

CUNNANE STRATTON REYNOLDS

***Submission to Draft Cork City Development Plan 2022-2028
regarding 'Overflow' Car Park Site at Mahon Point, Mahon, Cork***

**On behalf of
DIE Ireland ICAV**

by

Cunnane Stratton Reynolds


**September 2021
No. 20413**

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Executive Summary

This submission is made in respect of the overflow car parking site at Mahon Point Shopping Centre.

It has been prepared subsequent to the lodgement of a submission to the Pre-Draft Plan Issues Paper Stage Consultation. That submission, submitted to Cork City Council on behalf of DIE Ireland ICAV, in August 2020, included a number of key points, relevant to the proper planning and sustainable development of land at Mahon, for consideration in preparing the Draft Cork City Development Plan 2022. These points are summarised as follows:

- There is a conflict between the current zoning for the overflow car park site at Mahon Point Shopping Centre within the Cork City Development Plan 2015 and the Mahon Local Area Plan 2017. This lack of clarity regarding appropriate uses for the site has been a factor in delaying the development of the site to date.
- A consistent and appropriate zoning for this site is required that provides sufficient flexibility of uses.
- The zoning of this site within the emerging development plan should not restrict or prevent the expansion of the adjacent shopping centre as the existing district shopping centre at Mahon requires space to expand to fulfil its function as a District Level designated shopping centre. The site can deliver additional retail and commercial uses and should be seen as providing an opportunity for the extension of the shopping centre.
- The redevelopment of the overflow car park site can make a significant contribution to improving Mahon Point Shopping Centre and the Mahon Link Road, helping to 'stitch the shopping centre to its context, and provide a focus for street activity and live uses' as envisioned in the Mahon Local Area Plan.
- The recovery from the impacts of the Covid-19 pandemic requires increased flexibility in the application of land use zoning to facilitate development opportunities as they arise.

The Draft Cork City Development Plan 2022-2028, which is currently subject to public consultation, proposes to zone the subject site for Mixed Use development.

While our client welcomes the increased flexibility in terms of land uses that a mixed-use zoning would facilitate compared to the adopted Business and Technology zoning, it is submitted that the range of permissible uses for the proposed Mixed-Use zoning will not enable the necessary sustainable expansion of Mahon Point Shopping Centre for retail purposes as retail is not listed as a permissible use under this zoning.

Therefore, district centre expansion or an amendment to the mixed-use zoning objective is required to specifically mention that retail is acceptable in principle. It may be that the Council consider an amendment to mixed use zonings that retail is explicitly

permitted in principle where these zones are located within or directly adjacent to defined shopping centres

In this context, this submission requests that Cork City Council give serious consideration to either:

- a. The extension of the District Centre zoning to include the overflow car park site;
or**
- b. The inclusion of the overflow car park within a Mixed-Use zoning for which a wide range of uses will be acceptable in principle, including specifically retail development.**

The rezoning of the subject lands for expansion of the existing shopping centre is the only appropriate zoning in this instance. Alternative business and enterprise zoning can be accommodated elsewhere in Mahon but there are no other locations for the existing shopping centre to expand.

Following the now accepted principles of the sequential approach for retailing set out in the Retail Planning Guidelines and as per the sequential approach advocated in the adopted Ministerial Guidelines on Development Plans (2007) and the emerging same guidelines the subject site should be zoned to accommodate retail expansion.

1.0 Introduction

This submission to the Draft Cork City Development Plan 2022-2028 has been prepared by Cunnane Stratton Reynolds in accordance with section 12(2)(b) of the Planning and Development Act 2000, as amended.

