

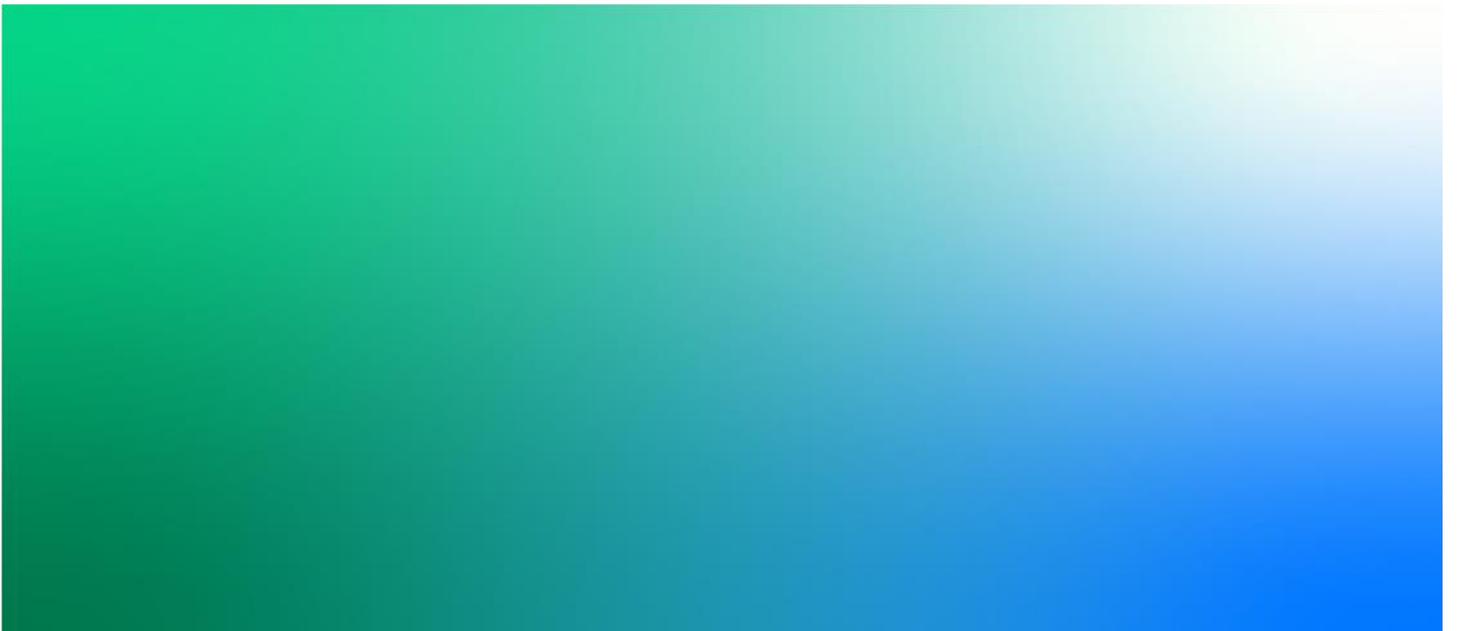


Cork Line Level Crossings

Volume 2, Chapter 5: Plans, Policy and Guidance

Iarnród Éireann

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Cork Line Level Crossings

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Table of Acronyms

Acronym	Meaning
ABP	An Bord Pleanála
CA	Competent Authority
CCTV	Closed Circuit Television
CCC	Cork County Council
CCDP	Cork County Development Plan
CIÉ	Coras Iompair Éireann
EIAR	Environmental Impact Assessment Report
IÉ	Iarnród Éireann
LAP	Local Area Plan
LC	Level Crossing
LCCC	Limerick City and County Council
LCDP	Limerick County Development Plan
NDP	National Development Plan
NWCSP	North West Cork Strategic Plan
NPF	National Planning Framework
NSO	National Strategic Objective
NTA	National Transport Authority
MASP	Metropolitan Area Strategic Plan
MWASP	Mid-West Area Strategic Plan
MATS	Metropolitan Area Transport Strategy
PCR	Planning Compliance Report
RSES	Regional Spatial and Economic Strategy
RPG	Regional Planning Guidelines
SAC	Special Area of Conservation
SPA	Special Protection Area
WFD	Water Framework Directive

5. Planning Policy Context

5.1. Introduction

This chapter sets out the planning policy context applicable to the proposed Project.

Córas Iompair Éireann, hereafter referred to as CIÉ or 'the Applicant', is applying to An Bord Pleanála (ABP) for a Railway Order (RO) under the Transport (Railway Infrastructure) Act 2001 (as amended and substituted) ('the 2001 Act') to eliminate/upgrade seven public road level crossings on the Dublin-Cork Railway Line (hereafter referred to as 'the proposed Project').

The application is being made by CIÉ, Iarnród Éireann (IÉ), a wholly owned subsidiary of CIÉ, have developed the proposed Project from concept to application stage.

This Chapter forms part of the EIAR however a separate Planning Compliance Report (PCR) has been prepared as part of the suite of documentation for the Railway Order application package. The PCR sets out the proposed Project's compliance with the key planning policy outlined within this chapter.

This chapter is structured in a series of subsections, providing an outline of the relevant legislation and policies at a national, regional and local level including the Cork County Development Plan (CCDP) 2014 and the Limerick County Development Plan (LCDP) 2010. There are a number of individual policies within the CCDP and LCDP that are of relevance to the proposed Project, and these are set out within this chapter.

5.2. Key Legislation

CIÉ is applying to An Bord Pleanála (ABP) for a Railway Order (RO) under the Transport (Railway Infrastructure) Act 2001 (as amended and substituted) (the 2001 Act') (See Volume 2, Chapter 4: EIA Process and Methodology) to eliminate/upgrade seven public road level crossings on the Dublin-Cork Railway Line (hereafter referred to as the proposed Project). While the application is being made on behalf of by CIÉ, Iarnród Éireann (IÉ), a wholly owned subsidiary of CIÉ, has developed the proposed Project from concept to application stage.

New railway works are governed by the Transport (Railway Infrastructure) Act 2001 (the 2001 Act), (as amended by Part 4 (Miscellaneous) of the Planning and Development (Strategic Infrastructure) Act 2006).

This application for a RO is made pursuant to the provisions of Section 37 of the Transport (Railway Infrastructure) Act 2001 Act (as amended) ('the 2001 Act'). This requires, inter alia, that an application shall be made in writing and shall be accompanied by:-

- (a) A draft of the proposed RO,
- (b) A Plan of the proposed railway works,
- (c) A Book of Reference to a Plan indicating the identity of the owners and of the occupiers of the lands described in the Plan, and
- (d) A statement of the likely effects on the environment of the proposed railway works

A statement of the likely effects on the environment of the proposed railway works is addressed by the preparation of this Environmental Impact Assessment Report (EIAR) (previously referred to as an Environmental Impact Statement in section 39 of the 2001 Act) and the EIAR has been compiled in accordance with the 2001 Act and EIA Directive 2014/52/EU (See Volume 2, Chapter 4: EIA Process and Methodology). Further details in regard to the statutory requirements of the EIAR are set out in Volume 2, Chapter 4: EIA Process and Methodology.

5.2.1 Definitions/Interpretations

The draft of the proposed RO styled the Dublin to Cork Railway Line (Elimination & Upgrade of Level Crossings Between Limerick Junction and Mallow) Order 2020 provides for a number of definitions and interpretations in addition to setting out the railway works and works the subject of this proposed RO and includes proposed provisions in relation to the incorporation of enactments. In addition, section 69 of the 2001 Act provides that the

Regulation of Railways Acts, 1840 to 1889, and any other Act relating to railways, shall, in so far as they are not inconsistent with the provisions of the 2001 Act, apply to railway undertakings and any railway constructed under the 2001 Act.

Further, the 2001 Act, Part 1 (Preliminary and General), section 2(1) (Interpretation) sets out that 'railway works': *"means any works required for the purposes of a railway or any part of a railway, including works ancillary to the purposes aforesaid such as parking by buses or by persons using vehicles who intend to complete their journey by railway, and relocation of utilities, and in this definition 'works' includes any act or operation of construction, excavation, tunneling, demolition, extension, alteration, reinstatement, reconstruction, making good, repair or renewal;"* 'Railway Infrastructure' is defined in the 2001 Act as meaning *'any land, buildings, structures, equipment, systems, vehicles, services or other thing used in connection with, or necessary or incidental to, the movement of passengers or freight by railway;'*

The proposed RO comprises railway works, works and railway infrastructure including bridge infrastructure over the Dublin-Cork Railway Line with supporting infrastructure on lands immediately adjacent to the Railway Line. The proposed Project includes constructing new road-over-rail bridges in place of existing level crossings as alternative accesses across the Dublin-Cork Railway Line, permanently removing and eliminating existing level crossings and level crossing infrastructure including all level crossing gates and such ancillary works in relation to extinguishing public and/or private rights of way across the level crossing; effecting an upgrading by the replacement of an existing level crossing with a 4-barrier CCTV controlled level crossing; upgrading, realigning and/or closing existing roads; constructing new roads and carrying out railway works and works described in the proposed RO and schedules thereto and all other necessary or ancillary works. Accordingly, the proposed RO provides for the safe and efficient operation of the said railway line while allowing for safety and maintaining access for those travelling along and across an existing railway line.

Part 1 (Preliminary and General) (2) Interpretation sets out that the *"'applicant' in Part 3, means the Agency, CIÉ, or any other person applying for a railway order"* (p.6);

Part 3 (Railway Orders) (37) (1) sets out *"The Agency, CIE, or any other persons with the consent of the Agency, may apply to the Minister for a railway order."* (p.25). This confirms that CIÉ is permitted to apply under the provisions of the Act for a Railway Order.

Exempted Development

A Railway Order is deemed to be *'exempted development'* for the purposes of the Planning and Development Act 2000 (as amended) (See Volume 2, Chapter 4: EIA Process and Methodology) and Part IV of the 2000 Act is disapplied, by virtue of Section 38 of the 2001 Act as inserted by section 115(6) of the Dublin Transport Authority Act 2008 which inter alia references 'railway works' specified or pursuant to a Railway Order: *"38.(1) Each of the following shall be exempted development for the purposes of the Act of 2000: (a) development consisting of the carrying out of railway works including the use of the railway work or any part thereof for the purposes of the operation of a railway, authorised by the Board and specified in a railway order or of any incidental or temporary works connected with such development; (b) development consisting of the carrying out of railway works for the maintenance, improvement or repair of a railway that has been built pursuant to a railway order. (2) Part IV of the Act of 2000 does not apply and is deemed never to have applied to developments specified in subsection (1)."*

The existence of a Railway Order is a necessary prerequisite to its *'exempted development'* status.

5.2.2 Planning and Development (Strategic Infrastructure Act) 2006

The proposed Project is considered Strategic Infrastructure Development (SID) under the Planning and Development (Strategic Infrastructure) Act 2006. Generally it is noted that section 6(c) of the Planning and Development (Strategic Infrastructure) Act 2006 amended the definitions section (section 2(1)(g)) in the Planning and Development Act 2000 so that the definition of 'strategic infrastructure development' includes inter alia any proposed railway works referred to in section 37(3) of the Transport (Railway Infrastructure) Act 2001 (as amended by the Planning and Development (Strategic Infrastructure) Act 2006). It is further noted that the European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 (S.I.

No.296/2018) apply inter alia to applications for permission to An Bord Pleanála for strategic infrastructure development under section 37E of the Planning and Development Act 2000. In addition, section 54 of the Planning and Development (Amendment) Act 2010 amended section 172 of the Planning and Development Act 2000 and refers to the carrying out of an environmental assessment by An Bord Pleanála in respect of an application for consent for proposed development which includes inter alia a Railway Order granted under section 43 of the Transport (Railway Infrastructure) Act 2001.

Part 3 (Amendments of principal Act (Including Amendments Consequential on Part 2) sets out under Section 6(c) 'Strategic Infrastructure Development' means (g) "any proposed railway works referred to in section 37(3) of the Transport (Railway Infrastructure) Act 2001 (as amended by the Planning and Development (Strategic Infrastructure) Act 2006." (p.37).

Section 37 (3) of the Planning and Development (Strategic Infrastructure) Act 2006 refers to "an application under sub section (1)" (p. 91) and requires the same suite of documents and information required to be submitted as under Section 37(2) of the Transport (Railway Infrastructure) Act 2001 (as set out in Section 2.1 above).

Section 37 Sub section 1 refers to "The Agency, CIÉ or any other person with the consent of the Agency, may apply to An Bord Pleanála (referred to subsequently in this Act as the 'Board') for a railway order." (p.91).

The main body of the legislation sets up a new division in ABP mandated to deal with planning applications for SID. The Transport (Railway Infrastructure) Act 2001 (S.I. No. 55 of 2001) was significantly amended by Section 49 of the Planning and Development (Strategic Infrastructure) Act 2006, amending the Railway Orders process. Instead of an application to the Minister for Transport, the application is now made to the same division of ABP that deals with other developments of strategic importance.

5.2.3 Directive 2014/52/EU

As set out in Volume 2, Chapter 4 of the EIAR, the initial Directive of 1985 (Council Directive 85/337/EEC) and its three amendments (see paragraph 4.8 References in Volume 2, Chapter 4) were codified by Directive 2011/92/EU of 13 December 2011. Directive 2011/92/EU was amended in 2014 by Directive 2014/52/EU (which came into force in May 2014) and together all of these Directives are referred through the EIAR as "the EIA Directive" and/or "the 2014 EIA Directive". A significant body of domestic and EU case law exists in relation to the interpretation of the EIA Directive and regard has been had to same in the preparation of this application and in the EIAR as whole.

Accordingly, a statement of the likely effects on the environment of the proposed railway works is addressed by the preparation of this Environmental Impact Assessment Report (EIAR) (previously referred to as an Environmental Impact Statement in section 39 of the 2001 Act).

Major infrastructure projects subject to such a requirement, such as an application for a RO, come under Directive 2014/52/EU (hereafter also referred to as the '2014 EIA Directive') on the assessment of the effects of certain public and private projects on the environment.

The EIAR in relation to this Railway Order application has been compiled in accordance with the 2014 EIA Directive, the 2001 Act and having regard to relevant guidelines.

