



Planning and Development Acts 2000 to 2019

Planning Authority: Cork County Council.

Planning Register Reference Number: EF/17/278.

WHEREAS questions have arisen as to whether the following are or are not development or are or are not exempted development:

- (a) the laying out and use of the land for car drifting events,
- (b) the use of the existing structure for offices/toilets related to car drifting events, and
- (c) the use of a hut in the “pit area” as a tyre business related to car drifting events

all at Weir Island, Barryscourt, Carrigtwohill, County Cork:

AND WHEREAS these questions were referred to An Bord Pleanála by Cork County Council on the 23rd day of January, 2019:

AND WHEREAS An Bord Pleanála, in considering this referral, had regard particularly to -

- (a) section 2(1) of the Planning and Development Act, 2000, as amended,
- (b) section 3(1) of the Planning and Development Act, 2000, as amended,
- (c) section 4(4) of the Planning and Development Act, 2000, as amended,
- (d) Article 6(1) of the Planning and Development Regulations, 2001, as amended,
- (e) Parts 1 and 4 of Schedule 2 of the Planning and Development Regulations, 2001, as amended, and
- (f) the planning and enforcement history of the site:

AND WHEREAS An Bord Pleanála has concluded that -

- (a) the established use of these lands is for agricultural purposes,
- (b) the laying out and use of these lands for car drifting would constitute a change of use which is considered to be a material change of use from its established use and is, therefore, development,

- (c) the works entailed in the laying out of the land for the purpose of car drifting events constitute development as defined,
- (d) the car drifting use is dependent upon the layout of the land, which comprises permanent structures, that do have the benefit of planning permission. Accordingly, the use does not come within the scope of Class 37 of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001, as amended, and would not satisfy condition number 2 of the Conditions and Limitations set out in Column 2 to which this Class is subject. Accordingly, the use is not exempted development,
- (e) the car drifting use is dependent upon the layout of the land as a motor park and so it requires to be the subject of an Environmental Impact Assessment Report. Under Section 4(4) of the Planning and Development Act, 2000, as amended, the use is, thereby, not exempted development,
- (f) the car drifting use is dependent upon the layout of the land as a motor park, which lies beside the European Sites - Great Island Channel Special Area of Conservation (Site Code: 001058) and Cork Harbour Special Protection Area (Site Code: 004030). The impacts of the said use are such that it requires to be the subject of an Appropriate Assessment. Under Section 4(4) of the Planning and Development Act, 2000, as amended, the use is, thereby, not exempted development,

- (g) the use of the existing structure for office/toilets relating to car drifting events is an ancillary use to the main use of the land for car drifting events. As the main use is development that is not exempted development, so this ancillary use is development that is not exempted development, and
- (h) the use of a hut in the “pit area” as tyre business relating to car drifting events is an ancillary use to the main use of the land for car drifting events. As the main use is development that is not exempted development, so this ancillary use is development that is not exempted development:

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by section 5 (4) of the 2000 Act, hereby decides that -

- (a) the laying out and use of the land for car drifting events is development and is not exempted development,
- (b) the use of the existing structure for offices/toilets related to car drifting events is development and is not exempted development, and
- (c) the use of a hut in the “pit area” as a tyre business related to car drifting events is development and is not exempted development,

all at Weir Island, Barryscourt, Carrigtwohill, County Cork.

Matters Considered

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

Terry Ó Niadh

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2019.