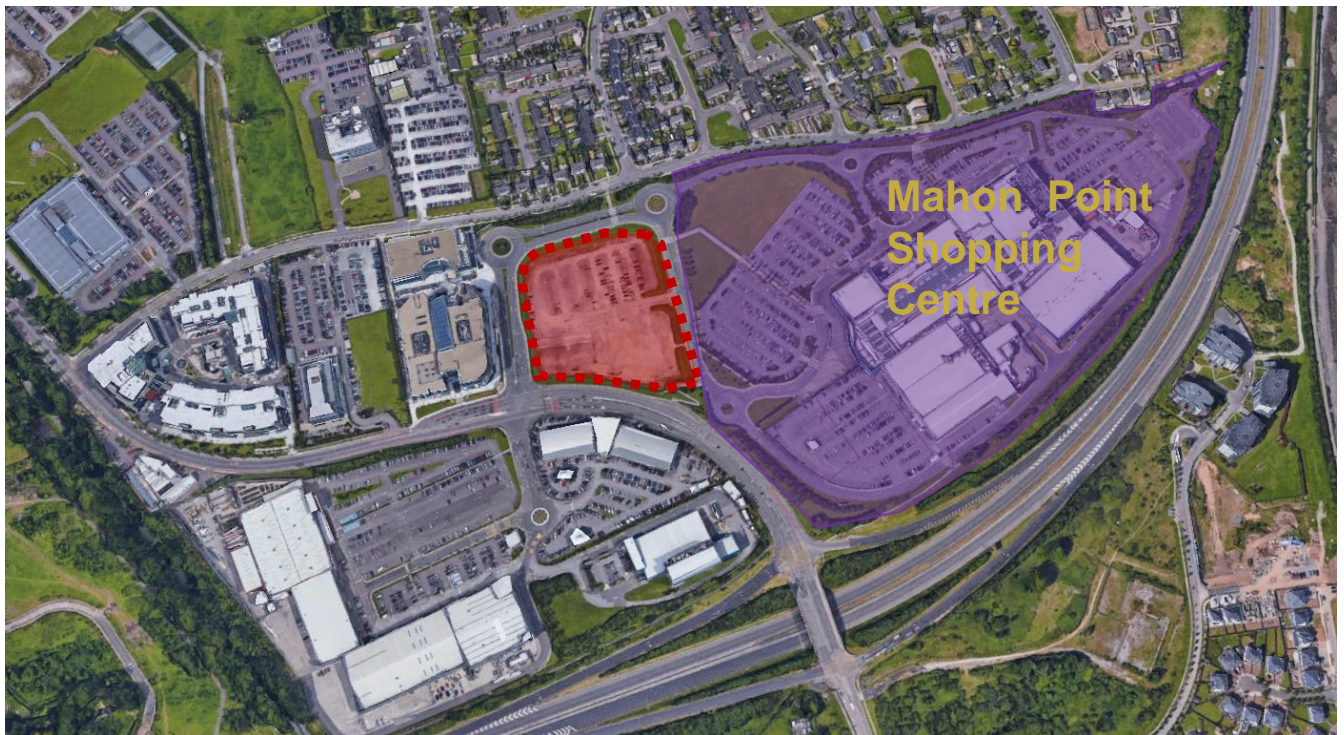
This submission is made on behalf of our client, DIE Ireland ICAV, and relates to their site immediately west of the Mahon Point Shopping Centre, Mahon, Cork.

2.0 Site Location and Development Context

The subject site of approximately 3.47Ha is located to the southeast of Cork City and is directly contiguous to Mahon Point Shopping Centre at Mahon. The site which is currently undeveloped is located within the extent of the shopping centre in that it is bounded on either side by the shopping centre access road. It is periodically used as an overflow car park for the shopping centre as required during busier periods and over the years has been partly occupied by 'Cork on Ice' skating rink on a temporary basis from mid-November to the end of January. (Last hosted Cork On Ice in 2018)

The site is bounded by the Mahon Link Road (R852) to the south and the shopping centre and City Gate access road to the north, east and west. Vehicular access to the site is provided from the east via the internal shopping centre access road. There is an existing pedestrian access ramp connecting the shopping centre and the R852 to the south of the site. The site is therefore clearly already part of the well established shopping centre.

Figure 1 Subject Site outlined in Red (Google Earth)



The surrounding land uses comprise a mixture of retail, commercial, office, and residential development. City Gate is located to the west of the subject site, with Mahon Retail Park on the opposite side of the R852 to the south. Adjacent the shopping centre site to the north, there is a mature residential development. Figure 1 above shows clearly that the subject site is the only meaningful or practical opportunity for expansion of the existing shopping centre other than the extension of the car park to the north-east of the subject site. The subject area

provides a level of access for pedestrians, cyclists and public transport users that does not exist elsewhere.

