

An  
Bord  
Pleanála

**Board Direction**  
**BD-011088-22**  
**ABP-311651-21**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 08/08/2022.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

### **Reasons and Considerations**

Having regard to the relevant provisions of the Cork City Development Plan 2022-2028 and the Marina Park Masterplan 2013, to the nature and scale of existing development on site and the character of the wider parkland setting, the separation distances between the proposed development and surrounding residential uses, and the design and layout of the proposed development and its relationship with Marina Park, it is considered that the proposed development, subject to compliance with the conditions set out below, would be in accordance with the zoning provisions of the Development Plan, would be acceptable in terms of pedestrian and traffic safety, would not seriously injure the amenity of residential property in the area, would not seriously detract from the visual amenity of the area, would not give rise to flooding within or outside the application site, and would otherwise constitute an acceptable form of development at this location. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## **Appropriate Assessment: Stage 1**

The Board completed an Appropriate Assessment screening exercise in relation to the potential effects of the proposed development on designated European Sites, taking into account the nature, scale and location of the proposed development within a zoned and serviced urban area, the Screening for Appropriate Assessment received by the planning authority, the Inspector's Report, and submissions on the file. In completing the screening exercise, the Board adopted the report of the Inspector and concurred with the findings of the Screening report by the applicant including that given the small scale of the project, the absence of any source of significant contaminating emissions to the Marina Park stream, there will be no potential for the project to result in perceptible impact to the water quality of the Atlantic Pond or the River Lee estuary downstream, and concluded that, by itself or in combination with other development in the vicinity, the proposed development would not be likely to have a significant effect on any European site in view of the conservation objectives of such sites.

## **Conditions**

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application as amended by the further plans and particulars, received by An Bord Pleanála on the 13<sup>th</sup> day of October, 2021, and on the 17<sup>th</sup> day of January, 2022, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. The proposed development shall be carried out and completed in accordance with the changes as described at section 7.0 of the First Party Appeal report



prepared by Coakley O'Neill Town Planning Ltd. and as set out in drawing 'Proposed Site Layout Plan, Alternative Option' and, both as received by An Bord Pleanála on the 13<sup>th</sup> day of October 2021, save for further amendments as follows:

- (a) The proposed 'parking zone A' as shown on the plans and particulars received by An Bord Pleanála on the 13<sup>th</sup> day of October 2021, shall be omitted.
- (b) The proposed 'managed pick up / drop off' area along the western access route off Monaghan Road, as shown on the plans and particulars received by An Bord Pleanála on the 13<sup>th</sup> day of October 2021, shall be omitted.
- (c) The proposed vehicle crossing point and all associated works at the western end of the pedestrian concourse as shown on the plans and particulars received by An Bord Pleanála on the 13<sup>th</sup> day of October 2021 shall be omitted.
- (d) Vehicular access to the stadium shall remain to be provided off the Marina, and vehicular access off Monaghan Road shall be restricted to the western access only and shall be restricted to use for emergency access only.

Detailed plans and particulars in respect of the above shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of protecting public open space and the amenity value of Marina Park, and in the interest of the safety and convenience of pedestrians and other vulnerable users.

3. All uses hereby permitted shall be ancillary to the principal use of the development site as a sports facility.

**Reason:** In the interest of clarity.

4. Prior to commencement of development, the developer shall submit to and agree in writing with the planning authority an updated Traffic Management Plan and Mobility Management Plan for the operational stage of the development to address the terms of this permission.

**Reason:** In the interest of pedestrian and traffic safety and convenience.

5. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, management measures for waste, noise, dust and dirt, and construction traffic management proposals to include details of any temporary public access restrictions.

**Reason:** In the interest of public safety and residential amenity.

6. Water supply and drainage arrangements, including the drainage proposals for the new playground, shall comply with the requirements of the planning authority for such works and services.

**Reason:** In the interest of public health.

7. Notwithstanding the provisions of the Planning and Development Regulations 2001, or any statutory provision amending or replacing them, no advertisement signs, other than the proposed signage indicated in the plans and particulars submitted with the application, (including any signs installed to be visible through the windows), advertisement structures, banners, canopies, flags, or other projecting elements shall be displayed or erected on the buildings or within the curtilage of the site, unless authorised by a further grant of planning permission.



**Reason:** To protect the visual amenities of the area.

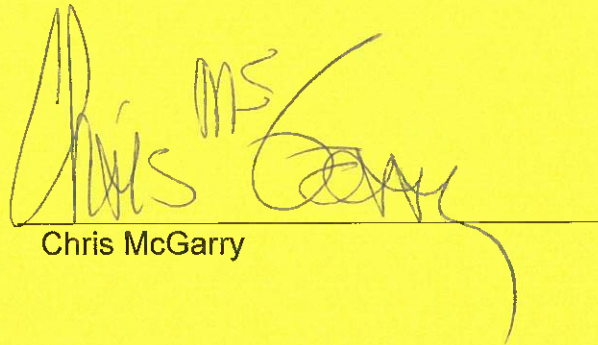
8. All services and cables associated with the proposed development (such as electrical, television, telephone, broadband and public lighting cables) shall be run underground within the site.

**Reason:** In the interest of visual amenity.

9. No additional development shall take place above parapet level, including lift motor enclosures, air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennas or equipment, unless authorised by a further grant of planning permission.

**Reason:** In the interest of visual amenity.

**Board Member**



Chris McGarry

**Date:** 09/08/2022

