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Infrastructural faults within the Lehenaghbeg/Lehenaghmore residential area

Pacelli Nolan

CARL Research Project

CARL
COMMUNITY - ACADEMIC
RESEARCH LINKS
University College Cork, Ireland

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Masters in Planning and Sustainable Development

PD6214 RESEARCH PAPER: PLANNING & SUSTAINABLE DEVELOPMENT

Lehenaghbeg/ Lehenaghmore Study

Pacelli Nolan

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UCC Centre for Planning Education & Research

UCC
Coláiste na hOllscoile Corcaigh, Éire
University College Cork, Ireland

Infrastructural faults within the Lehenaghbeg/Lehenaghmore residential area

Pacelli Nolan
Masters in Planning and Sustainable Development

Abstract

Many families aspire to live in a rural environment close to the city. Due to this need increased numbers of developments at the edges of Cork city's greenbelt, were approved by Cork County Council planning authority, for high density builds. However these permissions in the study area of Lehenaghbeg/Lehenaghmore, Cork failed to deliver the required infrastructure for the residents leading to hazardous and unsatisfactory environmental conditions. This study seeks to analyse the planning documentation and ancillary documents in an effort to explain the lack of delivery of essential infrastructure.

Keywords: planning permissions, infrastructure, safety, greenbelt.

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1. Introduction

This study of the Lehenaghbeg/Lehenaghmore area in Cork city involving the residential developments on the Pouladuff /Matthew Hill road, which include Laurel Brook, Mathew Hill, The Gate, Coolkellure, Ard Ross, Ardcahon Way, Ardcahon Close and Manor Farm. Looking at how new housing developments are integrated into their local context and how these areas relate to their surroundings in terms of walkability, connectivity, access to services and recreational facilities, with regard to the benefits and failings that have come from Cork's rapid development in particular since the millennium.

This research will aim to contextualize the problems being experienced by the residents groups with regard to the planning in areas of exceptionally rapid growth in peripheral locations and the issues of organizational boundaries.

It will take into consideration the concerns of the local residents on the lack of infrastructure in the area where connectivity to Togher village, local services and the difficulties of getting from one estate to another exist. The lack of footpath connectivity, along with insufficient public lighting, raises safety concerns for pedestrians and motorists sharing the narrow roads. This is compounding the necessity for car dependency.

The idea will flesh out why the infrastructure was not implemented initially, when the estates were being implemented. The residents specific requests and hopes, with the local authorities for upcoming implementation. The history of why the €820,000 planning contributions to the council was never invested as designated and how to provide retro fit services is to be investigated for the benefit of the residents.

2. **COMMUNITY-ACADEMIC RESEARCH LINKS CARL (CARL)**

CARL initiative is based in University College Cork (UCC) and provides independent, participatory research support in response to concerns experienced by civil society. CARL invites non-profit community or voluntary organisations to suggest potential research topics that can be pursued by graduates on their behalf across all academic disciplines in UCC. There are no cost implications for the university or the community partner as the research is carried out as part of the student's academic requirements. CARL projects have been used to enhance professional development within organizations as well as improving the quality of services offered by the organisations. The proposals for the community and voluntary organisations findings are published. The research question is not commercial and the organisation is able to use the research findings. Such requirements aim to ensure that CARL focuses on projects that support community and voluntary organizations with limited resources to carry out research.

CARL approached the Centre for Planning Education and Research with a request received via Ken McCarthy representing the Lehenaghbeg/Lehenaghmore residents association. Looking for a research study, of the area in relation to the lack of pedestrian safety as a result of the housing developments, lack of sufficient infrastructure, public transport, safe connectivity and lighting.

Disclaimer

Notwithstanding the contributions by the University and its staff, the University gives no warranty as to the accuracy of the project report or the suitability of any material contained in it for either general or specific purposes. It will be for the Client Group, or users, to ensure that any outcome from the project meets safety and other requirements. The Client Group agrees not to hold the University responsible in respect of any use of the project results.

3. Acknowledgments

I wish to thank Ken McCarthy for approaching Dr. Anna Kingston director of CARL with this research proposal. Ken McCarthy, providing information and arranging contacts with a list of helpful community members, and recommending Marcia D'Alton County Councilor (CC) who was very helpful and Dr. Anna Kingston for her assistance and support. I would like to thank a number of the staff in the County Hall in particular Mairéad McCarthy in Planning Policies, John Cronin and Liam Murphy in the Housing Section. Ken O' Riordan from the Non National Roads Design Office in Ballincollig, for his assistance with the impending infrastructural report and Martin McCormack: Road's Engineer in the Carrigaline County Council Office who were open to answering all my questions openly along with Raymond Walsh in Contributions. I would like to say a special thanks to the residents group for taking time to meet me in particular Linda O' Connell who met me along with Catherine Falvey, Sinéad Murphy and Mark Flynn.

4. Methodology

My project began with an invitation to take up the CARL request for a research project on behalf of the residents group, to look into the lack of infrastructure in their area as a student advocate planner. In particular the lack of footpath connectivity, lighting, insufficient open space, and at the time no public transport service to the area, were difficulties they posed. The process involved several start up meetings with Dr. Anna Kingston, director of CARL, Ken Mc Carthy, representative of the residents group, Jonathan Hall, Will Brady lecturers from UCC Centre for Planning Education and Research and myself. This was followed up over several months with intermittent meetings between Ken McCarthy members of the community, and myself. The series of meetings helped build a relationship of understanding the problems on the ground of everyday living and coping without the services. From these I was left with a grounding of the difficulties encountered by the residents, learning the history, and familiarised myself with the area. Studying the issues in greater depth and further

analysis. The focus group set in context the reality of living in their community with the daily limitations inflicted on them through the lack of infrastructural development. In particular the underlying concerns of the residents are the safety issues for the pedestrians and motorists in equal measure. The inadequate and insufficient lighting exasperates their frustration with hazardous conditions compounding the safety concerns. The forced dependability of private motoring, and lack of an alternative vies a vie a public service.

Details of the study area are set out in full in 5.1. This area has developed since the Millennium. Built initially during the boom to facilitate the demand for quality private homes facilitating the demand for spacious executive style trade up detached and semi-detached homes in quality residential settings close to the city. The residents are well-informed proactive and conscientious citizens who live with the lack of services in their neighborhood, which was planned for but not delivered. Many of the residents are fifteen years waiting for the implementation of these services.

I carried out a desktop study examining the Cork County Council Developments Plans (CDP) from 1996 through to the Development Plan 2014 including the Cork Local Area Plans (LAP) of 2011, with the City Development Plans mirroring the same time frame. My course in Planning and Development brought depth in knowledge of the Planning and Development Act 2000 (PDA) statutory requirements, literature reviews, planning theory, national planning documents and individual research reports which assisted in framing this study.

I met with a number of staff individually mentioned in the acknowledgements at the County Hall in various departments, to include Planning Policy, Housing, Contributions, Roads and Infrastructure. The planning files for the area revealed the details of planning conditions with the exact amount and reasons contributions were stipulated for. Assistance from Marcia D'Alton C.C in providing the minutes of the County Council meeting see page 33. in regard to the refund to the developer of contributions.

The Cork County development Plan 2014 (CDP) planning policy prioritises walkability, promoting cycling and public transport use. Planning conditions insist on monies to be paid by the developers stating different amounts for roads, lighting, and all necessary services, to be paid 'one month' in advance of any construction. Yet developing areas are left with lack of connectivity in the footpaths?

The planning policy is an open and transparent process yet when questioning the system in its failings to deliver, questions are left unanswerable. I even came across initial denial of an infrastructure report that is known to have been carried out, until my persistence revealed it was not a report but a draft of a series of sketches with a proposal subject to Compulsory Purchase Orders (CPO's) and therefore not available for public scrutiny.

While the Planning Authority has an obligation to reply to public questioning, they are bound in areas of confidentiality. But there are grey areas of unanswered questions in planning. Planning Authorities are obliged not just to deliver full information, but more importantly to check the delivery of service. Where is the mechanism of enforcement orders to the County Council on their lack of delivery of services? Where is the legislation for such enforcement? It exists for developers.

The developers Ruden Homes Ltd. have the unique position of being the sole operators in the area, have complied with their obligations, supplying footpaths, lighting and roads at the edges of the estates and within the confines of the estates themselves. Were it not the case clear steps are in place to follow through on enforcement by the council to the developer. This does not appear to be reciprocal. While the planning authority oversees the input of the developer from planning stage to delivery there is no one overseeing the role of the planning authority which is also interchangeably the local authority who is responsible for the implementation of the infrastructure.