As mentioned, the established Mahon Point Shopping Centre is located to the east of the site. In Figure 2, below, the extent of the current District Centre zoning is outlined in purple. It is clear that the district centre zoning substantially comprises the existing shopping centre and its car park.

The emerging Cork City Development Plan supports the planned future growth of Mahon District Centre to support the projected substantial increase in population. However, the potential to extend the District Centre zone is significantly physically constrained by the N40 to the south and south-west and existing residential development to the north at St Michaels Drive.

The overflow car park site offers a sequentially preferable opportunity to extend the District Centre in accordance with the proper planning and sustainable development of the area.

Photo 1 Photo of site from Access Ramp off the R852



Photo 2 Photo of Site from within Internal Shopping Centre



3.0 Current Planning Policy Context

3.1 The National Planning Framework (NPF) 2018

The NPF seeks to encourage more homes, jobs and activity generally within the existing urban areas. In particular it requires well-designed, high-quality development that can encourage more people and generate more jobs and activity within existing cities, towns and villages. It also seeks to make sure that existing and planned infrastructure including roads and public transport, and existing and future exchequer spending is utilised to the maximum. National Policy Objective 11 refers:

“In meeting urban development requirements, there will be a presumption in favour of development that can encourage more people and generate more jobs and activity within existing cities, towns and villages, subject to development meeting appropriate planning standards and achieving targeted growth”.

3.2 The National Retail Guidelines 2012

The National Retail Guidelines identify 5 no. key policy objectives in planning for and addressing the needs of the retail sector in Ireland. These include:

1. **Plan -led development/ Retail Strategies** – future retail development should be planned following the settlement hierarchy, including the identification of retail requirements and appropriate planning policies and objectives and implementation measures aimed at securing development plan objectives.
2. **Sequential development approach** – Promote greater vitality in city and town centres by promoting a sequential approach to retail development. The overall preferred location for new retail development is within city and town centres and district centres identified in the settlement hierarchy at a scale appropriate to the needs of the area.
3. **Competitiveness in the retail sector** – The third national policy objective is to ensure that the planning system continues to play its part in ensuring an effective range of choice for the consumer, thereby promoting a competitive market place.
4. **Encouraging sustainable travel** – The fourth national policy objective relates to securing a general shift towards sustainable travel modes through careful location and design of new retail development relative to the catchment area being served.
5. **Retail development and urban design** – Ensure that retail development plays its part in realising quality outcomes in relation to urban design. Quality design aims to create attractive, inclusive, durable, adaptable places for people to work in, to live in, to shop in, or pass through.

The requests contained within this submission – the expansion of the existing district centre zoning or the proposed amendment to the mixed-use zoning objective to facilitate retail development would be consistent with and would help to achieve the above overarching national retail policy objectives.

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

The RSES notes that Mahon has developed with significant mixed-use residential, enterprise and retail uses, has potential for further development of greenfield sites and intensification of former industrial lands and improved public transport connectivity.

The RSES supports investment in placemaking and improving the public realm to provide more attractive and vibrant settlement centres which support retail activity and the wider commercial economy of our settlements. Regional Planning Objective 55 states that it is an objective to:

- a. Improve the physical appearance, vitality and vibrancy of city centre, town centre and village locations through collaboration between Planning Authorities and Retail Traders Associations in regeneration / public realm projects and other measures;*
- b. Ensure that retail development is focussed on urban and village centres with the application of a sequential approach to consideration of retail development which does not fall into this category.*

The proposed Cork Light Rail is a national development enabler. Within the RSES and Cork Metropolitan Area Transport Strategy the terminus for the light rail is indicated close to the Mahon Point District Shopping Centre.

3.4 Cork City Development Plan 2015

The Cork City Development Plan identifies Mahon as a defined 'key suburban centre' and a district centre. Objective 14.7 seeks *"to ensure Mahon District Centre is developed as a high*

and support the planned growth as a District Centre. We consider this to emphasise the consolidation and enhancement of Mahon as a district centre.

