



An  
Bord  
Pleanála

## Inspector's Report ABP-310847-21

### Development

Application for amendment to approved An Bord Pleanála case Ref. 04.PA0035 altered by case Refs. 04.PM0010 and ABP-304437-19 including alteration to existing ferry terminal building and relocation of car parking spaces at Port of Cork facility Loughbeg, Ringaskiddy, Co. Cork. .

### Location

Port of Cork, Loughbeg, Ringaskiddy, Co. Cork.

### Planning Authority

Cork County Council

### Applicant(s)

Port of Cork

### Type of Application

s.146B Amendment to Strategic Infrastructure Development

### Date of Site Inspection

None undertaken. Site previously inspected in June, 2019.

### Inspector

Stephen Kay

## 1.0 Introduction, Site Location and Description

- 1.1. This report relates to a request by the Port of Cork Company that the Board exercise its power under section 146B of the Planning and Development Acts, 2000 (as amended) to alter the terms of the permission granted to Port Company for the redevelopment of the port facilities at Ringaskiddy. The alteration which is the subject of this application is the third alteration sought to the original permission (Ref. 04.PA0035). The first application (ABP Ref. 04.PM0010) comprised alterations to (lengthening) of the permitted main berth, the relocation of mooring dolphins, changes to the landside handling of containers and changes to the design and layout of ancillary buildings including the customs and maintenance buildings. The second (Ref. ABP304437-19) related solely to alterations to the customs building as permitted under Ref. 04.PM0010.
- 1.2. The wider Port of Cork lands are located to the north of Ringaskiddy village and on lands between Main Street in the village and the lower part of Cork harbour. The site as set out in Ref. 04.PA0035 comprised three main elements, namely Ringaskiddy west which is the location of the existing deep water berth at Ringaskiddy Port, Ringaskiddy East, which comprises the existing ferry terminal and infill area and Paddy's point an area to the east of the port adjacent to the access to Haulbowline Island. From the information provided on file, work is ongoing on the implementation of the development as permitted.
- 1.3. The site which is the subject of the current alteration request comprises an approximately triangular shaped parcel of land located on the western side of Ringaskiddy East and to the south of the main east – west access route through the Ringaskiddy East part of the overall site. This site is currently occupied by the completed passenger ferry terminal building which is located at the northern western end of this area, and by landscaped and parking areas. The site is located c.220 metres from the public road to the south of the site and the stated area of the site is 1.1 ha. within an overall Port of Cork land holding of c.54.6 ha.
- 1.4. The case presented by the requester is contained in an Alterations Report prepared by McCutcheon Halley Planning Consultants. The request is also accompanied by the following documents:

- Stage 1 Appropriate Assessment Screening Report prepared by Mc Cutcheon Halley Planning Consultants and dated July, 2021.
- EIA Screening Report prepared by Mc Cutcheon Halley Planning Consultants and dated July, 2021.
- Planning Stage Engineering Report prepared by Malachy Walsh and Partners is also submitted.

## 2.0 Planning History

The following planning history relates to the site and environs and is considered relevant to the current request.

### 2.1. *Parent Permission*

ABP Ref. 04.PA0035 – Permission granted by the Board subject to 18 no. conditions for development which comprised the following:

- Berth 1, a new 314m Container / Multipurpose Berth to the north of the existing ferry berth, to accommodate vessels carrying different cargoes.
- Berth 2, a new 200m Container Berth to the north of berth 1.
- Reclamation of approx. 2.4ha to facilitate the new berths.
- Installation of a new link-span comprising a floating pontoon and access bridge at Berth 1 to facilitate ro-ro operations.
- Surfacing of existing port lands to provide an operational area for container and cargo storage.
- Dredging of the seabed to a level of -13.0m Chart Datum (CD).
- Removal of an existing link-span, to the south of the ferry terminal.
- Installation of container handling cranes and terminal transport equipment.
- Maintenance building, administrative buildings, and entrance kiosks.
- Two Ship to Shore Gantry Cranes (SSG) to lift containers to / from vessels onto trailers/tractor units, for transport to the container stacks. The containers

are then to be stacked by electrically operated Rubber Tyre Gantry (RTG) cranes (7 no.), up to 5 containers high, equivalent to an approximate height of 12.8m.