As Ben Flyvberg (1998) points out 'Knowledge is Power' success or failure has consequences for the society, which the planner serves. There are conflicting interests

for planners to deal with, the balance of political influence, bringing constant challenges and limitations, against social justice. These demand the planner's technical and political skills. Where private profit and public well being, clash planners are mandated to enable 'public participation'. (Forester 1989) Healy is deeply committed to the challenges of new complexities in finding ways to communicate issues of the public realm, the need to build relationships across different strategies and consensus building.

Statutory requirements on communication and participation with the public, community groups and residents are classified by Sherry Arnstein into eight levels of participation, which she describes as runs in a ladder; Manipulation, Therapy, Information, Consultation, Placation, Partnership, Delegated power and Citizen Control. Citizen's participation considered at the lowest run of the ladder where they are powerless and one-way communication prevails through the media, pamphlets, posters and journalism are a reality. Very much experienced by the residents of Leghenaghmore in their dilemma. Yet they are the ones who hold the power to assure accountability against the face of adversity. The role of the planner is to understand how the relationship of power shapes the planning process (Forrester. 1989). This report exemplifies the planner's role.

5. Location of Lehenaghbeg/ Lehenaghmore Study.

5.1 The Study Area

This study area concentrates on the Lehenabeg/Lehenaghmore area, which lies in the southern suburbs of Cork city between Cork airport and the South Ring Road, includes approximately 430 houses. Although it is less than 6 kilometers from the centre of Cork city, it is within the Cork County bounds, part of the Carrigaline Electoral Area and is part of the Ballyphehane parish. The study will focus in particular on the local level of the residential sub areas including; Laurel Brook,

Matthew Hill, The Gate, Coolkellure, Ard Ross, Ardcahon Way, Ardcahon Close and Manor Farm estates all of which exit on to Mathew Hill road local road (L2455). The

Lehenaghmore district includes the L2454, which divides from the L2455 at Barrett's cross to Togher village, known locally as Togher road, to the village at the roundabout on the south- west of Cork City. See Fig 1 for area in red and sub sections in Fig 2.

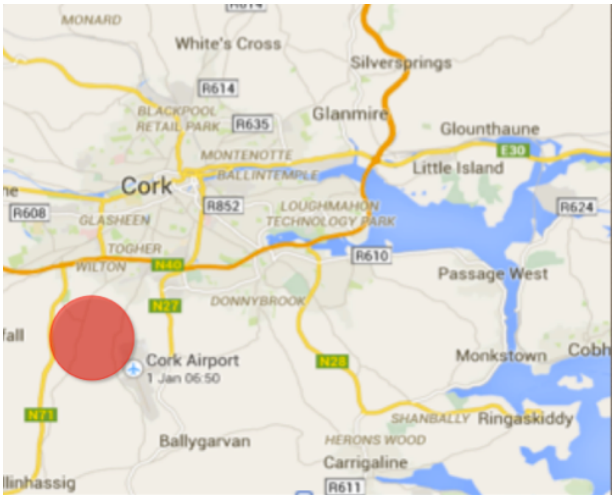


Fig1. Red dot study area (Source: OSI Map)

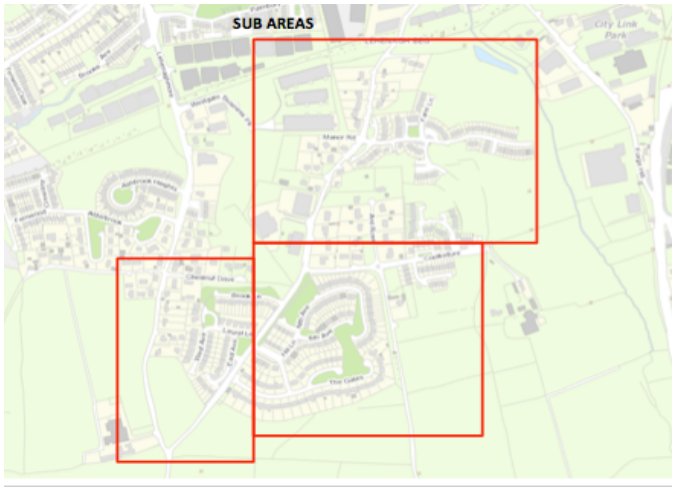


Fig 2. Sub Sections of study (source OSI Map)

5.2 Matthew Hill

Matthew Hill derives its name form the fact Fr. Matthew resided for a period of time at Barrett's Farm at the top of Togher road. He was ordained a Capuchin priest in 1814, served most of his life in Cork as an apostle of Temperance. During his time in Cork, he became one of the most influential figures in the social life of the city and attained national importance during the temperance crusade of the late 1830s and 1840s. He was known and loved for his charitable work in Cork especially his efforts to alleviate distress during the cholera epidemic of 1832 and during the Great Famine from 1845 to1850. A statue of Father Matthew stands at the top of Patrick's Street facing the bridge.

5.3 The developer

Ruden Home Ltd. was established in Carrigaline in 1991, founded by two of the current directors, John Deane and John Ruane. The company is involved in commercial and residential developments. They commenced development in the Lehenaghmore area initially with the Laurel Brook Estate, having been granted planning for thirty-three units in 1999. Ruden homes have the unique position of being almost the sole operators in the area, responsible for The Gate, Matthew Hill, Coolkellure, and Manor Farm and all future developments within these areas. See table 3 for planning permissions granted. They are actively constructing on a number of sites on a phased basis, sales are steady and occupancy is considered full. Ruden Homes Ltd advertise themselves as being an established development company with a reputation for quality homes.

5.4 Issues of concern

The residents of the study area have great concerns for the lack of sufficient infrastructure in their area. The following is a list of the main issues and concerns the core residents group raised at our joint meeting on Tuesday 12 April, in attendance were, Catherine Falvey, Sinéad Murphy, Ken McCarthy, Linda O' Carroll, Mark Flynn and myself at the Western Gate UCC.

- Lack of connectivity of the footpaths
- Lack of adequate lighting on the road
- Lack of Bus Services especially with suitable times for Students and Workers
- The completion of final design in the estates.
- Lack of funding from central funds to complete the infrastructure needed.
- Not environmentally friendly
- Lack of accessibility between estates
- Existing road too narrow even for motorists.

- Inability to walk from home to any destination point.

- Sports grounds not accessible by foot.

- Car dependency for everything.
- Safety concerns for the possibility of a fatal accident.

5.5 Analysis of the area

This is a mixed industrial and residential area at the edge of agricultural land zoned A0-04 in the CDP 2014 see figure 13.

The blue line on the analysis map figure 3 outlines existing paths and the lack of connectivity between both is obvious. The red line indicates where there are no footpaths, and the orange hash lines identify the danger zones a result. There are no pedestrian crossings.

There is a serious lack of connectivity from one estate to another, forcing motor dependability for everyone, especially young children interacting with friends in other estates. There is no local shop or crèche facility in the area.

There is only one bus stop in Matthew Hill. In March 2015 the two bus services 203 and 209 commenced. The 203 buses drives to the roundabout in Coolkellure, but there is no bus stop at this point despite the space available to supply a sheltered spot and facilitate a larger number of pedestrians within the catchment area. The bus route is marked in a line of connecting dots on figure 3. The service is very limited.

The topography of the area lends itself to the steep gradation of the road makes cycling challenging. This is on a shared basis as the road is too narrow to allocate a separate lane.

The old railway line runs through the study area connecting the L2454 to the L2455. While there are plans for the future development of this greenway indicated below at

paragraph 6.7 the facility is underused due to safety concerns and lack of accessibility.

On the map the blue buildings indicate industrial zones (Figure 3).

Street lighting is limited to the estates developed. Current light posts are outlined with a purple X on the map.

The construction sites for new developments are outlined in hash lines.
The Lehenaghmore sports facility is accessible only by car, due to the narrowness of the road and lack of footpath to connect it to the estates. A number of locations in the area are indicated on fig 4 with photographs.

