



An  
Coimisiún  
Pleanála

**Commission Order  
ABP-320108-24**

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Cork County Council**

**Planning Register Reference Number: 23/5223**

**Appeal** by Michael Delargey of 8 The Fairways, Little Island, County Cork against the decision made on the 12<sup>th</sup> day of June, 2024 by Cork County Council to grant subject to conditions a permission to Esprit Investments Limited care of Conor O'Sullivan of Siracusa, Church Hill, Glanmire, County Cork in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Construction of an office building comprising 20,150 square metres of office floorspace comprising a generally three to 10-storey building with a parking area and publicly accessible food court on the ground floor with options for the sub-division of the office building and all associated ancillary development works, including access, footpaths, set-down area, parking, drainage, landscaping, plant at roof level of each building section with provision for roof garden on four-storey wings, bin store and electrical sub-station/switch room with vehicular access from Euro Business Park and public pedestrian access from Ballytrasna Park Road, all at Euro Business Park, Ballytrasna, Little Island, County Cork.

## **Decision**

**GRANT permission for the above proposed 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 of the site being in a strategic employment location, the provisions of the Cork County Development Plan 2022-2028, the Urban Development and Building Heights - Guidelines for Planning Authorities (2018), the Planning System and Flood Risk Management – Guidelines for Planning Authorities (2009), the height and character of development in the area, and the design and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would constitute an acceptable quantum and quality of office development, would not seriously injure the amenities of surrounding properties, or detract from the character or visual amenity of the area, and would be consistent with the 'ZU 18-10' development plan zoning objective. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## Conditions

1. The proposed 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 the planning authority on the 15<sup>th</sup> day of April, 2024, and the 16<sup>th</sup> day of May, 2024, 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 proposed development shall be carried out and completed in accordance with the agreed particulars.

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

2. Prior to commencement of development, revised drawings shall be submitted to, and agreed in writing with, the planning authority for the following:
  - (a) The skybox feature on the south-east elevation shall be omitted from the proposed development.
  - (b) 1.8-metre-high opaque screens (or similar) shall be installed to the roof garden of the proposed four-storey block.

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

3. Details of the materials, boundary treatments, colours and textures of all the external finishes to the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of visual amenity and to ensure an appropriate high standard of development.

4. The disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to commencement of development, the developer shall submit details for the disposal of surface water from, and a SuDS maintenance plan for, the site for the written agreement of the planning authority.

**Reason:** In the interest of sustainable drainage.

5. (a) The trees along the southern boundary of the site shall be retained.
- (b) Final landscape proposals arrangements shall be submitted to the planning authority for written agreement prior to commencement of development. All planting shall be native Irish species of Irish provenance and in consultation with the recommendations from the All Ireland Pollinator Plan, Pollinator Friendly planting Code Guidelines. All landscaping and screening shall be carried out within the first planting season following occupation of the proposed development.

**Reason:** In the interest of orderly development, biodiversity and the proper planning and sustainable development of the area.

6. Public lighting shall be provided in accordance with a scheme which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The scheme shall include lighting along pedestrian routes through open spaces and shall take account of trees. Such lighting shall be provided prior to the making available for occupation of any unit.

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

7. Prior to commencement of development, the developer shall submit a 'Lighting Reality' design report and drawing(s) for the written agreement of the planning authority.

**Reason:** In the interest of orderly development and visual amenity.

8. (a) The operational hours of the development shall be between 0800 hours to 1800 hours, unless otherwise agreed in writing with the planning authority.
- (b) Details as to how public access to the food court and outdoor sheltered seating areas will be managed during operational hours, and the outdoor sheltered seating areas outside of operational hours, shall be submitted for the written agreement of the planning authority prior to commencement of development.

**Reason:** In the interest of orderly development and residential amenity.

9. (a) Prior to commencement of development, the developer shall liaise with the Sustainable Travel Unit of the planning authority in relation to the Little Island Sustainable Transport Interventions works adjacent to the development.
- (b) The pedestrian link on Ballytrasna Road to the R623/Ballytrasna Road junction shall be implemented at the developer's expense to the satisfaction of the planning authority.

**Reason:** In the interest of orderly development.

10. Prior to the opening/occupation of the development, a Mobility Management Plan (MMP) shall be submitted to, and agreed in writing with, the planning authority. This shall provide for incentives to encourage the use of public transport, cycling and walking by occupants/staff employed in the development. The mobility strategy shall be prepared and implemented by the management company for all units within the development and the commitments of the Outline Mobility Management Plan shall be implemented in full.

**Reason:** In the interest of encouraging the use of sustainable modes of transport.

11. Prior to commencement of development, a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) shall be prepared and submitted to the planning authority for written agreement. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

**Reason:** In the interest of reducing waste and encouraging recycling.



12. (a) Prior to commencement of development, the developer shall submit a detailed Construction Environmental Management Plan (CEMP) for the written agreement of the planning authority. The CEMP shall incorporate details for the collection and disposal of construction waste, surface water run-off from the site, on-site road construction, and environmental management measures during construction, including working hours, noise control, dust and vibration control and monitoring of such measures. A record of daily checks that the construction works are being undertaken in accordance with the CEMP shall be kept at the construction site office for inspection by the planning authority. The agreed CEMP shall be implemented in full in the carrying out the development.
- (b) All necessary measures shall be taken by the developer to prevent the spillage or deposit of clay, rubble, or other debris on adjoining roads, including responsibility and repair for any damage to the public road to the satisfaction of the planning authority, during the course of the works.

**Reason:** In the interest of environmental protection, residential amenities, public health and safety and environmental protection.

13. A plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the waste shall be managed in accordance with the agreed plan.

**Reason:** To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment.

14. Prior to commencement of development, the developer shall enter into a connection agreement(s) with Uisce Éireann to provide for a service connection(s) to the public water supply and wastewater collection network. The developer shall adhere to any other specific requirements.

**Reason:** In the interest of public health and to ensure adequate water/wastewater facilities.

15. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) located outside buildings or not attached to buildings shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development. Details of the ducting shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

16. Site development and building works shall be carried out only between the hours of 0700 and 1900 Mondays to Fridays, inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

**Reason:** In order to safeguard the amenities of properties in the vicinity.



17. Notwithstanding the provisions of the Planning and Development Regulations 2001, as amended, or any statutory provision amending or replacing them, no advertisement signs (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.

18. No additional development shall take place above roof 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:** To protect the residential amenities of property in the vicinity and the visual amenities of the area.

19. 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 Coimisiún 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.

20. The developer shall pay to the planning authority a financial contribution in respect of the Cobh/Middleton – Blarney Suburban Rail Project in accordance with the terms of the Supplementary Development Contribution Scheme made by the planning authority under section 49 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 Coimisiún 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 Supplementary Development Contribution Scheme made under section 49 of the Act be applied to the permission.

  
Declan Moore

Planning Commissioner of An Coimisiún  
Pleanála duly authorised to authenticate  
the seal of the Commission.



Dated this 17<sup>th</sup> day of July 2025.