- Ancillary car parking, lighting, and fencing, including closure of existing public access to Ringaskiddy Pier.
- The grant of permission was for a period of 10 years and subject to 18 conditions.

## 2.2. ***Permitted s.146B Applications for Alterations on Port of Cork Ringaskiddy Site***

ABP Ref. 04.PM0010 – Alteration made by the Board subject to 7 no. conditions for alterations to the original grant of permission for the re development of the port. The amendments were permitted following the invoking by the Board of s.146C of the Act and the submission of a revised EIS by the Port of Cork Company. The alterations permitted under this application were extensive and can be summarised as follows:

- The omission of the proposed RoRo ramp to Berth 1 and revisions to the southern end of Berth 1 resulting in the length of permitted Berth 1 increasing by 16 metres from 314 metres to 330 metres together with associated increase in length of dredging pocket and alterations to mooring dolphin layout.
- Amendments to the method of landside container handling are proposed with the original proposal for the use of rubber tyre gantry cranes (RTG's) now to be replaced with the use of straddle carriers with resulting changes to the layout of container storage areas.
- Revisions to the container handling require the provision of a new maintenance shed (higher) and a new two storey maintenance and office building would be provided, to be located immediately to the south east of the container storage area and to the south east of the ferry access road within the port area. The previously proposed maintenance building is now proposed to be a customs inspection building.

- The proposed amendments would not result in an increase in capacity of the permitted development and that the overall capacity would continue to be restricted to an overall maximum of 330,000 TEU's.

ABP Ref. ABP-304437-19 – Determination made by the Board that alterations comprising alterations to the customs building as permitted under Ref. 04.PM0010 would not result in a material alteration to the terms of the development. The alterations comprised the doubling in size of the permitted customs building from 324 sq. metres to 648 sq. metres and minor changes to floor level and location of building footprint.

### 3.0 Requested Alterations

3.1. The alterations the subject of this request can be summarised as follows:

- ***Change of use of part of the departure lounge of the constructed ferry terminal building*** from its permitted use to use as office accommodation to house the maintenance office and operations office staff. This office accommodation is proposed to replace the permitted office accommodation that is located at the maintenance building and office compound to the east. A total of 242 sq. metres of the 419 sq. metres of the departure lounge area is proposed to be converted to office accommodation and canteen accommodation for staff. The proposed alterations to the floor plan layout are indicated on Drg. POC04-MPW-XX-XX-DR-C—5104.
- Externally, some ***minor changes to the elevations of the terminal building*** are proposed. These alterations are detailed at Section 3.2 of the submitted Planning Report and are and are indicated on Drg. POC04-MPW-XX-XX-DR-C—5104.

- The ***addition of 4 no. modular units to the site***, 3 no. of which are proposed to be located between the ferry terminal and the container terminal area to the north. These modular units are proposed to accommodate drying area, toilets and showers and would be utilised by drivers of the container moving equipment in the container terminal. An additional modular unit is also proposed to be located to the north west of the terminal building and it is proposed that this unit would be used as a ship planners office. This unit is proposed to be located to the at the far western corner of the identified site. Each modular unit is proposed to measure approximately 12 metres by 3.6 and to have an overall height of c.3.2 metres. The layout of the proposed modular units is indicated on Drg. indicated on Drg. POC04-MPW-XX-XX-DR-C—5105. Plans, elevations, and sections of a typical modular unit are shown on Drg. No. POC04-5106.
- The alteration includes for the realignment of a section of the existing noise reflective barrier with a section of c.65.3 metres proposed to be removed and a new section of c.22.3 metres in length to be installed. Details of the permitted noise barrier locations across the wider port site are indicated on Figure 9.15 taken from the EIS submitted with Ref. 04.PA0035. The extent of the proposed changes to the noise barrier is indicated on Drg. No. indicated on Drg. POC04-MPW-XX-XX-DR-C—5105.
- The relocation of 44 no. parking spaces from the permitted location adjacent to the previously permitted maintenance / office building to the ferry terminal area. These spaces are proposed to be provided by the reduction in area of an existing raised planted area to the immediate west of the ferry terminal building. It is stated by the applicant that no net additional car parking provision is proposed and that the number of parking spaces at the permitted maintenance / office compound approximately 300 metres to the east of the ferry terminal building would be reduced. No revised layout of the parking in this location has been submitted.