5.3. National Planning Policy

5.2.4 National Planning Framework (Ireland 2040) (NPF)

The NPF is the overarching national spatial policy and planning framework for social, economic and cultural development. The NPF outlines broader policy principles and priorities to plan, in a more strategic, sustainable and coordinated manner, for future population and economic growth over the next 20 years.

The NPF vision highlights 'Enhanced Regional Accessibility', 'Strengthened Rural Economies and Communities' and 'Sustainable Mobility' as three of the 10 National Strategic Outcomes (NSO2, NSO3 and NSO4);

- **NSO 2- Enhanced Regional Accessibility:** *“Increased accessibility between key urban population centres and their regions, ensuring they have a high degree of accessibility to Dublin and to each other.”*
- **NSO 3- Strengthened Rural Economies and Communities:** *“Improved connectivity is highlighted as a pillar for strengthening rural economies and communities by ensuring the countryside remains and improves as a living and working community.”*
- **NSO 4- Sustainable Mobility:** *“As Ireland moves towards the introduction of electric and hybrid traction systems for public transport fleets, it is considered essential to ensure that the long-term effective operation of such vehicles is facilitated through the optimisation of the existing rail network.”* NSO 4 also notes *“the potential to develop ‘the existing good quality rail links between Dublin and Belfast and Cork into an island rail spine through line speed and service enhancements.”* (p.142)

The NPF targets 50% growth within five key cities including Cork and Limerick. In regard to the Southern Region, which includes Cork and Limerick, eight key policy priorities are identified. These key policy priorities include reference to enhancing the efficiency and effectiveness of transport links between cities and ongoing investment in transport.

NPF Figure 6.1 (Elements Supporting Quality of Life) outlines that *“Economic and Physical Safety”* are highlighted as one of 10 key aspects impacting upon quality of life.

Specifically, in regard to Cork a key *‘future growth enabler’* includes *“Improved rail journey times to Dublin and consideration of improved onward direct network connections.”* (p.49). In regard to Limerick the key future growth enablers include among others enhanced regional connectivity and development of public transport and infrastructure.

It further sets out under the heading *“Working together for Economic Advantage”* that in regard to the Dublin-Belfast Economic Corridor the Government intends to *“Capitalise upon and further support and promote the inherent economic potential of the corridor, building upon existing strengths”* (p.110). To do this, there will be a focus on developing the corridor as a distinct spatial area with international visibility by (inter alia) *“Examining the feasibility of a high-speed rail connection between Belfast and Dublin and Cork”* (p.110).

5.2.5 National Development Plan (NDP) 2018 – 2027

The National Development Plan (NDP) is a detailed capital investment plan which aims to drive the country’s long-term economic, environmental and social progress through a funding framework over the next decade, and is integrated and aligned with the NPF and its objectives. It identifies the strategic important priorities and seeks to invest €116 billion over a ten-year period for public capital investment that will underpin the successful implementation of the NPF.

The review of the 2015 Capital Plan identified transport as a priority area, with the maintenance/upgrade of public transport being cited as necessary to, *“protect asset quality and value, meet demand forecast, ease congestion and to meet climate action objectives”* (p.14) The document also aligns with the ten NPF National Strategic Outcomes through specific investment priorities relating to each. A significant priority will be to maintain the existing network of road, rail and bus infrastructure to ensure acceptable levels of service to transport users given several years of under-investment. Funding for the inter-urban network linkages between Belfast, Dublin and Cork are a particular priority (P.41) and the Cork rail lines will be subject to an examination to move to higher speeds leading to improved connectivity to regional cities through improved rail journey times.

5.5.1 Building on Recovery: Infrastructure and Capital Investment 2016-2021.

This Capital Plan presents the Government’s €42b framework for infrastructure investment in Ireland over the period 2016–2021, with such investment being identified as an important enabler of economic growth. The plan highlights the importance of transport in driving the economy. While the Plan has been superseded by the NDP it is useful to note that it sets out the following, *“It is therefore essential that road, rail and public transport networks are developed and maintained to the standard required to ensure the safe and efficient movement of people and freight”* (p.22)

5.4. Other National Policy

5.3.1 National Transport Authority's Smarter Travel – A Sustainable Transport Future; New Transport Policy for Ireland 2009-2020

This policy document is the blueprint for sustainable travel and transport in Ireland by 2020 and how it will be achieved. The key goals (inter alia) of the document reaffirm the government's aim for transport sustainability, as follows:

- *"Improve economic competitiveness through maximising the efficiency of the transport system and alleviating congestion and infrastructural bottlenecks.*
- *Minimise the negative impacts of transport on the local and global environment through reducing localised air pollutants and greenhouse gas emissions.*
- *Reduce overall travel demand and commuting distances travelled by the private car" (p.27).*

5.3.2 Ireland's Transition to a Low Carbon Energy Future 2015-2030

The white paper document contains the actions that the government plans to do regarding energy up to 2030. It comprises the up to date energy policy and sets out the framework to guide the national policy. The paper also considers European and International climate change agreements and targets. The actions that support the proposed Project are:

- *"Support initiatives to improve the energy efficiency of the rail network" (p.66).*
- *"Support further rail electrification" (p.67).*

5.3.3 National Landscape Strategy (2015-2025)

The Strategy, which provides a high-level policy framework, is used to ensure compliance with the European Landscape Convention and *"to establish principles for protecting and enhancing the landscape while positively managing its change"* (p.7). An overall objective of the National Landscape Strategy is to *"implement the European Landscape Convention by integrating landscape into our approach to sustainable development"* (p.10).

5.5. Regional Planning Policy

5.4.1 Regional Spatial & Economic Strategy (RSES) for the Southern Region

Three new Regional Assemblies came into effect on 1st January 2015; the Southern Regional Assembly, the Eastern and Midland Regional Assembly and the Northern and Western Regional Assembly. The Southern Regional Assembly has prepared a RSES for the Southern Region for the period 2019-2031. The RSES for the Southern Region came into effect on the 31st January 2020.

The RSES supports the implementation of the NPF, it provides key principles for environmental, economic and social of the region resulting in Regional Planning Objectives (RPO). In regard to rail infrastructure it sets out *"The management, maintenance and improvement of the regions transport infrastructure is a key consideration to ensure that the safety, capacity and efficiency of the networks are maintained and factored into the capital funding process"* (p.162). In addition to the above, RPO 162 outlines the following objective: *"To strengthen investment in the maintenance, improvement and strengthening of rail networks in the region..."* (p.162) This includes wide ranging investment priorities from rail network optimisation to improving journey times to modernisation of infrastructure.

RPO 151 (Steady State Investment) includes the objective: *"To strengthen Steady State Investment in our existing regional transport networks to ensure that existing networks are maintained to a high level to ensure quality levels of safety, service, accessibility and connectivity to transport users"* (RSES, p.152).

In regard to the Role of Transport in the Southern Region, it outlines principles to inform the integration of land use and transport planning over the period of the RSES. This includes (inter alia):

- *"The strategic capacity and safety of the regions transport network should be protected"; and*
- *"The safe travel requirements of all people irrespective of age or mobility should be met" (p.142).*

The strategy aims to encourage improved connectivity, RPO 162 highlights the need to move the Cork rail lines to higher speeds to improve connectivity to regional cities through improved rail journey times (p.163).

5.4.2 Mid-West Area Strategic Plan (MWASP) 2012 – 2030

The aim of the MWASP is "to provide a framework to help guide decision making with regard to the physical and spatial development of the Region to 2030, and to promote balanced growth throughout the region to achieve the maximum social, economic, health and cultural benefits for all its citizens." (Executive Summary). The plan area includes Limerick, Clare and North Tipperary.

The MWASP lists under its objectives the following (inter alia):

- *"Revise the public transport system through future investment to achieve a more sustainable, accessible, competitive and socially inclusive region;"*
- *"Identify and promote investment in key infrastructural projects identified to serve the needs of the region including new roads and improvements to the National Secondary and Regional road network, rail, air, port, infrastructure and water services. Such proposals to include an equitable distribution of resources throughout the region" (Executive Summary)*

The MWASP recognises that *"The Rail Network in the region is significant"* (p.19)

The MWASP specifies that the region has many challenges and it must address (among others) *"improving connectivity by road, rail and air to other parts of the country ."* (p.8).

The MWASP does envisage future high speed rail requirements and states *"Given the likely future requirements for high speed rail links some corridor studies should be undertaken to identify potential routes that will deliver high-speed rail links between Limerick/Shannon/Ennis to Dublin, Cork, Waterford and Galway."*(p.20). It further states *"The development of high speed direct rail connections from Limerick (Colbert Station) to Dublin, Cork and Waterford could be investigated further, so as to complement the development of the NSS, RPG and Atlantic Corridor Strategies such studies includes both Freight and Commuter Traffic."* (p.107).

The MWASP cites as a 'Key Opportunity' *"To improve the Limerick-Cork rail link."* (p.41). It also outlines as a 'Key Weakness' *"Travel time of rail service between Limerick and Cork and Dublin."* (p.41). It goes onto cite *"The lack of modern road and rail connectivity which the region has with Galway, Cork and Waterford requires immediate attention if the region and the Atlantic Corridor are to achieve the economic balance sought for the country."* (p.106).

The 'Atlantic Corridor' route runs from Cork to Mallow to Buttevant to Charleville and further north into Limerick. Effectively this is the same corridor as the proposed Project. Further details are provided on the Atlantic Corridor further below.

The MWASP includes as an objective under Population and Human Health (including Noise) (T-PHH-02) that *"The Strategy should promote the use of safer modes of public transport."* The indicator for this is *"% change in road accidents in areas where MWASP strategies were implemented."* The target and assessment criteria is given as *"Increasing the attractiveness of public transport through enhanced safety measures."* (p.97)

In regard to transport the MWASP states *"Even without the use of the transport model it is very evident that the competitiveness of the region is impacted upon by poor accessibility and lack of appropriate road infrastructure Therefore, within the hinterland region there will continue to be a requirement for good quality road infrastructure"*

in order to facilitate accessibility, connectivity and safe passage. Rural movement, as important as it is in this region, must be complimented with appropriate connectivity to the National Road network. Connections are important in order to strengthen links and increase competitiveness, through secure and safe routes.” (p.106)

5.4.3 Cork Metropolitan Area Strategic Plan (MASP) and Limerick MASP (2020)

The NPF requires that Metropolitan Area Spatial Plans (MASPs) be prepared for Dublin and Cork and their wider city regions, as well as the Limerick, Galway and Waterford Metropolitan areas. MASPs are high level strategic visions which identify priorities for the delivery of growth. The RSES for the Southern Region 2020 contains a MASP for the Cork and Limerick-Shannon metropolitan areas. While the proposed Project lies outside the area covered by the Cork MASP and the Limerick Shannon MASP, the plans contain policies relevant to the proposed Project.

In line with the NPF, improved rail journey times to Dublin and consideration of improved onward direct network connections are identified as a key enabler for Cork. Cork MASP Policy Objective 8 states that a key strategic priority will be *“to enhance the commuter rail service”* by, inter alia, *“improving intercity journey times and the electrification of the fleet”* (p.225).

The Limerick Shannon MASP identifies the development and promotion of existing intercity rail and commuter links from Limerick to Dublin, Cork and Galway as a key sustainable transport objective under Policy Objective 6.

5.4.4 North West Cork Strategic Plan 2002-2020 (NWCSP)

The NWCSP was developed against a backdrop of decreasing rural population in the area, therefore the core development issue centres on redressing rural decline. This is to be achieved through a series of measures focussing on economic competitiveness, optimised spatial development patterns and improved access and communications through infrastructural and resource provision.

Whilst the NWCSP is in its final notional year it does however help to bring into focus the investment in infrastructure required within the rural north Cork area where the proposed Project is located. The Plan considers the role of public transport in improving local connectivity under the heading *“Improving Access and Communications”*. The rail sub-section states that continuing investment is required in order to bring the network up to standard after a period of underinvestment, and that, *“Upgrading of the entire network to Continuous Welded Rail (CWR) is deemed to be a priority. Bridges, fencing, level crossings and new rolling stock are also a priority. These works are necessary for safety, but also present the opportunity for reduced journey times.”*

5.6. Iarnród Éireann & Other Strategies/Reports

5.5.2 2030 Rail Network Strategy Review

In 2011, Iarnród Éireann conducted a review of future development requirements of the Iarnród Éireann InterCity Network (ICN) and regional services. It sets out a broad strategic goal for the rail network, as follows: *“To provide safe, accessible and integrated rail services that contribute to sustainable economic and regional development in an efficient manner.”* (p. IX)

The review states that the Dublin-Cork corridor is the *“dominant corridor on the rail network”* and this is due to the *“significant level of inter-city movements.”* (p. IX).

The document further outlines under the heading *“rehabilitation of infrastructure and other key investments”* (p. 31) that major rehabilitations works have been carried out and the closure or upgrading of level crossings has formed an important part of the investment programme.

With regard to the Dublin-Cork line, the document states that *“a total of €232m will need to be spent on the Cork line over the next 20years with a €23m required after this period.”* (p.194).

Section 12.4.2 (Structures and Level Crossings) sets out that *“Level crossings represent the single biggest rail safety risk. They also impact on journey times. Recent investment has seen a reduction in the number of level crossings from 2,000 to 1,100. Continuous investment is required to manage the safety risk associated with these assets and*

to provide more competitive journey times.” (p. 192). It goes on to further state: “It is envisaged that expenditure on level crossing of €10m per annum for the next ten years will be required, with €5m thereafter, giving a total of €150m over twenty years, rising to €180m when overheads are included.” (p.192).

5.5.3 Cork Metropolitan Area Transport Strategy (CMATS) 2040

The CMATS highlights the Dublin–Cork as being the top performing InterCity line in the country for passenger numbers. The strategy reiterates the proposed improvements in the National Development Plan (NDP) and Rail Review Report, including improvements in journey times and investment in high-speed rail, electrification and improving the journey time between Dublin and Cork to 2 hours.

