR THE SETTLEMENT.

PROPOSED CHANGE NO. MDN SLAP CC 11.6**NEW HOUSING DEVELOPMENT AT BANESHANE, MIDLETON****PROPOSED CHANGE**

It is proposed to make a modification to the Draft Plan by amending the existing text and adding the following specific objective:

‘Medium density residential development to include a single overall plan to provide for a new primary school, a minimum of five playing pitches and a crèche.’

If adopted this would result in an extension to the development boundary for Midleton.

RELEVANT SUBMISSIONS RECEIVED

9285	9518	9282					

PLANNING ISSUES

Submission 9285, made on behalf of the intending developers of the land that is the subject of this proposed change, supports the proposal on the grounds that:

- The site can contribute to the development of Midleton if land designated nearer the railway station does not come forward for development;
- Although partly outside the area to which the supplementary contribution scheme applies, additional funds will be made available to the Council as a special contribution under s48 of the Planning and Development Acts. Supplementary material suggests that these monies could be used to fund the construction of a new grade-separated intersection with the N25 west of Midleton on land outside that which is the subject of the proposed change;
- Social and affordable housing will be provided;
- Community and education facilities will be provided; and
- Appropriate access infrastructure will be available when an existing planning permission relating to nearby land is implemented.

Submission 9518 is from the Cork City Council requests that account should be taken of the CASP objective to promote development locations with good access to sustainable transport modes such as the rail network as opposed to locations dependent solely on transport by private car.

Submission 9282 is written on behalf of an adjoining landowner who claims that additional land should have been included within the boundary of this proposed change. However, it is considered that to modify the plan in respect of this submission at this stage would exceed the powers available to the Council under the Acts.

Notwithstanding the submission by the intending developer (9285) and the contribution that the proposed change could make to the overall availability of land for housing in Metropolitan Cork, there is concern that there are considerable planning difficulties with this proposed zoning in its present form. Although the site is physically capable of accommodating development, and the proposed contribution to the cost of constructing a new grade separated interchange would be likely to bring a significant benefit to the town, the main areas of difficulty are as follows;

- The location of the proposal, being south of the N25 dual-carriageway route, is removed from Midleton town and its facilities and is in an area where, unless part of a more comprehensive proposal, beyond the scope of the present proposed change, it will be difficult to successfully integrate the new development into the physical and social fabric of the town.
- The existing road network linking the site to the town lacks footways, cycle facilities and street lighting;
- Discussions with the National Roads Authority suggest that both the existing slip roads to the N25 and the revised arrangements authorised in the planning permission granted for the development of adjoining land and referred to in the intending developers submission (9285) will become

Midleton Draft Special Local Area Plan

seriously congested within the next few years as a result of general traffic growth. The proposed development will serve only to accelerate this congestion. Although it is suggested that this development could contribute to the cost of providing a new grade-separated interchange, that lies outside the scope of the present change and would be reliant on the further land acquisition either by the developer or by public authorities;

- The Cork Area Strategic Plan (page 33) recommends that new development in the Blarney – Midleton rail corridor should be located close to the rail system so as to achieve a diversion of commuter traffic onto the rail system (page 126). This proposed change, unless part of a more comprehensive proposal better integrated with the town, could result in development with poor links to the railway station and encourage additional car-based commuting;
- There is no immediate requirement for additional land in the Midleton area because the Special Local Area Plan has identified lands at Waterrock convenient to the town and the location for the new station more with the potential to cater for the planned population growth of the town. The additional designation of this site for development at the outset of this plan could slow the rate of development on the land closest to the station;
- Paragraph 4.3.24 of the draft Blarney – Kilbarry Special Local Area Plan states that Midleton is not, at this stage an appropriate location for additional growth until the threefold growth of the town proposed in CASP has been assimilated into its social and economic fabric; and
- The Cork Area Strategic Plan identifies a requirement to set aside land for a distribution development and for large scale manufacturing as result of foreign direct investment and this site together with other land in the Baneshane area have been reserved for that purpose. Its use for housing development, unless other suitable sites for employment development have been identified, may result in the town of Midleton missing out on important economic and employment development opportunities in the future.

Whilst the area is physically capable of accommodating development, there is concern that the infrastructure necessary to adequately integrate development with the main part of the built up area, and the proposed rail network, would need to be comprehensively planned if consideration is to be given to facilitating the expansion of Midleton into this area in a future local area plan.