## 4.0 Requester's Submission and Case for Alteration

4.1. The following is a summary of the main issues raised by the Requester in support of the proposed alteration:

### ***General Issues***

- Stated that the existing ferry terminal building is significantly underutilised. Specifically, it is stated in the Alterations Report that accompanies the application that at the time that the original development was proposed it was envisaged that there would be daily ferry sailings from Ringaskiddy but that the actual level currently is only one sailing per week. It is stated that frequently there are only 20-30 no. foot passengers using the terminal building and that it is significantly underutilised.
- Stated that there would remain adequate capacity within the rearranged terminal building to accommodate the level of passengers using the terminal.
- Stated that the construction of the permitted office accommodation on the site to the east of the ferry terminal is not currently financially viable for the Port of Cork company.
- Stated that the reorganisation of the internal layout of the ferry terminal cannot accommodate all of the required accommodation. Specifically, the ancillary accommodation in the form of toilets and showers required for the container yard staff cannot be accommodated within the existing building footprint and it is therefore proposed that these facilities would be provided within 3 no. modular units to be located to the north of the existing terminal building.
- Similarly, stated that there is an additional modular office unit required to accommodate ship planners office staff and that there is not capacity to accommodate these staff within the existing building.
- The stated reasoning for the proposed alteration to the noise barriers is stated to be so that accessibility / connectivity between the new office accommodation and the container terminal area would be improved and also that there would be a line of sight between the office area and the dock / quay

area. The submission contends that the proposed alteration would not impact noise levels at residential areas to the south given the extent of new noise barrier to be erected, the proposed location of the modular structures and the location of the existing terminal building all of which will act to mitigate noise.

### ***Environmental Impact Assessment***

- If Board decide that proposed alterations are material under provisions of Section 146B they must also determine whether extent and character of alterations requested would be likely to have significant effects on the environment.
- That the proposed alteration to the permission does not come within the scope of either Part 1 or Part 2 of the Fifth Schedule of the Planning and Development Regulations, 2001 (as amended). With regard to sub threshold development, the following is noted:
  - That the proposal primarily relates to the relocation of permitted uses within the overall port site. There would be no net gain in terms of employees or traffic.
  - That the footprint of the existing permitted ferry terminal building will not increase. All proposed alterations to the external finish of the ferry terminal will be consistent with the existing design.
  - The extent of additional hardstanding within the ferry terminal compound to accommodate the proposed 4 no. modular units and the additional parking spaces is approximately 600 sq. metres.
  - That no cumulative impacts with other permitted plans or projects are predicted to arise including the M28 Cork to Ringaskiddy motorway.
  - The nature of the proposed alteration is such that there would not be any significant environmental impacts due to the production of waste.
  - That the net impact of the alterations to the noise barriers would be negligible.



- That the proposed alterations would be located within an existing permitted port facility and there are no records of any protected structures or other features of historical, archaeological, or cultural significance that could be impacted.
- The site of the proposed alterations is within an industrial site and c.250 metres from the nearest public road and separated by visual and acoustic barriers. No significant visual impacts arising from the proposed alterations are likely.
- The Potential Impacts set out at Table 3.1 indicates that the only likely impact arising would be in terms of noise at construction phase which are considered to be negative, temporary, and not significant.