5.5.4 Iarnród Éireann Rail Review: 2016 Report

The 2016 Rail Review Report examined the network in terms of meeting travel demand and environmental objectives as well as operational funding for the existing network. A passenger demand and elasticity analysis indicated that improving Dublin–Cork journey time to at least 2 hours would significantly strengthen rail as a travel option and improve consistency and transparency. The report also states that for a relatively small investment, journey time gains can easily be delivered in the short term.

5.5.5 Atlantic Gateways Initiative – Achieving Critical Mass (2006)

The Atlantic Gateway Initiative was a feasibility study developed to support the implementation of the National Spatial Strategy among the ‘Atlantic Gateways’, towns and cities across the western and southern coasts of Ireland, specifically Cork, Galway, Limerick and Waterford. One of the key concepts in the document was fostering better inter-city connectivity. Phase two of this approach (p.36) required the improvement of major road and rail network links between the Atlantic Gateways and Dublin, using targeted interventions centring on existing bottlenecks and substandard links.

5.7. Local Planning Policy

The Development Plans for the proposed Project area comprise the Cork County Development Plan (CCDP) 2014 and the Limerick City and County Development Plan (LCDP) 2010-2016.

5.6.1 Cork County Council (CCC)

The following five of the level crossings to be eliminated/upgraded are located within the administrative boundary of CCC:

- XC 209 Ballyhay;
- XC211 Newtown;
- XC212 Ballycoskery;
- XC215 Shinanagh; and
- XC219 Buttevant.

The planning policy documents of CCC that have been considered for the proposed Project are as follows:

- Cork County Development Plan (CCDP) 2014; and
- Draft Cork Landscape Strategy (2007); and
- Municipal District Local Area Plans (LAP) 2017.

Cork County Development Plan (CCDP) 2014-2020

The CCDP was adopted in December 2014 and came into effect on 15th January 2015. It sets out the Council’s planning and sustainable development strategy and associated planning policies for Cork County. The CCDP will eventually be superseded by the CCDP 2022-2038 which is at “Pre Draft Plan” stage and currently undergoing public consultation.

CCDP Vision

The stated Vision for the CCDP is *"Through application of the planning principles set out in this document, to provide for the development of County Cork as an attractive, competitive and sustainable place to live, visit and do business, where the quality of its economy, natural and built environment, culture and the strength of its communities are to the highest standards."*

Paragraph 2.1.2 of the CCDP sets out seven key aims including (inter alia):

- a) *Enhanced quality of life for all, based on high quality residential, working and recreational environments and sustainable transport patterns;*
- b) *An effective physical and community infrastructure supporting living economic recovery, enterprise and social integration;*
- c) *A quality-built environment integrating the conservation of County Cork's built heritage with best practice modern architecture and urban design."* (p.12)

Greenbelt/Rural Area

CCDP Figure 2.7 (Core Strategy Diagrammatic Map for County Cork) (see Volume 5, Appendix 5A, Figure 5.2) highlights the strategic direction of Atlantic Corridor which follows the route of the Dublin – Cork Railway Line (denoted as the Intercity Railway Line) north from Cork and into Limerick. It also highlights the N20 National Primary Route as well as the 'Strong Rural Area' designation covering much of the proposed Project area. Greenbelt designation (GB1) is located around Buttevant to the south and Charleville to the north of the proposed Project area.

XC209 Ballyhay is located within the Charleville Greenbelt and XC219 is located within the Buttevant Greenbelt. The proposed Project at XC219 Ballycoskery is primarily within the Settlement Boundary of Ballyhea Village with eastern portions within the 'Strong Rural Area'. The proposed Project at XC209 Ballyhay, XC211 Newtown and XC215 Shinanagh are entirely within the 'Strong Rural Area'.

In regard to Greenbelt designations CCDP Paragraph 4.3.6 states *"The town greenbelts define the visual setting around the main towns and have been established to prevent sprawl and control linear roadside development."* (p.58)

Paragraph 4.5.4 outlines the principles that underline the designation of greenbelts, as follows:

- *"Maintenance of distinction in character between the town or city urban and rural areas by the prevention of unrestricted sprawl of urban areas into the countryside;*
- *Prevention of individual settlements merging into one another;*
- *Strategic protection of land that may be required for development in the future;*
- *To focus attention on lands within settlements which are zoned for development and likely to contribute to the regeneration of areas;*
- *Provision of a source of recreation and amenity and to allow for open countryside to be within easy reach of most built up areas; and*
- *Retention of land in agriculture, forestry or other uses which would otherwise be susceptible to inappropriate development."* (p. 63).

In regard to 'Greenbelts around Other Towns' this primarily refers to the restriction of land generally for agriculture, open space or recreations uses with exceptions outlined in GB1-1. However, the policy is framed with a focus on rural housing and is silent on rail/roads infrastructure.

The 'Strong Rural Area' designation is defined as *"These rural areas to the north of the County have traditionally had a strong agricultural base Population levels are generally stable within a well-developed town and village structure and in the wider rural areas around them. This stability is supported by a traditionally strong agricultural*

economic base, that is restructuring to cope with changes in the agricultural sector and the level of individual housing development activity in these areas tends to be lower and confined to certain areas as pressure for urban generated housing is less." (p.58).

Blackwater Special Area of Conservation (SAC)

The CCDP notes that the proposed Project is near to the Blackwater River (Cork/Waterford) . The Blackwater SAC is located 1.2km to the south west of XC209 Ballyhay, it is 0.8km to the west of XC211 Newtown, approximately, 0.6km to the west of Ballyhea Village (XC212 Ballycoskery), 0.4km to the south west of XC215 Shinanagh and 0.2km to the north of XC219 Buttevant.

Rail/Transport

In regard to rail paragraph 10.2.32 sets out *"the County Council will be encouraging the delivery of further land use initiatives and investment measures to secure maximum benefits for the communities served by this network. In particular, the County Council will work closely with the City Authorities and other agencies in delivering a land use framework for the areas served by the rail network within the City area so as to maximise the potential for rail travel."* (p.156)

In regard to rail Freight the CCDP states at paragraph 10.5.5 *"There are many environmental and social benefits to be gained from utilising rail to transport goods. Rail produces 76% less CO2 than road per tonne carried and uses less than half the fuel as road per tonne km. Therefore, rail can play a valuable role in our efforts to cut carbon emissions."* (p.164)

Generally, in regard to transport paragraph 10.1.14 sets out that *"The focus of transport infrastructure and investment will be on the network of settlements broadly in line with the Atlantic Gateway Initiative"*. (p.150).

The M20 'Route Protection Corridor' is located to the immediate west of Ballyhea Village (XC212 Ballycoskery), further to the east of XC215 Shinanagh.

Landscape

A Landscape Character Assessment was undertaken as part of the Draft Cork Landscape Strategy (2007), which has been incorporated within the Cork County Development Plan (CCDP) 2014-2020 and divides the county into 16 No. Landscape Character Types (LCTs). All five of the sites in County Cork are wholly contained within LCT 5 – Fertile Plain with Moorland Ridge. Furthermore, XC209 Ballyhay, XC211 Newtown, XC212 Ballycoskery and a section of the northern portion of the proposed Project at XC215 Shinanagh are all within a High Value Landscape Designation. The proposed Project at XC219 Buttevant is outwith this designation.

Table 5.1 below outlines a number of CCDP objectives which are relevant to the proposed Project.

Table 5.1: CCDP 2014-2020

CCDP 2014-2020	
Relevant Objectives	Context
Objective CS 5-1: Climate Change Adaptation	<i>The County Council will promote sustainable settlement and transportation strategies in urban and rural areas, including the promotion of measures to (inter alia); a) reduce energy demand in response to the likelihood of increases in energy and other costs due to long term decline in non-renewable resources; and b) reduce anthropogenic greenhouse gas emissions.</i>
Objective HOU 3-1: Sustainable Residential Communities	<i>b) Promote development which prioritises and facilitates walking, cycling and public transport use, both within individual developments and in the wider context of linking developments together and providing connections to the wider area, existing facilities and public transport nodes such as bus and rail stops. c) Following the approach in chapter 10 of this plan, ensure that urban footpaths and public lighting are provided connecting all residential developments to the existing network of</i>

CCDP 2014-2020	
Relevant Objectives	Context
	<i>footpaths in an area and that the works required to give effect to this objective are identified early in the planning process to ensure such infrastructure is delivered in tandem with the occupation.</i>
<i>Objective CS 4-3: North Cork Strategic Planning Area (inter alia)</i>	<p><i>a) Recognise the importance to the area of the Atlantic Gateways Initiative; to acknowledge the potential of the towns located within the Atlantic Gateway Corridor to act as a focus for new investment in jobs and housing and to recognize the value of such investment to the area as a whole;</i></p> <p><i>b) Establish an appropriate balance in the spatial distribution of future population growth so that Kanturk, Millstreet, Mitchelstown, Charleville, Buttevant and Newmarket, can accelerate their rate of growth, in line with this Core Strategy and achieve a critical mass of population to enable them to maximise their potential to attract new investment in employment, services and public transport;</i></p> <p><i>c) Facilitate the development of the villages and rural areas so that the rate of future population growth compliments the strategy to achieve a critical mass of population in the towns and provide protection for those areas recognized as under pressure from urban development;</i></p> <p><i>d) Strengthen and protect the rural communities of the area by encouraging sustainable growth in population, protecting agricultural infrastructure and productivity and focusing other employment development primarily in the main towns and key villages;</i></p> <p><i>f) Prioritise the adequate provision of water services and transport infrastructure to meet current needs and future population targets while protecting the areas environment; and</i></p> <p><i>g) Protect and enhance the natural heritage of the Blackwater catchment.</i></p>
<i>Objective RCI 1-1: Rural Communities</i>	<i>Strengthen rural communities and counteract declining trends within the settlement policy framework provided for by the Regional Planning Guidelines and Core Strategy, while ensuring that key assets in rural areas are protected to support quality of life and rural economic vitality.</i>
<i>Objective RCI 4-4: Stronger Rural Area</i>	<p><i>These rural areas generally have stable population levels based on a traditionally strong agricultural base. Therefore, in order to recognise these characteristics and to consolidate and sustain the stability of the rural population, it is an objective that applicants shall satisfy the Planning Authority that their proposal constitutes a genuine rural generated housing need based on their social and / or economic links to a particular local rural area, and in this regard, must demonstrate that they comply with one of the following categories of housing need:</i></p> <p><i>a) Farmers, their sons and daughters who wish to build a first home for their permanent occupation on the family farm.</i></p> <p><i>b) Persons taking over the ownership and running of a farm on a full-time basis, who wish to build a first home on the farm for their permanent occupation, where no existing dwelling is available for their own use. The proposed dwelling must be associated with the working and active management of the farm.</i></p> <p><i>c) Persons who have spent a substantial period of their lives (i.e. over seven years), living in the local rural area in which they propose to build a first home for their permanent occupation.</i></p> <p><i>d) Persons working full-time in farming, forestry, inland waterway or marine related occupations, for a period of over three years, in the local rural area where they work and in which they propose to build a first home for their permanent occupation.</i></p> <p><i>e) Persons whose predominant occupation is farming / natural resource related, for a period of over three years, in the local rural area where they work and in which they propose to build a first home for their permanent occupation.</i></p> <p><i>f) Persons whose permanent employment is essential to the delivery of social and community services and intrinsically linked to a particular rural area for a period of over three consecutive years and who can demonstrate an economic and social need to live in the local rural area where they work, within which it is proposed to build a first home for their permanent occupation.</i></p> <p><i>g) Returning emigrants who spent a substantial period of their lives (i.e. over seven years), living in the local rural area in which they propose to build a first home for their permanent occupation, who now wish to return to reside near other immediate family members (mother, father, brother, sister, son, daughter or guardian), to care for elderly immediate family members, to work locally, or to retire.</i></p>

CCDP 2014-2020	
Relevant Objectives	Context
Objective RCI 5-2: Purpose of Greenbelt	<p>a) Maintain a Green Belt for Metropolitan Cork with the purposes of retaining the open and rural character of lands between and adjacent to urban areas, maintaining the clear distinction between urban areas and the countryside, to prevent urban sprawl and the coalescence of built up areas, to focus attention on lands within settlements which are zoned for development and provide for appropriate land uses that protect the physical and visual amenity of the area.</p> <p>b) Recognise that in order to strengthen existing rural communities' provision can be made within the objectives of this plan to meet exceptional individual housing needs within areas where controls on rural housing apply.</p>
Objective RCI 5-7: Strategic and Exceptional Development	<p>Recognise that there may be development of a strategic and exceptional nature that may not be suitably located within zoned lands and that such development may be accommodated successfully in Greenbelt locations. In such circumstances, the impact on the specific functions and open character of the Greenbelt should be minimised.</p> <p>During the lifetime of the plan consideration will be given to the establishment of a Showgrounds, and ancillary facilities, located on the Munster Agricultural Society grounds, at Curraheen.</p>
Objective RCI 5-8: Greenbelts around Settlements	<p>a) Retain the identity of towns, to prevent sprawl, and to ensure a distinction in character between built up areas and the open countryside by maintaining a Greenbelt around all individual towns.</p> <p>b) Reserve generally for use as agriculture, open space or recreation uses those lands that lie in the immediate surroundings of towns. Where Natura 2000 sites occur within Greenbelts, these shall be reserved for uses compatible with their nature conservation designation.</p> <p>c) Prevent linear roadside frontage development on the roads leading out of towns and villages.</p> <p>d) The local area plans will define the extent of individual Greenbelts around the ring and county towns and any of the larger villages where this approach is considered appropriate. They will also establish appropriate objectives for the Greenbelts generally reserving land for agriculture, open space or recreation uses.</p>
Objective SC 1-1: Social and Community Infrastructure Provision	<p>a) Support the provision of social and community facilities which meet the current and future needs of the entire population.</p> <p>b) Secure lands for social and community facilities and encourage the provision of facilities suitable for intergenerational activities, which are accessible to all members of the community, through initiatives in partnership with community groups and sporting organisations.</p>
Objective EE 2-1: Overall Strategy for Economic Development	Support the national economic development strategy by creating conditions that will attract sustainable economic investment as the priority in the Cork Gateway, Mallow Hub and the other principal locations identified for employment and economic development in this plan.
Objective TM 1-1: Transport Strategy (Inter alia)	<p>a) Provide a choice of transport modes for all citizens and visitors. Foster sustainable economic and population growth by maintaining and developing an efficient and integrated transport system for the County and, at the same time, encourage balanced investment in less polluting and more energy efficient modes of public and private transport.</p> <p>b) Focus the provision of transport infrastructure and investment on the network of settlements broadly in line with the Atlantic Gateway Initiative and the South West Regional Planning Guidelines, so that all the settlements in the County, but particularly the main towns and key villages, can be served by a reliable and efficient transport service which also serves their rural catchment areas. See Chapter 12 Heritage Objective HE 2-1 and Paragraph 12.2.5.</p> <p>g) Encourage the move to a 55% level of non-car-based transport within the Cork Gateway, Hubs and other main towns and a 20% level of non-car based travel for journeys within rural areas of the County as set out in the South West Regional Planning Guidelines.</p>
Objective TM 2-1: Walking (Inter alia)	a) Encourage and facilitate a safe walking route network and a culture of walking where possible and practical.