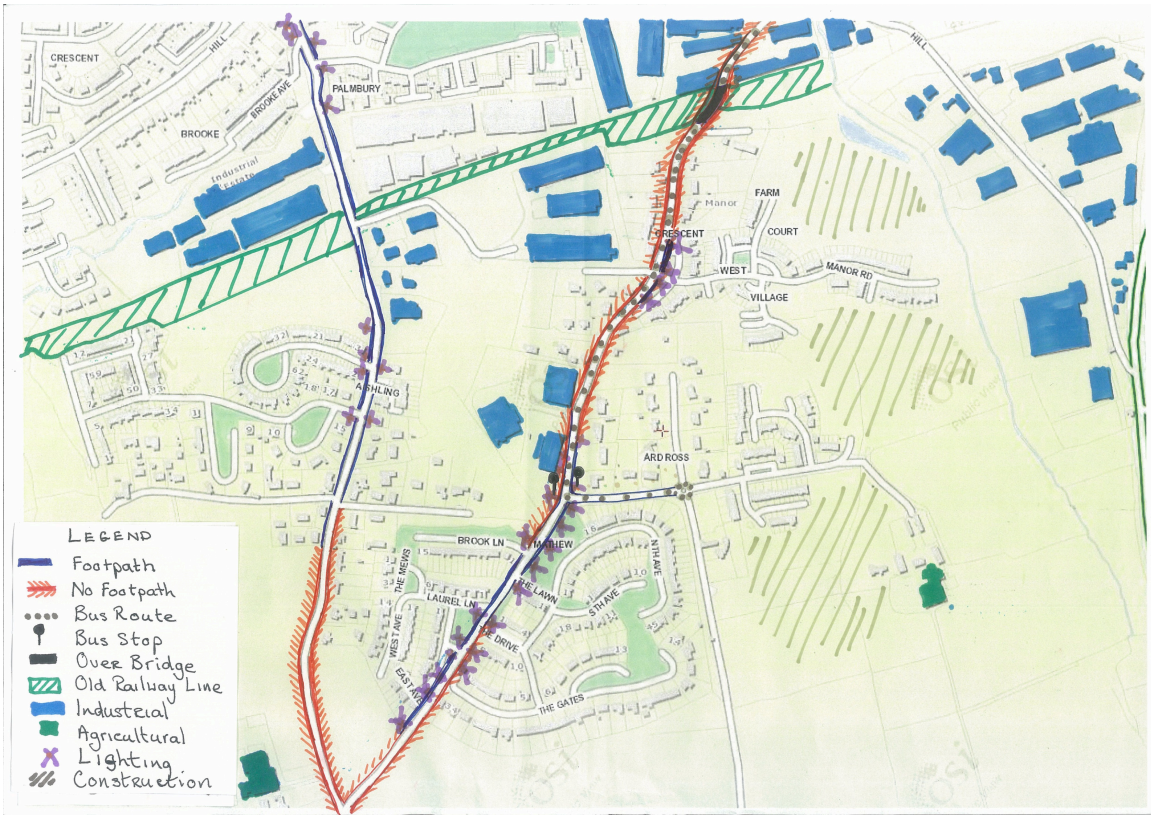


Fig 3. Survey of Area (Source: OSI Map 2015)



Fig 4 Photos of Lehenaghbeg/ Lehenaghmore study area (source: Pacelli Nolan & OSI Map)

5.6 Population of Lehenaghmore district CSO 2011

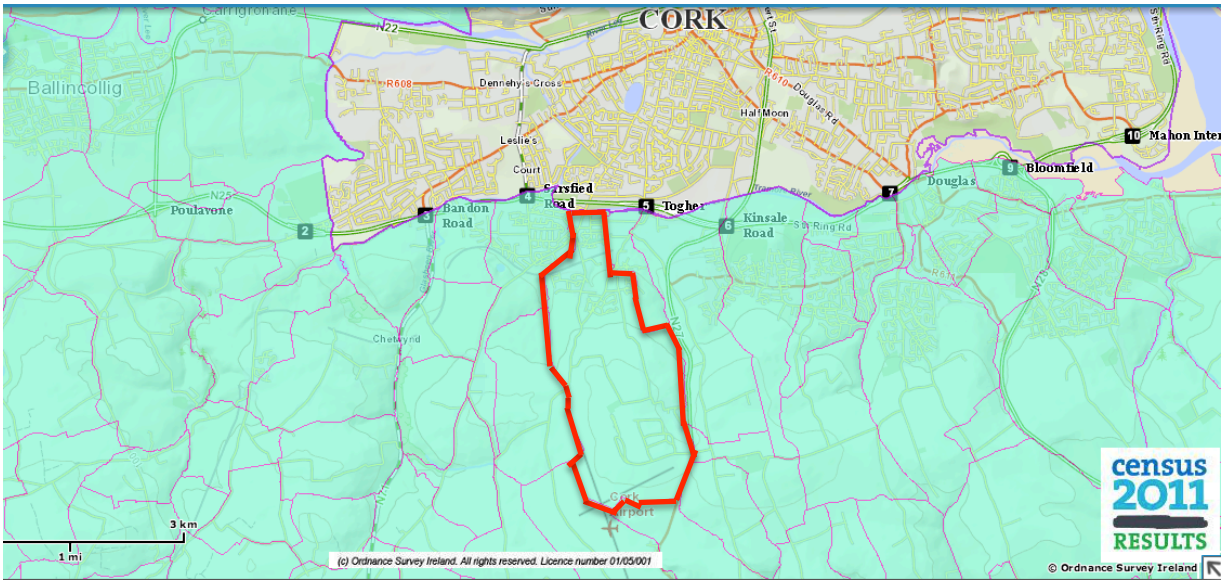


Fig 5. (Source: OSI, Census 2011)

The Census local townland as shown in Fig 5 shows the 2011 census total population of the townland of Lehenaghmore was 2573. Males 1252, Females 1321. The housing stock was 880. There were 49 vacant houses. The study area population in 2015 is approximately 1200. The housing stock of the study area is currently at approximately 430, the figure is constantly rising. Currently there are no vacant units. See Table 1 for the overall population breakdown in Cork, taken from the CDP 2015.

Table 2.1: Population change (Census) relative to SWRPG expected population change

	Census		SWRPG Targets		2006-2011		Over/Under Interim Target	
	2006	2011	Interim 2011**	2022***	Pop change	SWRPG Projected	Persons	% Projected Growth
Metropolitan Cork*	272,541	289,739	306,591	363,891	17,198	34,050	-16,852	-49%
Greater Cork Ring	105,055	118,418	107,694	131,882	13,363	2,639	+10,724	+406%
North Cork	46,248	50,498	49,526	56,012	4,070	3,155	+1,095	+34%
West Cork	57,271	60,377	61,012	68,837	3,106	3,741	-635	-16%
Total Cork County	361,877	399,802	395,848	470,622	37,925	43,585	-5,660	-13%
Total Cork City and County	481,295	519,032	524,835	620,622				

** Including Cork City ** Estimated *** SWRPG 2010*

Table 1. Population Chart. CDP 2014

6. Infrastructure

6.1 Roads.

The road from Fivemile Bridge to Barrett's cross (L2455) continues through to Pouladuff road. The Togher road (L2454) separates at Barrett's Cross, to Togher via Doughcloyne. This Y of road networks has not changed. It is true to its original form and shape. This is apparent in the Ordinance Survey 6" historic map as can be compared with the OSI map of today on figure 6 & 7



Fig 6. Historic 6' Map OSI



Fig 7. OSI Map 2015

The road runs parallel with the R600 main road from Cork at the Kinsale roundabout to Fivemile Bridge and onward to Kinsale. The Lehenaghmore road (L2455) is a popular alternative route used by commuters coming from Kinsale, Carrigaline, Ballinhassig, Ballygarvan, and even Bandon. This adds to the already heavy commute traffic used by the increasing number of local residents travelling to work, schools and multiple needs. The pattern of traffic on the road confirms commuter journeys. However the road is true to its original form, shape, width, and curvature and has had no alterations to facilitate the increased needs. It is a windy elevating country road much of it with original hedgerow. Increased ribbon development on this stretched of road accounts for multiple access points including a café at Liss Cross.