### ***Appropriate Assessment***

The AA Screening Assessment undertaken identifies that the only site potentially impacted by the proposed alteration is the Cork Harbour SPA (site code 004030). No direct effects on the Cork Harbour SPA are anticipated and the potential indirect effects are identified as noise / disturbance during construction and potential discharge of contaminated surface during construction and operation. Given the nature of the construction activity and the demonstrated tolerance of birds, and specifically terns that breed in the vicinity of the mooring dolphins in the port, to noise no significant effects on the conservation objectives of the site are predicted to arise.

The conclusion of the requester is that by virtue of the nature and scale of the proposed alterations and its location within an existing port setting at significant remove from third party lands and residential land uses that the proposed alterations would not constitute a material change in the terms of the permission.

## 5.0 Legislative Provisions

- 5.1. Section 146B (1) of the Planning and Development Acts allows a person who intends to carry out a strategic infrastructure development to request the board to alter the terms of that approved development. Under sub-section 2 the board must then decide, as soon as is practicable, whether to do so would constitute a material alteration in the terms of the development. If the Board decides that it would not be material, then under section 146B (3)(a) it must alter the approval accordingly.
- 5.2. If the board decides that it would constitute a material alteration of the terms of the development, then under 146B(3) it shall require the requester to submit the information specified in Schedule 7A of the Regulations and any further information relevant to the characteristics of the proposed alteration and its likely effects on the environment.
- 5.3. Under 146B(4A) the Board is obliged to make a decision within 8 weeks of the receipt of the above information (Schedule 7A) as to whether the proposed alteration should be made, whether a different alteration from that sought should be made or whether to refuse to make the alteration. Under 146B(5) the Board can make the above determination where it first determines that the proposed alteration is not likely to have significant effects on the environment. In the event that the Board determines that the alteration would be likely to have significant effects on the environment then section 146C applies.
- 5.4. Where section 146C applies the board must require the person making the request to prepare an environmental impact statement and submit it to the board and the local authority, and to publish a notice stating that this statement has been submitted and that the submissions or observations upon it may be made to the board within a specified period of not less than 4 weeks. After that period that board may determine the matter under section 146B(3)(b) having regard to various matters set out in section 146C(6).

## 6.0 Assessment

### 6.1. Materiality Issue

- 6.1.1. The first obligation on the Board is to determine whether the proposed alteration constitutes a material alteration such that the obligations of subsequent sections of s.146B become applicable. Subsection 2(a) of s.146B states as follows:

*'As soon as practicable after the making of such a request, the Board shall make a decision as to whether the making of the alteration to which the request relates would constitute the making of a material alteration of the terms of the development concerned'.*

The following sections address the issue of materiality under a number of headings reflecting the main alterations proposed by the requester:

#### ***Relocation of Permitted Office Accommodation to the Ferry Terminal Building***

- 6.1.2. Firstly, regarding the proposed relocation of the office accommodation from the previously permitted location adjoining the maintenance shed to the ferry terminal building c.310 metres to the west, I note that no increase in the footprint of the ferry terminal building is proposed to occur and that changes to the elevations of the ferry terminal building are limited. No increase in staff numbers from those previously proposed to be accommodated on the site would occur. Based on the information provided by the applicant, there is currently significant underutilisation of the terminal building and the changes proposed are such that they could be reversed in future should ferry passenger traffic increase. The statement of the applicant that it is intended that the permitted office accommodation adjoining the maintenance shed c.310 metres to the east of the terminal would be completed in the future is noted. In addition, the location of the terminal building relative to third party lands is such that the proposed alterations to elevations would not be visible from third party lands and would have no impacts on such lands. In terms of the public notices attached to the previous permissions on site, the public notice in respect of 04.PA0035 refers to *'maintenance building, administrative buildings and entrance kiosks'*, and the alteration permission (Ref. 04.PM0010) to *'...the provision of a new maintenance shed (higher) and a new two storey maintenance and office building would be*