CCDP 2014-2020	
Relevant Objectives	Context
	<p>b) Preserve, protect and where possible enhance existing walking routes particularly those providing access to key transport and community infrastructure such as bus stops, rail stations, schools, shops, work places, town and village centres.</p> <p>c) Ensure that all development should be accessible and permeable on foot and that the walking experience should be as safe and pleasant as possible and set within an overall coherent network. The Design Manual for Urban Roads & Streets (DMURS) is a useful guidance tool.</p>
Objective TM 2-2: Cycling	<p>a) Encourage and facilitate a safe walking and cycling route network and a culture of walking and particularly cycling in the county, as a viable alternative travel choice. Local Area Plans will set out Active Travel Strategies (cycling and walking) for individual towns and their hinterlands.</p> <p>b) Improve the streetscape environment for pedestrians, cyclists and those with special mobility needs while seeking to provide facilities which enhance safety and convenience. The Design Manual for Urban Roads & Streets (DMURS) is a useful guidance tool.</p> <p>c) Ensure that development in urban areas, towns and villages is well located, permeable and prioritises walking, cycling and access to public transport and other important amenities. The Design Manual for Urban Roads & Streets (DMURS) is a useful guidance tool.</p> <p>d) Promote the development of an integrated and coherent local and countywide cycle network to form part of the wider National Cycle Network. Routes will be promoted which generally seek to avoid or minimise impacts on the environment and on EU designated sites.</p>
Objective TM 2-5: Rail Transport	<p>The County Council will support and prioritise the following key Rail Transport initiatives: a) Encourage the enhancement of service provision in tandem with planned population and employment growth; and, c) Encourage greater use of the suburban rail network; support other agencies in delivering an appropriate integrated land--use and transportation framework in the hinterland of rail stations in the Cork City area including park and ride facilities.</p>
Objective TM 3-1: National Road Network (Inter alia)	<p>a) Seek the support of the National Roads Authority in the implementation of the following major projects:</p> <p>Key NSS Projects</p> <ul style="list-style-type: none"> • M20 (Blarney – Mallow – Limerick). • N25 (Carrigtwohill – Midleton – Youghal). <p>b) Support and provide for improvements to the national road network, including reserving corridors for proposed routes, free of inappropriate development, so as not to compromise future road schemes.</p> <p>e) Prevent the undermining of the strategic transport function of national roads and to protect the capacity of the interchanges in the County from locally generated traffic.</p>
Objective TM 3-2: Regional & Local Roads (Inter alia)	<p>a) Recognise the strategic role played by Regional Roads within the County and, together with Local Roads, to enhance their carrying capacity and safety profile in line with demand.</p> <p>b) Promote the improvement of strategic Regional and Local Roads throughout the County in accordance with the strategies identified for the main settlements in this Plan.</p> <p>See Chapter 12 Heritage Objective HE 2-1 and Paragraph 12.2.5.</p> <p>d) Limit access to Regional Roads where appropriate so as to protect carrying capacity of the road network and have regard to safety considerations particularly where access to a lower category road is available.</p>
Objective TM 3-3: Road Safety and Traffic Management	<p>a) Where traffic movements associated with a development proposal will have a material impact on the safety and free flow of traffic on a National, Regional or other Local Routes, to require the submission of a Traffic and Transport Assessment (TTA) and Road Safety Audit as part of the proposal.</p> <p>d) Ensure that all new vehicular accesses are designed to appropriate standards of visibility to ensure the safety of other road users.</p>

CCDP 2014-2020	
Relevant Objectives	Context
	<p>e) Improve the standards and safety of public roads and to protect the investment of public resources in the provision, improvement and maintenance of the public road network.</p> <p>f) Promote road safety measures throughout the County, including traffic calming, road signage and parking.</p> <p>g) Coordinate proposed zoning designations and/or access strategies in settlement plans with speed limits on national roads.</p>
Objective TM 4-1: Car and Cycle Parking (inter alia)	<p>d) Ensure that a high standard of design, layout and landscaping accompanies any proposal for surface car parking. Planning permission will be granted only where all the following criteria are met:</p> <p>(i) Respects the character of the streetscape/landscape</p> <p>(ii) Will not adversely affect visual amenity, and</p> <p>(iii) Provision has been made for security, and the direct and safe access and movement of pedestrians and cyclists within the site.</p> <p>e) Promote a shift towards cycling as a viable transport mode by requiring the provision of cycle parking facilities in accordance with Appendix D Table 2.</p>
Objective WS 5-2: River Channel Protection	Ensure that where practical development is kept at 10m or other appropriate distance from stream and river banks and adequate protection measures put in place.
Objective WS 5-3: Surface Water Management	Manage surface water catchments and the use and development of lands adjoining streams, watercourses and rivers in such a way as to minimise damage to property by instances of flooding and with regard to any conservation objectives of European sites within the relevant catchments and floodplains.
Objective WS 5-1: Surface Water and SuDS	<p>a) Ensure that all new developments incorporate sustainable drainage systems (SuDS).</p> <p>b) Provide adequate storm water infrastructure in order to accommodate the planned levels of growth expected for the County.</p>
Objective WS 6-1: Flood Risks – Overall Approach	<p>Take the following approach in order to reduce the risk of new development being affected by possible future flooding:</p> <ul style="list-style-type: none"> • Avoid development in areas at risk of flooding; and • Where development in floodplains cannot be avoided, to take a sequential approach to flood risk management based on avoidance, reduction and mitigation of risk. <p>In areas where there is a high probability of flooding 'Zone A' it is an objective of this plan to avoid development other than 'water compatible development' as described in Section 3 of 'The Planning System and Flood Risk Management – Guidelines for Planning Authorities' issued in November 2009 by DoEHLG.</p> <p>In areas where there is a moderate probability of flooding 'Zone B' it is an objective of this plan to avoid 'highly vulnerable development' described in section 3 of 'The Planning System and Flood Risk Management – Guidelines for Planning Authorities' issued in November 2009 by DoEHLG.</p> <p>Implement the recommendations of the South Western CFRAM study.</p>
Objective WS 6-2: Development in Flood Risk Areas	<p>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 11.6.16 of this plan.</p> <p>Where the planning authority is satisfied that it can be satisfactorily shown in the site-specific flood risk assessment required under objective WS 6-1 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>

CCDP 2014-2020	
Relevant Objectives	Context
	<p>Where the site-specific flood risk assessment required under WS 6-1 shows that there are significant residual flood risks to the proposed development or its occupiers, conflicting with the approach recommended in the Ministerial Guidelines, it is an objective of this plan to, normally, avoid development vulnerable to flooding unless all of the following are satisfied:</p> <ul style="list-style-type: none"> • The development is within an urban settlement, targeted for growth under the National Spatial Strategy, Regional Planning Guidelines, and statutory plans. • The development of the lands for the particular use or development type is required to achieve the proper planning and sustainable development of the urban settlement and, in particular: <ul style="list-style-type: none"> o Is essential to facilitate regeneration and/or expansion of the centre of the urban settlement; o Comprises significant previously developed and/or underutilised lands; o Is within or adjoining the core of an established or designated urban settlement; o Will be essential in achieving compact and sustainable urban growth; and o There are no suitable alternative lands for the particular use or development type, in areas at lower risk of flooding within or adjoining the core of the urban settlement. • The development is assessed not to have the potential to give rise to negative or adverse impacts on the integrity of Natura 2000 sites.
Objective WS 7-1: Waste Management	<p>a) Support the policy measures and actions outlined in 'A Resource Opportunity' 2012 – National Waste Policy.</p> <p>b) Encourage the delivery of an effective and efficient waste management service in line with the Waste Management Acts and relevant Waste Management Plan for the County/Region.</p> <p>c) Normally require details and formal development proposals of onsite provisions for the management of waste materials that are likely to be generated from the proposed use. The Council will require Waste Management Assessment for projects which exceed thresholds outlined.</p> <p>d) Support the incorporation of the recommendation and policies of the National Hazardous Waste Management Plan 2008-12.</p> <p>e) Support the sustainable development of the Bottlehill facility for specialised and appropriate uses primarily associated with integrated waste management.</p>
Objective HE 2-1: Site Designated for Nature Conservation	<p>Provide protection to all-natural heritage sites designated or proposed for designation under National and European legislation and International Agreements, and to maintain or develop linkages between these. This includes Special Areas of Conservation, Special Protection Areas, Natural Heritage Areas, Statutory Nature Reserves, Refuges for Fauna and Ramsar Sites.</p>
Objective HE 2-2: Protected Plant and Animal Species	<p>Provide protection to species listed in the Flora Protection Order 1990, on Annexes of the Habitats and Birds Directives, and to animal species protected under the Wildlife Acts in accordance with relevant legal requirements. These species are listed in Volume 2, Chapter 4 of the plan.</p>
Objective HE 2-3: Biodiversity outside Protected Areas	<p>Retain areas of local biodiversity value, ecological corridors and habitats that are features of the County's ecological network, and to protect these from inappropriate development. This includes rivers, lakes, streams and ponds, peatland and other wetland habitats, woodlands, hedgerows, tree lines, veteran trees, natural and seminatural grasslands as well as coastal and marine habitats. It particularly includes habitats of special conservation significance in Cork as listed in Volume 2 Chapter 3 Nature Conservation Areas of the plan.</p>
Objective HE 2-4: Protection of Wetlands	<p>Ensure that an appropriate level of assessment is completed in relation to wetland habitats subject to proposals which would involve drainage or reclamation. This includes lakes and ponds, watercourses, springs and swamps, marshes, heath, peatlands, some woodlands as well as some coastal and marine habitats.</p>
Objective HE 2-5: Trees and Woodlands	<p>a) Protect trees in the subject of Tree Preservation Orders.</p> <p>b) Preserve and enhance the general level of tree cover in both town and country. Ensure that development proposals do not compromise important trees and include an appropriate level</p>

CCDP 2014-2020	
Relevant Objectives	Context
	<p>of new tree planting and where appropriate to make use of tree preservation orders to protect important trees or groups of trees which may be at risk or any tree(s) that warrants an order given its important amenity or historic value.</p> <p>c) Where appropriate, to protect mature trees/groups of mature trees and mature hedgerows that are not formally protected under Tree Preservation Orders.</p>
Objective HE 2-6: Geological Sites	Maintain the conservation value of those features or areas of geological interest that are listed in Volume 2, Chapter 3 Nature Conservation Areas, of the plan, and to protect them from inappropriate development.
Objective HE 2-7: Control of Invasive Species	Control the spread of invasive plant and animal species within the county.
Objective HE 3-1: Protection of Archaeological Sites	<p>a) Safeguard sites and settings, features and objects of archaeological interest generally.</p> <p>b) Secure the preservation (i.e. preservation in situ or in exceptional cases preservation by record) of all archaeological monuments including the Sites and Monuments Record (SMR) (see www.archeology.ie) and the Record or Monuments and Places as established under Section 12 of the National Monuments (Amendment) Act, 1994, as amended and of sites, features and objects of archaeological and historical interest generally.</p>
Objective HE 3-2: Underwater Archaeology	Protect and preserve the archaeological value of underwater archaeological sites and associated features. In assessing proposals for development, the Council will take account of the potential underwater archaeology of rivers, lakes, intertidal and sub-tidal environments.
Objective HE 3-3: Zones of Archaeological Potential.	Protect the Zones of Archaeological Potential (ZAPs) located within historic towns and other urban areas and around archaeological monuments generally. Any development within the ZAPs will need to take cognisance of the potential for subsurface archaeology and if archaeology is demonstrated to be present appropriate mitigation (such as preservation in situ/buffer zones) will be required.
Objective HE 3-4 Industrial and Post Medieval Archaeology	Protect and preserve the archaeological value of industrial and post medieval archaeology such as mills, limekilns, bridges, piers, harbours, penal chapels and dwellings. Proposals for refurbishment, works to or redevelopment/conversion of these sites should be subject to careful assessment.
Objective HE 3-5 Burial Grounds	Protect all historical burial grounds in County Cork and encourage their maintenance and care in accordance with appropriate conservation principles.
Objective HE 3-6: Archaeology and Infrastructure Schemes	Have regard to archaeological concerns when considering proposed service schemes (including electricity, sewerage, telecommunications, water supply) and proposed roadwork's (both realignments and new roads) located in close proximity to Recorded Monuments and Places and their known archaeological monuments.
Objective HE 4-1: Record of Protected Structures (inter alia)	<p>c) "Seek the protection of all structures within the County, which are of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest. In accordance with this objective, a Record of Protected Structures has been established and is set out in Volume 2, Chapter 1 of the Plan.</p> <p>d) Ensure the protection of all structures (or parts of structures) contained in the Record of Protected Structures.</p> <p>e) Protect the curtilage and attendant grounds of all structures included in the Record of Protected Structures.</p> <p>f) Ensure that development proposals are appropriate in terms of architectural treatment, character, scale and form to the existing protected structure and not detrimental to the special character and integrity of the protected structure and its setting.</p>