Objective 10.85 of the Draft Plan in regard to Mahon seeks:

- a. To support the development of Mahon as an area for growth consolidation and enhancement by providing a mix of new neighbourhood uses.*
- b. To support the sustainable development of the District Centre as a mixed-use centre in line with retail and other relevant objectives.*

The Draft Plan aims to support the vitality and viability of the main retail centres in Cork and encourage their function as mixed use centres. The impact of the Covid-19 pandemic on retail is considered within the Draft Plan. It notes that

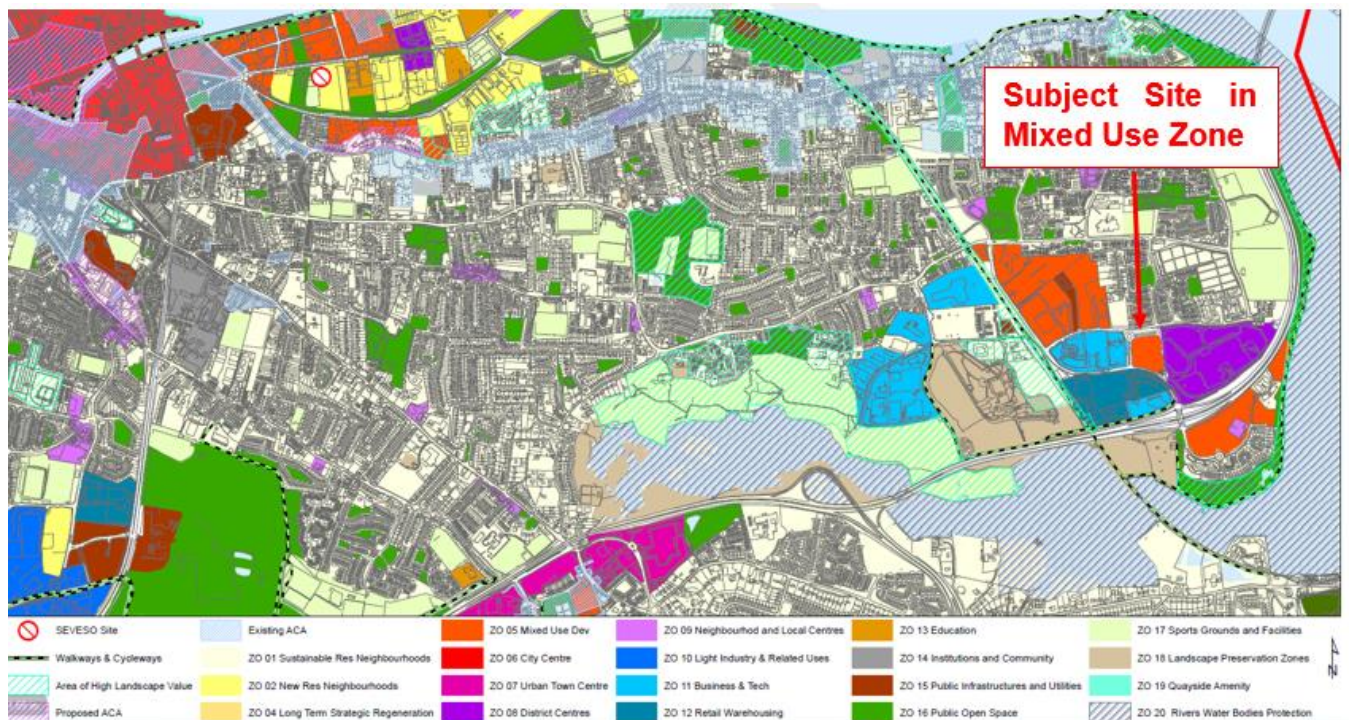
“Larger city centres have been particularly adversely affected due to the absence of students, office workers and tourists. However, despite these trends and continued global uncertainty, the Irish economy and the retail sector remained strong and competitive prior to the pandemic and are likely to recover post-pandemic. Investing in the consumer experience is anticipated to be the key to success in securing resilience in retail moving forward, with policy support playing an important role in helping to future-proof city and town centres against the ongoing uncertainty”.

It is recognised that the challenge will be in meeting the demand for mixed use centres and bringing new life into cities and towns by supporting retail and providing for a range of other uses.