*provided, .....The previously proposed maintenance building is now proposed to be a customs inspection building'* and I do not consider that the proposed alteration would constitute a material change to these descriptions of development

- 6.1.3. I am of the opinion, having considered the alterations to the use, elevations and layout of the ferry terminal building and having considered the proposal as granted under PA0035 (as altered), that the Board would not have determined PA0035 differently had the floor plans as now proposed in the alterations formed part of PA0035 at that application stage. Therefore, I consider it reasonable to conclude that the proposed alterations to the ferry terminal building the subject of this request do not constitute the making of a material alteration of the development as granted under PA0043.

#### ***Provision of Additional Modular Units Adjacent to Ferry Terminal***

- 6.1.4. The provision of the 4 no. modular accommodation units in the vicinity of the ferry terminal building would be such that there would be no implications on third party lands in terms of visual or other impacts. Reference is made in the public notices attaching to Ref. 04.PA0035 to '*maintenance building, administrative buildings and entrance kiosks*' and I do not consider that the proposed alteration would constitute a material change to these descriptions of development. The scale of the proposed units is relatively modest in relation to the wider context within a large active port area and they would not be visually significant features outside of their immediate environs. The additional structures would be located within a wider port operation separated from the public road to the south by c.220 metres and screened by visual and acoustic barriers.
- 6.1.5. I am of the opinion, having considered the alterations to the office layout and the provision of the 4 no. additional modular units and having considered the proposal as granted under PA0035, that the Board would not have determined PA0035 differently had the modular units as now proposed in the alterations formed part of PA0035 at that application stage. Therefore, I consider it reasonable to conclude that the proposed additional modular units subject of this request do not constitute the making of a material alteration of the development as granted under PA0035.

### ***Relocated Car Parking Space***

- 6.1.6. The proposed relocation of 44 no. car parking spaces from the area to the east of the permitted office / maintenance building to a location to the north west of the ferry terminal building would not in my opinion give rise to any material planning impacts and would not result in a material change to the terms of the permission. There is no specific reference to staff or ancillary parking in the public notices under Refs. 04.PA0035, 04.PM0010 or ABP Ref. ABP-304437-19. The car parking areas (existing permitted and proposed) are not visible from third party lands outside of the wider port site and the proposed new location adjacent to the terminal building would be consistent with the wider port context of the site. No net additional car parking spaces are proposed to be provided and access to the existing permitted and proposed parking spaces would be via the same route and therefore such that no material traffic impacts are likely to arise.
- 6.1.7. I am of the opinion, having considered the alterations to the parking layout and having considered the proposal as granted under PA0035, that the Board would not have determined PA0035 differently had the parking layout as now proposed in the alterations formed part of PA0035 at that application stage. Therefore, I consider it reasonable to conclude that the proposed alterations to parking layout subject of this request do not constitute the making of a material alteration of the development as granted under PA0035.

### ***Alterations to Noise Attenuation Barriers***

- 6.1.8. Finally, the alteration sought includes the proposed removal of a section of the noise attenuation barrier to the north of the ferry terminal building. The barrier to be removed comprises a 4 metre high timber acoustic barrier of c.65.3 metres in length which currently extends around the north west corner of the ferry terminal site the subject of this alteration. The purpose of this section of the barrier is to attenuate noise generated by the container handling area to the north of the ferry terminal and reduce the impact on sensitive locations to the south of the site.