6.2 Access

Matthew's Hill takes all the traffic from the estates exiting on to the road in addition to the commute traffic from rural areas. This is a primary concern for the residents

especially as there is lack of connectivity of footpaths. It is not possible to walk on a continuous path from one estate to another; walk from the estates to Togher village or

even to the near by industrial estates. The sports complex of Lehenaghmore has no footpath to or from it to anywhere. The walk from some estates to the bus stop lacks a footpath. This makes safety on the road a primary concern for all, fearing the ultimate fatal accident. Motor dependence is necessary as a result of the narrow unlit rural road, which has constant urban commuter traffic. All of this is contrary to the development plans which:

Aims to ensure that development proposals make a good standard of provision for walking and cycling through the provision of safe and convenient routes to access local services and amenities, by always making provision to access public transport development and to include high quality urban permeability for all modes including the car, in keeping with guidance published in the "Design Manual for Urban Roads and Streets". (CDP Chapter 10, Section 10.1.6. p 150)

6.3 Design Manual for Urban Roads and Streets (DMURS)

The DMURS was prepared for the Department of Transport Tourism and Sport and the Department of Environment Community and Local Government. DMURS highlights the fact spaces that feel safe for drivers are often hazardous places to walk or cycle and perception of risk is an important part of road safety. While endeavoring to maximize permeability it acknowledges the importance of 'place' and 'function' in relation to the part speed plays as a visual psychological interpretation of the street or road where legislation and regulation play a secondary role. The Upper Pouladuff road speed limit is 50 kilometers per hour. DMURS results have shown this speed to cause serious injuries even a motor collision with a pedestrian at 15 kilometers per hour will cause serious disability. (See table 2 for Sight stopping Distance) However this low limit is likely to cause serious traffic congestion.

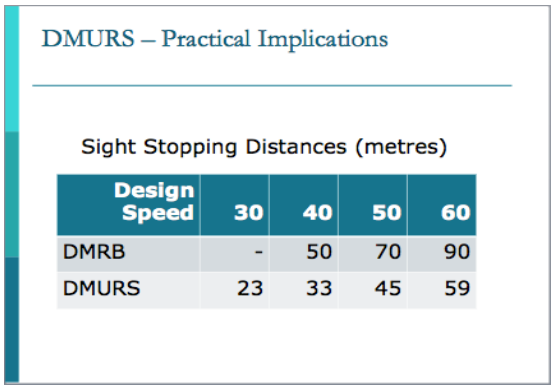


Table 2. DMUR Sight Stopping Distance

6.4 Guidelines

It is outlined in the CDP 2014 that development proposals need *to counteract the 'severance' effect that can be caused by poorly planned new development. Intending developers must demonstrate how adequate permeability or safe/convenient linkages to local shops; open space and amenity, schools and public transport are provided as part of their proposals. (CDP, 2014, Chapter 10, Section 10.2.9.p, 152)*

The South West Regional Guidelines have set targets to achieve an ambitious target of 55% in non-car work related modal share by the year 2020. This is in an effort driven by government policy to foster sustainable economic growth through delivery on an effective transport system. Involving less pollution, carbon emission, and more energy effective modes of public and private transport including walking and cycling. Supporting better co-ordination and integration of development planning, identifying the key transportation requirements of areas experiencing rapid growth in the establishment of a public transportation task force to promote more widespread provisions of public transportation. This would ensure high levels of integration of service. Lehenaghmore is typical of the 80% car users with only 14% using other modes of transport including public services walking and cycling. Due to the gradation of the area limits the growing popularity of cycling. Table 3 breaks down the commute patterns of residents in the Lehenaghbeg/Lehenaghmore area.

6.5 Planning and Development Regulations, 2001, Part 8

Part 8 of the Planning and Development Regulations 2001, in accordance with the DMURS guidelines, sets out the procedures for Local Authority developments including roads. The process requires notice of the proposed development be given in the public press along with a site notice erected. Submissions and observations are recorded in a report and presented to the members of the council. Including objections deriving from the representative of the report the process will proceed or require modified proposals.

Under the direction of the area engineer Ken O' Riordan who is dealing with the review of the Lehenaghmore area the Local Authority has issued a tender for a report of the Lehenaghmore L2455-L2454 Roads on March 23th 2015 in the Irish Times. It is currently engaging with traffic consultants on issuing a report for the area, which is expected to be finalized by the end of the year.

This is the first stage in preparation for road improvements. During the mid 2000's a feasibility study was also prepared. The study was not finalised or acted upon due to lack of funds. The study involved the procurement of Compulsory Purchase Orders

from private dweller's front gardens; therefore the report is not available for public display. The current report for tender is also subject to CPO's. It is only the first step in a long process, which will be subject to the allocation of funds for the implementation to follow through on a delivery of a new road. This timeframe typically takes in the region of 6 years.

6.6 Modes of Transport

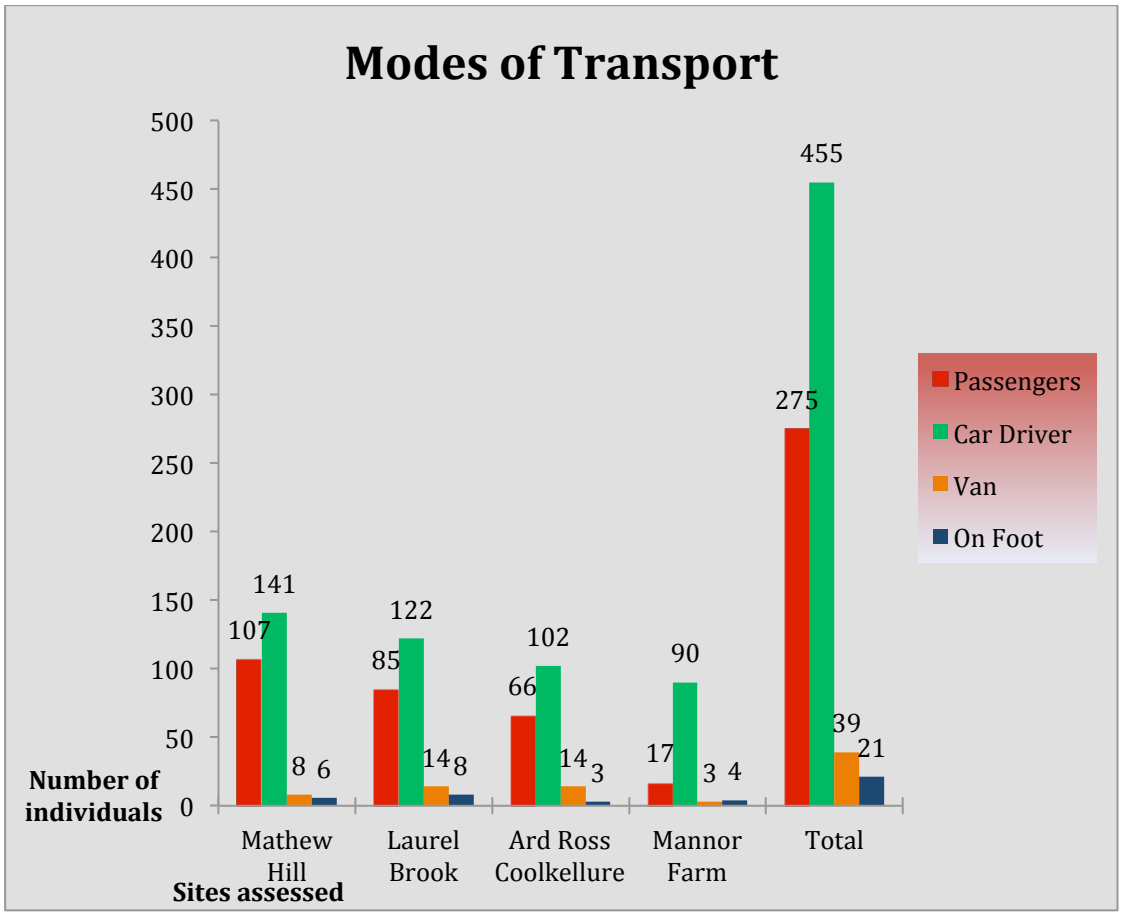


Table 3. Modes of transport figures from CSO 2011.

The Government advocates targets for a modal shift alternative to motor transport and private car dependency. The recommendations of Smart Travel, a Sustainable

Transport Future, A New Transport Policy for Ireland 2009-2020 and the National Cycling Policy framework policies are encouraged in both the County and City Development Plans in promoting cycling and walking as the hierarchy of efficient forms of movement in more sustainable travel patterns. The modes of transport are indicated in the study area are indicated in Table 3.

