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8 October 2008

**Re: Strategic Environmental Assessment of the Proposed Amendments to
the Draft Cork County Development Plan 2007
Proposed Change 3.42 - Annaghmore**

Sir;

A Strategic Environmental Assessment (SEA) is being carried out for the Cork County Draft Development Plan 2007. Cork County Council has placed a Public Notice under Section 12(7) of the Act, which was published on the 19th September 2008. The public notice refers to Article 13 (g) of the Planning and Development (Strategic Environmental Assessment) Regulations, 2004 which requires 'Notice of material alteration of draft development plan'.

The notice invited comment on the 'Publication of the Proposed Amendments of the Draft County Development Plan 2007 AND Publication of the Strategic Environmental Assessment of the Proposed Amendment' [emphasis in original].

It states that the 'Strategic Environmental Assessment of the Proposed Amendments to the Draft Cork County Development Plan 2007' should be considered as an 'Addendum to the Environmental Report'. It states further that 'submissions or observations should clearly state whether being made with respect to the Proposed Amendment and/or with respect to the Environmental Assessment of the Proposed Amendment'.

This submission relates to both the unsustainable nature of the proposed amendment [Part I] and [Part II] the 'Addendum to the Environmental Report's' failure to consider the likely significant effects on the environment of implementing the proposed amendments of the draft plan as required by SCHEDULE 2B Planning and Development (Strategic Environmental Assessment) Regulations, 2004, S.I. No. 436 of 2004.

Your notice further states that Submissions or observations should quote the relevant paragraph/change number referred to in the amendment documents. This submission refers to Proposed Change 3.42 - Annaghmore - and is attached to this cover letter.

Respectfully yours,

Tony Lowes

**Strategic Environmental Assessment of the Proposed Amendments
to the Draft Cork County Development Plan 2007
Addendum to the Environmental Report
Proposed Change 3.42 - Annaghmore**

PART 1: THE PROPOSAL

An extensive development proposal which was not addressed in the Draft Cork County Council Development Plan 2007 and so not included in the Environmental Report prepared as part of the Strategic Environmental Assessment has been proposed at Annaghmore, County Cork as an amendment to the Draft Plan.

The proposal is for 1,500 housing units for 3,000 people at a rural undeveloped 200 hectare greenfield site. Annaghmore is located 17 kilometres south west of Cork City and 12 kilometres north east of Bandon on the N71 National Secondary Route from Cork City to Bandon, Clonakilty and West Cork.

It is proposed to insert a new paragraph, objective and population and household table on the role of Annaghmore as a Ring Town after paragraph 3.3.13 in the DCDP. Henceforth it will be 'an objective of this plan to designate a new settlement at Annaghmore. The settlement will provide for a mix of uses, including residential, employment, and local services and will form part of the Bandon Electoral Area Local Area Plan.'

We would criticize the proposal on the following grounds:

We would suggest that the proposal at Annaghmore is not consistent with Cork Area Strategic Plan [CASP] or the Southwest Regional Planning Guidelines.

The site is not located within the Cork Suburban Rail Corridor or either of the planned Rapid Transit Corridors identified in the CASP Update. In fact, increased congestion on the Cork-Bandon section of the N71 would adversely affect prospects for towns such as Clonakilty and Dunmanway, whose ability to attract new businesses is sensitive to travel time from Cork City.

Any projected increase in population is, according to CASP, to be absorbed by towns such as Bandon, Kinsale, Fermoy, Macroom and Youghal.

Inclusion of the Annaghmore would see a decrease in the 'projected population increase' of these towns. The growth of the Ring Towns, particularly Kinsale and Bandon, will be significantly reduced below the levels proposed in the CASP Update plan and those towns will not realise their full economic and social potential.

Children of secondary school age would need to travel to either Bandon, Carrigaline, Cork or Kinsale for secondary education. The Manager's Report specifically draws attention to Guidance from the Department of Education which suggests that settlements with a population at the scale of Annaghmore not be able to support the development of new secondary schools because schools of that size cannot deliver a sufficiently broad and balanced curriculum.

As the Manager's Report concluded, 'the Annaghmore proposal is generally inconsistent with the proper planning and sustainable development of the County.'

PART II: THE ASSESSMENT

According to Strategic Environmental Assessment of the Proposed Amendments to the Draft Cork County Development Plan 2007

'The overall aim of SEA is to:

- provide a high level of protection of the environment;
- to integrate environmental considerations into the preparation and adoption of plans,
- to promote sustainable development and
- to increase public participation in environmental decision making.'

The environmental considerations that must be addressed are given in the PLANNING AND DEVELOPMENT (STRATEGIC ENVIRONMENTAL ASSESSMENT) REGULATIONS 2004. S.I. No. 436 of 2004.

The following information – inter alia - shall be included in an environmental report—

(f) the likely significant effects on the environment, including on issues such as biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage including architectural and archaeological heritage, landscape and the interrelationship between the above factors...

(g) the measures envisaged to prevent, reduce and as fully as possible offset any significant adverse effects on the environment of implementing the plan...

(j) a non-technical summary of the information provided under the above headings." [SCHEDULE 2B S.I. No. 436 of 2004]

The document provided by the local authority which we have been instructed to read as an 'Addendum to the Environmental Report' fails to meet these requirements.

The matrix provided and the assessments given are indicative, as it were, of what have been identified as the possible likely significant effects and the possibility of the requirements for remediation if required. It appears to be an early draft of a scoping document.

At the outset there is no Executive Summary.

Even in the more detailed Report on Annaghmore, the SEA Environmental Report states that it simply 'highlights some of the key issues'.

