

Report to Members

Bandon Electoral Area Local Area Plan
Public Consultation Draft

Managers Opinion on the Issues Raised by
Submissions & Recommended
Amendments

February 2011

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Page 1 of 1

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This report focuses on the submissions and observations received from the public following publication of the Bandon Electoral Area Local Area Plan Public Consultation Draft, which sets out the planning framework for the development of the Electoral Area up to 2020. The report summarises the outcome of this consultation process which was carried out in line with Section 20(3) of the Planning & Development Acts 2000-2006 and will inform the preparation of the various amendments to the Bandon Electoral Area Local Area Plan.

Appendix A of the report includes a list of the submissions received relevant to the Electoral Area while Appendix B details the proposed amendments to the plan following consideration of the issues raised in the submissions and other pertinent issues. Appendix C of the report includes a List of submissions by interested party. Appendix D of the report includes all the map changes.

Section 1 Introduction

1.1 Where we are in the process

1.2.1. The Bandon Electoral Area Local Area Plan, Public Consultation Draft was published on the 22nd of November 2010 and was made available to the public until the 12th of January 2011 in Council offices throughout the county. In addition the plan in its entirety and the accompanying Environmental Report prepared under the Strategic Environmental Assessment (SEA) Regulations were made available in DVD (free of charge) and for download from the County Council's Web-site. Full copies of the draft were also sent to a range of statutory bodies (including Government Departments, adjoining planning authorities and other agencies) as required under the Planning and Development Acts.

1.2.2. Although not required under the Act, a public exhibitions / information day was held during the display period to encourage people to take part in the plan process. This was held in the Town Council Offices on December 1st 2010.

1.2.3. A number of individuals and groups sought the opportunity to meet with staff from the Planning Policy Unit during the public consultation period and all such requests for meetings during this period were accommodated.

1.2 Submissions

1.2.1. There were a total of 46 submissions received during the public consultation period on the Draft Bandon Electoral Area Local Area Plan. Of these 46, there were 6 duplicates, leaving a total of 40 valid submissions. 8 submissions focussed on general issues facing the Electoral Area, with a further 32 site specific submissions.

1.2.2. The majority of the submissions received (24) related to issues in the 2 main towns within the Electoral area. 6 submissions related to issues in the key villages, 4 submissions related to issues in the village nuclei, with 3 submissions received in relation to the "other Locations". One submission received related to the rezoning of land within the Metropolitan Greenbelt.

1.2.3. A total of 5 submissions were received, which raised the issue of flooding with some inaccuracies to the flood maps.

1.3 Appropriate Assessment

1.3.1. In addition to the submissions raised, the draft plan has also been subjected to 'Appropriate Assessment' and a 'Natura Impact' Report has been prepared. Section 2.6 of this report provided a table illustrating the specific amendments that apply to individual settlements. The recommendations from this report are set out in Appendix B of this report and it is the Recommendation of the Manager that they be included in the amendments.

1.4 How to use this report

1.4.1. This report is sets out to fulfil a number of functions. Firstly and overall, it's purpose is to highlight the significant issues raised for consideration during the process to date, particularly with regard to submissions during the public consultation period.

1.4.2. Section 2 sets out the Manager's view of the principle issues raised and includes the Manager's recommendations for amendments to the draft plan.

1.4.3. Included thereafter, in Appendix A, is the full list of submissions received during the consultation process including the name of the interested party, with a summary of the submission and the Manager's Opinion included. This list is laid out in settlement order alphabetically.

1.4.4. Appendix B, sets out the details list of proposed recommended material amendments to the Draft Local Area Plan. This list is set out by settlement.

1.4.5. Appendix C of the report includes a List of Submissions by Interested Party.

1.4.6. Elected Members should note that the 'material amendments' are those that affect the objectives/policies of the plan or will otherwise have a significant effect on the outcomes of the plan. Some of the changes to the plan that have been requested in submissions are considered to be 'non-material' where, for example, they will result in an updating of the factual content of the plan or a change in the way that existing information is displayed

1.4.7. 'Non-material' changes to the plan are not identified in this report and will not be included in the proposed amendment that the Council will publish for public consultation later in the spring. These non-material changes will simply be reflected in the final published form of the plan once it has been adopted by the Council later in the year. At this stage, it is considered that the non-material changes will include the following broad areas;

- Factual information used in the description of settlements and their surroundings (including up to date information on the range of facilities or infrastructure, the number of existing dwellings or the stock of planning permissions that have not been implemented).
- The inclusion of additional information on the extent of existing heritage designations on the various maps included in the plan (e.g. existing nature conservation/scenic landscape/archaeological designations and record of protected structures, information already shown in the County Development Plan 2009 or approved by the appropriate national body).
- The inclusion of appropriate references to relevant objectives in the County Development Plan 2009.
- Changes to the plan reflecting or consequent upon a material change

1.5 Next Steps

1.5.1. Following the issue of this report to Members on the 23rd February 2011. The Planning and Development Acts make the following provisions and any amendments to the draft plan:

- The local area plan shall be deemed to be made in accordance with the recommendations of the Manager (i.e. as set out in this report) unless the Elected Members of the Council make a resolution making or amending the plan otherwise than in accordance with the Manager's recommendation;
- Any resolutions made by the Elected Members of the Council must be passed by at least 50% of the Elected Members of the Council
- The last day on which the Council can make resolutions with regard to the Draft Plan is Tuesday 5th April 2011.

1.5.2. The following arrangements have been made so that Elected Members can give appropriate consideration to the issues raised in this report:

- A special meeting of the Bandon Electoral Area Committee has been arranged for Wednesday 2nd March 2011 at 2.00pm in County Hall. The meeting will be attended by relevant staff from the Planning Policy Unit who will be able to answer Members questions in relation to any submissions or the Manager's recommended amendments to the Draft Plan. It is important that Elected Members who are considering proposing resolutions to the Council in relation to the Draft Plan should, wherever possible, identify those issues at these meetings so that staff can give an initial response.
- A special meeting of the Council has been arranged for Wednesday 30th March 2011 at 11.00am in order to facilitate Elected Members who may wish to propose resolutions in relation to any of the Draft Local Area Plans. In line with the County Council's Standing Orders, Elected Members wishing to propose resolutions for consideration at that meeting should give notice of their motion to Mr Maurice Manning (Meetings Administrator-Corporate Affairs) by Tuesday 22nd March 2011 at the latest. Provision has also been made for an additional meeting, should one be required, on Thursday 31st March 2011 at 11 am.

1.5.3. The Planning and Development Acts require that any material amendments to the plan and must be made available to the public, so that submissions or observations can be submitted, for at least four weeks. This period is likely to commence at the end of April 2011. (A definite date for the commencement of consultation cannot be given at this stage until the amendments have been assessed to determine the need for any supplementary Environmental Report or Appropriate Assessment report.)

1.5.4. The issues raised in any submission or observation subsequently received will then be made the subject of a further report to Members of the Council together with recommendations so that these can be taken into account. This stage of the plan is executed by resolution of the Council. The new Local Area Plan will come into force four weeks from the day it is made.

1.5.5. During the entire plan-making process, the Members of the Council are restricted to considering only issues relating to the proper planning and sustainable development of the county and any statutory obligations and any relevant Government or Ministerial policies and objectives in force.

Section 2 Principal Issues Raised

2.1 Introduction

2.1.1. This section of the report briefly sets out the justification supporting the County Manager's recommendations for amendments to the plan and also, where other significant issues have been raised and no change to the plan is recommended a brief justification is set out.

2.1.2. Detailed text and maps in relation to the recommended changes can be found in Appendix B.

2.2 General Issues

2.2.1. The following paragraphs set out the justification for the County Manager's recommendation on a number of general issues that affect the overall approach, not only to this local area plan, but also to all the local area plans currently being prepared by the County Council. In many cases several submissions have set out differing points of view on the approach that should be taken and these individual points of view are reflected in the submission summaries set out in Appendix A. The recommendations set out below have taken all the points made into consideration.

Flood Risk Management and the Local Area Plans

2.2.2. In this plan the overall approach to flood risk management is set out in Section 1.7 of the draft plan. The background to this issue stems from the relevant guidelines for Planning Authorities issued under Section 28 of the Planning & Development Acts jointly by the Minister for the Environment Heritage and Local Government and the Minister of State with Special Responsibility for the Office of Public Works in November 2009. Under the legislation, planning authorities are required to 'have regard' in the discharge of their obligations under the Planning & Development Acts.

2.2.3. Referring specifically to city and county planning authorities the guidelines state that the authorities 'will introduce flood risk assessment as an integral and leading element of their development planning functions...at the earliest practicable opportunity in line with the requirements of the guidelines.'

2.2.4. In response to this, the draft plans included indicative maps of the areas considered susceptible to flooding on the draft zoning maps. The maps were prepared by Cork County Council following the approach recommended in the Ministerial Guidelines and were based on information amalgamated from a number of sources including:

- Draft River Lee Catchment Flood Risk Assessment and Management Study (OPW);
- 'Draft Flood Hazard Mapping'. Prepared by consultants commissioned by Cork County Council for all areas of the County where significant fluvial or tidal flooding might occur; and
- 'Floodmaps.ie' (an OPW managed source of other flood information from a variety of sources)

2.2.5. The Draft Plans also introduced a number of objectives, prepared in line with the Ministerial Guidelines and aimed at reducing the extent to which future development would be exposed to the risk of flooding. Generally, whether or not a site was the subject of a specific zoning objective, these new objectives would require intending developers to carry out a detailed site-specific flood risk assessment before permission could be granted for development.

2.2.6. In the submissions themselves and in the expressions of opinion by some Elected Members of the Council, a number of issues have been raised in relation to this approach across all the local area plans, including:

- That the overall approach taken in the draft plans to the management of flood risks is flawed and that indicative flood risk maps in the draft plans were not a credible basis for the decisions being made
- Whilst it was often accepted in submissions that a particular settlement was susceptible to some level of flood risk, in some settlements, the indicative flood risk

maps shown in the draft plans are insufficiently accurate to identify the land most susceptible to those risks

- That there was no need to avoid new zoning on areas indicated as at risk of flooding because a site specific assessment could be carried out at the planning application stage
- That it was unreasonable to discontinue zonings or reduce development boundaries from a previous plan on the basis of the indicative flood risk maps
- That the level of detail required in the site-specific flood risk assessment was, in many cases, excessive and would impose unnecessary financial burdens on those contemplating development

2.2.7. In addressing these issues and preparing the response set out in this report, County Council staff worked in close consultation with the OPW (who are the lead agency for Flood Risk Management at the National level) and JBA Consulting (who were commissioned by the County Council to prepare the draft flood hazard mapping referred to in paragraph 2.2.4.)

2.2.8. With regard to the overall approach taken towards flood risk assessment in the draft plans, the following points arise in response to the submissions made:

- The status of the Ministerial Guidelines issued under Section 28 of the Planning & Development Acts requires that the planning authority 'have regard' to them in the discharge of their planning functions including the making of Local Area Plans. Clearly, for the County Council to disregard or ignore the guidelines altogether would be likely to be a breach of the Act.
- While at a theoretical level at least, it might be possible for the County Council to satisfy its obligation to 'have regard' to the guidelines but to take a different approach to the management of flood risks to that set out in the Guidelines, it is considered that this would need a demonstrable justification for any different approach that it chose to follow. None of the submissions received included an equivalent alternative rationale for the management of flood risks to that set out in the Ministerial Guidelines.
- With regard to the 'credibility' of the indicative flood risk maps shown in the draft plans, since their publication there have been lengthy discussions between the County Council's staff, OPW officials and the JBA Consulting. Mark Adamson, Assistant Chief Engineer and Head of Flood Relief and Risk Management Division, OPW, addressed the County Council's Development Committee on Friday 21st January 2011 and answered questions from Elected Members on this issue. Subject to the recommendations below, it is concluded that the indicative flood risk maps shown in the draft Local Area Plans provide broad scale modelling using best available data and techniques that is a wholly appropriate evidence base for the spatial planning decisions to be made in the Local Area Plans and that the general approach (other than in the Cork Harbour Area where new data has been issued by Lee CFRAMS/OPW) will be to leave the maps unchanged.
- Notwithstanding the conclusion reached in the preceding paragraph, Elected Members of the County Council and several of those making submissions have suggested that, in a relatively small number of settlements across the County as a whole, there appear to be some anomalies in the flood risk mapping resulting in the possibility of inaccuracy at the local level. Having considered these issues in some detail, both OPW staff and the Consultants retained by the County Council are of the view that some anomalies will inevitably occur especially at the local level in this type of broad scale modelling. These may appear most significant in a few localised areas of relatively flat terrain but, providing an appropriate policy response can be developed to address the localised uncertainty that they cause, they do not undermine the credibility of the maps and their value as an appropriate basis for the spatial planning decisions to be made in these Local Area Plans.