CCDP 2014-2020	
Relevant Objectives	Context
	<i>g) Ensure high quality architectural design of all new developments relating to or which may impact on structures (and their settings) included in the Record of Protected Structures."</i>
<i>Objective HE 4-2: Protection of Structures on the NIAH</i>	<i>Give regard to and consideration of all structures which are included in the NIAH for County Cork, which are not currently included in the Record of Protected Structures, in development management functions.</i>
<i>Objective HE 4-3: Protection of Non-Structural Elements of Built Heritage</i>	<i>Protect important non-structural elements of the built heritage. These can include designed gardens/garden features, masonry walls, railings, follies, gates, bridges, and street furniture. The Council will promote awareness and best practice in relation to these elements.</i>
<i>Objective HE 4-5: Architectural Conservation Areas</i>	<p><i>Conserve and enhance the special character of the Architectural Conservation Areas included in this plan. The special character of an area includes its traditional building stock and material finishes, spaces, streetscape, shop fronts, landscape and setting. This will be achieved by;</i></p> <ul style="list-style-type: none"> <i>a) Protecting all buildings, structures, groups of structures, sites, landscapes and all features considered to be intrinsic elements to the special character of the ACA from demolition and non-sympathetic alterations</i> <i>b) Promoting appropriate and sensitive reuse and rehabilitation of buildings and sites within the ACA and securing appropriate infill development</i> <i>c) Ensure new development within or adjacent to an ACA respects the established character of the area and contributes positively in terms of design, scale, setting and material finishes to the ACA.</i> <i>d) Promoting high quality architectural design within ACAs.</i> <i>e) Seek the repair and reuse of traditional shopfronts and where appropriate, encourage new shopfronts of a high-quality architectural design.</i> <i>f) Ensure that all new signage, lighting, advertising and utilities to buildings within ACA are designed, constructed, and located in such a manner that they do not detract for the character of the ACA.</i> <i>g) Protect and enhance the quality of open spaces within ACAs and ensure the protection and where necessary reuse of street furniture and use of appropriate materials during the course of public infrastructure schemes within ACAs.</i> <i>h) Protect structures from demolition, non-sympathetic alterations and the securing of appropriate in-fill developments.</i>
<i>Objective HE 4-6: Design and Landscaping of New Buildings</i>	<ul style="list-style-type: none"> <i>A)"Encourage new buildings that respect the character, pattern and tradition of existing places, materials and built forms and that fit appropriately into the landscape.</i> <i>b) Promote sustainable approaches to housing development by encouraging new building projects to be energy efficient in their design and layout.</i> <i>c) Foster an innovative approach to design that acknowledges the diversity of suitable design solutions in most cases, safeguards the potential for exceptional innovative design in appropriate locations and promotes the added economic, amenity and environmental value of good design.</i> <i>d) Require the appropriate landscaping and screen planting of proposed developments by using predominantly indigenous/local species and groupings and protecting existing hedgerows in rural areas.</i>
<i>Objective HE 5-1: Cultural Heritage</i>	<i>Protect and promote the cultural heritage of County Cork as an important economic asset.</i>

CCDP 2014-2020	
Relevant Objectives	Context
Objective GI 4-2: Rights of Way	Where requested, give consideration to the need to preserve public rights of way which give access to seashore, mountain, lakeshore, riverbank or other place of natural beauty or recreational utility, under the provisions of Section 14 of the Planning and Development Act 2000 (as amended).
Objective GI 6-1: Landscape	<p>a) Protect the visual and scenic amenities of County Cork's built and natural environment.</p> <p>b) Landscape issues will be an important factor in all land-use proposals, ensuring that a proactive view of development is undertaken while maintaining respect for the environment and heritage generally in line with the principle of sustainability.</p> <p>c) Ensure that new development meets high standards of siting and design.</p> <p>e) Discourage proposals necessitating the removal of extensive amounts of trees, hedgerows and historic walls or other distinctive boundary treatments.</p>
Objective GI 7-1: General Views and Prospects	Preserve the character of all-important views and prospects, particularly sea views, river or lake views, views of unspoilt mountains, upland or coastal landscapes, views of historical or cultural significance (including buildings and townscapes) and views of natural beauty as recognized in the Draft Landscape Strategy.
Objective GI 7-2: Scenic Routes	Protect the character of those views and prospects obtainable from scenic routes and in particular stretches of scenic routes that have very special views and prospects identified in this plan. The scenic routes identified in this plan are shown on the scenic amenity maps in the CDP Map Browser and are listed in Volume 2 Chapter 5 Scenic Routes of this plan
Objective GI 7-3: Development on Scenic Routes	<p>a) Require those seeking to carry out development in the environs of a scenic route and/or an area with important views and prospects, to demonstrate that there will be no adverse obstruction or degradation of the views towards and from vulnerable landscape features. In such areas, the appropriateness of the design, site layout, and landscaping of the proposed development must be demonstrated along with mitigation measures to prevent significant alterations to the appearance or character of the area.</p> <p>b) Encourage appropriate landscaping and screen planting of developments along scenic routes which provides guidance in relation to landscaping.</p>
Objective GI 7-4: Development on the approaches to Towns and Villages	Ensure that the approach roads to towns and villages are protected from inappropriate development, which would detract from the setting and historic character of these settlements.
Objective GI 10-1: EU Water Framework Directive and River Basin Management Plans	<p>a) Protect and improve the County's water resources and ensure that development permitted meets the requirements of the relevant River Basin Management Plan and does not contravene the objectives of the EU Water Framework Directive.</p> <p>b) Facilitate the implementation of the River Basin Management Plans for ground, surface, estuarine, coastal and transitional waters in the Plan area as part of the implementation of the EU Water Framework Directive.</p> <p>c) Support an integrated and collaborative approach to local catchment management in order to assist in the implementation of the River Basin Management Plans.</p>
Objective GI 10-2: Surface water Protection	Protect and improve the status and quality of all surface waters throughout the County, including transitional and coastal waters.
Objective GI 10-3: Groundwater Protection	Preserve and protect groundwater and surface water quality throughout the County.

CCDP 2014-2020	
Relevant Objectives	Context
<i>Objective GI 10-4: Groundwater Protection Schemes and Zones</i>	<i>In order to protect groundwater quality new developments must have regard to any Groundwater Protection Scheme and / or Groundwater Protection Zones in place and existing developments and abstractions.</i>
<i>Objective GI 12-1: Air Quality</i>	<i>Monitor air quality and air quality trends in accordance with EU policy directives and take appropriate action where required including the provision of additional air quality monitoring infrastructure.</i>
<i>Objective GI 13-1: Noise Emissions</i>	<p><i>a) Seek the minimisation and control of noise pollution associated with activities or development, having regard to relevant standards, published guidance and the receiving environment.</i></p> <p><i>b) Support the implementation of Noise Action Plans prepared for the Cork County area.</i></p>
<i>Objective GI 13-2: Light Emissions</i>	<i>Seek the minimisation and control of light pollution associated with activities of development, having regard to relevant standards, published guidance and the receiving environment.</i>
<i>Objective ZU 2-1: Development and Land Use Zoning</i>	<i>Ensure that development, during the lifetime of this plan, proceeds in accordance with the general land use objectives set out in this plan and any specific zoning objectives that apply to particular areas as set out in any relevant Local Area Plans and Special Local Area Plans.</i>
<i>Objective ZU 3-1: Existing Built Up Areas</i>	<i>Normally encourage through the Local Area Plans development that supports in general the primary land use of the surrounding existing built up area. Development that does not support, or threatens the vitality or integrity of, the primary use of these existing built up areas will be resisted.</i>
<i>ZU 3-3: Appropriate Uses in Community/Utility Areas</i>	<i>Promote the provision of educational, community related and healthcare development that is not, generally, appropriate to town centres or other areas including, where relevant, the provision of ancillary accommodation and facilities.</i>

Municipal District (MD) Local Area Plans (LAPs)

The LAPs were adopted on 24th July 2017 and came into effect on 21st August 2017. They were prepared for each Municipal District (MD) in the County and sets out CCC's land use planning strategy for the development of the town and villages of the County. The proposed Project falls within the jurisdiction of the following MD LAPs:

- *Kanturk Mallow MD LAP; and*
- *Fermoy MD LAP.*

The proposed Project is within the North Cork Strategic Planning Area (NCSPA) and the key objectives for the NCSPA are set out at Table 5.1 above. Buttevant is identified as one of the towns within the NCSPA. Section 1.3.8 of the CCDP sets out that "Each town supports a substantial rural hinterland consisting of several villages, smaller settlements and individual dwellings." (p.7)

Kanturk Mallow MD LAP 2017

The Kanturk Mallow MD LAP sets out the detailed planning strategy and land use zoning as appropriate, for the towns and villages of Kanturk Mallow MD. The XC219-Buttevant level crossing is located within the administrative boundary of this MD.

Paragraph 1.7.2 of the LAP sets out that "One of the key attributes of the Kanturk – Mallow District is the River Blackwater which is designated as a Special Area of Conservation under the Habitats Directive as it is a significant site containing important rare plants and species." It goes on to state: "In planning for the future development of

the area the Council has a legally binding obligation to protect the favourable conservation status of the River Blackwater Special Area of Conservation.” (p.10).

Specifically, in regard to Buttevant, Section 3.6 of the LAP outlines that the vision and context for Buttevant as follows: *“The vision for Buttevant over the lifetime of this plan is to boost the town’s population in line with prescribed targets; optimise employment opportunities having regard to the towns proximity to the proposed M20 and the Atlantic Corridor; and ensure new development respects the significant historic and architectural fabric of the town.”*

The proposed Project is situated within the Greenbelt 0.1km to the west of the Buttevant Settlement Boundary. The western section of the proposed road/road-over-rail bridge infrastructure is within an *“Area susceptible to Flooding; Zone A”* and *“Area susceptible to Flooding Zone B”*.

Paragraph 3.6.7 sets out that *“Outside the development boundary of the town the land forms part of the Buttevant Greenbelt. Here the objectives of the plan seek to prevent sprawl and ensure a clear distinction between built up areas and the open countryside by reserving land in the immediate surroundings of the town generally for use as agriculture, open space and recreation uses.”*

Paragraph 3.6.21 outlines that “The Cork – Limerick national route (N20) travels through the centre of Buttevant, bringing high volumes of traffic through the town’s main street on a daily basis with the associated congestion and negative impacts on the environmental amenities of the town. The route does not however afford easy access to the large towns of Charleville and Mallow and cities of Cork and Limerick. The proposed M20 motorway scheme, which would bypass the town to the east, is currently suspended. Delivery of a bypass for the town is needed to address the significant adverse impacts of the high levels of traffic along the main street.”

Paragraph 3.6.22 states that “The Cork – Dublin rail line passes to the west of the town but Buttevant station has been closed since the 1970s. Rail services are available at Mallow and Charleville.”

XC219 Buttevant

The subject lands are located within Landuse Zoning – ‘Greenbelt 1’. The LAP policy within such areas is *“To discourage strongly new individual housing from being located within the greenbelts around the main towns in each MD. This is relaxed in principle for individuals who can demonstrate a genuine need based on their social and or economic links to a particular rural area, in accordance with objectives RCI 4-2, RCI 5-6 and RCI 5-7.” (p. 21).*

The Development Boundary for Buttevant is located 0.3km to the east and the Blackwater SAC located 0.2km to the north.

Table 5.2: Kanturk Mallow MD LAP (LAP) 2017

Kanturk Mallow MD LAP (LAP) 2017	
Relevant Objectives	Context
Objective GB 1-1	<i>It is an objective to discourage strongly new individual housing from being located within the greenbelts around the main towns in each Municipal District (except within established village nuclei). This restriction is relaxed in principle for individuals who can demonstrate a genuine rural generated housing need based on their social and/ or economic links to a particular local rural area in accordance with Cork County Development Plan (2014) Objective RCI 4-2, or in the circumstances referred to in objectives RCI 5-6 and RCI 5-7, which also apply to Greenbelts around Settlements</i>

Kanturk Mallow MD LAP (LAP) 2017	
Relevant Objectives	Context
Objective GB 1-2	<p><i>In some parts of the greenbelts around the towns it will be possible to accommodate limited numbers of individual houses in an appropriate rural setting providing:</i></p> <ul style="list-style-type: none"> ▪ <i>The character of the area as a whole will remain predominantly rural and open;</i> ▪ <i>Proposals will not cause linear roadside frontage development (ribbon development); and</i> <p><i>The proposals is consistent with the proper planning and sustainable development of the area.</i></p>
Objective IN-01	<p><i>All proposals for development within the areas identified as being at risk of flooding will need to comply with Objectives WS 6-1 and WS 6-2 as detailed in Chapter 11, Volume 1 of the Cork County Development Plan, 2014, as appropriate, and with the provisions of the Ministerial Guidelines - 'The Planning System and Flood Risk Management'. In particular, a site-specific flood risk assessment will be required a described in WS 6-2.</i></p>
Objective LAS-01	<p><i>a) In order to secure the sustainable population growth proposed, appropriate and sustainable water and waste water infrastructure that will help to secure the objectives of the Water Framework Directive, Habitats Directive and Birds Directive, needs to be provided where not already available, in advance of the commencement of discharges from new development permitted.</i></p> <p><i>b) All developments will need to comply with Water services Objectives WS 2-1, WS 3-1, WS 4-1 and Management of Surface Water Objectives WS 5-1, WS 5-2 and WS 5-3 as detailed in Chapter 11, Volume 1 of the Cork County Development Plan, 2014.</i></p> <p><i>c) No developer provided infrastructure will be allowed into the future except where agreed with Irish Water and where an appropriate transitional and longer-term maintenance and repair programme has been provided for.</i></p> <p><i>d) All developments where appropriate will need to comply with Objective TM 3--1 National Road Network as detailed in Chapter 10, Volume 1 of the Cork County Development Plan, 2014.</i></p> <p><i>e) Any development on certain sites should be accompanied by a Traffic Impact Assessment (TIA) and Road Safety Audit (RSA).</i></p> <p><i>f) All developments will need to comply with Management of Surface Water Objectives WS 5-1, WS 5-2 and WS 5-3 as detailed In Chapter 11, Volume One of the Cork County Development Plan, 2014, in order to make provision for Sustainable Urban Drainage Systems and provide adequate storm water attenuation. Surface water management and disposal should be planned in an integrated way in consideration with land use, water quality, and amenity and habitat enhancements as appropriate.</i></p> <p><i>g) 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.</i></p> <p><i>h) Provide protection to all proposed and designated natural heritage sites and protected species within this planning area in accordance with HE 2-1, and HE 2-2 of the County</i></p>

Kanturk Mallow MD LAP (LAP) 2017	
Relevant Objectives	Context
	<p><i>Development Plan, 2014. This includes Special Areas of Conservation, Special Protection Areas and Natural Heritage Areas.</i></p> <p><i>i) Maintain where possible important features of the landscape which function as ecological corridors and areas of local biodiversity value, wetlands and features of geological value within this planning area in accordance with HE 2-3, HE 2-4, HE 2-5, HE 2-6 and HE 2-7 of the County Development Plan, 2014.</i></p> <p><i>j) Preserve and protect the archaeological and architectural heritage which contributes to the character of an area and is intrinsic to its identity and sense of place in accordance with the Heritage objectives (HE 3 1-5 & HE 4 1-5) of the County Development Plan 2014. This includes formal vernacular, industrial, civic, ecclesiastical, maritime and underwater heritage and features such as historic boundaries, gate piers, street furniture and landscapes.</i></p>
Objective BV-GO-03	<p><i>The Awbeg runs through the town and forms part of the Blackwater River Candidate Special Area of Conservation. Development in the town will only be permitted where it is shown that it is compatible with the requirements of the Habitats Directive and the protection of the River Blackwater SAC. Protection and enhancement of biodiversity resources within the receiving environment of the town will be encouraged.</i></p>

Fermoy MD LAP 2017

The Fermoy MD LAP 2017 came into effect on 21st August 2017. It sets out the detailed planning strategy and land use zoning as appropriate, for the towns and villages of Fermoy MD. XC215-Shinanagh, XC212-Ballycoskery, XC211 Newtown and XC209 Ballyhay level crossings are located within the administrative boundary of this MD.