In Issue A [Habitats] it notes 'particular concerns that development at this location may have the potential for significant environmental effects on receiving waters in the immediate vicinity and wider area, especially on those which contain protected habitats.'

What are these concerns? Are they biodiversity concerns? Are they water concerns? What protected habitats? Are there species at risk? What is the scale of the impact on the receiving environment?

The Report states that:

'Detailed consideration of potential significant effects will be necessary to consider the appropriateness of the proposed development in light of these concerns. Adequate mitigation measures should be identified.'

We respectfully refer your authority to the legislation we have quoted which requires that the SEA process must detail 'the likely significant effects on the environment'.

Without a knowledge of the extent of the effects no attempt can be made to fulfil the consequent legislative requirement to identify the 'measures envisaged to prevent, reduce and as fully as possible offset any significant adverse effects on the environment'.

In Issue B [Brownfield sites] the Report highlights 'implications in terms of the use of non-renewable soil resources' but fails to explain what these are and to what degree they could be mitigated if the proposal were to proceed.

Issue C [Water] states clearly that what will be required are 'works that have not been quantified at this stage'. According to the report 'The environmental effects will need to be comprehensively considered.'

If these works have not been 'quantified' or 'comprehensively considered' how can we fulfil the requirement to identify the 'measures envisaged to prevent, reduce and as fully as possible offset any significant adverse effects on the environment'?

The general nature of this exercise is nowhere clearer than in Issue C, where it is noted that while there 'are no EPOs [Environmental Protection Objectives] directly linked to flooding' there is a 'need to assess the potential flood risk'.

Although there may be an [inexplicable] lack of flood control objectives in the EPOs, the parent document of this Addendum to the Environmental Report should surely direct the minds of the authors of this Addendum. The parent document states under 'Flooding':

The risk of flooding should be taken into account in all cases where development is being considered. Development in or across a floodplain can not only put the development itself at risk but there can also be impacts both upstream and downstream as a result. The construction of buildings or houses, and particularly embankments for infrastructure or protection in or across a floodplain, can therefore not only put the development itself at risk of flooding, but can also increase the flood risk for land and properties elsewhere.

*Strategic Environmental Assessment Environmental Report,
December 14, 2007, 5.5.31.*

We are advised that the site is identified as 'Liable to flood' on the relevant Ordinance Survey maps. We have been further advised that the site has been subject to recent flood events.

Residents living downstream of the development are unlikely to be aware of the potential aggravation of flood conditions that this development at Annaghmore could have on them, notably at Ballinhasig, Ballygarvan and Carrigaline. They will not be given the right to public participation which forms part of our legislation if the details of a flood risk from the proposal are not assessed and made public through this process.

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In ISSUE D [Landscape] this Addendum 'identifies the location for the proposed development at Annaghmore as being included in a vulnerable area'.

This document notes that 'there is some conflict' and suggest that 'Potential mitigation measures in terms of landscape environmental sensitivities will require an overall landscape appraisal'. This section concludes 'The final location of any proposed new town needs to be considered in terms of the landscape and the highlighted mitigation measures.'

But in fact according to the Environmental Analysis which is the parent of this document records that 'A landscape character assessment (LCA) has been undertaken for County Cork and forms part of the Draft Plan.'

It goes on:

'The LCA attributes a landscape value, landscape sensitivity and a landscape importance for each of the landscape types in the County. The key characteristics of each landscape type are outlined together with the pressures for change in each case. A series of recommendations for each landscape type has also been established in a Landscape Strategy, with a view to balancing development and change, while also protecting the landscape of the County.'

Surely this 'Addendum' to the Environmental Report should incorporate, confirm, and expand the Values, Sensitivity and Important analysis previously completed to address Proposed Change 3.42 to the Draft County Development Plan?

Instead, this SEA comprises 14 lines of text. It is difficult to see how the County Development Plan will achieve its objective to 'protect and enhance the character of Cork County's landscape and facilitate and guide sensitively designed development' with this level of assessment.

Issue E - Quality of Life Issues

Is perhaps the most extraordinary in that this section is confined to transport issues and in that regard could hardly be more rudimentary. ('It is nonetheless realistic to assume that the proposed ring town will generate a significant amount of additional traffic on the local and national road network.')

We would suggest that issues of quality of life for those in the existing area or for the 3,000 people who are intended to live there extends well beyond issues of transport.

CONCLUSION

'Ireland's Environment 2008', recently published by the Environmental Protection Agency, identifies the trend 'towards a continuation of market-driven, low-density residential development on the periphery of cities and the suburbanisation of satellite villages and towns.'

It goes on: 'This trend is unsustainable, given increased commuting times and distances, the expected increase in fuel costs, the lack of adequate extensive public transport, the inefficiency of service provision and the pressure to reduce greenhouse gas emissions.'

Aside from the arguments that we have brought forward suggesting that this project fails to have been addressed under the European Strategic Environmental Assessment legislation, we would support the County Manager's conclusion in his Report that

- "The new settlement proposed at Annaghmore is contrary to both the CASP plan adopted in 2001 and its Update prepared in 2008.
- The new settlement proposed at Annaghmore is contrary to the Southwest Regional Planning Guidelines.
- That the strategy to guide the future development of the County put forward in the Draft County Development Plan and the Manager's recommended amendments (i.e. excluding Annaghmore) represents the most sustainable option for the future of the County as whole
- That the Annaghmore proposal is generally inconsistent with the proper planning and sustainable development of the County".

[Supplementary County Manager's Report to Members Under Section 12 (4) of the Planning and Development Act 2000, Proposals for a New Settlement at Annaghmore.]

Respectfully yours,

Tony Lowes