- In order to address these localised mapping uncertainties, rather than requiring those contemplating development to carry out a full detailed site-specific flood risk assessment, it has been agreed with OPW officials that it will be appropriate to modify the objectives of the draft plans so that a staged approach to site-specific flood risk assessment can apply. Stage 1 of such an assessment would provide for a relatively simple and inexpensive verification of the indicative flood risk map shown in the local area plan. If this demonstrates to the County Council's satisfaction that the site is unlikely to be affected by flooding, then the requirement for a detailed site-specific flood risk assessment can be set aside.
- With regard to the use of the indicative flood risk maps as a basis for making new zoning decisions in the Local Area Plans, it is considered that this approach is entirely consistent with the Ministerial Guidelines.
- So far as the discontinuance of existing zonings or the reduction of development boundaries inherited from previous plans is concerned, in view of the possibility of localised uncertainty in the indicative flood risk maps, it is considered appropriate to re-instate these zonings and development boundaries where concerns over indicative flood risks were the sole reason for the discontinuance of the zoning/development boundary. Zonings re-instated in this way would be modified so that the specific objective includes a reference to the possibility of future flooding and a requirement to carry out the revised staged flood map verification/site-specific flood risk assessment.
- The modification of the plans to include a staged approach to flood map verification/site-specific flood risk assessment will help overcome concerns regarding the burden this could place on intending developers.

Manager's Recommendation: Amend the Draft Bandon Electoral Area Plan as follows:

- 1. Introduce additional text and objectives (primarily in section 1 of the plan) so that the site specific flood risk assessment is a staged procedure with stage 1 consisting of a verification of the local indicative flood hazard map.**
- 2. Include a text reference for those settlements where submissions suggest there are localised uncertainties in the indicative flood hazard map. Text reference has been made in Kinsale**
- 3. Amend the Draft Local Area Plan to reinstate and zonings from previous plans or development boundaries that were discontinued solely on grounds of conflict with the indicative flood hazard maps**

Sustainable Residential Development in Urban Areas – Scale of Development in Villages

2.2.9. In the review of the 2005 local area plan that resulted in the preparation of this Draft Local Area Plan, the County Council has attempted to frame its proposals for the area having regard to the Guidelines for Planning Authorities issued under section 28 of the Planning and Development Acts in May 2009 concerning Sustainable Residential Development in Urban Areas. The approach taken in villages, following the principles set out in the Ministerial Guidelines, has been to set out a future planning framework for the village based on four key elements:

- The provision of a development boundary;
- An objective setting out the total number of new dwellings likely to be built in the village during the lifetime of the plan;
- Guidance on the maximum size of an individual development taking account of the existing scale, 'grain' and character of the village and other relevant considerations; and

- Where appropriate, guidance on the preferred location(s) for particular types of development within the development boundary.

2.2.10. Generally, this overall approach has been welcomed by many of those who made submissions to the plan. However, in some cases, the scale of future development now envisaged for the village is now exceeded by the 'stock' of planning permissions granted under the previous plan. Some submissions raised concerns regarding the affect of the new approach in cases where planning permission may have already been granted or building work may have already commenced for a larger scale development than is now envisaged in the draft plan.

2.2.11. The objectives in the Draft Local Area Plan indicating the 'number of new dwellings likely to be built in the village during the lifetime of the new plan' is intended to be significant factor guiding the determination of planning applications during the lifetime of the plan. However, it is not intended that this should operate as a rigid 'cap' on the 'stock' of planning permissions applicable to a particular village at a particular time. Indeed, it could be generally undesirable for the existence of a small number of relatively large planning permissions, for a scale of the development for which there may no longer be a ready market, to, in themselves, hinder or stifle new proposals for development at scale more consistent with current market conditions and in keeping with the new local area plan.

2.2.12. A further issue concerns the role of the new local area plans in the determination of applications for planning permission or the extension of an appropriate period in respect of a planning permission granted prior to the making of the new local area plan. Clearly, the new local area plans are not intended to undermine any formal commitment (e.g. through the grant of planning permission) that the County Council may have given to development during the lifetime of the previous local area plan. Indeed, many of these permissions may be entitled (on application and subject to certain conditions) to an extension of the appropriate period for the implementation of the permission, but the Planning & Development Acts do not include local area plans in the range of documents that can be considered in the determination of these applications.

2.2.13. However, taking account of current housing market uncertainties, it is possible that some developments, that have already commenced, may not reach completion before their respective planning permissions expire (even allowing for any extension to the appropriate period to which they may be entitled). Therefore, to ensure that the new local area plans do not inadvertently hinder the completion of developments that have commenced prior the making of the plan.

2.2.14. In order to address these concerns it is considered appropriate to amend the draft local area plan to set out clear guidance for the public on the treatment of the following transitional issues that may arise on a case specific basis in relation to the treatment of proposals first authorised under the 2005 local area plan. These amendments will cover the following main areas:

- Provide a clear statement to the effect that the County Council remains committed to the implementation of existing planning permissions;
- Provide a statement indicating that the Planning & Development Acts do not make provision for local area plans to be taken into account in the assessment of applications for the extension of the appropriate period.
- Provide an additional objective and supporting text to indicate that, in the interests of the proper planning and sustainable development of the area, it is an objective of this plan to secure the satisfactory completion of any development for which planning permission was granted prior to the making of this plan where substantial works were carried out pursuant to the permission prior to the making of this plan;

2.3 Issues Raised by Government Ministers, Government Bodies and other Local Authorities

2.3.1. Submission were received from several Ministers, Government bodies or other local authorities and are listed below:

Department of the Environment, Heritage and Local Government

Department of Education and Skills

Department of Communications, Energy and Natural Resources

Department of Transport

Office of Public Works

Environmental Protection Agency

National Roads Authority

Bus Éireann

Cork City Council

2.3.2. Summaries of the issues raised in these submissions and details of the Manager's opinion are set out in Appendix A. The following paragraphs address the major issues likely to affect the amendment of the local area plan.

Department of the Environment, Heritage and Local Government

2.3.3. The department commended the County Council on several aspects of the plan including the approach taken to flood risk management, the general approach to development in villages and on the new provisions affecting the inhabited islands off the county's coast

2.3.4. The submission sought improvements to integration of the local area plan with some of the existing objectives of the County Development Plan 2009 particularly through the inclusion of existing built and natural heritage designations on the maps used in the Draft Local Area Plan. As this request relates only to existing objectives and designations it is not considered to be a material amendment to the plan and these details will be included on the maps of the final plan when published later in the year.

2.3.5. Some location-specific issues raised by the department have been addressed in the Natural Impact report and appropriate provisions are included in the Manager's recommendations.

2.3.6. The submission raised a number of issues relating to archaeology and archaeological heritage.

Manager's Recommendation: No amendment to the Bandon Local Area Plan proposed.

Department of Education and Skills

2.3.7. In its submission the Department of Education and Skills outlined the requirement for future educational facilities in the main towns in the Bandon Electoral Area. There is a requirement for future educational facilities in the main towns in the Bandon Electoral area. There is a requirement to identify 3 additional primary schools in Bandon and one additional primary school site in Kinsale.

2.3.8. It is recommended therefore that the Draft Local Area Plan be amended to identify primary school sites in Bandon and Kinsale towns.

Manager's Recommendation: Bandon Local Area Plan to be amended to identify additional school sites – see proposed amendments BN.03.01.04, BN.03.01.05, BN.03.01.06, BN.03.02.04 and BN.03.02.05

Department Of Transport

2.3.9. The contents of this submission are noted. The role of transport is highlighted in each Draft Local Area Plan. The key elements of the Smarter Travel Policy are contained within Chapter 6 of the CDP which provides the overall strategic framework for the LAP's.

Manager's Recommendation: No amendment to the Bandon Local Area Plan proposed.

Environmental Protection Agency

2.3.10. The EPA have made a very detailed submission commenting on many aspects of the draft plan. A significant number of the issues raised overlap with the recommendation of the Natural Impact report and these are included in the Manager's recommendation for the amendments to the plan.

2.3.11. The main issue raised concerns the level of integration between the developments proposed in the plan and the arrangements for the provision of supporting infrastructure particularly with regard to water and waste-water. The objectives of the County Development Plan 2009 together with those of the Draft Local Area Plan already address these issues to a significant extent. However, the degree of integration could be improved by the addition of further text, the inclusion of clear references in the draft local area plan to the relevant objectives in the County Development Plan and the modification of individual objectives. Many of these changes are considered 'non-material' but provision for those that amount to material change has been included in the Manager's recommendation.

2.3.12. The EPA also raise a number of other issues in relation to the Environmental Report prepared in relation to the Draft Local area plan. These points will be addressed in any Supplementary Environmental Report prepared in relation to the proposed amendment or in the Environmental Statement published in conjunction with the final plan.

Manager's Recommendation: In line with the EPA's request amend the following paragraphs of the draft local area plan;

Amendment to the Bandon Local Area Plan proposed. Amend text in paragraph 3.4.17 see proposed amendment BN.03.03.02, amend objective DB-02 in Inishannon see amendment BN.03.05.03, amend objective DB-02(e) Riverstick see amendment BN.03.06.01 and amend Objective C-01 see amendment BN.03.06.02. In Ballyfeard amend objective DB-01 see amendment BN.03.12.01, in Garrettstown/Garrylucas insert additional objective DB-01 9(h) see amendment 03.17.01, In Tinkers Cross insert additional objective DB-01(f) see amendment 03.19.01 and in Sandy Cove insert additional text see amendment BN.03.30.01. Managers Recommendation: Insert 'sustainable' in front of growth as follows '.....to facilitate the sustainable growth of the town's population.....' see proposed amendment BN.03.01.17 in Bandon and BN.03.02.04 in Kinsale.

National Roads Authority

2.3.13. Comments on the general content of the Local Area Plans are noted. References to Ministerial Guidelines have only been included where they are finalised. Clear guidance on phasing will be provided where required.

2.3.14. The County Development Plan 2009 already addresses the issues raised concerning general traffic implications for national routes and non-national roads. Location-specific issues arising from this submission are addressed under the appropriate settlement heading. No amendment to the plan is considered necessary.

Manager's Recommendation: Amendment to the Bandon local area plan proposed - amend zoning objective B-04 see proposed amendment BN.03.01.11, amend zoning objective B-05 see proposed amendment BN.03.01.12 and amend zoning objective B-06 see proposed amendment BN.03.01.13.

2.4 Other Issues Raised in General Submissions

Construction Industry Federation

2.4.1. The CIF submission raises a number of issues relating to masterplanning, infrastructure deficits, flooding, population targets, taxation and crèche provision.

2.4.2. The submission raises a number of strategic issues best addressed in the normal review of the relevant strategic documents. The aim of Masterplans is to provide additional information to help streamline the planning application process. They are only used in the case of unusually complex and large scale proposals.

2.4.3. The observations made on the approach to flood risk management have been addressed in paragraphs 2.2.2 – 2.2.8 of this report. The approach to zoning in smaller settlements is in line with Ministerial Guidelines and many of the observations that have been made are addressed in paragraphs 2.2.11 – 2.2.16 of this report.

2.4.4. Infrastructure investment is generally prioritised in accordance with the strategic aims of the County Development Plan 2009.

2.4.5. While the observations made regarding certain taxation issues are clearly of concern, they are clearly a matter for Government and do not fall to be considered under the remit of the Local Area Plan process. Crèche requirements are provided for in the DOEHLG Childcare Guidelines and are a matter for consideration during the planning application process.

Manager's Recommendation: No amendment to the Bandon Local Area Plan proposed.

Irish Farmers Association

2.4.6. The submission from the IFA stresses the importance of emphasizing the role a vibrant agriculture and food industry can play in the resurrection of the economy in the future. However, the submission acknowledged that this can only be achieved if the Local Area Plan's include a solid commitment to improve rural infrastructure such as access roads and high speed broadband services.