OTHER ISSUES

Whilst the above view on the issue of the proper planning and sustainable development of the area is an important consideration that should be taken into account, the Planning and Development Acts require the Council to take two additional matters into account when addressing submissions at this stage in the process of preparing this Special Local Area plan, namely the statutory obligations of any local authority in the area and the relevant policies of the Government and its' Ministers.

On these grounds the proposals outlined in submission 9285 would facilitate the early provision of new roads infrastructure that will be needed in the medium term whether or not development proceeds on this land and the significant benefits to the area as a whole that will arise from this are considered relevant to the general objectives of both this Council and the National Roads Authority.

MANAGER'S RECOMMENDATION

Talking into account the provisions of the Planning and Development Acts and placing the planning issues raised in balance with the other issues, the recommendation is to:

1. Delete paragraphs 6.5.4 & 6.5.5 from the plan;
2. Modify the text of the proposed objective as follows:

“Medium Density Residential Development. In submitting proposals for the development of this land, the developer will be required to:

Demonstrate, to the satisfaction of the planning authority, that the proposals for this land can, in future, be satisfactorily integrated with other land in the Baneshane area and linked to the town centre, its' railway station and the site identified in this plan as a possible second station to serve the town at Waterrock;

Make satisfactory proposals to the planning authority regarding the payment of appropriate contributions, in accordance with the Planning and Development Acts, to secure the provision of a new grade separated interchange with N25 National Primary Route, on land to the west of Midleton to be completed within six years from the date of adoption of this plan; and

Until the new grade separated junction with the N25 is completed and brought in to use, not more than 400 residential units will be constructed on this land.”

MODIFY THE PROPOSED CHANGE in accordance with the Manager’s recommendation above.

NOTE: THIS CHANGE REFERS TO THE TEXT OF THE PLAN ONLY

NOTE: THIS CHANGE IS ALSO RELEVANT TO THE PROPOSED LOCAL AREA PLAN AND SPECIAL LOCAL AREA PLAN VARIATION TO THE CORK COUNTY DEVELOPMENT PLAN 2003.

PROPOSED CHANGE NO. MDN SLAP CC 11.7

NEW TEXT REGARDING FUTURE LAND USES NEAR THE PROPOSED NORTHERN RELIEF ROAD

PROPOSED CHANGE

It is proposed to make a modification to the Draft Plan by amending the existing text and adding the following paragraph:

‘The completion of the eastern section of the proposed northern relief road will provide the opportunity to re-assess the potential for suitable form of development on adjoining land and this re-assessment will take place in future reviews of this plan.’

RELEVANT SUBMISSIONS RECEIVED

None							

PLANNING ISSUES

There are no new planning issues in relation to this change

MANAGER'S RECOMMENDATION:

ACCEPT THE PROPOSED CHANGE AS PUBLISHED

NOTE: THIS CHANGE REFERS TO THE TEXT OF THE PLAN ONLY.

PROPOSED CHANGE NO. MDN SLAP CC 11.8**NEW RESIDENTIAL DEVELOPMENT WEST OF WATEROCK ROAD****PROPOSED CHANGE**

It is proposed to make a modification to the Draft Plan by amending the existing text and adding the following specific objective:

'Medium density residential development.'

If adopted this would result in an extension to the development boundary for Midleton.

RELEVANT SUBMISSIONS RECEIVED

9477	9478						

PLANNING ISSUES

Submission 9477 requests that this change be included within the overall Masterplan (see Proposed Change CC 8.2/8.3). The other submission requests that this objective be reduced to low-density residential development.

Whist concerns regarding the suitability of this land for development have been expressed in the past, the possibility that this land could be included in the area of the proposed master plan for the new residential neighbourhood in Waterock, as suggested in one of the two submissions, has some merit. In this way, the access would be provided as part of the overall strategy for the area and the possibility of any additional traffic using the Waterock road can be avoided.

The site is not suitable for low-density development as proposed in the second submission. Therefore it is not proposed to accept this change as published rather to accept it provided that it forms part of proposed change MDN SLAP CC 8.2/8.3.

MANAGER'S RECOMMENDATION:

ACCEPT THE PROPOSED CHANGE providing the Manager's recommendation with regard to proposed change MDN SLAP CC 8.2/8.3 is adopted.

NOTE: THIS CHANGE REFERS TO BOTH THE TEXT OF THE PLAN AND TO THE ZONING MAP FOR THE SETTLEMENT.

NOTE: THIS CHANGE IS ALSO RELEVANT TO THE PROPOSED LOCAL AREA PLAN AND SPECIAL LOCAL AREA PLAN VARIATION TO THE CORK COUNTY DEVELOPMENT PLAN 2003.