- 6.1.9. The location and extent of the noise barrier in the vicinity of the ferry terminal in the context of the overall development is illustrated in Figure 9.15 taken from the EIS prepared for Ref. 04.PA0035 and which is submitted with the current alteration request. From Figure 9.15 it can be seen that the section of barrier proposed for removal forms a small part of the western extent of the central of 3 no. noise attenuation barriers at Ringaskiddy East. In terms of net extent of barrier to be removed, the c.42 linear metres represents less than 3 percent of the overall total extent of barrier permitted. In addition, from the site layout, it can be seen that the area behind (to the south of) the section of barrier to be removed is occupied by the ferry terminal building and by the proposed modular structures. The extent of any gaps in these buildings is limited, the structures overlap, and their scale is significant with the terminal building having an overall height of c.4.5 metres and the modular structures c.3.2 metres.
- 6.1.10. It is noted that no revised noise modelling of the revised layout has been undertaken, however my observation of the proposed rearranged noise barrier layout and the layout of the proposed modular buildings is that the net impact on noise attenuation for noise sensitive locations to the south of the port would be negligible. In addition to the replacement buildings and the effect of the existing ferry terminal building, the area of the proposed barrier removal is located c.220 metres from the public road and c.250 metres from the closest houses. As indicated in Figure 9.15, there is an existing noise and visual barrier (indicated as No.1 on Figure 9.15) located at the southern extent of the port lands at Ringaskiddy East. Noise attenuation structures are not specifically referenced in the public notices for Ref. 04.PA0035 or subsequent alteration applications and I note that Condition No.8 attaching to ref. 04.PA0035 sets day – evening – night noise limits that shall not be exceeded at noise sensitive locations off site. These noise limits will have to be complied with notwithstanding the proposed alterations to the layout and extent of noise attenuation barriers.
- 6.1.11. On balance, having considered the alterations to the noise barrier layout and having considered the proposal as granted under PA0035, I consider that the Board would not have determined PA0035 differently had the parking layout as now proposed in the alterations formed part of PA0035 at that application stage. Therefore, I consider it reasonable to conclude that the proposed alterations to noise barrier layout subject

of this request do not constitute the making of a material alteration of the development as granted under PA0035.

## **6.2. Environmental Impact Assessment**

- 6.2.1. As outlined above, I consider that the proposed alterations do not constitute the making of a material alteration of the development concerned and in this regard the provisions of Section 146B(3)(a) apply.
- 6.2.2. However, in the event that the Board are of the opinion that the proposed alterations would constitute a material alteration the provisions of Section 146B(b) apply and there is a requirement that the requester submit to the Board the information specified in Schedule 7A of the Planning and Development Regulations 2001 as amended unless the information has already been provided. The information submitted with the application, and specifically the EIA Screening Report outlines the likely significant effects on the environment and outlines Schedule 7 of the Regulations and details the characteristics of the proposed alterations, the location of same and the characteristic of potential impacts of the alterations. It is concluded that the proposed alterations would not have any significant effects on the environment.
- 6.2.3. Based on the information submitted and the parent permission and permitted alterations I would agree with this opinion. In making this assessment I particularly note the fact that the proposed alterations are within a wider port site that is physically and visually separated from surrounding sensitive land uses, that the alterations primarily relate to the relocation of permitted uses within the overall port site, that the extent of new structures would be limited, that there would be no net gain in terms of employees or traffic and that the nature of the proposed alteration is such that there would not be any significant environmental impacts due to the production of wastes or other emissions. On the basis of the information presented I also consider that the net impact of the alterations to the noise barriers would be negligible.