2.4.7. The approach undertaken in the Local Area Plans will ensure that resources are effectively targeted in a strategic manner to maximise such infrastructure provision and supports.

Manager's Recommendation: No amendment to the Bandon Local Area Plan proposed.

2.1 Settlement Specific Issues

The following paragraphs list the issues raised in the submissions in relation to settlements:

2.2 MAIN SETTLEMENTS:

Bandon:

A Total of 15 submissions were received for Bandon town - the main issues are as follows: The issues in the submissions raised for Bandon can be classified under the following headings

Retail

A number of submissions requested additional expansion of the town centre in Bandon and specific zonings objectives on landbanks within the settlement. The issues raised include support for the town centre expansion areas, the location of discount retailing in residential area, a need for a retail sequential test in the town and a request for an X-02 zoning to accommodate a large supermarket.

The town centre expansion of Bandon has seen a logical extension from the retailing core from T-01 to T-02, T-03 and T-04. Much of the town centre expansion areas are shown as been at risk of flooding on the indicative flood risk assessment maps. However many of these are brownfield sites and have had a previous on site use. The flood zones category applicable in Bandon is Flood Zone A, where the probability of flooding from rivers and the sea is highest. In addition a site was submitted on lands zoned O-03 for retailing this was not considered because it is a greenfield site and is located in an area susceptible to flooding.

The Guidelines allow for a justification test for development plans. Bandon is identified for growth in the County Development Plan. Where, as part of the preparation and adoption or variation and amendment of a development plan a PA is considering the future development of areas in an urban settlement that are at a high risk of flooding certain criteria must be satisfied. This justification adheres to all the principles as the Planning Authority is promoting the expansion of the town centre, it is facilitating the regeneration and expansion of the centre as it is essential to expand the centre of the urban settlement. The TC expansion is within the core of the urban settlement and will be essential in achieving compact and sustainable urban growth. The objectives relating to these lands require that any development proposals on this site will normally be accompanied by a flood risk assessment that complies with Chapter 5 of the Ministerial Guidelines.

Having considered these submissions and reviewed what has been provided in the DLAP no additional changes are being proposed as it is considered that there is sufficient land to facilitate town centre expansion and retail provision.

Managers Recommendation: No amendment to the Bandon Local Area Plan proposed.

Infrastructure

Submissions received include a request for an update on the completion of the Bandon town Bypass, a second river crossing and a traffic and transportaion plan for the town to address the existing congestion. These issues were considered and will be addressed in a Traffic and Transportation Plan for the town.

Managers Recommendation: No amendment to the Bandon Local Area Plan proposed.

Business

It is considered that there is sufficient business zoning sites identified in the town with provision been made for modest extensions to the four main established primarily commercial areas outside the town centre. Nevertheless some of these zonings need additional wording and clarification as to their intended uses.

Managers Recommendation: amend zoning objective I-02 see proposed amendment BN.03.01.10.

Education

On the basis of the LAP's population forecast figures and following a submission from the Department of Education three number of primary schools are required for Bandon. The Local Authority has identified suitable sites. In addition consideration will be given in the Local Area Plan to encouraging links with CIT/UCC in establishing further education opportunities including adult education courses in Bandon.

It is the intention that the provision of new primary schools will be in the lands zoned for residential development. Sites suitable for school accommodation could include the combined site of R-06 and R-07 which may accommodate two primary schools in a large campus, and an additional school at R-09. If these locations were deemed appropriate that would place three new schools north of the river with the provision of a third school to the south at R-15

The Department of Education land reservation requirement for schools is the following, 8 classroom site sizes needed 1.14 ha and a 16 room school site needed 1.6 ha.

Managers Recommendation: Amend zoning objectives R-09 - BN.03.01.04, amalgamate R-06 and R-07 - BN.03.01.05, R-15 - BN.03.01.15. See proposed amendments.

Walkway

A number of submissions have been received objecting to the expansion and creation of this walkway. The proposed pedestrian link will be of significant benefit to amenity provision in the town. In addition a cycleway shall be provided.

Managers Recommendation: Amendment to the Bandon local area Plan proposed – see proposed amendment BN.03.01.02 Appendix B and amend objective U-02 – see proposed amendment BN.03.01.14

Other issues

A submission acknowledges the deficiencies in the public water supply infrastructure serving the town. This is acknowledged in the plan with an upgrade of the water supply required if land zoned south of the town is to be developed.

It is also considered that site zoned I-01 should be further enhanced with landscaping to protect the visual amenities of the area.

Managers Recommendation: amend objective I-01 – see proposed amendment BN.03.01.09

Kinsale:

A Total of 9 submissions were received for Kinsale town - the main issues are as follows:

Primary School Provision

Two number of submissions have been received in relation to the provision of a school at Summercove. In the DLAP a site has been identified at C-04. Prior to the publication of the DLAP a planning application was made to the north of this site for a new school under 10/5036 this was refused by Cork County Council.

Managers Recommendation: No amendment to the Bandon Local Area Plan proposed.

Creche

Submission received for a crèche to be located adjoining site zoned C-02. The proposal to include a crèche beside the existing primary school is welcomed as this is a compatible land use.

Managers Recommendation: amend zoning objective C-02 – see proposed amendment BN.03.02.01

Business and Industrial

There is a submission for the alteration to the zoning objectives at Waterlands Kinsale., this request seeks to have the I-02 lands redesignated to a Business zoning and to have the B-03 designation reworded for retail provision. Having considered the submission the zoning objectives would remain the same but provision would be made if required for the industrial operator in the lands zoned I-02 to expand into B-03 if needed.

Managers Recommendation: amend zoning objective B-03 – see proposed amendment BN.03.02.03

Other Issues

Submissions have been received for additional zoning of lands, extension of the settlement boundary in Kinsale and clarification of the meaning of the term “green fingers” in the text. It is considered that there is sufficient land within the development boundary for expansion. However the meaning of the green fingers in relation to Ardbrack and Summercove should be clarified in the text.

Managers Recommendation: amend text in paragraph 2.3.2 and 2.4.4 - see proposed amendment BN.03.02.02

2.3 KEY VILLAGES:

Innishannon:

A total of 4 submissions were received for Innishannon the main issues are as follows:

Boundary alterations

A submission has been received from the owner of lands included in the zoning objective B-01. There is a request to have the southern boundary of B-01 revised northwards. This is acceptable as the lands to the south have an established residential use.

Managers Recommendation: Alter the zoning boundary B-01 see proposed amendment BN.03.05.01

Car parking provision

Within the village there is only on street car parking which is limited. The plan looks for additional retail and office provision within the village which will require car parking.

Managers Recommendation: Amend DB-02 (i) see proposed amendment BN.03.05.02

Ballinspittle

Infrastructure provision in the village to meet future development

Managers Recommendation: amend text in paragraph 3.4.12 see proposed amendment BN.03.03.01

2.4 VILLAGE NUCLEI:

Ballyheada

Submission received requesting that the settlement boundary is reduced. Having reviewed the submission the boundary is sufficient to meet future expansion.

Managers Recommendation: additional guidance will be given in the plan to concentrate development in the settlement core.

2.5 Issues raised in relation to the Environment Report

One submission received (BNEV11/451) in the context of the proposed school in Summercove and the content is noted.

2.6 Appropriate Assessment

A number of amendments are proposed to give effect to the recommendations of the appropriate assessment of the Plan. The amendments are detailed in the table below and included in Appendix B.

Managers Recommendation: amend objective LAS2-1 see proposed amendment BN.02.02.01, add objective LAS 2-2 see proposed amendment BN.02.02.02, add objective LAS 2-3 see proposed amendment BN.02.02.03 and add objective LAS 2-4 see proposed amendment Bn.02.02.04.

LAS 2-1	In line with the principles set out in the County Development Plan 2009 and the provisions of objectives INF 5-6, INF 5-7 and INF 5-8 of the County Development Plan, development proposed in this plan will only take place where appropriate and sustainable water and waste water infrastructure is in place which will secure the objectives of the relevant River Basin Management Plan and the protection of sites designated for nature conservation. This must be provided and be operational in advance of the commencement of any discharges from the all residential and other development.
LAS 2-2	This plan, and individual projects based on the plans proposals, will be subject (as appropriate) to Strategic Environmental Assessment, Habitats Directive Assessment Screening and/or Assessment (Habitats Directive and Birds Directive) and Environmental Impact Assessment to ensure the parallel development and implementation of a range of sustainable measures to protect the integrity of the biodiversity of the area.
LAS 2-3	It is an objective to provide protection to all proposed and designated natural heritage sites and protected species within this planning area in accordance with env 1-5, 1-6, 1.7 and 1-8 of the County Development Plan, 2009. This includes Special Areas of Conservation, Special Protection Areas and Natural Heritage Areas (see Map x).
LAS 2-4	It is an objective to maintain where possible important features of the landscape which function as ecological corridors and areas of local biodiversity value and features of geological value within this planning area in accordance with env 1-9, 1-10, 1-11 and 1.12 of the County Development Plan, 2009.

Appendix A

List of Submissions

Settlement	Sub. No.	Interested Party	Summary of Submission	Managers Opinion
	BNDLAP 11/943	Department of Education and Skills	<p>The submission outlines how the Department calculates the extent of primary and post primary provision needed in an area. The submission relates to the towns of Bandon and Kinsale and the rural areas in the provision of new schools and school extensions.</p> <p>In addition the submission takes the information supplied in section 2 of the DLAP Table 2.2.8 relating to population projection. Using these key pieces of information and applying them to the projected increase for each of the main areas listed, Bandon, Kinsale, villages and rural the additional educational infrastructural requirements emerge.</p> <p>Other points raised: the department always requests site reservations to be made as close as possible to community facilities such as sports facilities, libraries etc and the department is open to the concept of multi campus school arrangements.</p> <p>In Bandon Town identify need for two primary schools (8 classroom and 16 classroom). Also identify need for a 1.14 ha site to accommodate the existing primary school which is operating out of rented accommodation. In Kinsale require an 8 classroom primary school site to be identified</p>	<p>Bandon Local Area Plan to be amended to identify additional school sites – see proposed amendments BN.03.01.04, BN.03.01.05, BN.03.01.06, BN.03.02.04 and BN.03.02.05 Appendix B.</p>
	BNDLAP 11/104 9	Bus Eireann	<p>PUBLIC TRANSPORT GOALS</p> <ul style="list-style-type: none"> • Provision of reliable journey times • Provision of a wide range of destinations • Appropriate frequency/headway. Convenience of use (information, ticketing, etc.) <p>To achieve the above, adequate bus priority measures and infrastructure are required to be provided</p> <p>SPECIFIC OBJECTIVES Important in the provision of high quality public transport are:</p> <ul style="list-style-type: none"> • Well designed bus stops • Disabled accessible bus stops, including wheelchair accessibility • Easy of access for buses to urban bus stops • Safety, in terms of design and location, is of paramount importance at school settings • Use of parking restrictions and one-way systems in urban areas to assist free-flow for buses • Consideration of use of road hard shoulders when exiting & entering urban areas <p>IMPLEMENTATION Public transport needs must be integrated into the planning process when considering new development proposals, within both</p>	<p>No amendment to the Bandon Local Area Plan proposed.</p>