6.7 Greenways

Details of a feasibility of providing 'greenways" as part of nine sections of rail line are included in the West Cork Abandoned Rail Line greenway, Preliminary Feasibility Assessment Report. The first section includes the Cork to Kinsale old rail line. This section of rail line is part of the old Cork, Bandon and South Coast Railway (CB & SCR) developed over a period of fifty years from 1851-1893. The CK-KJI is

4.57 kilometers in length, part of which runs through the Lehenaghmore area linking local road (L2455) with local road (L254) see Figure 8. It has a strategically beneficial location for the residents of Lehenaghbeg/Lehenaghmore area. See Figure 8 identifying the different sections of rail and Figure 9 identifies the disused rail section in purple.

The County 'Greenway' Programme is being developed to facilitate more extensive leisure cycling opportunities both for a healthier lifestyle approach with recreational and tourism benefits. The Greenway Programme concentrates in particularly on former rail routes. The first Greenway was established along the alignment of the Great Western Railway Track, which was led by Mayo county council. It currently extends from Achill through Mulranny and Newport to Westport a total of forty-two kilometers. The scheme is so successful it is extending south along the Atlantic Way. Cork city has the Rochestown to Passage West rail line, extending to Carrigaline and Crosshaven.

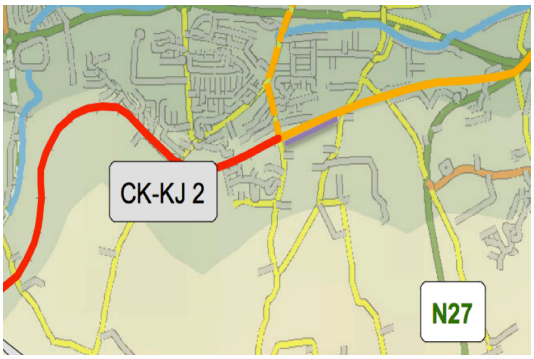


Fig 8. Old railway line outlined in purple, CDP 2014

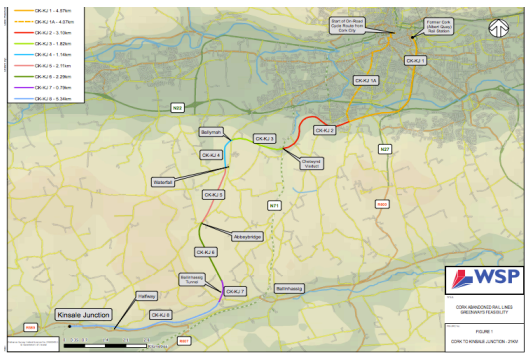


Fig 9. Greenways proposal on old CB & SCR CDP 2014

6.8 Off Street trails

The Douglas Land Use and Transportation Strategy in the CDP outlines the proposed developments in Douglas over the next decade. It covers among other matters some of the proposed new walkways to the south of the city. The move is towards 'off street' as opposed to footpaths along a busy road. A proposed route will link the Tramore Valley Park to the South Douglas district see figure 10. This will further enhance the amenities already in place in the city, for example the 'off street' trail which runs

from Blackrock Castle to Douglas Estuary is a popular amenity to locals and city dwellers. For the residents of Leghenghbeg/Lehanaghmore, the Tramore River walk is an off street trail currently used by the locals despite being a location to which you have to drive. See Figure 11.

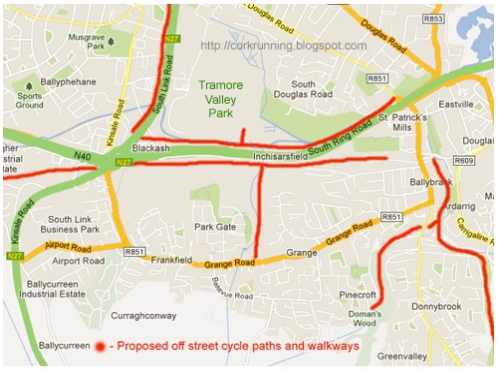


Fig 10. Off street trails CDP 2014

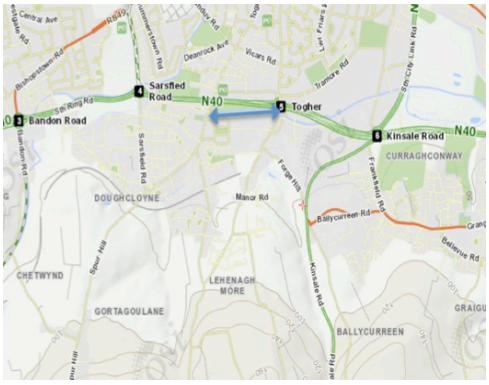


Fig 11. Local rail outlined in purple www.googlemaps.ie

6.9 Public transport service

Lehenaghbeg/Lehenaghmore have been without public transport since the first developments were completed in the early 2000's until March 2015. After a considerable amount of lobbying by the community they succeeded in having the 203 Pouladuff Bus Eireann Service extended to include Lehenaghbeg/Lehanaghmore. It now travels to the Coolkellure estate new road circles the roundabout and returns to

the city. The 203 services operate from May 25th leaving Lehenaghmore at 7.30am, and 21.15pm. It departs from Cork at 18.20 (non return to the city) 21.15 and 23.15. The 209A service leaves at 9.30am 12.30pm and 15.45pm. It departs Cork city at 12.00pm and 15.20pm.

This service leaves the residents heavily dependent on private vehicular transport. It has taken great efforts on behalf of the residents to fight for their service after fifteen years of lack of service and they finally received what they believe was a token

service this March 2015. Despite its short distance from the city centre. The times of service are still not in line with employment needs, and school times. While the community welcomes the introductory service it has not targeted prime time use. The duel benefit would have increased public transport commute and revenue while reducing the daily traffic congestion on Forge Hill. Which is a long time bottleneck at peak travel times. The service needs to align with the publics needs in line with sustainable transportation patterns.

7. Frameworks

7.1 Cork County Development Plan 2014

This study will seek to analyze through the tools of the CDP 2014 the objectives of planning as set out in accordance with the Planning and Development Act 2000 (as amended), which is obliged in its statutory requirement to be produced in six-year cycles. Its aim is to give clear guidance in planning, setting out policies and projections for the rotation of the cycle which is overlapped by Local Area plans also for a period of six years.

In the current CDP 2014 the core strategy aims to provide

"Enhanced quality of life for all, based on high quality residential, working and recreational environments and sustainable transportation patterns; b) Sustainable patterns of growth in urban and rural areas," (Chapter 2, Section 2.1.2) it is clearly defined by "The Guidelines on Sustainable Residential Development in Urban Areas

published by the Department of the Environment, Housing and Local Government (DoEHLG) in May 2009, identify sustainable neighborhoods as areas where an efficient use of land, high quality urban design and effective integration in the provision of physical and social infrastructure combine to create places people want to live in." (Chapter 3. 3.3.1. p 41) The Local Area plans 2011 aim to:

. *Prioritise walking, cycling and public transport, and minimize the need to use cars;*

. *Deliver a quality of life which residents and visitors are entitled to expect, in terms of amenity, safety and convenience;*

. *Provide a good range of community and support facilities, where and when they are needed;*

. *Present an attractive, well-maintained appearance, with a distinct sense of place and a quality public realm;*

. *Are easy to access and to find one's way around;*

. *Promote the efficient use of land and energy and minimize greenhouse gas emissions;*

. *Provide a mix of land uses to minimize transport demand;*

. *Promote social integration and provide accommodation for a diverse range of household types and age groups; and*

. *Enhance and protect the built and natural heritage*.

The CDP 2014 explains its delivery is in conjunction with other bodies and its implementation must take cognizant of public transport, national roads, water services and indeed it is limited to the results that can be effectively delivered from each of the stakeholders collectively and individually.

The difficulty is meeting the challenges of infrastructure provisions which will be necessary in line with availability of suitable land for the projections of the minimum housing stock required from 2014 -2018 to cover Metropolitan Cork (including Cork city) stated in the CDP 2014 is 6,433 units. The development of the city is expected to continue with current trends in line where growth has continued to perform above

expectations in recent years. Ruden Homes Ltd. are continuing to build new houses in the Coolkellur and Manor Farm estates delivering a portion of the units needed to supply this figure.