### 6.3. Appropriate Assessment

- 6.3.1. Under Ref. 04.PA0035 the Board completed an Appropriate Assessment Screening exercise which resulted in 2 no. sites not being screened out and being brought forward to Stage 2 Appropriate Assessment. These sites were the Great Island Channel SAC (site code 001058) and the Cork Harbour SPA (site code 004030) An NIS was prepared and submitted as part of the application in relation to PA0035 and this was supplemented by further information received by the Board on 15<sup>th</sup> August, 2014 and 11<sup>th</sup> February, 2015. The Board concluded that the proposed development, by itself, or in combination with other plans or projects, would not be likely to adversely affect the integrity of these European Sites in view of the sites' conservation objectives.
- 6.3.2. Under Ref. 04.PM0010, the Board completed an Appropriate Assessment Screening which resulted in one site, the Cork Harbour SPA (site code 004030) brought forward for Stage 2 Appropriate Assessment and an NIS was prepared and submitted as part of the application in relation to PM0010. The Board concluded that the proposed alteration, by itself, or in combination with other plans or projects, would not be likely to adversely affect the integrity of these European Sites in view of the sites' conservation objectives.
- 6.3.3. The requester has submitted an 'Appropriate Assessment Screening Report' in relation to the alterations that are the subject of this s.146B request (prepared by McCutcheon Halley Planning Consultants and dated July, 2021). The report describes the amendments proposed, the development site and the receiving environment. The European sites considered relevant for the consideration are detailed in sections 4.2 and 4.3 of the Screening Report submitted and their location is illustrated in Figure 5 of the same report. Potential significant effects are discussed at Section 4.8 of the report and it is concluded that there would be no direct effects on any European sites as a result of the proposed alterations and that indirect effects would not be significant having regard, inter alia, to the absence of suitable habitat for species listed in the conservation objectives of the Cork Harbour SPA site within the area of the proposed alteration and to the recorded tolerance of the tern population at the port to disturbance as recorded in surveys undertaken in accordance with conditions attached to the parent permission (Ref. 04.PA0035). I note that the impacts of the permitted port redevelopment project have already been



assessed under an Appropriate Assessment of that application (Ref. 04.PA0035) and subsequent amendment application (Ref. 04.PC0010) and that the proposed amendments do not give rise to any new or different issues or impact pathways that would now need to be assessed. The submitted screening report concludes that the proposed alterations, alone or in combination with other plans or projects will not have a significant effects on any European sites, either alone or in combination with other plans and projects and therefore does not require progression to Stage 2 Appropriate Assessment.

- 6.3.4. Having considered the Board's determination on Appropriate Assessment on PA0035 and the subsequent alteration application Ref. PM0010, the nature, scale and extent of the alteration relative to the development subject of PA0035 as altered by PM0010, and the information on file (which I consider adequate to carry out AA Screening), I consider it reasonable to conclude that the alterations proposed, individually or in combination with other plans or projects, would not be likely to have a significant effect on the European sites located within the zone of influence of the site in view of the sites' conservation objectives.

## **7.0 Recommendation**

- 7.1. Having regard to the above, it is recommended that the requester be informed that the proposed alteration would not constitute the making of a material alteration of the terms of the development permitted under An Bord Pleanála Refs. 04.PA0035, 04.PM0010 and ABP Ref. ABP-304437-19 and that the requester be informed that the alteration sought has been made.

(Draft Order for the Board's consideration provided below)

## **DRAFT ORDER**

REQUEST received by An Bord Pleanála on the 14th day of July, 2021 from the Port of Cork Company care of McCutcheon Halley Chartered Planning Consultants, , 6 Joyce House, Barrack Square, Ballincollig, Co. Cork under section 146B of the Planning and Development Act, 2000, as amended, to alter the terms of the redevelopment of the existing port facilities at Ringaskiddy, a strategic infrastructure development the subject of a permission granted under An Bord Pleanála reference number 04.PA0035.

WHEREAS the Board made a decision to grant permission, subject to conditions, for the above-mentioned development by order dated the 26th day of May, 2015,

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

AND WHEREAS the proposed alteration is described as follows:

- Minor internal and external alterations to the existing ferry terminal building to accommodate Port of Cork Staff,
- Relocation of a section of the existing noise reflective barrier as permitted,
- Relocation of 44 no. car parking spaces from the Maintenance Shed / Office Building car parking site as permitted to the Ferry Terminal Building car parking area, and
- The installation of 4 no. modular building units to serve as staff welfare facilities.

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 observations from the public in relation to whether the proposed alteration would constitute the making of a 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, the 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 14th day of July, 2021.

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Stephen Kay  
Planning Inspector  
15<sup>th</sup> September, 2021