Settlement	Sub. No.	Interested Party	Summary of Submission	Managers Opinion
			<p>greenfield and existing development areas, as follows:</p> <ul style="list-style-type: none"> •Buslanes in urban areas •Well positioned and accessible bus stops •Bus lanes on motorways •Bus priority at traffic signals • Linking traffic signals with bus based AVL •Control of parking •Traffic calming • Pedestrian zones <p>ADDITIONAL ISSUE Provision for the overnight parking of buses for early morning departures in outlying towns should be made.</p>	
	BNDLAP 11/1059	Department of Communication Energy and Natural Resources	The Department have no comments/observations to make at this time	No amendment to the Bandon Local Area Plan proposed.
	BNDLAP 11/1004	NRA	The NRA submission refers to traffic and national roads throughout the county, there are issues specifically relating to the Bandon Electoral Area on p27/28. safeguards need to be included for the N71 scheme. The NRA comment on the Bandon settlement Plan, Inishannon Settlement Plan and Old Chapel settlement Plan. Any development along the N71 should be accompanied by Traffic and Transport assessments and as appropriate Road Safety Audits.	<p>Noted. Additional text required to safeguard the efficiency of the N71 strategic infrastructure corridor.</p> <p>Additional text proposed for some zoning objectives in Bandon making reference to the need to prepare Traffic and Transport impact assessments and Road Safety Audits.</p>
	BNDLAP 11/1047	Department of Transport	Highlights the crucial role of transport in the economic and social development of the country. LAP's should take account of the Governments Smarter Travel Policy. It sets targets for modal shift, a reduction in transport emissions and easing of congestion. Address the need for an alignment of spatial planning and transport. Also encourages more sustainable forms of transport. Needs to be a radical shift in emphasis in how cycling and walking is provided in the future including the need to promote more compact urban forms, provision of safe cycling routes to schools and identification of inter urban cycling networks. The relevance in the LAP of the vision of the National Cycle Policy Framework (NCPF) to create a cycling culture in Ireland is highlighted. Would welcome greater emphasis in the LAP on the Smarter Travel Policy and its implications.	NotedNo amendment to the Bandon Local Area Plan proposed.
	BNDLAP 11/1052	DoEHLG	Submission complements the Council on its approach to setting housing targets in villages, revised zoning categories and definitions, introduction of clear policy guidance on flooding, incorporating clear guidance on appropriate scale of new	

Settlement	Sub. No.	Interested Party	Summary of Submission	Managers Opinion
			<p>residential development and inclusion of the islands into the settlement network.</p> <p>Emphasises the importance of adopting the Core Strategy into CDP by September 2011 and ensuring that LAP's policies (in particular Phasing of development, towns/village growth balance, growth in CASP Ring) are aligned with it.</p> <p>Note that Appropriate Assessment should be undertaken at the draft LAP stage</p> <p>Need further clarification of how housing and population targets were arrived at. If there is an excessive amount of residentially zoned land then a clear phasing regime or rezoning is required. Need to indicate clearly how the significant turnaround in the growth balance between rural areas and main towns is to be achieved.</p> <p>Guidance is given on what constitutes Archaeological heritage and it is suggested that Recorded and National Monuments should be shown on settlement maps including lines of medieval town walls. Suggest that specific policies and objectives on archaeological heritage should be included in LAP's. Specific comments are made about Architectural Heritage in some LAP's expressing the need for greater clarity. Changes/additions relating to objectives relating to nature Conservation in some LAP's are proposed.</p>	<p>It is proposed to include a Zone of Archaeological Potential (ZAP) as identified in the Urban Archaeological Survey of County Cork (1995) issued by the Department of Environment. An explanatory text relating to Zones of Archaeological Potential and that these settlements are classified as historic settlements will be included as suggested in the submission</p>
	BNDLAP 11/105 8	OPW	<p>The submission welcomes the approach taken to flooding and recommends a number of changes</p> <p>Section 1.7.7 – broaden the list of information to include, where applicable, reports or flood maps from localised flood studies. Section 1.7.9 -references to the Draft Indicative Flood Extent Maps should include reference to “three areas of flood risk”, including Zone C (low probability of flooding) and that text describing Flood Zone B should reference, where applicable, the implementation of the Justification Test, similar to the text on Zone A. Objective FD1-4 - amend to include reference to the planning principles and the sequential approach and to the avoidance of flood-prone areas when designing the layout of development. Zoning Objectives - amend plans to ensure the planning principles, sequential approach and the justification test is included with each objective. Strengthen wording so that development proposals shall / should be accompanied by an FRA. All settlements - Plan should note</p>	<p>Revised flooding and text to be included see paragraph 2.2.2–2.2.8 see amendments BN.01.01.03 – BN.01.01.07</p>

Settlement	Sub. No.	Interested Party	Summary of Submission	Managers Opinion
			<p>than “possible local flood issues should be considered with respect to all sites, with a detailed site-specific flood risk assessment undertaken as appropriate. Submission continues to highlight the need for a consistent approach to the use of the Sequential Approach and the Justification Test (in some areas lands are zoned even though they are almost entirely within both Flood Zones A and B). Justification Test be fully applied to confirm the suitability of such zoned sites.</p>	
	BNDLAP 11/1230	EPA	<p>The EPA’s submission relates to four areas as follows: a) Integration_____of environmental considerations in the landuse plans, b)General comments on the EALAP Environmental Reports c)General comments on the EALAPS and d)Specific comments on the EALAPs. The EPA include a number of key recommendations to be included in the plan in the form of policy/objectives. These relate to water quality, drinking water, waste water, fisheries, flooding, biodiversity, groundwater, landscape and master plans. The overall comment relates to the lack of integration of the environmental considerations and recommendations that have been set out in each of the EALAP Environmental Reports and the need to better address and incorporate in the Draft EALAP the implications of infrastructural deficiencies and further development, and associated potential implications of cumulative development on environmental sensitivities and vulnerabilities identified.</p>	<p>Amendment to the Bandon Local Area Plan proposed. See proposed amendments. Amend text in paragraph 3.4.17 see proposed amendment BN.03.03.02, amend objective DB-02 in Inishannon see amendment BN.03.05.03, amend objective DB-02(e) Riverstick see amendment BN.03.06.01 and amend Objective C-01 see amendment BN.03.06.02. In Ballyfeard amend objective DB-01 see amendment BN.03.12.01, in Garrettstown/Garrylucas insert additional objective DB-01 9(h) see amendment 03.17.01, In Tinkers Cross insert additional objective DB-01(f) see amendment 03.19.01 and in Sandy Cove insert additional text see amendment BN.03.30.01., BN.03.01.17 and BN.03.02.04</p>
	BNDLAP 11/1272	BamGable Developments	<p>This submission objects to the crude mapping of areas identified as at risk of flooding generated from highly suspect and out of date data, with particular reference to Carrigtwohill in the Middleton Electoral Area. The submission states that infrastructure and engineering works have been undertaken in accordance with permissions granted for these lands, supported by the Council and that these circumstances are not reflected in the mapping. It is requested that as the areas of probable flooding risk are inaccurate and worthless then they should be removed from the documents. The submission also objects to the requirement for the carrying</p>	<p>Following consideration of submissions there has been a revised approach to zoning and flood risk management (see Paragraph 2.2.2 – 2.2.8). The Flood Risk Assessment of the county has been carried out in accordance with the Ministerial Guidelines and no change to flood extent maps is proposed</p>

Settlement	Sub. No.	Interested Party	Summary of Submission	Managers Opinion
			out of repeat flood risk assessments where the probability of flooding has been removed by infrastructural works or where conditions have been complied with obviating flood risk	
	BNDLAP 11/127 6	CIF	<p>LAND USE ZONING</p> <ul style="list-style-type: none"> • Minimise use of Masterplans, Integrated Area Plans • Infrastructure deficits • Significant development constraints in key areas • Infrastructure investment • LAP review within 6 yrs • Flexibility required in smaller settlements • Underperformance of Cork City should be accommodated within Metropolitan Cork <p>FLOODING</p> <ul style="list-style-type: none"> • Extreme, based on imprecise data • Inequitable to de-zone lands or identify existing build up areas as being at flood risk <p>SMALLER SETTLEMENTS</p> <ul style="list-style-type: none"> • No deletion of zoning in smaller settlements • Zoning be retained where the developer has permission or has progressed an application • Inflexible approach taken • Amend specific target population growth to approx. target <p>DEVELOPMENT OBJECTIVES</p> <ul style="list-style-type: none"> • Guidelines allow for greater growth than envisaged in LAPs • Limiting growth will limit the provision of services <p>MARKET CONDITIONS</p> <ul style="list-style-type: none"> • No demand for higher densities outside of urban location & special sites • Review density targets • Future funding of infrastructure cannot be largely borne by private sector <p>ZONING & TAXATION</p> <ul style="list-style-type: none"> • Windfall tax legislation impacts on amended zonings <p>CRECHE</p> <ul style="list-style-type: none"> • Greater flexibility required in the provision of crèches <p>CONTRIBUTIONS</p> <ul style="list-style-type: none"> • Review of development contributions is required • Preparation of a more comprehensive list of infrastructural projects to be considered would provide greater certainty to developers and investors 	<p>The issues raised relating to residential density, general contribution scheme, part V and the County Council's recreation and amenity strategy are matters best considered as part of the normal review process for the documents concerned. The revised zoning regime introduced in the local area plans provides for a more flexible approach at the application stage. A revised approach to flood risk management is detailed in Section 2.2.2 – 2.2.8 of this report. See also sections 2.4.1 – 2.4.5 of this report.</p>

Settlement	Sub. No.	Interested Party	Summary of Submission	Managers Opinion
			<p>PLANNING GAIN</p> <ul style="list-style-type: none"> • Planning gain policies will stifle economic recovery and requires review <p>DOCUMENT</p> <ul style="list-style-type: none"> • Confusion arises where the Draft Indicative Flood Extent Maps overlies zoned land use objectives • Requirement for improved linkage between LAPs and CDP 	
	BNDLAP 11/127 7	IFA	<p>The submission raises a number of issues relating to the agriculture industry; namely:- The LAP's need to emphasize the role to be played by a vibrant agriculture and food industry in the resurrection of the economy in the future. There needs to be a solid commitment in the plans to improve rural infrastructure such as access roads and high speed broadband services.</p>	<p>The submission from the IFA stresses the importance of emphasizing the role a vibrant agriculture and food industry can play in the resurrection of the economy in the future. However, the submission acknowledged that this can only be achieved if the Local Area Plan's include a solid commitment to improve rural infrastructure such as access roads and high speed broadband services.</p> <p>The approach undertaken in the Local Area Plans will ensure that resources are effectively targeted in a strategic manner to maximise such infrastructure provision and supports.</p>
Aghyohill	BNDLAP 11/904	Noreen Slattery	Request that lands are zoned for development and included within the development boundary of the village	There is adequate provision within the development boundary to meet housing targets set out in the local area plan. No change proposed
Ballinhassig	BNDLAP 11/886	John and Nora O Sullivan	Requests for rezoning a 3/4 acre site so that the submitters son may build a family home and settle down	The Metropolitan Cork green belt maps are part of the County Development Plan 2009 and therefore the request to change these lands from A1 to A3 is outside the scope of the plan. No change proposed
Ballyheada	BNDLAP 11/570	Ballyheada and District Residents Association	The submission requests that the settlement boundary is reduced to a more appropriate size for a village nucleus. The vision for Ballyheada is to restore a core for local services. The submission requests	Additional guidance will be given in the plan to concentrate development in the settlement centre.