The proposed Project at XC215 Shinanagh is located outwith any Settlement Boundary. The proposed Project at XC209 Ballyhay is located outwith any Settlement Boundary, it is within the Greenbelt and Flood Zone A. The proposed Project at XC211 Newtown is located at it nearest point immediately adjacent to (but outside) the north eastern corner of the Settlement Boundary of Ballyhea Village.

In regard to XC212 Ballycoskery the proposed Project is primarily located within the Settlement Boundary of Ballyhea Village. The proposed road infrastructure to the north, east and south of Dooley's Crossroads is outside the Settlement Boundary. Paragraph 5.2.21 sets out that "Reservation is made for possible construction of a new road realignment as detailed on the accompanying map. This may result in the creation of a new parking area in front of the school." (p.156) This is linked to Objective U-01.

Lands zoned for Community/Utility (C-01) "Use for School Expansion" are located to the immediate north of the proposed Project. Sections of the proposed infrastructure to the east of the existing Dublin to Cork Railway line are within "Areas susceptible to Flooding Zone A".

The Fermoy MD LAP identifies Ballyhea as one of 10 villages within the area. Section 5.2.2 sets out that "It is a strategic aim of the Cork County Development Plan, 2014 to encourage and facilitate development at a scale, layout and design that reflects the character of each village, where water services and waste water infrastructure is available and support the retention and improvement of key social and community facilities within villages, including the improved provision of interurban public transport." (p.148)

Paragraph 5.2.6 outlines that "To allow the villages to develop in an orderly manner, it is particularly important that improvements are made to the village's infrastructure. It is intended that future growth will be largely organic in nature based on small scale developments." (p.148)

Paragraph 5.2.8 continues: *“There is scope for development within the villages; however, it is important that the village’s rural character, architectural heritage and its other heritage and natural amenities are maintained, enhanced and not compromised. It is also important that any future development maintains the integrity of the surrounding landscape, particularly any designated high value landscapes.”* (p.148)

Paragraph 5.2.9 states: *“There may be opportunities for some small-scale development in the village Centres. It is important that any proposed Project would be in keeping with the established character of the villages.”* (p.148)

Paragraph 5.2.11 outlines: *“The development boundaries closely reflect the existing pattern of development. It is considered reasonable to ensure good development opportunities continue to be available within the villages although it is clear that not all the land within the boundaries will be required for development over the lifetime of this plan”* (p.149)

Paragraph 5.2.19 states that *“Over the lifetime of this Local Area Plan it is envisaged that Ballyhea will cater for a modest level of development, proportionate to its existing size and sensitive to the high landscape value of the area. The village is most suited to the development of individual dwellings, subject to the provision of adequate services”* (p.156).

In reference to community facilities Paragraph 5.2.15 states: *“Some local improvements to local footpaths and lighting are also desirable.”* (p. 149).

XC209 Ballyhay

The LAP identifies that the subject lands lie within ‘Charleville Greenbelt 1’ and the policy for such areas is *“To discourage strongly new individual housing from being located within the greenbelts around the main towns in each MD. This is relaxed in principle for individuals who can demonstrate a genuine need based on their social and or economic links to a particular rural area, in accordance with objectives RC1 4-2, RC1 5-6 and RC1 5-7.”* (p. 20).

The subject site is within Flood Zone A within which Objective IN-01 states *“All proposals for development within the areas identified as being at risk of flooding will need to comply with Objective WS 6-1 and WS 6-2 as detailed in Chapter 11, Volume 1 of the Cork County Development Plan, 2014, as appropriate, and with the provisions of the Ministerial Guidelines – ‘The Planning System and Flood Risk Management’. In particular, a site-specific flood risk assessment will be required as described in WS 6-2.”* (p. 19).

XC211 Newtown

The subject lands are located 0.1km to the north east of the Ballyhea Development Boundary and the Blackwater SAC is 0.7km to the west.

XC212 Ballycoskery (Ballyhea Village)

The majority of the proposed Project is within the Ballyhea Development boundary (‘Existing Built Up area’) with some eastern extents of the proposed road outside this designation.

Applicable zoning objectives include C-01 Community (National School) “Use for School Expansion” is located outside and further to the north of the proposed Project. A proposed road alignment (U-01) runs from the south of the existing housing estate to the east across the railway line and outside the Ballyhea Development Boundary in a similar location to that of the proposed Project.

The proposed Project is partially within Flood Zone A and the Blackwater SAC is 0.5km to the west.

Specifically, in regard to Ballyhea the LAP sets out the following: *“Over the lifetime of this Local Area Plan it is envisaged that Ballyhea will cater for a modest level of development, proportionate to its existing size and sensitive to the high landscape value of the area. The village is most suited to the development of individual dwellings, subject to the provision of adequate services. Water quality impacts and/or licence compliance issues associated with wastewater infrastructure serving Ballyhea may need to be addressed to accommodate further growth.*

Reservation is made for possible construction of a new road realignment as detailed on the accompanying map. This may result in the creation of a new parking area in front of the school.” (p. 156).

The MD LAP has specifically reserved an area for a new road alignment similar to the proposed Project. Also, it suggests that a car parking area is could possibly be created in front of the school, again, in line with the proposed Project.

XC215 Shinanagh

The M20 Route Protection Corridor is 0.5km to the east and the Blackwater SAC is 0.8km to the west.

Table 5.3: Fermoy MD LAP 2017

Fermoy MD LAP (2017)	
Relevant Objectives	Context
Objective GB 1-1	As set out under Table 5.2 above.
Objective GB 1-2	As set out under Table 5.2 above.
Objective IN-01	As set out under Table 5.2 above.
Objective LAS-01	<p>a) In order to secure the sustainable population growth proposed, appropriate and sustainable water and waste water infrastructure that will help to secure the objectives of the Water Framework Directive, Habitats Directive and Birds Directive, needs to be provided where not already available, in advance of the commencement of discharges from new development permitted.</p> <p>b) All developments will need to comply with Water services Objectives WS 2-1, WS 3-1, WS 4-1 and Management of Surface Water Objectives WS 5-1, WS 5-2 and WS 5-3 as detailed in Chapter 11, Volume 1 of the Cork County Development Plan, 2014, in order to make provision for Sustainable Urban Drainage Systems and provide adequate storm water attenuation. Surface water management and disposal should be planned in an integrated way in consideration with land use, water quality, and amenity and habitat enhancements as appropriate.</p> <p>c) All developments will need to comply with Water Services Objectives WS 2-1, WS 3-1, WS 4-1 and Management of Surface Water Objectives WS 5-1, WS 5-2 and WS 5-3 as detailed in Chapter 11, Volume 1 of the Cork County Development Plan 2014d) No developer provided infrastructure will be allowed into the future except where agreed with Irish Water and where an appropriate transitional and longer-term maintenance and repair programme has been provided for.</p> <p>e) Preserve and protect the archaeological and architectural heritage which contributes to the characters of an area and is intrinsic to its identity and sense of place in accordance with the Heritage objectives (HE 3-1-5 & HE 4 1-5) of the County Development Plan 2014. This includes formal vernacular, industrial, civic, ecclesiastical, maritime and underwater heritage and features such as historic boundaries, gate piers, street furniture, landscapes.</p> <p>Maintain where possible important features of the landscape which function as ecological corridors and areas of local biodiversity value, wetlands and features of geological value within this planning area in accordance with HE2-3, 2-4, 2-5, and 2-6 of the County Development Plan, 2014</p> <p>g) 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>

Fermoy MD LAP (2017)	
Relevant Objectives	Context
	<p><i>h) Provide protection to all proposed and designated natural heritage sites and protected species within this planning area in accordance with HE 2-1, and HE 2-2 of the County Development Plan, 2014. This includes Special Areas of Conservation, Special Protection Areas and Natural Heritage Areas.</i></p> <p><i>i) All developments, where appropriate, will need to comply with Objective TM 3-1 National Road Network as detailed in Chapter 10, Volume 1 of the Cork County Development Plan, 2014.</i></p> <p><i>J) Any development on certain sites should be accompanied by a Traffic Impact Assessment (TIA) and Road Safety Audit (RSA).</i></p>
Objective GO-01	<p><i>In accordance with Objective WS 5-1 of Chapter 11 of the County Development Plan, all new development will need to make provision for Sustainable Urban Drainage Systems (SuDs) and provide adequate storm water infrastructure. Surface water management and disposal should be planned in an integrated way in consideration with land use, water quality, amenity and habitat enhancements as appropriate.</i></p> <p><i>Encourage new development to be designed to ensure that water resources within the receiving environment of the villages, village nuclei and other places identified in this section is also encouraged. Development will only be permitted where it is shown that it is compatible with the protection of sites designated or proposed to be designated for the protection of natural heritage</i></p> <p><i>Development within the core of villages shall be designed to a high standard and reinforce the character of the existing streetscape. Where appropriate development should be in the form of small terraced development/courtyard schemes.</i></p> <p><i>The development of lands closest to the village centre is proposed in the first instance, and the development of good pedestrian and amenity links with the village core/main street are considered to be an important part of any proposed scheme</i></p> <p><i>Extend footpaths and public lighting to serve the whole of the village and where practicable, to provide for the under-grounding of utilities</i></p> <p><i>Roadside development within villages should be sited and designed to ensure that the development potential of backland sites is not compromised and that suitable vehicular and pedestrian access to these lands is retained</i></p> <p><i>All proposals for development within the area identified as being at risk of flooding will need to comply with Objective IN-01 in Section 1 of this Plan.</i></p>
Ballyhea Objective DB-01	<i>Within the development boundary of Ballyhea it is an objective to encourage the development of up to 5 houses in the plan period.</i>
Ballyhea Objective DB-02	<i>Appropriate and sustainable water and waste-water infrastructure, that secures the objectives of the Water Framework Directive and the protection of the Blackwater River Special Area of Conservation, must be available to accommodate development</i>
Ballyhea Objective DB-03	<i>Part of the settlement is at risk of flooding. See Objective IN-01 in Section One.</i>
Ballyhea Objective C-01	<i>Use for school expansion (approximately 0.62 Ha)</i>
Ballyhea Objective U-01	<i>U-01 is specified on the Ballyhea Village Map and annotated as a "Road"</i>

5.6.2 Limerick City and County Council (LCCC)

Two of the level crossings to be eliminated/upgraded are within the administrative boundary of LCCC and include:

- XC187 Fantstown; and
- XC201 Thomastown.

The planning policy document for LCCC relevant to the proposed Project is the Limerick County Development Plan (LCDP) 2010-2016.

Limerick County Development Plan (LCDP) 2010-2016

The LCDP was adopted on 1st November 2010 and came into effect on 29th November 2010 with the stated aim of setting out a framework for the proper planning and sustainable development of the County. The plan has been subject to a number of variations with the latest variation being adopted and included in the plan on 10th April 2018. While the plan had an initial expiry date of 2016, this has been extended until a new plan is adopted. The Limerick City and County Development Plan 2022-2028 is at "Pre-Draft Plan" stage and underwent public consultation in mid-2020.

Vision Statement

The Vision Statement for the LCDP is that "Limerick County Council will adopt a positive and sustainable approach to balanced development thereby enhancing the lives of people who live in, work in and visit the County, whilst protecting the natural and built environment." (p.2-12)

Road Network/Transport

Paragraph 8.2.6 (Road Network and Use) sets out that: "The road network (Map 8.2) is a vital part of the County's transport infrastructure, in real terms the most important of all elements of this infrastructure due to the widespread use and reliance on road transport for economic movements as well as for social journeys. Proper management of use, maintenance of roads, and improvements to the network is vital from a variety of perspectives. A comprehensive plan and management should allow the road network to develop in accordance with the requirements of settlements, land uses and other infrastructure as they are planned to expand in a sustainable manner:

- to ensure that the network is as safe as possible;
- allows smooth traffic flows for the effective functioning of economic land uses and for quality of life;
- in a manner that does not negatively impact on the local environment;
- in a manner that protects investment." (p.8-11)

Paragraph 8.2.4 (Public Transport) outlines that "The Cork to Dublin railway line is the third line with a passenger service to run through the Limerick County" (p.8-6) and this is highlighted at Map 8.1 of the LCDP as an 'Inter Urban Route' (see Volume 5, Appendix 5A, Figure 5.6).

Core Strategy and Settlement Hierarchy

LCDP Map 2.1 (Core Strategy Map) (Volume 5, Appendix 5A, Figure 5.3) indicates that XC187 Fantstown and XC201 Thomastown are designated within 'Areas of Strong Agricultural Base'.