As mentioned above, the submission made on behalf of our client to the Pre-Draft Plan Issues Paper Stage Consultation requested that Cork City Council should give due consideration to the zoning of the Mahon overflow car park site. The Draft Development Plan proposes to rezone the subject site from Business and Technology to Mixed Use (Figure 4) while there is no change proposed to the extent of the Mahon District Centre.

The proposed removal of the site from the business and technology zone is welcomed as there is adequate land designated for this use within Mahon and the types of uses accommodated within this zoning can also be facilitated under other land use zonings. Whereas the land designated as a district centre in Mahon has effectively been maximised and opportunities for its expansion must be provided within the emerging City Development Plan.

Figure 4 Map 06 of the Draft Cork City Development Plan 2022 (Volume 2 Mapped Objectives)



ZO 5 Mixed Use Development of the Draft Plan aims “to provide and promote a mix of residential and other uses to ensure the creation of a vibrant and sustainable urban area”.

This zoning objective facilitates the development of a dynamic mix of uses which will interact with each other creating a vibrant urban area with employment and other uses. A vertical horizontal mix of uses should occur where feasible, including active ground floor uses and a vibrant street frontage on principle streets.

The range of permissible uses within this zone includes residential, general offices, local services, conference centre, education, hospital, hotel, commercial leisure, cultural uses, civic institutions, childcare services, local medical facilities, business and technology / research uses and community and civic uses. The range and scale of uses proposed must be commensurate to the scale of the zone.

Retail is not specifically listed as a permissible use. This is a major omission in the plan and whether intentional or not fundamentally constrains this designated district shopping centre. While our client welcomes the mixed-use zoning, if it is to be retained in the adopted Development Plan, it is considered that the mixed-use development of this site must be retail led.

5.0 Grounds of Submission by DIE Ireland ICAV

At a time when retail development is becoming increasingly challenging, Mahon Point Shopping Centre is performing very well with most units occupied and the recently vacated former Debenhams units being fit out for occupation.

There was significant interest amongst international retailers in the Debenhams unit. The Fraser Group/Sports Direct is set to occupy these units by the end of 2021/early 2022. There

are a number of retailers that engaged with our client in relation to the former Debenhams floorspace that are contacting our client regularly in relation to the overflow car park site.

Our clients' agents Savills have advised that the retail requirements for the overflow car park site include:

- 70,000 sq foot department store over 2 floors to include a small element of food retail (35,000 sq ft per floor)
- A discount foodstore of approximately 20,000 sq ft – 25,000 sq ft (ground floor only)
- A sports retailer of 35,000 sq ft (ground floor only)

They have advised that the upper floors could cater for business, offices and healthcare which could operate efficiently from these units in a similar model to development opposite the site. This would create a mix of uses at this location. Please see Appendix A of this submission which sets out the retailer requirements.

The limited food retail offer within the Mahon District Centre is of note when compared to the other district centres in the city for example Wilton and Ballyvolane which provide more choice.

In Wilton, there is Tesco, Lidl and Aldi. In Ballyvolane there is Dunnes and Lidl while Mahon Point includes only one retail food provider – Tesco.

It must also be acknowledged that some of the significant international retailers do not locate within city centres for particular operational requirements and choose instead locations like Mahon Point close to City Centres.

The National Retail Planning Guidelines recognise that it may not be possible to bring forward suitable sites in or on the edge of a city or town centres because of the site requirements of large convenience goods stores and due to heritage constraints in historic towns. In these cases, the sequential approach should be used to find the most preferable sites

The existing Cork City Development Plan and Mahon Local Area Plan support further growth at Mahon and the emerging Cork City Development Plan identifies Mahon as an area for growth consolidation and supports its continued growth as a sustainable neighbourhood and the planned future growth as a District Centre.

However, as stated above, the growth and expansion of the district centre is significantly physically constrained in its current land use zoning due to road infrastructure and residential development. The expansion of the shopping centre can only be facilitated to the west with the overflow car park site being the sequentially preferable future development site.

The site would be developed as a high-quality extension of the district centre which we would see including the provision of new streets and spaces to a high standard of public realm design to ensure successful placemaking.

The current Business and Technology zoning does not facilitate the expansion of the shopping centre and while the proposed Mixed-Use zoning would in principle allow for the development of a wider range of uses at the site, retail is not included within the range of normally permissible uses that it would facilitate retail development and therefore as currently proposed could prevent the proper planning and sustainable development of the shopping centre.