7.2 Greenbelt

The greenfield lands at Lehenaghmore were zoned A1 in the CDP 2003 as part of Cork city Greenbelt strategy to protect the differential between the Metropolitan core, defining its boundary and the rural hinterland. Each development plan reinforces the greenbelt policy. Clear policies outline the green belt within three miles from the city edge. The aim of protecting the greenbelt where suburban areas border it requires 'careful management to minimize the impact of higher density housing on adjoining agriculture. Forestry, sport facilities and low density housing are proposed for urban edge, areas' (CDP 1996, (3) p vi).

The purpose of this is to retain the agricultural and rural character of the remaining blocks of open countryside. Where they are most vulnerable from the inner edge. Sports facilities are considered a good buffer use in conjunction with freeing previous blocks of land in high-density areas. The Lehenaghmore sports grounds are an example of sports facilities use, in the Greenbelt policy. They are situated above Barrett's cross on the airport side within the greenbelt confines.

7.3 Local Area Plans

Lehenaghmore lies in the southern suburbs of Cork City, which is in the area of the Cork County Council outside the area administered by the City council. It is covered in the Carrigaline Electoral Area Local Plans. The strategic aim of the active 2011 local Area Plan is to consolidate the suburbs within the existing boundary, the promotion of suburban areas for residential, community and recreational facilities and

ensuring the clear demarcation of the inner metropolitan greenbelt. (LAP 2011, 2.1)

The Plan takes cognizance of the rapid growth over the last decade and the pressure on infrastructure, with problems of congestion endeavoring to improve the quality of life for residents. Through the provision of improved social infrastructure, recreational facilities and consolidating its role as a district employment centre. It is expressed in the local area plans that the ability of settlements to provide a strong supply of housing and business land in a location close to the city suggests the South Environs has a pivotal role in the development of Metropolitan Cork. Lehenaghmore district is an integral part of this role.

7.4 Variation of the CDP

The initial Ruden homes planning permissions in 1999 were granted under the terms of the variation to the CDP 1996. This variation took place owing to the Bacon report 1998 which was commissioned by the Government to address the increased demand for housing units in light of economic prosperity where higher density was required on foot of sustainable development patterns, where existing development plans had underestimated growth demand. In order to meet the criteria for the variation the report include the following: i) good house standards of architectural design using quality materials were required, ii) a diverse range of unit types to be used, iii) the layout to provide privacy, avoiding overlooking protecting the privacy of adjoining land use, iv) ample parking, attention to surface treatment, detailing and landscaping,

v) open space to be well located, designed for higher use specification, vi) storage of bicycles and refuse bins to be clearly identified. Ruden Homes Ltd. were granted a total of one hundred and seventy six units under the variation scheme commencing with construction at Laurel Brook.

7.5 Zoning

In my desk study I compared the Local Area Plans 2005 as are shown in the CDP

2003 with the Local Area Plans 2011 and identify the increased development pattern. I decided to compare these plans because building developments were at their peak during what is known as the Celtic Tiger years. See figure 12 for 2003 zoning and figure 13 for the local area plan zoning for 2011.

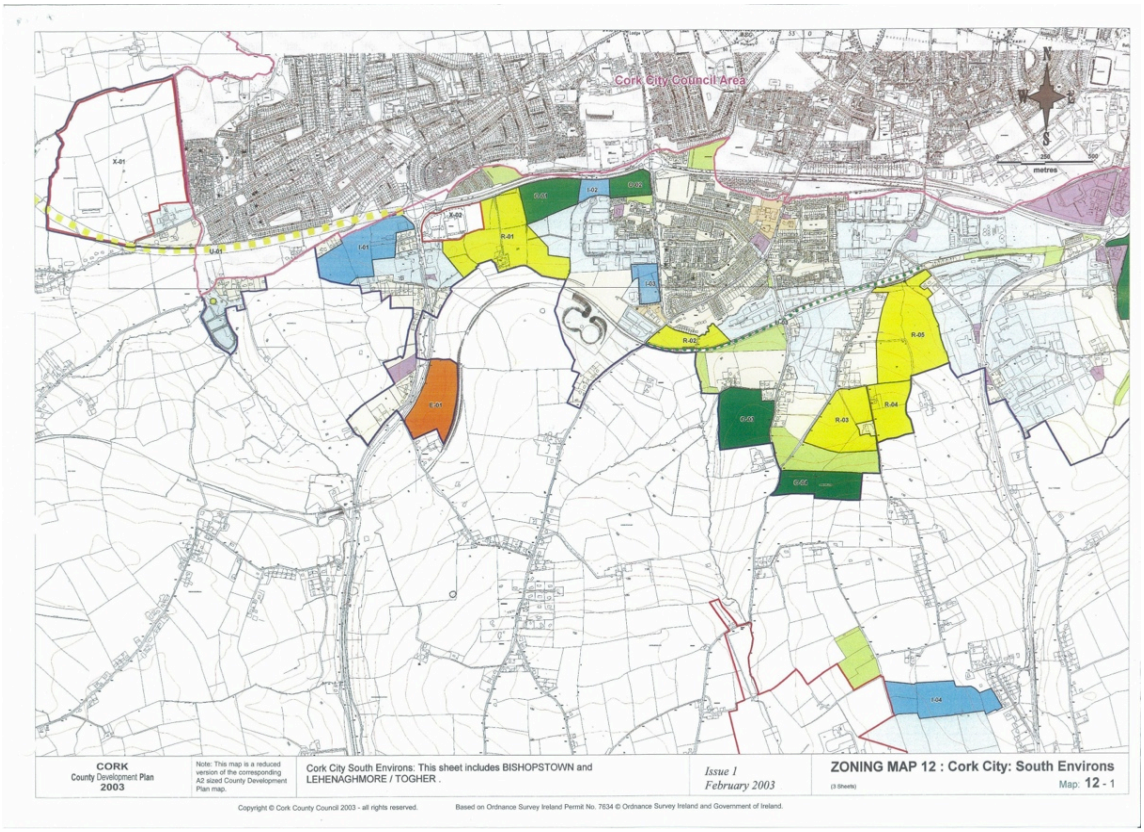


Fig 12. Zoning map CDP 2003

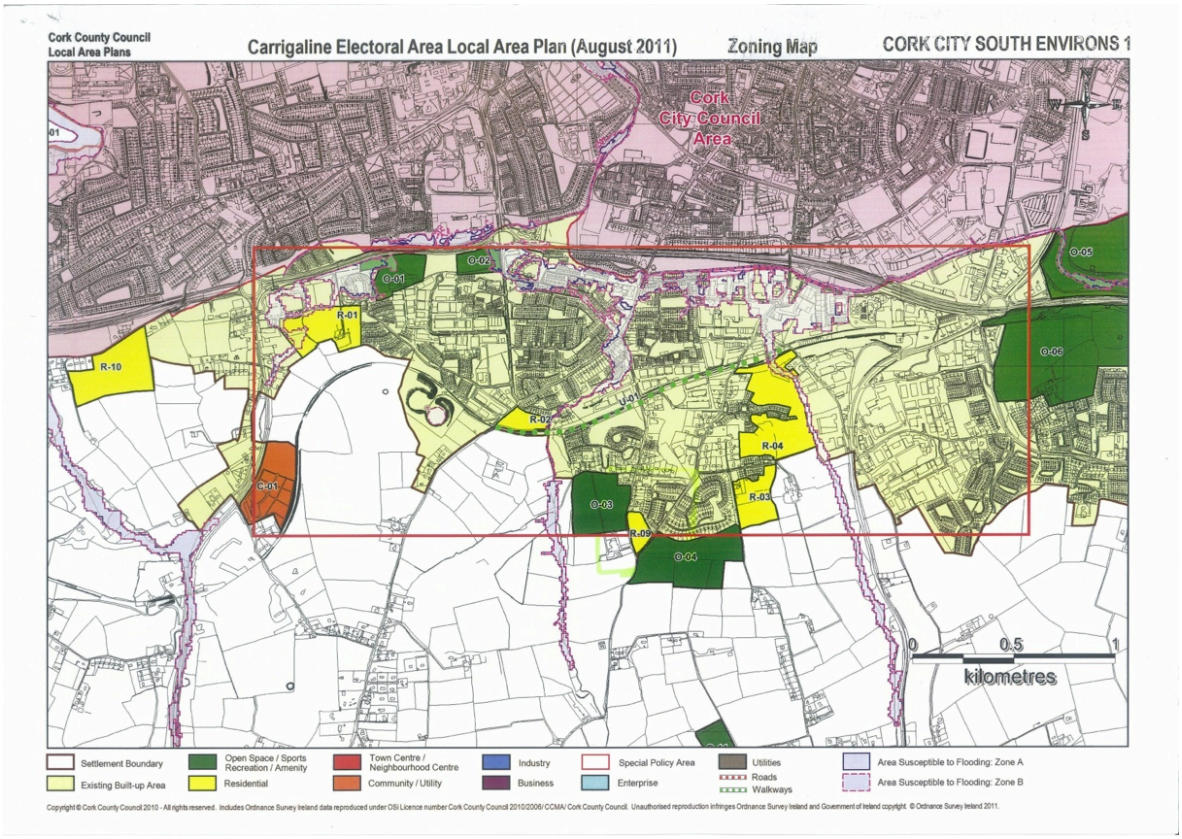


Fig 13. Zoning Map Local Area Plan CCC 2011

The differential of the CDP 2003 and the 2011 local area development plans highlight the loss of green belt from 2003 Zoned A1, to residential in the recent LAP. It also demonstrates the increased number of developments in the intervening years with further development of the area pending. The Open Space /Sports Recreation/Amenity has not changed but is now the boundary line to current and future developments.