LCDP Section 3.9.1 outlines "Areas of strong agricultural base: The rural areas that traditionally have had a strong agricultural base, that are restructuring to cope with changes in the agricultural sector and have an extensive network of smaller rural towns, villages and other settlements. In these areas, the focus of urban generated housing should be in the network of settlements to support the development of services and infrastructure and to take pressure off development in the open countryside." (p. 3-19). LCDP Map 3.2 (Rural Settlement Strategy) is replicated at Volume 5, Appendix 5A, Figure 5.5.

Table 3.1 (Settlement Hierarchy) and Map 3.1 (see Volume 5, Appendix 5A, Figure 5.4) sets out the Settlement Structure for County Limerick and ranges from Tier 1 Settlements (The Gateway, The City and City Environs) to Tier 6 (Small Settlement). XC187 Fantstown and XC201 Thomastown are not included within the Settlement Hierarchy, however, the Tier 2 Key Town of Kilmallock is the nearest town to both sites.

Section 3.4 (Overall Settlement Strategy Policies and Objectives) states that *“As a general rule, developments will be encouraged to locate within the development envelope of towns and villages in accordance with Local Area Plan and the settlement strategy set out below.”* (p.3-4).

Landscape

A landscape character assessment is included in the Limerick County Development Plan (LCDP) 2010-2016. The proposed Project is contained within the northern periphery of the 'Ballyhoura/Slieve Reagh' LCA and is situated immediately adjacent to the 'Agricultural Lowlands' LCA. In the LCDP the LCA 'Ballyhoura/Slieve Reagh is described as:

“a locally dominant range of hills running along the Cork boundary. The lowland component of this landscape character area is generally a farmed landscape, but the range of hills provide an upland backdrop. The lower reaches of Ballyhoura are pastoral in character but this changes as altitude increases and the vegetation cover changes to commercial forestry interspersed with upland grassland and the remnants of peat bogs.”

Table 5.4 below outlines a number of LCDP objectives which are relevant to the proposal.

Table 5.4: LCDP 2010- 2016

LCDP (2010-2016)	
Relevant Policies and Objectives	Context
Policy CP 03	<i>To provide for an enhanced quality of life for all, based on high quality, sustainable residential, working and recreational environments and transportation networks.</i>
Policy CP 07	<i>To facilitate the provision of the County's infrastructure in a sustainable and efficient manner that promotes the social, economic and physical development of the County and the people living therein.</i>
Policy CP 08	<i>To ensure that the character and vitality of established town and village centres and the rural areas are maintained and enhanced, that quality underpins all new development by creating and maintaining a sense of place and local distinctiveness in established and new development areas, and that the rural resources, including agriculture and tourism are maintained and enhanced whilst encouraging diversification.</i>
Policy CP 10	<i>To identify, conserve, protect and enhance the unique and diverse natural and built heritage of Limerick County and to implement the provisions of the National Biodiversity Plan to secure the conservation, including where possible the enhancement, and sustainable use of biological diversity in Limerick.</i>
Policy ED P8: Infrastructural capacity	<i>Improve infrastructural capacity, taking a strategic approach to ensure that infrastructure serves the requirements for economic development in a timely and cost-effective manner.</i>
Objective COM 05: Accessibility for the Wider Community	<i>It is the Council's objective to: a) Seek the provision of appropriate, inclusive and accessible, safe amenity, recreational open space and community facilities that are available for all sectors of the community, both urban and rural at a convenient distance from their homes and places of work. b) Ensure that community facilities, recreation, play and leisure facilities are fully accessible to all users and are compliant with current legislative requirements.</i>

LCDP (2010-2016)	
Relevant Policies and Objectives	Context
Objective COM O6: New Development Proposals	For recreation, leisure and community facilities and extensions, conversions and reuse of existing facilities shall be permitted where it can be demonstrated that such facilities will: (a) be accessible to local residents, pedestrians, cyclists and those with special mobility needs; (b) not significantly detract from the amenity and character of the surrounding area; and (c) provide adequate access and parking facilities.
Objective COM O18: Conservation	It is an objective of the Council to protect burial grounds and encourage their rehabilitation and maintenance in accordance with conservation principles.
Objective COM O21: Universal Access	<p>It is the objective of the Council to:</p> <p>a) Ensure that all new developments involving public access achieve minimum standards as set out in the Development Management section of this Plan and in the NDA 'Buildings for Everyone' 2002 and any subsequent amendments to this national guidance.</p> <p>b) Promote high standards in universal access in new developments involving public access in accordance with Universal Design principles.</p> <p>c) Secure retrospective improvements to the existing access network, where opportunity arises, and available resources allow.</p> <p>d) Investigate the scope for a more systematic approach to enable extension of the public access network on universal access principles, to identify gaps, and address a wide variety of local needs and priorities.</p> <p>e) Priority shall be given to developments with high pedestrian demand, and developments with significant impact on areas identified as having particular accessibility problems.</p>
Objective COM O26: National Cycle Policy Framework	It is the objective of the Council to support the policies of the 'National Cycle Policy Framework 2009-2020 – Smarter Travel', Department of Transport, April 2009.
Objective COM O28: Encourage Active and Healthy Lifestyle	<p>a) It is the objective of the Council to promote the development of safe and convenient pedestrian and cycling facilities in the towns and villages to minimise the dependence on private motor vehicles and to encourage an active and healthy lifestyle. New and upgraded road developments will be encouraged to integrate cycle lanes. These will include urban/village developments and short distance routes.</p> <p>b) It is the objective of the Council to promote and support the County Limerick Sports Partnership Strategic Plan 2008 – 2011 and the pending County Recreational Strategy 2010 – 2014 when fully assessed and adopted by elected members.</p>
Objective COM O29: Proposed Developments and Design Considerations (inter alia)	<p>It is the objective of the Council to:</p> <p>a) Encourage the successful incorporation of safe and efficient cycle ways, accessible footpaths, and pedestrian routes, and general cycling facilities into the design schemes for town centres/neighbourhood centres, residential, educational, employment, recreational developments and other uses. (Refer to Development Management Guidelines)</p> <p>b) Provide cycle ways, where appropriate, as part of all road improvement / redesign schemes ensuring, where possible, that cycle ways and footpaths are effectively separated from major vehicular carriageways</p> <p>c) Prioritise the movement of pedestrians and cyclists in proximity to public transport nodes.</p>

LCDP (2010-2016)	
Relevant Policies and Objectives	Context
	<i>e) Seek provision of appropriate, well-designed pedestrian ways for residential development proposals to link with amenities and facilities. Such proposals shall adhere to the Guidelines on Sustainable Residential Development in Urban Areas and Urban Design Manual (DEHLG May 2009).</i>
<i>Objective COM O30: New Developments and Right of Way</i>	<i>It is the objective of the Council to generally support the creation and preservation of public rights of way in urban and rural areas and initiatives for establishing walking routes, where appropriate, in order to facilitate general accessibility. In order to link amenities and facilities, the Council may have to seek the provision of pedestrian ways as a condition of planning permission.</i>
<i>Policy EH P1: Sustainable Management and Conservation</i>	<i>It is the policy of the Council to ensure the sustainable management and conservation of areas of natural environmental and geological value within the County.</i>
<i>Objective EH O1: Nature Conservation Sites</i>	<p><i>It is the objective of the Council to:</i></p> <p><i>a) "Maintain the conservation value of those sites as defined in the Planning and Development Acts 2000 - 2010 (SPAs, SACs) or lands proposed for inclusion by the Department of Environment Heritage and Local Government, as well as any other sites that may be so designated during the lifetime of this plan.</i></p> <p><i>b) Ensure that development projects and development plans likely to have significant effects on European Sites (either individually or in combination with other plans or projects) are subject to an appropriate assessment and will not be permitted under this plan unless they comply with article 6 of the Habitats Directive.</i></p> <p><i>c) Maintain the conservation value of all-Natural Heritage Areas and also Natural Heritage areas proposed for designation by the DEHLG as well as any other sites that may be so designated during the lifetime of the plan.</i></p>
<i>Policy EH P2</i>	<i>It is the policy of the Council to promote the distinctiveness and where necessary safeguard the sensitivity of Limerick's landscape types through the landscape characterisation process and also where possible to develop the means to successfully integrate differing kinds of development within them.</i>
<i>Objective EH O2: Species Protection</i>	<i>It is the objective of the Council to seek to protect plant, animal and bird species that have been identified by the Habitats Directive, Birds Directive, Wildlife Act and the Flora Protection Order in line with national and EU legislation.</i>
<i>Objective EH O3: Conservation of Peat Land Sites which are not protected sites</i>	<p><i>(a) It is the objective of the Council to seek the conservation and protection of features of natural interest such as appropriate woodlands and hedgerows, wetlands and uplands and places of high bio-diversity interest.</i></p> <p><i>(b) It is the objective of the Council to co-operate with NPWS (National Parks and Wildlife Services) and other interested parties in order to develop a high-level wind farm deployment zone map based on appropriately detailed ecological site assessment of the upland blanket bog and heath areas within the county.</i></p>
<i>Objective EH O4: Conservation of Geological Sites in County Limerick</i>	<i>It is the objective of the Council to seek the conservation and protection of features of geological interest within the County, particularly those that would have been recognised in the past as Areas of Scientific Interest or by the Geological Survey of Ireland as being of particular value.</i>

LCDP (2010-2016)	
Relevant Policies and Objectives	Context
Objective EH O5: Enhancing Tree Cover	It is the objective of the Council to preserve and enhance the general level of tree cover within the County, both in the countryside at large and also in the County's towns. The Council strongly encourages the establishment of native species, in particular broadleaf species.
Objective EH O6: Landscaping and Development	It is the objective of the Council to: <ul style="list-style-type: none"> (a) Ensure the adequate integration of development into the landscape by the retention of existing trees and landscape features and/or suitable planting. (b) Encourage, where appropriate, the use of native species. The layout of landscaping planting and features to act as wildlife corridors within developments, particularly residential developments, and linking with other habitats in the area will be encouraged. (c) Resist the removal of substantial lengths of roadside boundaries. Where an alternative, suitable site is available for the development, applicants should consider such an alternative on the basis that avoids the necessity for widespread boundary removal. Only in exceptional circumstances should roadside boundaries be removed."
Objective EH O8: Ballyhoura/Slieve Reagh Landscape Character Area	It is the objective of the Council to: <ul style="list-style-type: none"> (b) "Strongly encourage retention of earth bank field boundaries particularly in the more upland parts of this area, as the screening abilities of landscape features in this area are limited. (c) Encourage use of species native to this particular area in landscaping developments. Species native to the upland parts of this area could be used, such as mountain ash and birch.
Objective EH O20: Ground Water and Surface Water Protection and River Basin Management Plans	<ul style="list-style-type: none"> a) It is the objective of the Council to protect ground water resources of the County and surface waters of the County. There will be a general prohibition on the filling of wetlands and surface water features. b) In assessing planning applications and their consequences for ground water the Council will implement the measures put forward in the Limerick Groundwater Protection Plan. c) It is the objective of the Council to implement the measures recommended in the River Basin Management Plans.
Objective EH O22: Air Quality	It is the objective of the Council to protect air quality through the regulation of direct and fugitive emissions from industry.
Objective EH O23: Noise	It is the objective of the Council to prevent public noise and light nuisance through the regulation of industrial and construction activities.
Objective EH O25: Preservation of the Archaeological Heritage	It is the objective of the Council to seek the preservation (in situ, or at a minimum, preservation by record) of all known sites and features of historical and archaeological interest. This is to include all the sites listed in the Record of Monuments and Places as established under Section 12 of the National Monuments (Amendment) Act 1994.
Objective EH O26: Preservation of the unrecorded/newly discovered archaeological heritage	It is the objective of the council to protect and preserve (in situ, or at a minimum, preservation by record) all sites and features of historical interest discovered subsequent to the publication of the Record of Monuments and Places.

LCDP (2010-2016)	
Relevant Policies and Objectives	Context
Objective EH O27: Protection of the setting of archaeological monuments	It is the objective of the council to ensure that any proposed development shall not have a negative impact on the character or setting of an archaeological monument.
Objective EH027A: Preservation of the Underwater Archaeological Heritage	It is the objective of the Council to seek the preservation (in situ, or at a minimum, preservation by record) of all known and all previously unrecorded sites and features of historical and archaeological record in riverine, lacustrine, estuarine and or marine environments.
Objective EH O31: General Protection of Structures	<p>It is the objective of the Council to:</p> <p>a) seek the protection of all structures (or, where appropriate, parts of structures) within the County, which are of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest and listed in the Record of Protected Structures. The record will continue to be developed on an ongoing basis, as resources permit, in accordance with the criteria laid down in the Architectural Heritage Protection Guidelines for Planning Authorities.</p> <p>b) As resources permit, determine the extent of the curtilage of protected structures.</p>
Objective EH O32: Promotion of Conservation of Protected Structures	It is the objective of the Council to promote the benefits of protecting structures and the positive effects that conserving the architectural heritage has in areas of economic activity such as tourism. To this end the Planning Authority will continue to develop, publish and distribute comprehensive advisory manuals, booklets and leaflets to all property owners of Protected Structures and structures within Architectural Conservation Areas advising them of the opportunities available to them as the owners of such properties.
Objective IN O2: Traffic and Transport Assessments (TTAs) (inter alia)	<p>It is the objective of the Council to:</p> <p>b) Require developers to undertake Transport Assessments (TTA'a) where new developments are likely to have a significant effect on travel demand and the capacity of surrounding transport links. In this case independent suitably competent consultants shall be required to carry out these assessments;</p> <p>c) Have particular regard to relevant and up to date data, guidance and advice from the following bodies: the Mid-Western Regional Authority, DEHLG and the Department of Transport, and insofar as development might affect the national road network, the National Roads Authority. The NRAs Traffic and Transport Assessment Guidelines, (NRA September 2007) will be referred to as a key source of guidance;</p> <p>If a traffic and transport Assessment identified necessary on-and-off site improvements, the developer will be expected to fund the improvements by entering into a formal agreement with the Council. The thresholds for Transport Assessment are, in accordance with Traffic Management Guidelines and, where specified, the NRA Traffic and Transport Assessment Guidelines (NRA, September 2007) and Retail Planning Guidelines (DEHLG, 2005) and any subsequent updates or replacements.</p> <p>These thresholds as follows:</p> <p>i) Traffic to and from the development exceeds 10% of the traffic flow on the adjoining road.</p> <p>ii) Traffic to and from the development exceeds 5% of the traffic flow on the adjoining road where congestion exists, or the location is sensitive.</p> <p>iii) Residential development is excess of 200 dwellings.</p> <p>iv) Retail and leisure development in excess of 1000m².</p>

