

An
Bord
Pleanála

Board Order ABP-320236-24

Planning and Development Acts, 2000 to 2022

Planning Authority: Cork County Council

(Associated application reference number: 04.HA0053)

REQUEST received by An Bord Pleanála on the 12th day of July, 2024 from Cork County Council under section 146B of the Planning and Development Act, 2000, as amended, to alter the terms of the permission for the M28 Cork Road Scheme to Ringaskiddy project subject to an approval under An Bord Pleanála reference number 04.HA0053 and alteration reference number ABP-319606-24.

WHEREAS the Board made a decision to grant approval subject to conditions for the above-mentioned development by order dated the 29th day of June 2018,

AND WHEREAS the Board decided that the alteration to the above-mentioned decision, that was requested on the 25th day of April, 2024 would not result in material alteration to the terms of the development and so made the alteration to the development the subject of permission under An Bord Pleanála reference number 04.HA0053,

AND WHEREAS the Board has received a further request to alter the terms of the development, the subject of the approval,

AND WHEREAS the proposed alterations in respect of the utility diversion described as follows:

- installing two lattice steel angle towers of a maximum height of 12 metres,
- one portal intermediate structure, with a minimum of 10 metres above ground and a maximum of 21.5 metres above ground, with a 4-metre steel crossarm fitted approximately 0.3 metres from the top of the poles and will be buried to a depth of approximately 2.3 metres,
- installing 197 metres of overhead lines,
- retiring of 203 metres of overhead lines, and
- retirement of one 12 metres lattice steel angle tower.

AND WHEREAS the Board decided, in accordance with section 146B(2)(b) of the Planning and Development Act 2000, as amended, not to invite submissions or observation from the public in relation to whether the proposed alteration would constitute the making of the material alteration to the terms of the development concerned,

AND WHEREAS the Board decided, in accordance with section 146B(2)(a) of the Planning and Development Act 2000, as amended, that the proposed alteration would not result in a material alteration to the terms of the development, subject of the permission,

AND WHEREAS having considered all of the documents on file and the Inspector's report, the Board considered that the making of the proposed alteration would not be likely to have significant effects on the environment or on any European Site,

NOW THEREFORE in accordance with section 146B(3)(a) of the Planning and Development Act, 2000, as amended, the Board hereby alters the above-mentioned decision so that the permitted development shall be altered in accordance with the plans and particulars received by An Bord Pleanála on the 12th day of July 2024 for the reasons and considerations set out below.


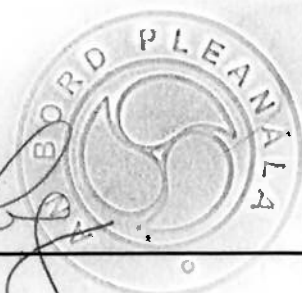


REASONS AND CONSIDERATIONS

Having regard to:

- (i) the nature and scale of the development approved under An Bord Pleanála reference number 04.HA0053 for the M28 Cork to Ringaskiddy Motorway Scheme,
- (ii) the examination of the environmental impact, including in relation to European Sites, carried out in the course of that application,
- (iii) the nature and location of the alterations now proposed,
- (iv) the nature and limited scale of the alterations when proposed in relation to the overall scale of the road development,
- (v) the absence of any significant new or additional environmental concerns (including in relation to European Sites) arising as a result of the proposed alterations, and
- (vi) the report of the Board's Inspector, which is adopted,

it is considered that the proposed alterations would not be material. In accordance with section 146B(3)(a) of the Planning and Development Act, 2000, as amended, the Board hereby makes the said alterations.

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

Dated this 6th day of September 2024