7.6 History of the developments.

Planning Reference No.	Details of units:
99/1258	33 no dwelling houses
99/1259	52 no dwelling houses
99/1260	91 no dwelling houses
04/7674	537 no dwelling houses
07/6032	Alterations to layout of 04/7674
09/7158	Alterations to layout of part of permitted residential development to provide for construction of additional houses
10/5240	Completion of 554 residential units as granted under 04/7674 (new permission to expire on 09/06/213)
10/ 8747	Demolition of one house and construction of 8
11/4187	Demolition of one dwelling and construction of 8
11/5530	Alterations as per 10/5240 to put in 10 houses not 8

Table 4 List of planning permissions granted

7.7 Conditions of Planning

7.7.1 99/1258

Planning conditions on the Grant of 33 units on the application of 99/1258, showing the first four conditions of thirty-eight.

Column 1 Conditions	**Column 2 Reason**
(1)	
Before commencement of development documentary evidence to the satisfaction of the Planning Authority (in writing) shall be submitted, clearly outlining both on a map and in writing together with the legal papers of the sports area being provided in lieu of this site further to the south.	In the interests of the proper planning and development of the area.
(2) Before commencing any individual house construction the developer shall provide, to the satisfaction of the Planning Authority, security for the provision and satisfactory completion, including maintenance until taken in charge at the discretion of that Authority, **of roads, footpaths, sewers, water mains, road lighting, open spaces and other**	**To ensure that these parts of the development are constructed and completed to a satisfactory standard.**

services required in connection wit the development. The security shall be a Bond in a form and amount approved by the Planning Authority and Insurance Company acceptable to the Planning Authority.	
(3) Public lighting shall be installed to the E.S.B.'s specification and shall be switched on and kept activated to serve occupied houses until taken in charge by the Council.	In the interests of public safety.
(4) Roads, paths, kerbs, turning spaces, junctions, etc. shall be designed, constructed and completed in accordance with the Council's Guidelines for Housing Estates 1986 unless otherwise super ceded by the Conditions of this Schedule.	To ensure that estate roads, paths, etc. are completed to a satisfactory standard.

7.7.2 99/1529

Planning conditions on the grant of 52 units for planning application 99/1259, showing the first four conditions out of forty-one condition.

Column 1 Conditions	**Column 2 Reason**
(1)Before commencing any individual house construction the developer shall provide, to the satisfaction of the Planning Authority, security for the provision and satisfactory completion, including maintenance until taken in charge at the discretion of that Authority, of roads, footpaths, sewers, water mains, road lighting, open spaces and other services required in connection with the development. The security shall be a Bond in a form and amount approved by the Planning Authority and provided by a Bank or Insurance Company acceptable to the Planning Authority.	To ensure that these parts of the development are constructed and completed to a satisfactory standard.
(2)Roads, paths, kerbs, turning spaces, junctions, etc. shall be designed, constructed and completed in accordance with the Council's Guidelines for Housing Estates 1986 unless otherwise superceded by the Conditions of this Schedule.	To ensure that estate roads, paths, etc. are completed to a satisfactory standard.
(3) All public services required for the development including electrical, communal television and telephone cables shall be laid underground in accordance with the Council's Guidelines for Housing Estates (1986).	In the interests of visual amenity and safety.
(4) Front boundary walls and screen/fences shall be the same design, construction and finish	In the interests of orderly development and visual amenity.

throughout the development.

7. 7.3 99/1560

Planning Conditions on planning Granted for 91 units on 99/1960, showing the first four conditions out of forty-two.

Column 1 Conditions	**Column 2 Reason**
(1)Before commencing any individual house construction the developer shall provide, to the satisfaction of the Planning Authority, security for the provision and satisfactory completion, including maintenance until taken in charge at the discretion of that Authority, **of roads, footpaths, sewers, water mains, road lighting, open spaces and other services required in connection with the development.** The security shall be a Bond in a form and amount approved by the Planning Authority and provided by a Bank or Insurance Company acceptable to the Planning Authority.	To ensure that these parts of the development are constructed and completed to a satisfactory standard.
(2)The developer shall lodge with the Planning Authority within one month of the date of grant of Permission/Approval, a sum of £10,000 to guarantee the satisfactory completion of tree and shrub planting and all other landscaping proposals for the site together with all the recommendations of the Arborists report submitted on 15th.September 1999 required by condition no.13. The sum lodged pursuant to this condition shall be refunded only when it is certified by the Council's Planning Officer that the planting and landscaping has been completed to the Council's satisfaction.	To ensure the satisfactory completion of landscaping works in the interests of visual amenity.
(3)Roads, paths, kerbs, turning spaces, junctions, etc. shall be designed, constructed and completed in accordance with the Council's Guidelines for Housing Estates 1986 unless otherwise superceded by the Conditions of this Schedule.	To ensure that estate **roads, paths, etc.** are completed to a satisfactory standard.
(4)Public lighting shall be installed to the E.S.B.'s specification and shall be switched on and kept activated to serve occupied houses until taken in charge by the Council.	**In the interests of public safety.**

In the three sample planning conditions 99/1258-99/1260 it clearly points out the requirement for footpaths, lighting and services to the sites in the interest of ensuring satisfactory standards. Ruden Homes Ltd have complied with all the conditions set out in each of their planning requirements. Ruden homes have complied with the

conditions set out within their developments. However the issue of connectivity and continuity within the County Council's recommendations has not been achieved by the Council themselves.

7.8 Contributions

There are three types of contributions under the PDA 2000.

- General Contributions
- A Supplementary Contribution
- A Special Contribution

Contributions in the General Scheme (under Section 48) are paid in respect of the different classes of infrastructure and facilities, which are provided. Developers contribute different amounts in accordance with the conditions specified in the planning conditions and the amounts to be paid.

A Supplementary Contribution (under Section 49) specifies the contribution most benefit the development for which the permission is granted to the area specific project for example; The Cork Area Strategic Plan Suburban Rail Project.

A Special Contribution (under Section 48.2c) is where a special contribution for a particular development where not covered by the General Scheme are incurred. If the works in question are not commenced within five years or completed within seven years, the developer will be refunded the special contribution or an appropriate portion thereof. It may be appealed.

Table 3 highlights in bold the list of relevant planning applications and the enumeration stated towards services and infrastructure.