Settlement	Sub. No.	Interested Party	Summary of Submission	Managers Opinion
			that the vision for Ballyheada is to maintain its landscape setting while allowing for some small scale individual dwellings in accordance with the policies of the County development Plan. Finally the submission feels that there is no need for public footpaths in the area as there is little or no pedestrian traffic and we should maintain the rural landscape.	
Bandon	BNDLAP 11/448	Brophy, Colm ESB	Submission supporting the TC-03 designation in the draft plan	Noted No Change proposed
Bandon	BNDLAP 11/480	Mervyn Jeffers	Submitters home is approx 80 yards from the Bandon river where there is a proposed public walkway planned for both sides. All last summer there were bottles, cans and rubbish left by noisy partygoers, often with foul language and urinating in the river. Collected in one evening alone over 120 bottles and cans and a full bag of rubbish within about a thirty yard area- this is only a small sample from a small stretch. Do not want a duplication on their side of the river where there are young children and the proposal would effect about eight adjoining properties with gardens running down to the river.	The proposed pedestrian link will be of significant benefit to the amenity provision in the town. Proposed change to text to include cycleway. Amendment to the Bandon local area Plan proposed – see proposed amendment BN.03.01.02 Appendix B
Bandon	BNDLAP 11/500	Aldi Stores (Ireland) Ltd	Makes the case for allowing, subject to the Retail Planning Guidelines, consideration to be given to location of discount stores within residentially zoned areas to act as neighbourhood shops	The Town Centre designation has been expanded in the local area plan. No amendment to the Bandon Local Area Plan proposed.
Bandon	BNDLAP 11/502	Aldi Stores (Ireland) Ltd	Support the proposed town centre expansion areas, and acknowledge the potential for neighbourhood shops in residential areas	Duplicate of BNDLAP11/500. The Town Centre designation has been expanded in the local area plan. Any proposal will be considered with regard to the Retail Planning Guidelines. No amendment to the Bandon Local Area Plan proposed.
Bandon	BNDLAP 11/551	Richard & Alison O'Neill	The submission outlines objection to objective U-03; Maintain and where possible extend the pedestrian walk along the river bank.	Noted. The proposed pedestrian link will be of significant benefit to the amenity provision in the town. Proposed change to text to include cycleway.
Bandon	BNDLAP 11/605	Labour Party	Submission deals with issues such as infrastructure, flooding, community development, education, health, amenities, broadband provision, markets, town centre	Noted no change

Settlement	Sub. No.	Interested Party	Summary of Submission	Managers Opinion
			rejuvenation and extending the town council boundary	
Bandon	BNDLAP 11/606	Labour Party	Submission deals with issues such as infrastructure, flooding, community development, education, health, amenities, broadband provision, markets, town centre rejuvenation and extending the town council boundary	Duplicate of BNDLAP/605
Bandon	BNDLAP 11/612	Enviro Management Services	The submission gives an overview of the current and future housing market, the amount of residential zoned land, building statistics in Bandon, emigration impacts on growth and development and recommendations for residential housing for Bandon, Water quality issues raised, public water supply needs to be upgraded. A more suitable bridging point should be identified which will remove heavy vehicles from the town. No information is available for urban air quality for Bandon Town	A number of these issues relating to population growth targets have been addressed in Section 2 of the DLAP. Road Infrastructure requirements will be identified through the preparation of the Bandon Transportation Plan as per paragraph 1.3.9 of the draft local area plan. No change proposed
Bandon	BNDLAP 11/622	Labour Party	Submission deals with issues such as infrastructure, flooding, community development, education, health, amenities, broadband provision, markets, town centre rejuvenation and extending the town council boundary	Duplicate of BNDLAP/605
Bandon	BNDLAP 11/646	Cunnane Stratton Reynolds	A retail sequential test in accordance with the retail Planning Guidelines regarding the appropriate location for a large format convenience retail supermarket within Bandon Town has been prepared. This report sets out the level of existing retail provision in Bandon and the opportunities and constraints related to each potential site within the town centre. It concludes that there are no suitable sites within the town centre for large scale modern convenience retailing and the plan should make provision for alternatives on the edge of town to be considered.	The Town centre has been expanded already in the plan to provide opportunities for retail. Any other proposals can be considered as per the Retail Planning Guidelines at the planning application stage. Paragraph 2.2.22 in Section 2 addresses retail provision. No change proposed
Bandon	BNDLAP 11/653	Edward Power	Submission relates to land located to the south east of the town, to the north of Distillery road. The current zoning of the site is Industry I-03 with a specific objective for Office based industry. The draft plan proposes to zone this site for Business B-05 for business Development. Request that the site is designated Special Policy area X-02 suitable for accommodating a large format convenience supermarket.	Submission is a duplicate of 11/935
Bandon	BNDLAP 11/829	John O Donovan	Submission states that there is an additional need for the expansion of the Bandon Community hospital, identifies zoning objective R-14 as a possible suitable site. Area B-05 would be suitable for out of town centre retail activity.	The points raised in this submission are noted. Town centre designation has been expanded in the draft local area plan. It is proposed to insert text on additional education provision

Settlement	Sub. No.	Interested Party	Summary of Submission	Managers Opinion
			<p>Education</p> <p>Potential for the development of an outreach centre by both UCC and CIT for the delivery of ongoing adult education and third level education. There is demand for continuous professional development particularly in the area of accountancy and business courses. It is paramount that broadband infrastructure be put in place in Bandon to facilitate delivery of courses.</p> <p>Infrastructure</p> <p>There needs to be alternative routes from the town to Cork City to facilitate commuters, the development of residential houses to the northern side necessitates proper road access. A northern by pass would be the optimal solution. The Bandon Action plan identified a bridging point from Watergate Street to Glashlinn road and this should be further investigated through</p> <p>This submission requests that further clarification is provided on the zoning objective for the R-03 site in Bandon. The submission, which includes alternative wording for the objective, requests that the Council defines what portion of the site, is considered reasonable for redevelopment.</p> <p>The feasibility study in terms of cost/benefit to the town.</p> <p>The development of car parking spaces on the outskirts would relieve congestion, with a commuter bus service and provide the parking free of charge</p>	Section 1.3.9 outlines infrastructure provision for the town
Bandon	BNDLAP 11/925	Kevin O Leary Motorgroup	<p>This submission deals with three sites in Bandon. The sites with the exception of site 1 although identified in the DLAP as being located within areas at risk of flooding have not been flooded. Two of the sites are proposed to be rezoned for town centre uses in the draft plan.</p> <p>The submission supports the proposed rezoning of site 1 (dlap T-02) and part of site 3 for town centre uses. Requests that the planning authority acknowledge and support the redevelopment potential presented at the by pass site location (site 2) through its designation with an appropriate gateway mixed use opportunity zoning objective. Submission requests the PA, having regard to the location of site 3 adjoining and within the existing town centre, to acknowledge its existing commercial nature and redevelopment potential and to support this potential through the designation of its entire area with a town centre zoning objective.</p>	<p>The Town centre has been expanded already in the plan to provide opportunities for retail. Any other proposals can be considered as per the Retail Planning Guidelines at planning application stage</p> <p>No change proposed</p>

Settlement	Sub. No.	Interested Party	Summary of Submission	Managers Opinion
			Requests the removal of the proposed flooding designations on sites 2 and 3 given that the flooding designations applied to these sites in the draft plan do not reflect the location of the sites or the past history of flooding within Bandon Town.	
Bandon	BNDLAP 11/935	Edward Power	<p>Refer to lands to the south east of the town, to the north of Distillery Road. The lands are presently in the ownership of the O'Donovan family and their consent has been given to the making of the submission.</p> <p>The current zoning on the site as set out in the 2005 LAP is industry I-03 with a specific objective for Office Based Industry. The DLAP proposes to zone the site for Business B-05 for business development. The submission asks the Council to consider designating the site as a Special Policy area X-02 suitable for accommodating a large format convenience supermarket and a suitable location to address the recognised deficiencies in large scale convenience retail floorspace within Bandon</p> <p>The objective X-02 would read: consideration may be given to the development of a standalone large convenience retail unit on this land to address the deficit of such provision within the town. The consideration of such a proposal will be subject to normal planning considerations and compliance with the Retail Planning Guidelines</p>	<p>The Town centre has been expanded already in the plan to provide opportunities for retail. Any other proposals can be considered as per the Retail Planning Guidelines at planning application stage.</p> <p>No change proposed</p>
Bandon	BNDLAP 11/956	Padraig Murphy, Con Nyhan and Niall Fleming	<p>This submission proposes that lands identified as objective O-03 in the DLAP be identified as an opportunity site X-01: opportunity site to include a mix of commercial, employment and amenity uses. Any development proposal on these lands will be subject to a comprehensive flood impact assessment and will include appropriate flood protection measures for the area.</p> <p>In addition the flood risk maps as they currently stand in the draft LAP do not adequately or reasonably address flooding zones.</p>	<p>This site was not considered as suitable it is a Greenfield site and is located on a flood plain of the Bandon river on lands identified as a Zone A Flood Zone. The town centre expansion areas are identified as T-02, T-03 and T-04</p> <p>No change proposed</p>
Belgooly	BNDLAP 11/814	Gerard McCarthy	Proposing that O-01 open space/recreation/amenity boundary should be extended as outlined in red on enclosed map so it can be used as a community playground, picnic area with playground equipment for the benefit of all Belgooly residents and expand the recreation facilities as outlined on the draft area local plans for Belgooly	<p>These comments are noted. The provision for such a facility has considerable merit. The current draft local area plan does not preclude such.</p> <p>Proposed additional supporting text.</p>
Garrettston /Garylucas	BNDLAP 11/619	Paul Montgomery	The submission makes reference to site zoned X-03, Provision of temporary tourist accommodation for camper vans and	There is adequate provision within the development boundary

Settlement	Sub. No.	Interested Party	Summary of Submission	Managers Opinion
			camping facilities in the DLAP. This submission relates to lands adjoining X-03. Access to X-03 is by a road controlled by our client. The submission considers it would be entirely logical to have both land parcels included in the local area plan. The proposal includes modest residential development. He is willing to work with the adjoining land owner to deliver proper development of the area. In addition willing to provide a site for the provision of a wastewater treatment plant.	to meet housing targets as set out in the local area plan. No change proposed.
Garrettston/ Garylucas	BNDLAP 11/621	Paul Montgomery		Duplicate of BNDLAP 11/619
Gogganshill	BNDLAP 11/609	Richard Cronin	The submission requests that the proposed development boundary around Gogganshill be removed and the rezoning of lands from A2 to A3 be reversed.	Gogganshill is "An Other Location" and has no development boundary No change proposed.
Inishannon	BNDLAP 11/834	John J Fleming	Request that the land parcel marked B-01 on the Draft Local area Plan for Inishannon would be difficult to develop as a single entity, because a small portion of this B-01 area to the south presently belongs to the company. To avoid any potential difficulty with future development and suggest a minor adjustment be made to the southern boundary of area B-01. Therefore request that the southern boundary B-01 be adjusted northwards, to reflect the ownership boundary of the Companys lands.	See amendment BN.03.05.01
Inishannon	BNDLAP 11/881	John J Fleming Construction Company	Request that the land parcel marked B-01 on the Draft Local area Plan for Inishannon would be difficult to develop as a single entity, because a small portion of this B-01 area to the south presently belongs to the company. To avoid any potential difficulty with future development and suggest a minor adjustment be made to the southern boundary of area B-01. Therefore request that the southern boundary B-01 be adjusted northwards, to reflect the ownership boundary of the Companys lands.	Duplicate of BNDLAP/834
Inishannon	BNDLAP 11/888	Mr John Lynch	Submission requests that land be rezoned for business use. The site is 9.8 acres and is situated north of Innishannon. Suggested that it would be suitable for medium sized project or a number of smaller units.	This is a stand alone site not contiguous to any development boundary. Adequate land has been provided for business/industrial uses within the development boundary of Inishannon. and Bandon town. No change proposed.
Inishannon	BNDLAP 11/911	Tom and Edward Brennan	Objective R-08 submission wishes this zoning be maintained. Previous application on the site was refused by ABP as the application was premature pending upgrade of the sewage scheme in the village.	No change proposed
Kinsale	BNDLAP	Cappagh View	Proposed extension to the C-02 zone as	The proposal to include a

Settlement	Sub. No.	Interested Party	Summary of Submission	Managers Opinion
	10/397	Developments Limited and Mothergoose Montessori	identified in the Kinsale Environs zoning map to accommodate crèche	crèche beside the existing primary school is to be welcomed. Consideration will be given to extending this site in the amendments to this plan..
Kinsale	BNDLAP 10/399	Cappagh View Developments Ltd and Mothergoose Montessori	Proposed extension to C-02 zone to accommodate crèche at Cappagh, Kinsale	Duplicate of BNDLAP 10/397
Kinsale	BNENV1 1/451	Simon & Irene Barry	School at Summercove	Noted no proposed change
Kinsale	BNDLAP 11/461	Bill & Susan Griffith	Seeks to retain development boundary and existing education zoning at Ardbrack, Kinsale. Submission does not support expansion of school facilities at Summercove simply to address the needs of non residents from Kinsale and beyond.	Noted no proposed change
Kinsale	BNDLAP 11/467	John Dwyer	This submission proposes inclusion of a specific objective in the adopted LAP to accommodate a small craft marina at Ringrone. The submission argues that this is an opportunity to contribute towards the realisation of the County Council's objective to develop an additional marina to help meet current demand. The submission requests that paragraph 2.2.11 is amended.	Noted. Paragraph 2.2.11 in the DLAP states, currently there is a very high demand for berthing facilities in Kinsale and the development of an additional marina would help to meet the current demand Current policy does not preclude consideration of a marina No change proposed
Kinsale	BNDLAP 11/859	Donal O Leary	Requests that existing agricultural lands be zoned for educational purposes.	Noted no proposed change
Kinsale	BNDLAP 11/873	Stewart and Bernadette Joyce	Submission supports the LAP. Does not support the proposed new Summercove primary school built in the location proposed in application number 10/5036. Question whether a new school is required for Summercove . Roads Infrastructure: agreement with the urgent need to relieve traffic congestion within the town. Natural Heritage: agreement with what is in this section 2.2.44 of the draft plan. Problems and opportunities: Agree with adhering to this section relating to the existing built footprint. Open space and agriculture, the quality of the environment and its viewpoints has already been referred to and must be protected. To conclude the submission seeks the preservation of the rural landscape on the	Noted It is proposed to amend the existing wording in the plan to clarify location of green fingers as lands outside of the development boundary. See amendment BN.03.02.02