PROPOSED CHANGE NO. MDN SLAP C.1

ADD TABLE ‘BALLINACURRA CONSERVATION SURVEY FINDINGS’ TO APPENDIX C BUILT HERITAGE

PROPOSED CHANGE

It is proposed to make a modification Appendix C of the Draft Plan by adding the following table:

‘Ballinacurra – Conservation Survey Findings’

Significance	Issues & Future Vulnerability	Mitigation	Policy
<p>Villagescape/Landscape</p> <ul style="list-style-type: none"> - crossroads village settlement dominated by remains of impressive industrial heritage - Port & quay walls - Area around graveyard & Ballynacorra House of interest & uplands to the north 	<ul style="list-style-type: none"> -Loss of street pattern through re-routing of roads, main village cross roads seems to lose out - Irreversible loss of character of through removal of patina (plaster finish, rainwater goods, pattern & type of roof cover, boundary walls, railings, original joinery) or repositioning -Loss of access to the quays -Destruction of setting with over-development of this area with new housing 	<ul style="list-style-type: none"> - Up-grading of existing planting and street furnishing & finishes - Planning control policies for retention of original character and features - Planning control for retention of quay walls - Limitation of new housing in these areas 	<ul style="list-style-type: none"> - To retain enhance the original crossroads of the village - To upgrade landscape features & amenities in the village - Require appropriate landscaping & design for new housing
<p>Industrial Archaeological</p> <p>Great Malhouses Stores Quay walls</p>	<ul style="list-style-type: none"> - Misuse of mill/store buildings - De-stabilisation through proximity of new developments, loss of setting 	<ul style="list-style-type: none"> - Planning control 	<ul style="list-style-type: none"> - Place onus on developers to engage appropriate conservation advice for redevelopment of mills etc - Require conservation reports at preplanning stage
<p>Recommendations for RPS</p> <p>Oikoseema House Charleston House Graveyard Gully Wall Feature Warehouse</p>			
<p>Relationship to Midleton</p> <ul style="list-style-type: none"> - Forms part of the greater Midleton area, including Cloyne - Historic Grain links to both Midleton & Cloyne - Threat of losing the distinction between the two, whereby Midleton expands to Ballynacorra but Ballynacorra accrues none of benefits, i.e., loss of amenities, rise in house prices etc. 	<ul style="list-style-type: none"> - Conglomeration of Ballynacorra & Midleton, blurring original distinction between the two settlements - Destruction of the setting by inappropriate new developments in scale and design - Lack of amenities & green areas, decline of village centre 	<ul style="list-style-type: none"> - Planning control - General promotion & awareness raising 	<ul style="list-style-type: none"> - To conserve and protect patina of vernacular buildings and traditional finishes - To protect the setting of streetscape in considering new development both in terms of scale, finishes & design

Significance	Issues & Future Vulnerability	Mitigation	Policy
Architectural 18 th & 19 th Century Malshouses 18 th & 19 th Century Country Houses 19 th Century Village Core	<ul style="list-style-type: none"> - Demolition & inappropriate redevelopment - Irreversible loss of character of through removal of patina (plaster finish, rainwater goods, pattern & type of roof cover, boundary walls, railings, original joinery) or repositioning - Destruction of the setting by inappropriate new developments in scale and design 	<ul style="list-style-type: none"> - Planning control - General promotion & awareness raising 	<ul style="list-style-type: none"> - Appropriate uses - To conserve and protect the character of buildings in terms of finishes & setting - Require conservation reports at preplanning stage - Require appropriate advice during planning stages
Historic Malting activity Shipping links to Bristol, Liverpool & Dublin Association with Guinness Brewery		<ul style="list-style-type: none"> - general promotion & awareness raising 	
General Lack of Amenities The New Road Wire-scape New Housing Loss of Identity Co-Op Sites Encroachment of Midleton		Urban Design Statement Planting/landscaping Up-grade Paving consideration of underground cabling Ensure that new development contribute to character of town in terms of design, amenity & use Re-enforcing distinction between the two.	

RELEVANT SUBMISSIONS RECEIVED

None							
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PLANNING ISSUES

There are no new planning issues in relation to this change

MANAGER'S RECOMMENDATION:

ACCEPT THE PROPOSED CHANGE AS PUBLISHED

NOTE: THIS CHANGE REFERS TO THE TEXT OF THE PLAN ONLY.