Planning		Conditioned contribution
99/1260	91 no dwelling houses	General: £23,660 Special for sewer: £23,660 **Special towards road improvement works: £273,000**
99/1259	52 Dwelling houses	Special: £13,520 (public Water) Special: £13,520 (Sewer) **Special: £99,000(Roads)**
99/1258	33 dwelling house	Special: £8,580 (public water) Special: £8,580 (Sewer) **Special: £99,000 (Roads)**
04/7674	537 dwelling houses	General:€1,965,489) Social: €3,480869(€1,850,000 towards sport and recreation facilities; **€1,630.869 towards road improvement works)**
07/6032	Alterations to layout of 04/7674	General: €44,008.94
07/7127	Construction of 2 dwelling house	General: €5,231
07/10893	Omission3 dwelling houses (change of layout)	General: €50,125.80
07/11544	Change of house type	General: €50,125.80
09/7158	Alterations to layout of part of permitted residential development to provide for construction of additional house	General: €105,347.83
10/4702	Alterations to layout to construct 8 units	General: €30,719.80
10/5240	Completion of 554 residential units as granted under 04/7674 (new permission to expire on 09/06/2013	None

Table 5 Sample list of planning conditions

7.9 Contributions Refunded

Each Planning folio granting permission is accompanied by a number of conditions as pointed out previously. In each case special mention is given over to the provision for contributions stating their specific purpose, reasons and amount due. An example of one such condition is application no 99/1260 condition no (42):

> *"Within a period of one month prior to the date of commencement of the development, but no later than such date, the developer shall pay to Cork County Council a sum of £273,000 updated in accordance with the consumer Price Index from the date of grant of pertaining at the time of payment, as a contribution towards the expenditure proposed to be incurred by the council in the provision of road improvement work which will facilitate the proposed development. The payment of said contribution shall be subject to the following-(a) where the proposals are, within a period of 7 years from the date of payment of the full contribution of final instalments thereof, paid during that period. (b) Where the proposed works are, within a period of 7 years from the date of payment of the full contribution or final installment payment thereof, carried out in part only, or in such a manner as to facilitate the proposed development to a lesser extent, the return of a proportionate part of the contribution or the installment thereof, paid during that period. (c) Payment of interest at the prevailing interest rate payable by the Council's Treasurer on the Council's Treasurer on the Council's general Account on the contribution or any installment thereof that have been paid.*
> *Reasons: It is considered appropriate that the developer should contribute towards the expenditure to be incurred by the council in respect of these works, which will facilitate the proposed development.*

In light of this there is a statutory requirement under the PDA Act 2000, to have these monies refunded to the developer. Hence Ruden Homes Ltd. Received €820,000 refund. The following is an extract from the minutes of the council meeting, where questions were asked in relation to the contributions returned to Ruden Homes from the Lehenaghmore Development, in the Council Chamber on 13th October 2014 and the Chief Executive's answers were as follows:

(Taken from the minutes of the meeting.)

"1. To confirm if recent reports are correct that Cork County Council returned contributions received for these works to the developer Ruden Homes and if this is correct to outline;

> I can confirm that a refund was made to Ruden Homes. The monies refunded amounted to less than 25% of the projected cost of the amended works or 8% of the original scheme cost. No DOTTS grant monies were

available to support the project and the Council was not in a position to provide the necessary match funding to allow the works to proceed.

2. ***Under what circumstances was this money returned to the developer and why?***

The developer requested a refund.

The requirement to pay the contribution was subject to the provisions of section 26(2) (h) of the Local Government (Planning & Development) Act 1963 and the monies paid had to be spent within 7 years of An Bord Pleanala's decision.

1. ***How much was returned?***

€821,910 broken down as follows; €714,027 contribution and €107,883 interest."

The money that was returned related to special planning contributions from planning permissions 99/1258, 99/1259 and 99/1260.

8. Findings

Local roads L2455 and the L2454 are the same today post developments without any improvements by the local authority despite the volume of traffic increase. The only improvements are the areas confined to the developments, where developments are set back to facilitate the road width furnished by footpaths, lighting and landscaping, all contributed by the developers. The findings show that this was part of the planning conditions stipulated.

The Greenway connectivity from local roads L2454-L2455 has potential to provide a linear park for cycling and linking the connectivity from Matthew Hill to Doughcloyne and Togher village. However it would require major upgrade and social change to raise sufficient confidence in its use.

The lack of connectivity and continuity of the infrastructural improvements is clearly the result of non-contribution from the council. This will be exacerbated further if the

matter is not addressed as the area is now zoned residential. The zoned A1 land under the CDP 2003 included in the LAP 2005 were subsequently rezoned Residential in the LAP 2011 to residential. Despite policies to protect the Greenbelt clearly outlined in development plans. (see fig 12 & 13). Connectivity between the estates of Manor Farm and Coolkellure is planned for in the new development stage.

The Ruden homes developments were built initially as variations to the 1996 development plans. There are approximately 430 homes built to date with construction ongoing. Many of the estates finished out for over a decade yet none of the estates have been handed over officially to the Council.

Plans were drawn up in the mid 2000's for a revised road scheme, the documents are not available for public display as they involved CPR's, the scheme did not proceed as central funds were not available to carry the process through. In light of this Ruden Homes Ltd. were refunded their €820,000 for contributions given towards planning s 99/ 1258, 99/1259, and 99/1260.

In March this year the area received their first skeleton public bus service, which still does not serve prime commute periods, for school and work. This also only operates on a Monday to Saturday, with no service at all on Sundays.

There are a number of infrastructural deficits with the ongoing development of the study area. Some planning permissions, which would otherwise have expired, but due to the recession an extension was granted and are now active which could theoretically expand the area twofold. History is in serious danger of repeating itself in the study area. Ruden Homes contributions for the 04/7674 planning that granted

537 dwellings submitted €1,630,869 towards road improvements, are at risk of being returned if not invested in the much needed infrastructure. As previously occurred.

9. Discussion

It is beyond the scope of my project to follow the failings of the planning system where in essence it fails to succeed in integrating developments with the required infrastructure, which can be exacerbated through a lack of central funding in failing to deliver a proper service.

It questions the macro level of planning incorporating the multidisciplinary functions of inter departmental departments to deliver effectively and promptly for all. This requires well-defined structures of pre development infrastructural developments as the norm. This is achieved in other countries and is therefore not a utopian ideal but a realistic goal. However we are a long way off from reaching that goal in Ireland. To do so requires collective responsibility and accountability, which is lacking.

Planning is an open and transparent process, legislation affirms the necessity for standards, and policies, objective, conditions and contributions in an effort to provide all-inclusive improvements as can be seen in the trail of evidence in this report. Yet what appeared to be lacking is responsibility and legislative support in governmental sectors to deliver infrastructure in development co-ordination.

The study area is probably representative of multiple communities in Cork's Metropolitan development areas, trapped in the divide zone of urban living in County Council division at the edge of the City Council administrative area. From my research it appears planning in the study area at its inception arose at a time when the administration of the planning authority was stretched to its limits. This may account in part for the inadequacy of service delivered by the local authority.

The study area is part of the included areas under consideration in the Boundary committee which the Local Government Review Committee are currently proposing,

changing the population area in Cork city from 119,000 to include 233,000. The revised metropolitan Cork Area would have full authority over its strategy, budget and operations with the devolution of additional functions from central government and stand alone governance, which would benefit the study area.

My findings showed that the development abutted both sides of Matthew Hill, a very narrow local road (L2455) that was incapable of accommodating the vehicular traffic from the development and also incapable of being widened as there were existing dwellings in situ. In hindsight the seeming lack of the planning authority to insist on the developer to acquire all necessary lands to implement in a cohesive way the correct infrastructural needs from the beginning.

This leaves the planning authority with a fragmented and overly expensive infrastructure to be delivered in an open-ended time line that may take another decade to complete. The planning engineers have confirmed the time frame for a road scheme to be delivered is on average six years. They express the fact that funding is not available prior to a development commencing calling it the 'chicken and egg situation' where contributions from the developer are required as part funding for the infrastructure to commence. But governmental planning should be ahead of the curve, not struggling behind with the complexities of dealing with post-development scenarios.

It leaves the residents to fight the battle for fundamental rights to safety, connectivity, and "counteract the severance effect that can be caused by poorly planned new developments" (CDP 2014) Ch. 10, section 10.2.9 p.152). With the impending General Election in 2016 the pendulum of power shifts briefly to each citizen, in a short window of opportunities to seek what is intrinsically their right from the beginning.

The thrust of the draft Planning Policy Statement, 2014 of the Department of Environment, Community and Local Government endeavours to ensure that "*the right development takes place in the right locations and at the time and in providing the social, economic and physical infrastructure necessary to meet the needs of our*

people in a way that protects the many qualities of our natural and built environment".

This is a short statement but the requirements to achieve same are onerous and one that appears to be very difficult to achieve. Often times the developers of our housing units are found to be wanting where for example they leave estates unfinished in terms of infrastructure and where the local authority have to come in and finish the estate. I have encountered the opposite scenario in the study area where in fact the developer has abided by the requirements outlined in the planning permissions and it is the local authority that is found to be wanting. Planning endeavours to be in the interest of the common good with long-term sustainable development.

Unfortunately the evidence uncovered by the findings in the study area suggests it has failed the inhabitants. Planning must be plan led and evidence based but evidence of this is lacking in reality in the study area.

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