Settlement	Sub. No.	Interested Party	Summary of Submission	Managers Opinion
			approach road to Charles Fort being preserved. If Objective DB-06 (green fingers) is not adhered to it would open up future opportunity for urban sprawl in the area.	
Kinsale	BNDLAP 11/884	McInerney Holdings plc	<p>The submission states that the basis for including such an area susceptible to flooding is flawed and that the designation should accordingly be removed from the site. The subject site along with the balance of the Orchards is currently zoned for residential development. It is part of a larger holding of land which is subject of Objective R-09 which is for medium density residential development to include a mix of house types and sizes.</p> <p>Concludes that the designation of the site as an Area Susceptible to flooding is based on out of date topographical information for the subject site and surrounding area and request that the flood maps be altered to reflect the raised ground levels in the area.</p>	<p>The approach taken by the LAP process is based upon the best available data and gives specific guidance, but does not prejudice the development management process.</p> <p>See amendment BN.03.02.05</p>
Kinsale	BNDLAP 11/898	Henry Good Ltd	<p>Requests a modification to the above zoning in the draft plan to have the I-02 lands redesignated to Business zoning and to have the B-03 designation reworded.</p> <p>B-03 would include access to this development from the upgraded farm lane rather than from the northern relief road. Consideration should also be given to tourist related development and tourist related retail development subject to the sequential test.</p> <p>I-02 would become B-05 Maintain the established industrial uses on this site. Consideration would also be given to retail tourist related development and tourist related retail development subject to the sequential test.</p>	<p>It is considered that the existing zoning objective I-02 best matches the ongoing existing uses on the site. Need to give further consideration to wording of B-03 objective. Provision made in I-02 for tourist related retail, not considered appropriate to extend this to B-03. See amendment BN03.02.03</p>
Old Head of Kinsale	BNDLAP 11/910	Ashbourne Holdings Ltd	Submission makes reference to the Environment Report which indicates the entire old head promontory delineated as a proposed Natural Heritage Area. Concerned that this will restrict development on their lands and that the designation should be altered/amended.	Declaration on pNHAs is a matter for the DoEHLG No change proposed.
Roberts Cove	BNDLAP 11/939	Donal Twomey	Submission includes a map outlining lands at Roberts Cove which would be suitable for inclusion within the development boundary.	No change. This is an "other location" which has no development boundary No change proposed
Sandycove	BNDLAP 11/900	David and Cameron Good	Submission requests policy text 30.4.3 is altered to read in addition to those policy objectives outlines in the County	Submission noted. This is a new addition to settlement network as an

Settlement	Sub. No.	Interested Party	Summary of Submission	Managers Opinion
			<p>Development Plan 2009, the lack of public infrastructure and road access to the settlement will act as factors which limit the level of new development capable of being accommodated in the settlement. Request that the PA will consider proposals that allow for the provision of additional necessary community infrastructure to address deficits in general provisions to allow for PPP type initiatives.</p>	<p>“other location”, no further change proposed to the text of this settlement.</p>

Appendix B County Manager's Recommended Amendments to the Draft Blarney Electoral Area Local Area Plan

This appendix sets out the County Manager's recommendations for the material changes to the Draft Blarney Electoral Area Local Area Plan (Public Consultation Draft – November 2010). These changes have come about following consideration of the submissions and observations received from members of the public and statutory bodies and also from internal deliberations on specific issues.

The preparation of this appendix is an important part of the process that the Council has followed in order to meet the requirements for the preparation of the new local area plans as set out in section 20 of the Planning and Development Acts. These recommendations will become part of the formal amendment proposals to be issued for public consultation unless the Elected Members of the County Council pass a resolution to the contrary within the time allowed under the Acts (Tuesday 5th April 2011). Once public consultation is completed on all the proposed amendments, the final decision on whether or not they should be included in the plan will be made by a resolution of the Elected Members of the Council. Resolutions in relation to all these matters need to be made at least 50% of the elected members of the Planning Authority. In making the plan, the Council must confine itself to considering the issues of proper planning and sustainable development.

In addition to the material changes detailed in this document, a number of non material changes relating to the procedural and factual content (including factual matters, links and references to objectives in the County Development Plan 2009, the inclusion of mapped information already shown in the County development Plan 2009 and further information concerning the environmental effects of the plan) will be included in the plan before it is finalised.

This appendix should be read in conjunction with the public consultation draft of the plan as published in November 2010.

Appendix B List of Amendments recommended by the Manager

Ref.	Draft Change Title	Page No.
	Section 1 Introduction to the Bandon Electoral Area Local Area Plan	
BN.01.01.01	<p>Insert new paragraphs after Paragraph 1.6.4</p> <p>“Transitional Issues Affecting Development</p> <p>In some villages, the scale of future development now envisaged for the village is now exceeded by the ‘stock’ of planning permissions granted under the previous plan and there are concerns regarding the affect of the new approach set out in this plan in cases where planning permission may have already been granted or building work may have already commenced for a larger scale development than is now envisaged in the draft plan.</p> <p>The objectives in this plan indicating the ‘number of new dwellings likely to be built in the village during the lifetime of the new plan’ is intended to be a significant factor guiding the determination of planning applications during the lifetime of the plan. However, it is not intended that this should operate as a rigid ‘cap’ on the ‘stock’ of planning permissions applicable to a particular village at a particular time. Indeed, it could be generally undesirable for the existence of a small number of relatively large planning permissions, for a scale of the development for which there may no longer be a ready market, to, in themselves, hinder or stifle new proposals for development at scale more consistent with current market conditions and in keeping with the Ministerial Guidelines and the other objectives of this plan.</p> <p>A further issue concerns the role of the new local area plans in the determination of applications planning permission or the extension of an appropriate period in respect of a planning permission grated prior to the making of the new local area plan. Clearly, the new local area plans are not intended to undermine any formal commitment (e.g. through the grant of planning permission) that the County Council may have given to development during the lifetime of the previous local area plan. Indeed, many of these permissions may be entitled (on application and subject to certain conditions) to an extension of the appropriate period for the implementation of the permission, but the Planning & Development Acts do not include local area plans in the range of documents that can be considered in the determination of these applications.</p> <p>However, taking account of current housing market uncertainties, it is possible that some</p>	9

	<p>developments, in villages and elsewhere, that have already commenced, may not reach completion before their respective planning permissions expire (even allowing for any extension to the appropriate period to which they may be entitled). Therefore, to ensure that the new local area plans do not inadvertently hinder the completion of developments that have commenced prior to the making of the plan the following objective has been included in the plan. “</p> <p>Note: this change refers to the text of the draft plan</p>	
BN.01.01.02	<p>Insert a new objective following the previous amendment:</p> <p>“Existing Planning Permissions – Transitional Issues</p> <p>Notwithstanding any other objectives in this plan, in the interests of the proper planning and sustainable development of the area, it is an objective of this plan to secure the satisfactory completion of any development for which planning permission was granted prior to the making of this plan where works were carried out pursuant to the permission prior to the making of this plan</p> <p>Note: this change refers to the text of the draft plan</p>	9
BN.01.01.03	<p>Insert the following new paragraph following paragraph 1.7.9</p> <p>‘Notwithstanding the approach taken to the preparation of the ‘Indicative Flood Extent Maps’, in a relatively small number of settlements across the County as a whole, there is some evidence of possible anomalies in the flood risk mapping resulting in the possibility of inaccuracy at the local level. Having considered these issues in some detail, both OPW staff and the Consultants retained by the County Council are of the view that some anomalies will inevitably occur especially at the local level in this type of broad scale modelling. These may appear most significant in a few localised areas of relatively flat terrain but they do not undermine the credibility of the maps and their value as an appropriate basis for the spatial planning decisions made in this Local Area Plan. Reference is made within the individual settlement chapters of the plan identifying those locations where such localised uncertainties may exist and policies and objectives set out in the following paragraphs provide an appropriate basis for the resolution of any issues that may arise.’</p> <p>Note: this change refers to the text of the draft plan</p>	11
BN.01.01.04	<p>Replace paragraph 1.7.10 with the following:</p> <p>In the course of preparing this plan, so far as proposals for new zoning are concerned, the ‘Indicative Flood Extent Maps’, shown on the zoning maps, have been used as one of the</p>	11

	<p>relevant considerations in determining whether or not a particular parcel of land should be zoned. Generally where proposals for new zoning significantly conflicted with the 'Indicative Flood Extent Maps' they have not been included as zoned land unless the proposed use or development satisfied the 'Justification Test for Development Plans' set out on page 37 of the Ministerial Guidelines.</p> <p>With regard to zonings inherited from the 2005 Local Area Plan, some of these may have been discontinued where there was a significant conflict with an issue relevant to the proper planning and sustainable development of the area (e.g. conflict with a Natura 2000 site, other heritage designation or a significant change in the overall approach to development in the settlement concerned). Where a flood event has been recorded on a site, particularly since the 2005, then, generally, the zoning has been discontinued in this plan.</p> <p>However, where no flood event was recorded and the sole issue in relation to the zoning was conflict with the 'Indicative Flood Extent Maps', in this plan the zoning has generally been retained (either as a 'zoning' or as un-zoned land within the development boundary) but with a revised specific objective setting out the steps that will be appropriate at the project stage to determine the level of flood risk in relation to the site.</p> <p>Note: this change refers to the text of the draft plan</p>	
<p>BN.01.01.05</p>	<p>Replace Paragraph 1.7.12 with the following:</p> <p>In this plan, a number of specific sites that are identified for development and many parcels of land without a specific zoning objective but within the development boundary of a town or village, are also affected by the 'Indicative Flood Extent Maps' shown in the plan.</p> <p>In these areas, all applications for planning permission falling within flood zones 'A' or 'B' will need to comply with Chapter 5 of the Ministerial Guidelines – 'The Planning System and Flood Risk Management and, in particular, a site-specific flood risk assessment will be required.</p> <p>In order to reflect the possibility that the 'Indicative Flood Extent Maps' in this plan may inevitably include some localised uncertainties, the site-specific flood risk assessment process is divided into two stages. The initial stage in the process is intended to be capable of being carried out relatively quickly and at modest expense involving a desk-top review of relevant flood risk information, the preparation of site levels or cross sections, the preparation of a commentary on site specific issues including the nature of any localised uncertainty in existing sources of information and, finally, a recommendation on the appropriate course of future action.</p>	<p>11</p>

