



An
Bord
Pleanála

Board Order

ABP-315249-22

Planning and Development Acts 2000 to 2022

Planning Authority: Cork County Council

Planning Register Reference Number: 22/6061

Appeal by Pat and Kathleen Buckley and others care of John MacCarthy Engineers of 16 Mary Street, Cork against the decision made on the 7th day of November, 2022 by Cork County Council to grant subject to conditions a permission to Éire Óg Hurling and Football Club care of JODA Engineering Consultants of Ballycurreen House, Ballycurreen, Cork in accordance with plans and particulars lodged with the said Council.

Proposed Development: Construction of two number natural grass juvenile Gaelic playing grounds, installation of two number high level ball retention nets, erection of 1.6-metre-high fence, relocation of existing scoreboard and all associated site works. The development to be retained consists of a car parking area and associated public lighting resulting in condition number 3 of the permission granted under An Bord Pleanála appeal case reference PL.04.102811 being superseded to allow for vehicular access and car parking, all at Éire Óg Hurling and Football Club, Knockanemore, Ovens, County Cork.

Decision

GRANT permission for the above development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

Having regard to the location and planning history of the site, the established use of the site for sport and recreational purposes, and the nature, extent and design of the proposed development and development proposed to be retained, it is considered that, subject to compliance with the conditions set out below, the proposed development and development proposed to be retained would not seriously injure the residential or visual amenities of the area, would not have unacceptable impacts on ecology, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained, carried out and completed in accordance with the plans and particulars lodged with the application, 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 retained, carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The development shall be amended to provide for the following:
 - (a) Dedicated pedestrian routes to connect the pedestrian tunnel to the existing and proposed playing pitches.
 - (b) An appropriate quantum of cycle parking facilities at a convenient and safe location within or adjoining the car parking area.
 - (c) A landscaping plan for the site to include wild meadow planting on the sloping embankments, reinstatement of the construction compound lands following completion of construction works, and the supplementation of existing ditch sites boundaries where appropriate.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of sustainable transport and pedestrian safety.

3.
 - (a) All surface water generated within the site boundaries shall be collected and disposed of within the curtilage of the site. No surface water from paved areas or otherwise shall discharge onto the public road or adjoining properties.
 - (b) The access road to the car parking area shall be provided with adequately sized pipes or ducts to ensure that no interference will be caused to existing roadside drainage.

Reason: In the interest of traffic safety and to prevent pollution.

4. All lighting shall be fitted with cowls and directed to the ground and away from adjacent housing, roads, and water courses.

Reason: In the interest of proper planning and sustainable development, visual and residential amenity, traffic and the protection of biodiversity.

5. (a) All lighting shall be switched off at 10:00pm and not switched on before dawn.

(b) Flood lighting shall only be in operation during periods of car park use.

Reason: In the interest of proper planning and sustainable development, residential amenity and the protection of biodiversity.

6. The pitches and car parking facility shall be used solely in connection with the sports club.

Reason: To protect residential amenity.

7. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

8. The construction of the proposed 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 proposed development, including hours of working, noise management measures, measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network and the off-site disposal of construction/demolition waste.

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

9. Prior to commencement of development, the developer shall submit for the written agreement of the planning authority a Construction Phase Surface Water Management Plan in accordance with the Guidelines on Protection of Fisheries During Construction Works in and adjacent to Waters (Inland Fisheries Ireland 2016). This plan shall address the management of any surface water run-off from the site, to prevent any polluting matter, suspended solids and silt being discharged to any receiving water. The plan shall include, inter alia,
- (a) A site layout plan identifying any potential surface water and/or ground water receptors.
 - (b) The location and design of any proposed mitigation measures.
 - (c) Proposals for a surface water and/or ground water monitoring programme, as appropriate.

Reason: In the interest of public health and to avoid pollution.

10. The developer shall facilitate the archaeological appraisal of the site and shall provide for the preservation, recording and protection of archaeological materials or features which may exist within the site. In this regard, if any features of archaeological significance are found, all works shall cease pending an archaeological assessment by a suitably qualified archaeologist which shall be submitted to the planning authority. Arising from this assessment, the developer shall agree in writing with the planning authority details regarding any further archaeological requirements (including, if necessary, archaeological excavation) prior to commencement of construction works.

Reason: In order to conserve the archaeological heritage of the area and to secure the preservation (in-situ or by record) and protection of any archaeological remains that may exist within the site.

11. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.



Stewart Logan

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this *9th* day of *April* 2024.