LCDP (2010-2016)	
Relevant Policies and Objectives	Context
	<p>v) Office, Education, and Hospital development in excess of 1000m².</p> <p>vi) Industrial development in excess of 5,000m².</p> <p>vii) Distribution and warehousing in excess of 10,000m².</p> <p>viii) Retail warehousing developments with gross floorspace in excess of 6000 metres (NRA Policy Statement and Retail Planning Guidelines). These should be close to a road network with sufficient capacity.</p> <p>In certain circumstances where their cumulative impact warrants or where the transport infrastructure is under pressure may be required to undertake transport assessments even if they fall below any of these thresholds.</p>
Policy IN P2: Suitability of Facilities	<p>It is policy of the Council to ensure that quality facilities are provided, designed and retained for access suitable for all to serve the social, economic and recreational needs of the community, in a manner that is sustainable, of good quality design and safe. The following values shall be paramount:</p> <p>a) Maximisation of sustainable travel patterns.</p> <p>b) Promotion of modal shift away from private road transport.</p> <p>c) Inclusive access.</p> <p>d) Public safety and security.</p> <p>e) Minimisation of environmental impact directly and indirectly.</p> <p>f) Cost-effectiveness in the delivery and appropriateness of the infrastructure to purpose.</p>
Policy IN P3: Land Use planning and accessibility	<p>It is policy of the Council to ensure that considerations of accessibility and mobility are properly incorporated into the assessment and planning of land uses and services, and that land uses are connected to good quality transportation infrastructure.</p>
Policy IN P4: Promotion of sustainable patterns of transport use	<p>It is policy of the Council to seek to implement in a positive manner, in cooperation with other Authorities and agencies, the policies of the MidWestern Regional Planning Guidelines, and the Department of Transport Policy 'Smarter Travel, A Sustainable Transport Future 2009-2020' to encourage more sustainable patterns of travel, and greater use of sustainable forms of transport, including public transport, cycling, and walking.</p>
Policy IN P6: Protection of public transport assets and facilitation of public transport.	<p>It is Council policy to protect strategic public transport assets; to facilitate accessibility by public transport in development layouts; and to support the enhancement of public transport infrastructure and use through initiatives such as park and ride. To this end the Council shall seek, in particular, to implement the provisions of the emerging Mid-Western Area Strategic Plan (MWASP) once fully assessed and adopted.</p>
Policy IN P9 Safeguard the Capacity of National Roads	<p>It is Council policy to safeguard the capacity of the national road network and road safety standards in accordance with the NRAs (National Road Authority) Policy Statement on Development Management and Access to National Roads (May 2006), and subsequent amendments to or replacements of this, including the forthcoming Government guidance on spatial planning and national roads when adopted and the 'Sustainable Rural Housing Development Guidelines' (DEHLG, 2005).</p>

LCDP (2010-2016)	
Relevant Policies and Objectives	Context
Policy IN P10 Protection of Corridors and Route Alignments	The Council will continue to work with the NRA in protecting corridors and route alignments identified for national roads projects from prejudicial development, in accordance with the Mid-West Regional Planning Guidelines, Transport 21 and the National Development Plan.
Policy IN P11: Management of Water Resource	<p>It is the policy of the Council to seek to ensure water resources and services are managed and planned, in association with other policies and objectives in this plan, to meet the following goals:</p> <ul style="list-style-type: none"> a) To protect human health and the environment b) To facilitate the provision of proper water services for domestic and non-domestic requirements c) To support proper planning and sustainable development, including sustainable use of water resources. d) To ensure the danger of flooding risk is averted as far as possible and where flooding is inevitable its consequences minimised.
Objective IN O1: Promotion of Sustainable Travel (Inter alia)	<p>The Council will work with local communities, landowners, businesses, educational establishments and development agencies, in promoting sustainable travel patterns and transport use through the following means: a) Measures identified in Local Area Plans; b) Strategic use of the local development fund; c) Tie in with urban and village renewal schemes and programmes; d) Requirements for infrastructure layouts and facilities in development proposals; e) Planning agreements for works commensurate with the scale and impact of new developments; f) Require the submission of mobility management plans (also known as workplace travel plans) for schemes in the categories specified in subsection 10.11.2 (Development Management); and</p> <p>g) Require demonstration of minimisation of car dependence in schemes as part of Mobility Management Plans and also in other schemes requiring Sustainability Statements as specified in subsection 10.3.</p>
Objective IN O2: Traffic and Transport Assessments (TTAs)	<p>It is the objective of the Council to: a) Use the emerging Mid-Western Area Strategic Plan (MWASP) as a Strategic Transport Assessment (STA) to inform all zoning decisions likely to generate significant additional traffic, and to inform infrastructural commitments likely to have significant effect on traffic patterns; b) Require developers to undertake Transport Assessments (TTA'a) where new developments are likely to have a significant effect on travel demand and the capacity of surrounding transport links. In this case independent suitably competent consultants shall be required to carry out these assessments; c) Have particular regard to relevant and up to date data, guidance and advice from the following bodies: the Mid-Western Regional Authority, DEHLG and the Department of Transport, and insofar as development might affect the national road network, the National Roads Authority. The NRAs Traffic and Transport Assessment Guidelines, (NRA September 2007) will be referred to as a key source of guidance; If a traffic and transport Assessment identified necessary on-and-off site improvements, the developer will be expected to fund the improvements by entering into a formal agreement with the Council. The thresholds for Transport Assessment are, in accordance with Traffic Management Guidelines and, where specified, the NRA Traffic and Transport Assessment Guidelines (NRA, September 2007) and Retail Planning Guidelines (DEHLG, 2005) and any subsequent updates or replacements. These thresholds as follows:</p> <ul style="list-style-type: none"> i) Traffic to and from the development exceeds 10% of the traffic flow on the adjoining road. ii) Traffic to and from the development exceeds 5% of the traffic flow on the adjoining road where congestion exists, or the location is sensitive. iii) Residential development in excess of 200 dwellings. iv) Retail and leisure development in excess of 1000m². v) Office, Education, and Hospital development in excess of 1000m². vi) Industrial development in excess of 5,000m². vii) Distribution and warehousing in excess of 10,000m². viii) Retail warehousing developments with gross floorspace in excess of 6000 metres (NRA Policy Statement and Retail Planning Guidelines). These should be close to a road network with

LCDP (2010-2016)	
Relevant Policies and Objectives	Context
	<i>sufficient capacity. In certain circumstances where their cumulative impact warrants or where the transport infrastructure is under pressure may be required to undertake transport assessments even if they fall below any of these thresholds.</i>
<i>Objective IN O5: Protection of rail infrastructure (inter alia)</i>	<p><i>It is an objective of the Council to protect the following transport assets in rail infrastructure from inappropriate development that would compromise their safe operation or long-term development:</i></p> <p><i>b) Those portions of railway line within Limerick between Limerick to Limerick junction and between Limerick junction to Charleville.</i></p>
<i>Objective IN O6: Improvement of rail infrastructure</i>	<p><i>It is an objective of the Council to, where feasible, work with Iarnród Éireann to promote improvements to extend the reach of passenger and commuter train services to more areas within the County, with the following priorities:</i></p> <p><i>a) Improvements to the Limerick-Foynes line, for both freight and passenger use, with railway stations (and associated park and ride) at Patrickswell, Adare, and Foynes.</i></p> <p><i>b) The protection and redevelopment of Kilmallock railway station on the Limerick junction to Charleville railway line. Proposed developments for stations additional to the above will also be considered in consultation with Iarnród Éireann.</i></p> <p><i>c) Improvement to the Limerick-Mungret spur railway line including consideration of stations and park and ride to enable it to be used for commuter passenger services.</i></p>
<i>Objective IN O7: Rural Transport</i>	<i>It is the objective of the Council to encourage initiatives to ensure that people with limited or no access to private transport in areas with no usable public transport and including people with reduced mobility, are able to access the full range of employment, retail, cultural and leisure facilities. In this regard, the Planning Authority will work closely with County Limerick and North Cork Transport Group Ltd (Rural Bus) the local company set up to administer the rural transport programme for the County.</i>
<i>Objective IN O8: Cycle and pedestrian facilities</i>	<i>It is an objective of the Council to encourage the successful incorporation of safe and efficient cycle and pedestrian facilities, and accessible cycleways, footpaths and pedestrian routes into the design schemes for residential, educational, employment, and recreational developments. Consideration will be given in these schemes to existing or proposed routes where applicable.</i>
<i>Policy IN P5: Socially Inclusive Access</i>	<i>It is policy of the Council to ensure that in the design and planning of infrastructure and the integration of land use, infrastructure and transport modes that the widest spectrum of needs, including pedestrians, cyclists and those with diverse cognitive, mobility and sensory abilities and impairments, are taken into account.</i>
<i>Policy IN P6: Protection of public transport assets and facilitation of public transport.</i>	<i>It is Council policy to protect strategic public transport assets; to facilitate accessibility by public transport in development layouts; and to support the enhancement of public transport infrastructure and use through initiatives such as park and ride. To this end the Council shall seek, in particular, to implement the provisions of the emerging MidWestern Area Strategic Plan (MWASP) once fully assessed and adopted.</i>
<i>Policy IN P7: Road Safety and Capacity</i>	<i>To seek the improvement of road safety and capacity throughout the County, through minimising existing traffic hazards, preventing the creation of additional or new traffic hazards in the road network and securing appropriate signage.</i>

LCDP (2010-2016)	
Relevant Policies and Objectives	Context
Objective IN O10: Land uses and Access Standards	It is the objective of the Council to ensure that any development involving a new access to a public road or the intensification of use of an existing access onto a public road that would compromise the safety and capacity of the road network, will not be permitted unless the new or existing access meets the appropriate design standards.
Objective IN O11: Road Safety Audit	<p>Applications for developments belonging to any one of the following categories or where the Council so require, shall be accompanied by a Road Safety Audit, in accordance with National policy in the following categories of development:</p> <ul style="list-style-type: none"> a) New public roads, including residential roads, b) Major road improvement works on all public roads, c) Traffic management schemes including quality bus corridors and cycle tracks, d) Development schemes, e) Major junction improvement works, f) Any scheme that materially affects vulnerable road users, and g) Major maintenance schemes. <p>Road safety audits will be carried out independently of the design team, shall be undertaken by an experienced auditor or team of auditors, and in accordance with guidance set down in 'Traffic Management Guidelines (DoT 2003) and insofar as the national road network is affected, the 'Design Manual for Roads and Bridges (NRA, January, 2009) (vol. 5) HD 19/09' which may also be used in lieu of the Traffic Management Guidelines for the local and regional road network A Road Safety Audit will always be required for any development incorporating a new proposal onto a national road, or where the development may give rise to an increase in traffic on an existing access to the national road. A road safety audit will also be required for a change of layout of an existing access to a National Road.</p>
Objective IN O12: Improvements to regional and local roads	It is an objective of the Council to provide for and carry out sustainable improvements to sections of Regional roads and local roads that are deficient in respect of alignment, structural condition, or capacity, where resources permit and to maintain that standard thereafter.
Policy IN P8 Strategic Regional Road Network	It shall be the policy of the Council to protect the investment in the Strategic Regional Road Network, prevent the premature obsolescence of this network and maintain and improve road safety and capacity.
Objective IN O15: Specific improvements and additions to the strategic regional road network (inter alia)	<p>It is an objective of the Council to give priority to the protection and improvement of sections of the Strategic Regional road network including the following:</p> <ul style="list-style-type: none"> g) R512 Kilmallock Road <p>This list may be updated as resources permit.</p>

5.6.3 Summary

This chapter has provided a review of the key planning policy that will be considered in determining the Railway Order application and which has been of relevance in the design of the sites and the assessment of the proposed Project. The Planning Compliance Report (PCR) which is separate to the EIAR addresses how the proposed Project

accords with the national and regional policy as set out in this chapter. Individual chapters within this EIAR will address the detail of any policy relevant to that chapter.

5.8. References

2030 Rail Network Strategy Review (2011)

Atlantic Gateway Initiative - Achieving Critical Mass (2006)

Cork County Development Plan (CCDP) 2014

Cork Metropolitan Area Strategic Plan (MASP) within the Regional Spatial & Economic Strategy (RSES) for the Southern Region (2020)

Draft Cork Metropolitan Area Transport Strategy (CMATS) 2040

Draft Integration Implementation Plan 2019-2024

European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 (S.I. No.296/2018)

Fermoy Municipal District Local Area Plan 2017

Iarnród Éireann Rail Review: 2016 Report

Ireland's Transition to a Low Carbon Energy Future 2015-2030

Kanturk Mallow Municipal District Local Area Plan 2017

Limerick County Development Plan (LCDP) 2010-2016

Limerick Metropolitan Area Strategic Plan (MASP) within the Regional Spatial & Economic Strategy (RSES) for the Southern Region (2020)

Mid-West Area Strategic Plan (MWASP) 2012 – 2030

National Development Plan (NDP) 2018 – 2027

National Landscape Strategy (2015-2025)

National Planning Framework (Ireland 2040) (NPF)

National Transport Authority's Smarter Travel- A Sustainable Transport Future; New Transport Policy for Ireland 2009-2020

North West Cork Strategic Plan 2002-2020 (NWCSP)

Regional Spatial & Economic Strategy (RSES) for the Southern Region (2020)

Smarter Travel, A Sustainable Transport Future: A New Transport Strategy for Ireland 2009-2020

South-West and Mid-West Regional Planning Guidelines (RPG) 2010 – 2022

Transport (Railway Infrastructure) Act 2001 – Railway Order