	<p>It is recommended that intending applicants for planning permission who may be affected by the flood risks indicated on the maps in this plan or who may be subject to any other flood risks should carry out this first stage of the site-specific flood risk assessment process well in advance of the submission of their application for planning permission and that its recommendations should be brought to the attention of Council staff as part of a pre-planning meeting.</p> <p>Where the first stage of the site-specific flood risk assessment indicates further study then the normal course of action will be to carry out a detailed site specific flood risk assessment in line with Chapter 5 of the Ministerial Guidelines before an application for planning permission can be considered. Where the County Council have indicated in writing that they are in agreement with any proposals for avoidance or that the initial study shows satisfactorily that the site is not at risk of flooding then, subject to other proper planning considerations, an application for planning permission may be favourably considered.</p> <p>The first stage in the assessment process will include:</p> <ul style="list-style-type: none"> ○ An examination of all sources of flooding that may affect a particular location – in addition to the fluvial and tidal risk represented in the indicative flood risk maps. ○ A review of all available flood related information, including the flood zone maps and historical flood records (from www.floodmaps.ie, and through wider internet / newspaper / library search). ○ An appraisal of the relevance and likely accuracy / adequacy of the existing information. For example, if the outline is from CFRAM or other detailed study they can be relied on to a greater extent than if they are from other sources. ○ Site cross sections or spot levels, including the river and surrounding lands. ○ Description of the site and surrounding area, including ground conditions, levels and land use. ○ Commentary on any localised uncertainty in the existing flood mapping and other sources of flood risk information and the site area. 	
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	<ul style="list-style-type: none"> o Proposal as to the appropriate course of action which could be either: <ul style="list-style-type: none"> o further study; o revision of proposals to avoid area shown at risk of flooding; or <p>continue with development as proposed (if the site is clearly demonstrated to be outside flood zones A or B).</p>	
BN.01.01.06	<p>Include Additional text in paragraph 1.7.13</p> <p>Where it can be satisfactorily shown in the a detailed site-specific flood risk assessment that the proposed development, and its infrastructure will avoid significant risks of flooding in line with the principles set out in the Ministerial Guidelines, then, subject to other relevant proper planning considerations, permission may be granted for the development.</p> <p>Note: this change refers to the text of the draft plan</p>	11
BN.01.01.07	<p>Replace Objective FD 1-4 with the following</p> <p>“Development in Flood Risk Areas</p> <p>It is an objective of this plan to ensure that all proposals for development falling within flood zones ‘A’ or ‘B’ are consistent with the Ministerial Guidelines – ‘The Planning System and Flood Risk Management. In order to achieve this, proposals for development identified as being at risk from flooding will need to be supported by a site-specific flood risk assessment prepared in line with paragraph [see preceding change] of this plan”</p> <p>Note: this change refers to the text of the draft plan</p>	12
	Section Two: Local Area Strategy	
BN.02.02.01	<p>Include additional text in objective LAS 2-1</p> <p>In line with the principles set out in the County Development Plan 2009 and the provisions of objectives INF 5-6, INF 5-7 and INF 5-8 of the County Development Plan, development proposed in this plan will only take place where appropriate and sustainable water and waste water infrastructure, that will help secure the objectives of the relevant River basin Management Plan, is already in a programme or is to be provided in tandem with the development is in place which will secure the objectives of the relevant River Basin Management Plan and the protection of sites designated for nature conservation. This must be provided and be operational in advance of the commencement of any discharges from the</p>	19

	<p>all residential and other development.</p> <p>Note: this change refers to the text of the draft plan</p> <p>Note: this change refers to the text of the draft plan</p>	
BN.02.02.02	<p>Add objective LAS 2-2</p> <p>This plan, and individual projects based on the plans proposals, will be subject (as appropriate) to Strategic Environmental Assessment, Habitats Directive Assessment Screening and/or Assessment (Habitats Directive and Birds Directive) and Environmental Impact Assessment to ensure the parallel development and implementation of a range of sustainable measures to protect the integrity of the biodiversity of the area.</p> <p>Note: this change refers to the text of the draft plan</p>	19
BN.02.02.03	<p>Add objective LAS 2-3</p> <p>It is an objective to provide protection to all proposed and designated natural heritage sites and protected species within this planning area in accordance with env 1-5, 1-6, 1.7 and 1-8 of the County Development Plan, 2009. This includes Special Areas of Conservation, Special Protection Areas and Natural Heritage Areas.</p> <p>Note: this change refers to the text of the draft plan</p>	19
BN.02.02.04	<p>Add objective LAS 2-4</p> <p>It is an objective to maintain where possible important features of the landscape which function as ecological corridors and areas of local biodiversity value and features of geological value within this planning area in accordance with env 1-9, 1-10, 1-11 and 1.12 of the County Development Plan, 2009.</p> <p>Note: this change refers to the text of the draft plan</p>	19
	Section Three: Settlements and Other Locations	
	Bandon	
BN.03.01.02	<p>Include additional text in objective U-03:</p> <p>Maintain and where possible extend the pedestrian walk and provide cycleway along the riverbank.</p> <p>Note this change affects the text and zoning map</p>	29
BN.03.01.03	<p>Include additional text in objective O-04:</p> <p>Upgrade and improve the Gallows green public open space.</p> <p>Note this change affects the text only</p>	30

BN.03.01.04	<p>Amend objective R-09</p> <p>Medium density residential development to include provision for a primary school (1.14 hectares) with screen planting.</p> <p>Note this change affects the text only</p>	27
BN.03.01.05	<p>Amend and merge objectives R-06 and -07 to read as objective R-06</p> <p>Medium density residential development with provision for a primary school campus (1.6 hectares 2 primary schools) The overall proposal for this This development should make provision for an overall landscaping plan to minimise the visual impact of this development. A mix of house types is required and this development must make provision for possible connectivity with the established adjoining site to the north and X-01. Any proposal for development of this site must also include a detailed traffic impact assessment and west.</p> <p>Note this change affects the text and zoning map</p>	27
BN.03.01.06	<p>Amend objective R-09</p> <p>Low density residential development with provision for a primary school (1.14ha) to include provision for a landscaping plan to include a high quality boundary treatment particularly along the western boundary.</p> <p>Note this change affects the text only</p>	27
BN.03.01.07	<p>Amend objective R-10</p> <p>Medium density residential development with provision for serviced sites. The overall proposal for this development is to include provision for an overall landscaping plan to minimise the visual impact of this development particularly along the eastern boundary. A mix of house types is required and this development must make provision for possible connectivity to the west and north. Any proposal for development of this site must also include a detailed traffic impact assessment.</p> <p>Note this change affects the text only</p>	27
BN.03.01.08	<p>Amend objective R17</p> <p>Medium density residential development. This development of this site will require the realignment of the road to the east of the site and should also include the provision of a pedestrian footpath and cycleway to the town.</p> <p>Note this change affects the text only</p>	28
BN.03.01.09	<p>Amend objective I-01</p> <p>Food related industry. The development of this site should include a suitable buffer and landscaping screen to the west and south to</p>	28

	protect the existing residential amenities. Note this change affects the text only	
BN.03.01.10	Amend objective I-02 Industrial estate development suitable for small to medium sized industrial units. Site shall be served by a single access. Note this change affects the text only	28
BN.03.01.11	Amend objective B-04 Business development. This The development of this site will require the realignment of the road to the east of the site and should also include the provision of a pedestrian footpath and cycle lane to the town. Any development on this site should be accompanied by a traffic impact assessment and road safety audit. Note this change affects the text only	28
BN.03.01.12	Amend objective B-05 Business development. Access should be from the local service road to the west of the site rather than off the relief road Any development on this site should be accompanied by a traffic impact assessment and road safety audit. Note this change affects the text only	28
BN.03.01.13	Amend objective B-06 Business development including the provision of a landmark building on this site, possibly a hotel. Careful consideration should be given to development on the more elevated lands. This is a prominent site and good landscaping is considered to be important particularly along the southern and eastern site boundaries. Access to the site should be from the local road to the west of the site rather than off the relief road. Any development on this site should be accompanied by a traffic impact assessment and road safety audit. Note this change affects the text only	28
BN.03.01.14	Amend objective U-02 Develop pedestrian walkway and cycleway from town centre, through X-01, town park and through R-04 site, R-03 up to the southern boundary of R-02. Note this change affects the text and zoning map	29
BN.03.01.15	Amend objective R-15 and amend map boundary Low density development with provision for a primary school site (1.14ha) Note: this change refers to the text of the draft plan	28

BN.03.01.16	<p>Include additional text in paragraph 1.4.23</p> <p>The Guidelines allow for a justification test for development plans. Bandon is identified for growth in the County Development Plan. Where, as part of the preparation and adoption or variation and amendment of a development plan a PA is considering the future development of areas in an urban settlement that are at a high risk of flooding certain criteria must be satisfied. This justification adheres to all the principles as the PA is promoting the expansion of the town centre, it is facilitating the regeneration and expansion of the centre as it is essential to expand the centre of the urban settlement. The TC expansion is within the core of the urban settlement and will be essential in achieving compact and sustainable urban growth. The objectives relating to these lands require that any development proposals on this site will normally be accompanied by a flood risk assessment that complies with Chapter 5 of the Ministerial Guidelines.</p> <p>Note: this change refers to the text of the draft plan</p>	28
BN.03.01.17	<p>Amend objective DB-02 (a)</p> <p>In order to secure the sustainable population growth proposed in DB-01, appropriate and sustainable water and waste water infrastructure that will help secure the objectives of the relevant River Basin management Plan, needs to be provided in tandem with the development and where applicable protect the integrity of Natura 2000 sites.</p> <p>Note: this change refers to the text of the draft plan</p>	26
	Kinsale	
BN.03.02.01	<p>Extend C-02 zoning objective</p> <p>Provision for further extension to existing primary school and provision of childcare facility.</p> <p>Note this change affects the text and zoning map</p>	37
BN.03.02.02	<p>Amend paragraph 2.3.2</p> <p>To the east, it is important that the attractive entrance to the town is maintained. Previous plans identified the 'green fingers' of land, outside of the development boundary which separate the villages of Scilly and Summercove from the main town and their importance to the general setting of the town. It is the intention that this policy would be carried forward in this plan. The development boundary heading from the town in an easterly direction out towards Charles Fort identifies the existing built footprint that has been inherited from previous plans. Outside of the development boundary the Scenic Landscape and Rural Housing Control Zone policies apply as set</p>	35

	<p>out in the County Development Plan 2009.</p> <p>Amend Paragraph 2.4.4</p> <p>This plan in carrying forward the provisions of previous plans seeks to maintain the ‘green fingers’ of land, outside of the development boundary, separating the villages of Scilly and Summercove from the main town recognising that these areas are outside of the development boundary for Kinsale and are therefore subject to the policies and objectives of the County Development Plan 2009.</p> <p>Note: this change refers to the text of the draft plan</p>	
BN.03.02.03	<p>Additional wording for objective B-03</p> <p>Business Development which may accommodate expansion of adjoining use on I-02. Access to this development should be from the upgraded Farm Lane rather than from the Northern Relief Road.</p> <p>Note this change affects the text of the draft plan</p>	37
BN.03.02.04	<p>Amend objective DB-02 (a)</p> <p>In order to secure the sustainable population growth proposed in DB-01, appropriate and sustainable water and waste water infrastructure that will help secure the objectives of the relevant River Basin management Plan, needs to be provided in tandem with the development and where applicable protect the integrity of Natura 2000 sites.</p> <p>Note: this change refers to the text of the draft plan</p>	35
BN.03.02.05	<p>Insert paragraph after 2.2.36</p> <p>The ‘Indicative Flood Extent Map’ shown as part of the zoning map for Kinsale may be subject to some local uncertainties inherent in the flood risk modelling process used to generate the maps. Those contemplating development in or near the areas shown as being subject to a possible risk of future flooding are recommended, in consultation with County Council staff, consider the need to undertake Stage 1 of the site-specific flood assessment process set out paragraph 1.7.12 in order to address any uncertainty in relation o flood risks before submitting an application for planning permission”</p> <p>Note: this change refers to the text of the draft plan</p>	
	Ballinspittle	
BN.03.03.01	<p>Insert text for paragraph 3.4.12</p> <p>It should be noted however that this level of development is based on the assumption that the required waste water infrastructure and water supply improvements identified on the Council’s</p>	44

	<p>assessment of needs will be delivered. In effect, water services infrastructure is the key requirement to unlocking the future development potential of Ballinspittle and its elevated place on the settlement network as a key village should help to make the case for the provision of this urgently required infrastructure.</p> <p>Note: this change refers to the text of the draft plan</p>	
BN.03.03.02	<p>Insert text for paragraph 3.4.17</p> <p>The existing septic tank and percolation area are located within an area shown to be at risk of flooding. Measures to ensure that water contamination does not take place in a flood event situation will be put in place, as required.</p> <p>Note: this change refers to the text of the draft plan</p>	44
	Innishannon	
BN 03.05.01	<p>Alter the southern boundary of objective B-01 on the map</p> <p>Note this change affects the zoning maps only</p>	52
BN.03.05.02	<p>Amend objective DB-02</p> <p>(i) Retail and office development should be accommodated within the core of the village and should make adequate provision for off street parking if possible.</p> <p>Note this change affects the text only</p>	52
BN.03.05.03	<p>Add additional objective to DB-02</p> <p>(e) Protect and improve the River Stick amenities.</p> <p>Note: this change refers to the text of the draft plan</p>	52
	Ballyfeard	
BN.03.12.01	<p>Add additional objective to DB-01</p> <p>(g) it is an objective to maintain the rural character of the area and to protect existing mature trees and hedgerows.</p> <p>Note: this change refers to the text of the draft plan</p>	51
	Garrettstown/Garrylucas	
BN.03.17.01	<p>Add additional objective to DB-01</p> <p>(h) it is an objective to protect the landscape and environmental setting of the settlement by generally avoiding development on prominent hillsides, on proposed Natural Heritage Areas, areas of ecological importance and areas susceptible to coastal erosion.</p>	95