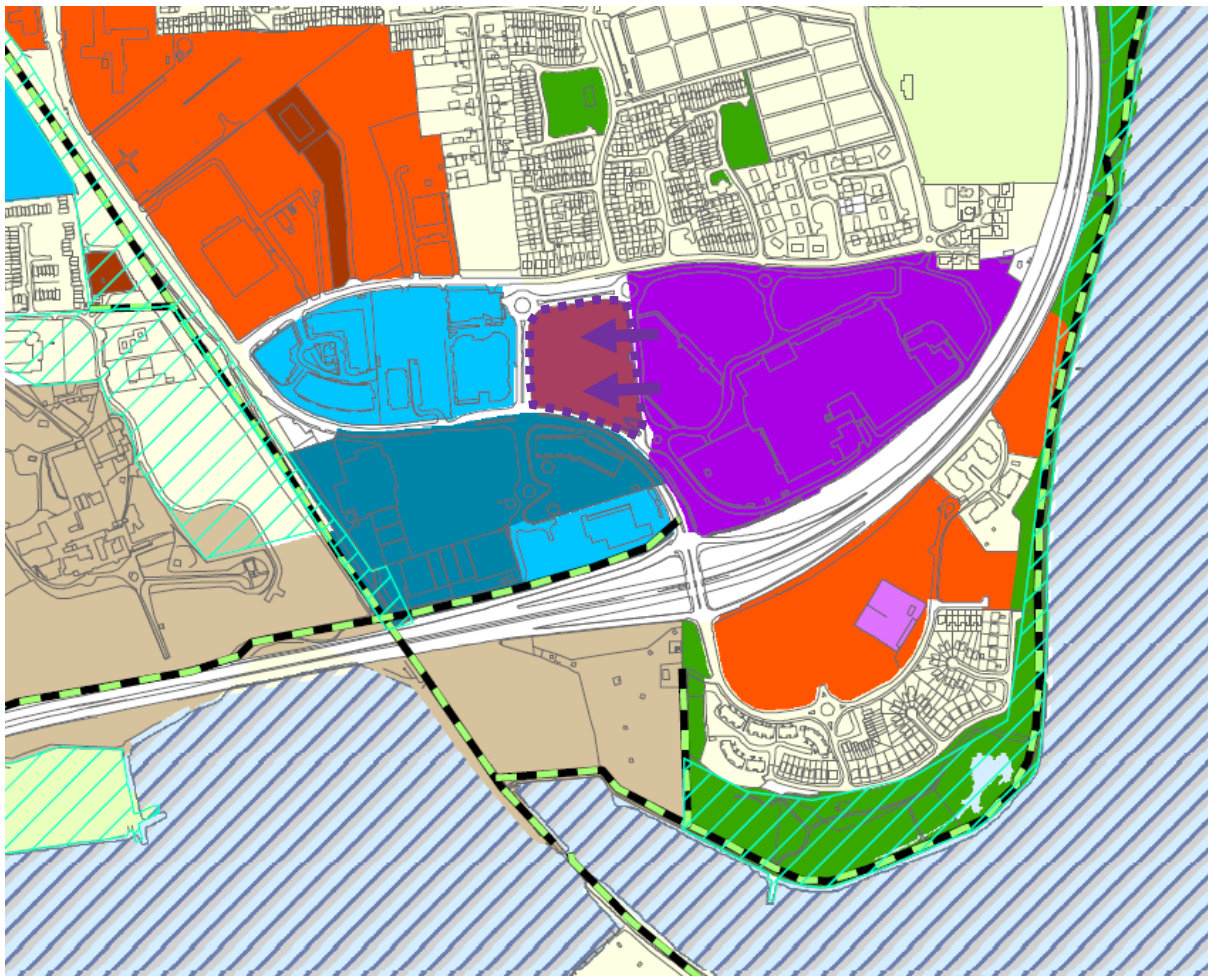
This submission requests that Cork City Council give positive consideration to the zoning of the overflow car park site in the Cork City Development Plan 2022-2028. It is our opinion that

Cork City Council should implement either option 5.1 or 5.2 as set out below in the emerging City Development Plan.