	Note: this change refers to the text of the draft plan	
	Tinkers Cross	
BN.03.19.01	<p>Add additional objective to DB-01</p> <p>(f) it is an objective to ensure that development reflects the character of the settlement and does not dominate the wider landscape.</p> <p>Note: this change refers to the text of the draft plan</p>	102
	Sandy Cove	
BN.03.30.01	<p>Insert additional text in paragraph 30.4.2</p> <p>It is also important to avoid development on sensitive coastal locations and discourage large-scale holiday accommodation in such locations.</p> <p>Note: this change refers to the text of the draft plan</p>	116

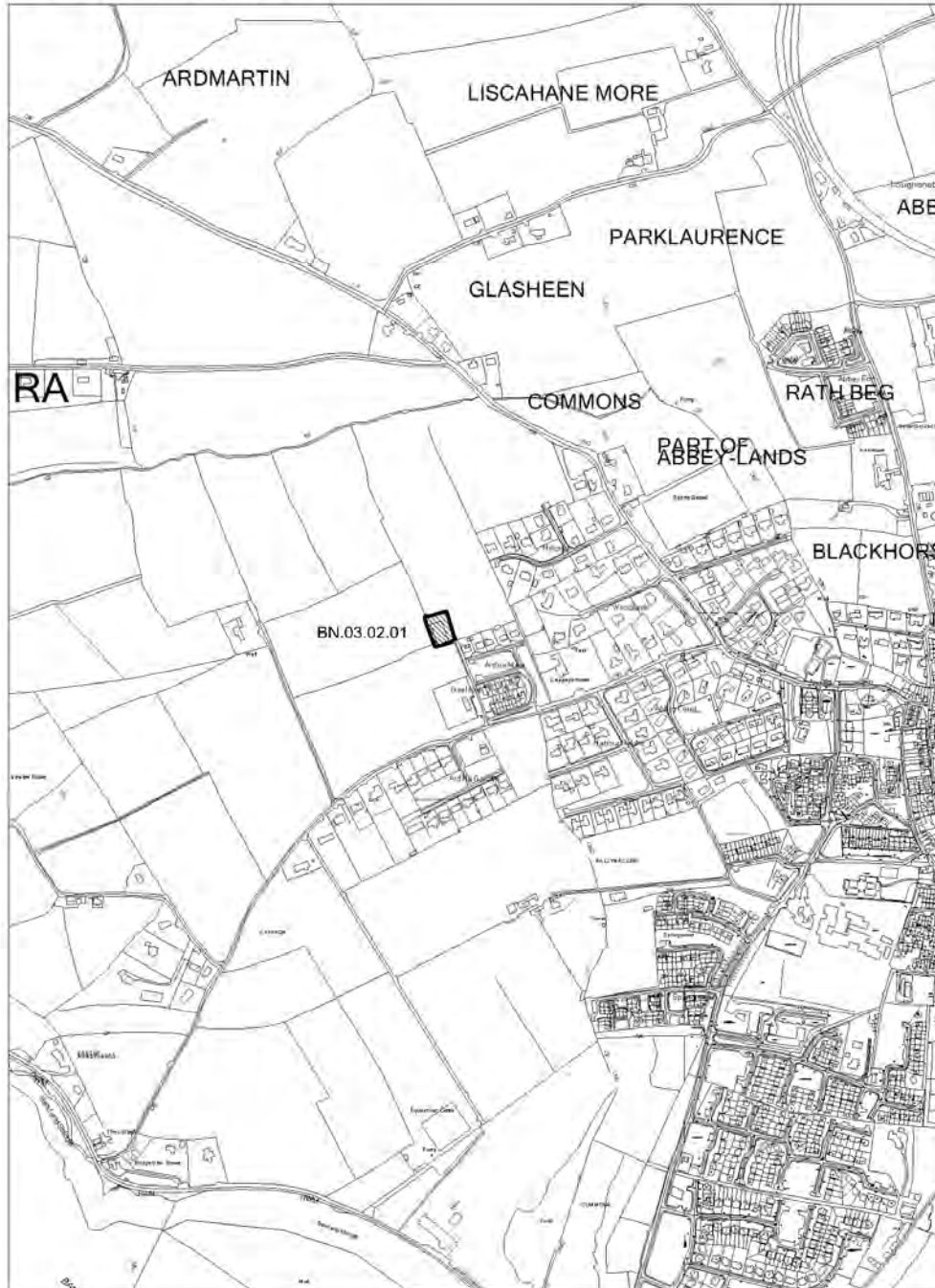
Appendix C List of submissions by interested parties in the Bandon Electoral Area

Name of Interested Party	Unique Reference Number	Settlement Name
Aldi Stores (Ireland) Ltd	BNDLAP11/500	Bandon
Aldi Stores (Ireland) Ltd	BNDLAP11/502	Bandon
Ashbourne Holdings Ltd	BNDLAP11/910	Other
Ballyheada and District Residents Association	BNDLAP11/570	Ballyheada
BamGable Developments	BNDLAP11/1272	
Barry, Simon & Irene	BNENV11/451	Kinsale
Brennan, Tom and Edward	BNDLAP11/911	Innishannon
Brophy, Colm ESB	BNDLAP11/448	Bandon
Bus Eireann	BNDLAP11/1049	
Cappagh View Developments Limited and Mothergoose Montessori	BNDLAP10/397	Kinsale
Cappagh View Developments Ltd and Mothergoose Montessori	BNDLAP10/399	Kinsale
CIF	BNDLAP11/1276	
Cronin, Richard	BNDLAP11/609	Gogganshill
Cunnane Stratton Reynolds	BNDLAP11/646	Bandon
Department of Communication Energy and Natural Resources	BNDLAP11/1059	
Department of Education and Skills	BNDLAP11/943	
Department of Transport	BNDLAP11/1047	Other
DoEHLG	BNDLAP11/1052	Other
Dwyer, John	BNDLAP11/467	Kinsale
Enviro Management Services	BNDLAP11/612	Bandon
EPA	BNDLAP11/1230	
Good, David and Cameron	BNDLAP11/900	Sandy Cove
Griffith, Bill & Susan	BNDLAP11/461	Kinsale
Henry Good Ltd	BNDLAP11/898	Kinsale
IFA	BNDLAP11/1277	
Jeffers, Mervyn	BNDLAP11/480	Bandon
John J Fleming Construction Company	BNDLAP11/834	Innishannon
John J Fleming Construction Company	BNDLAP11/881	Innishannon
Joyce, Stewart and Bernadette	BNDLAP11/873	Kinsale
Kevin O Leary Motorgroup	BNDLAP11/925	Bandon
Labour Party	BNDLAP11/605	Bandon
Labour Party	BNDLAP11/606	Bandon
Labour Party	BNDLAP11/622	Bandon
Lynch, Deirdre & Buckley, Cathal	BNDLAP11/566	Kinsale
Lynch, John	BNDLAP11/888	Innishannon
McCarthy, Gerard	BNDLAP11/814	Belgooly
McInerney Holdings plc	BNDLAP11/884	Kinsale
Montgomery, Paul	BNDLAP11/619	Garretstown/Garylucas
Montgomery, Paul	BNDLAP11/621	Garretstown/Garylucas
Murphy, P., Nyhan, C., and Fleming, N.	BNDLAP11/956	Bandon
NRA	BNDLAP11/1004	Other
O Donovan, John	BNDLAP11/829	Bandon
O Leary, Donal	BNDLAP11/859	Kinsale
O Sullivan, John and Nora	BNDLAP11/886	Ballinhassig
O'Neill, Richard & Alison	BNDLAP11/551	Bandon
OPW	BNDLAP11/1058	Other
Power, Edward	BNDLAP11/653	Bandon
Power, Edward	BNDLAP11/935	Bandon
RGDATA	BNDLAP11/517	Kanturk
Slattery, Noreen	BNDLAP11/904	Aghyohil
Twomey, Donal	BNDLAP11/939	Robert's Cove

Appendix D MAPS

Bandon Electoral Area Local Area Plan
Public Consultation Draft

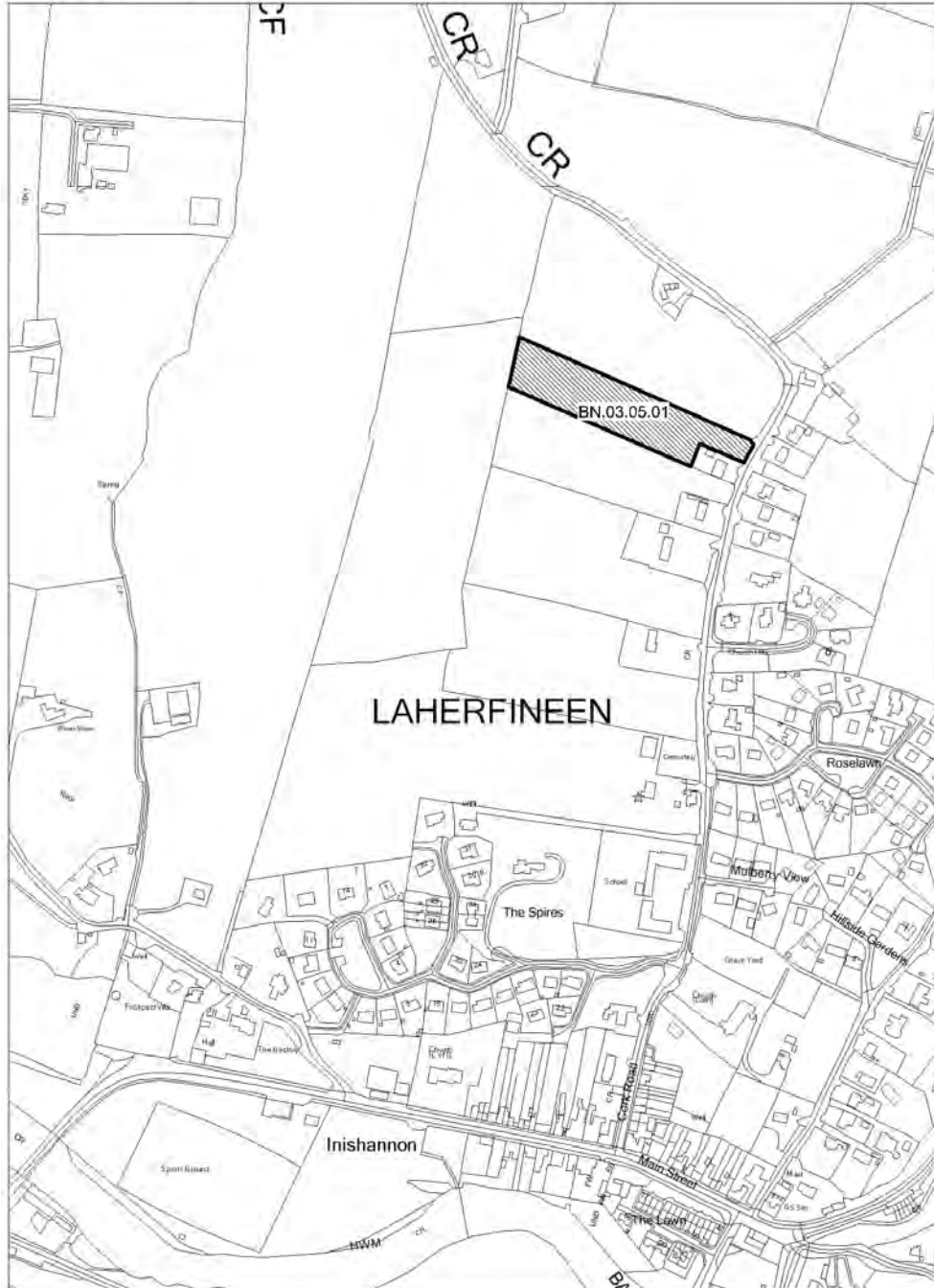
Kinsale



Managers Recommended Amendment Ref. BN.03.02.01

**Bandon Electoral Area Local Area Plan
Public Consultation Draft**

Inishannon



Managers Recommended Amendment Ref. BN.03.05.01