5.1 The extension of the District Centre zoning to include the overflow car park site

It is requested that the Mahon Point District Centre is extended to include the subject site as indicated in Figure 5 and that **Zoning Objective 8** would apply to the site which seeks “To provide for the development and enhancement of district centres as mixed-use centres and as primary locations for retail, economic and residential growth”.

Figure 5 Requested Extension of District Centre



5.2 The inclusion of the overflow car park within a Mixed-Use zoning for which a wide range of uses will be acceptable in principle, including specifically retail development

Alternatively, the site could be retained within a Mixed-Use zoning as proposed within the Draft Plan. However, if the site is to be retained within this zoning, the range of permissible uses

should include retail to enable the future expansion of the shopping centre as required. It is requested that the relevant objective ZO 5 be reworded as follows:

Zoning Objective 5: To provide and promote a retail led a-mix of residential and other uses to ensure the creation of a vibrant and sustainable urban area.

Section ZO 5.2 of the plan reworded as follows:

The range of permissible uses within this zone includes retail, residential, general offices, local services, conference centre, education, hospital, hotel, commercial leisure, cultural uses, civic institutions, childcare services, local medical facilities, business and technology / research uses and community and civic uses. The range and scale of uses proposed must be commensurate to the scale of the zone.

If the City Council are concerned about large scale retail outside existing designated retail centres and within the mixed use zoning we request some recognition in the emerging plan that the mixed use zoning in Mahon District Shopping Centre facilitates retail expansion.

6.0 Conclusion

DIE Ireland ICAV welcome the opportunity to participate in the development plan making process. It is requested that the content of this submission be given careful consideration during the preparation of the Cork City Development Plan 2022.

This submission indicates the need for expansion of the Mahon District Centre to facilitate the necessary growth of Mahon Point Shopping Centre to serve the needs of the projected population. The overflow car park site offers the only suitable opportunity to extend the existing district centre.

In summary, the submission requests the following in relation to the overflow Mahon Point car park site:

1. The Mahon District Centre zone is extended to include the overflow car park; or
2. The range of uses permissible within the Mixed Use zoning should be extended to include retail as acceptable in principle with recognition through a caveat or local objective that this may be appropriate in Mahon as a District Shopping Centre but not in other mixed use areas that are not within or part of a defined shopping centre.

within the emerging Cork City Development Plan 2022. Our preference for the sake of simplicity is route 1 above where the shopping centre can expand consistent with its designation as a district centre.

Our client would welcome the opportunity to discuss any of the above recommendations in further detail with Cork City Council.

If any further information is required, please do not hesitate to contact us.

Appendix A Savills Update on Mahon Point Overflow Car Park Site

Orla O'Callaghan

From: Peter O'Meara <Peter.OMeara@savills.ie>
Sent: 29 September 2021 17:26
To: Justin Young (MPSC)
Cc: Orla O'Callaghan
Subject: Overflow Car Park, Mahon Point, Cork
Attachments: Peter O'Meara CV 2021.pdf

Dear Justin,

Further to our recent meetings I am writing to provide a brief update on active discussions/ requirements for the Overflow carpark at Mahon Point comprising circa five acres and in particular to the masterplanning of a mixed use scheme.

In relation to the retail element we have now concluded negotiations with Frasers/ Sports Direct for the former Debenhams store in the main Shopping Centre.

This will be the first Frasers store in Ireland with the Sports Direct element opening on Nov 11th or Nov 13th.

We have active requirements for the retail element of a development in the Overflow Car Park and they include;

- 70,000 sq foot department store over 2 floors to include a small element of food retail (35,000 sq ft per floor)
- A discount foodstore of approximately 20,000 sq ft – 25,000 sq ft (ground floor only)
- A sports retailer of 35,000 sq ft (ground floor only)

We would envisage these three units as forming the majority of the ground floor which would see approximately 50% site coverage with remainder being landscaping and parking.

We would propose and recommend business/ office/ healthcare on the upper floors in line with the development immediately adjacent (DFS/ Café/ Leisure uses at Ground Floor with offices overhead).

We would be very happy to sit down with the Local Authority to discuss and provide further clarity if required.

Kind Regards,

Peter

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