



An
Bord
Pleanála

Inspector's Report ABP-319369-24

Development

Retention permission for development at Griffith College, Wellington Road, Cork. The development consists of the retention of an artificial surfaced sports area to the rear of Griffith College and all ancillary site development works. The proposed development is located within the curtilage of lands associated with the former St. Patrick's Hospital and Convent which is a Protected Structure (RPS No. PS787). A stone-built ventilation shaft (NIAH No. 20863042) associated with the Kent Station railway tunnel which is also a Protected Structure (RPS No. PS930) is located north of the proposed development.

Location

Griffith College, Wellington Road,
Cork

Planning Authority

Cork City Council

Planning Authority Reg. Ref.	2342566
Applicant(s)	Patluke Ltd.
Type of Application	Retention
Planning Authority Decision	Refuse
Type of Appeal	First Party
Appellant(s)	Patluke Ltd.
Observer(s)	Department. Of Education Oliver Moran Kevin O'Dwyer
Date of Site Inspection	30/09/2024
Inspector	Gillian Kane

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1.0 Site Location and Description

- 1.1.1. The subject site is located to the north of Griffith College Cork and the Cork Educate Together Secondary School (CETSS), off Wellington Road, in a north Cork suburb. To the north of the site is an unsurfaced lane leading to Bellevue Park. Within the rough, steeply sloping scrub area between the lane and the playing pitch, sits a ventilation shaft associated with the railway. The topography of the area is such that the rectangular site accommodating the playing pitch to be retained sits above the College. It is accessed via stone steps to the rear of the College, through a gate within a wall.
- 1.1.2. The rectangular playing pitch, with artificial grass / Astro turf is surrounded by 2m high palisade fencing. It is gated and separate from an adjoining hard surfaced area to the east, that appears to be in use for the school. On the date of my site visit, this area was cordoned off with temporary fencing. An informally landscaped area to the west of the site has not been levelled, showing the extent of the slope between north and south.

2.0 Proposed Development

- 2.1. On the 21 Dec 2023, planning permission was sought to retain an artificially surfaced sports pitch (750sq.m.) to the rear of Griffith College. The application noted that the site is in the curtilage of the former St. Patricks Hospital (a Protected Structure) and adjacent to a stone-built ventilation shaft (a Protected Structure) associated with Kent station railway tunnel. The application was accompanied by a Heritage Impact Assessment Report

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. On the 23rd February, 2024 the Planning Authority issued a notification of their intention to REFUSE permission for the following three reasons:
 - 1 The application site is largely located within the land use zoning Landscape Preservation Zone in the Cork City Development Plan 2022-2028 where it is an objective to preserve and enhance the special landscape and visual character of the Landscape Preservation Zones with the presumption against development within this zone, with development only open for consideration where it achieves

the specific objective setup in Chapter 6 Green and Blue Infrastructure, Open Space and Biodiversity. The development to be retained is contrary to the land use zoning objective of the site and therefore does not accord with the proper planning and sustainable development of the area.

- 2 The proposed retention of the existing artificial grass pitch by way of its impact on biodiversity and ecology contravenes Strategic Objective 6 and objectives 6.5, 6.7, 6.11, 6.12, 6.22 and 6.25 of the Cork City Development Plan 2022-2028 and is therefore considered contrary to proper planning and sustainable development.
- 3 The retention of the existing artificial grass pitch and associated perimeter fencing to the rear of Griffith college (PS ref: 787) by virtue of the nature of the development and its location and placement relative to the protected structure and its setting, and to the Wellington Rd/ St. Lukes Architectural Conservation Area (ACA), has a negative impact on the setting of the protected structure and is considered to materially affect the character of both protected structure and the ACA. The existing development is not in accordance with the Strategic Objective 7 and objectives 8.18(b) 8.19, 8.22 and 8.23(b) of the Cork City Development Plan 2022-2028 and is therefore considered contrary to proper planning and sustainable development.

3.2. Planning Authority Reports

3.2.1. **Contributions:** No objection, condition recommended.

3.2.2. **Conservation:** Site is located within grounds of former St. Patricks Hospital and Convent, a Protected Structure (PS787) and listed on the NIAH (no. 20863038-41). Freestanding ventilation shaft for railway tunnel (NIAH no. 20863042) and within the Wellington Road / St. Lukes ACA. Notes planning policies in the development plan. Notes the AHIA. Comments that before the College erected polytunnels (2021), the area was heavily landscaped and is within a Landscape Preservation Zone. States that this contributed to the setting of the Protected Structure and the character of the wider ACA. Design statement that includes a landscape assessment and visual impact assessment was not submitted as required by development plan. Proposed development is not appropriate for this setting. Works carried out in the curtilage of a Protected Structure, within an ACA and within a LPZ result in an adverse impact on

the setting of the Protected Structure and the character of the ACA. Works do not comply with Objective 8.18(b), 8.23(b) and 8.22. Recommendation to refuse for one reason.

3.2.3. **Biodiversity:** Notes the objectives in the development plan that apply to the proposed development. States that before the site was cleared, it was covered in trees, scrub and understorey vegetation, creating an urban forest in Cork. States that the site was used as a market garden and then left to re-wild over decades to develop into a forest up to 2019. Notes that no assessment in accordance with section 6.18 of the development plan submitted. Recommends refusal on one ground.

3.2.4. **Planning Report:** Notes that site is an area predominantly zoned ZO17 Landscape Preservation Zone (LPZ), with a section to the east in the ZO01 Sustainable Residential Neighbourhoods zone but that all works are in the LPZ. Notes the adjoining Protected Structure, the stone ventilation shaft associated with the station railway, also a Protected Structure. States that site was cleared prior to 2021 with significant cutting and filling evident. States that retention of development is not consistent with zoning, that the degradation of the site has significant impacts on the LPZ, setting an unwelcome precedent and making effective protection of this type of limited resource unmanageable. Notes the recommendation for refusal from the Conservation officer and the Biodiversity Officer. Concludes that permission should be refused.

3.3. **Prescribed Bodies**

3.3.1. None on file.

3.4. **Third Party Observations**

3.4.1. Submissions to the Planning Authority raised the following areas of concern: loss of biodiversity, loss of vegetation, impact on LPZ, development of artificial surface not in keeping with an LPZ, loss of green space / greening, impact on adjoining dwellings, clearing of whole site must be taken in account, concern that more development will occur without permission on the rest of the site.

4.0 Planning History

- 4.1.1. Adjoining site to the south: **RL3226**: Declaration that the change of use from the former convent and hospital/hospice to use as a residential college was development and was not exempted development

5.0 Policy Context

5.1. Cork City Development Plan 2022-2028

- 5.1.1. The subject site is covered by two zoning objectives: **ZO17 Landscape Preservation Zone**, which has the zoning objective to preserve and enhance the special landscape and visual character of Landscape Preservation Zones. **Section 17.1** of the development plan states that these areas have been identified due to their sensitive landscape character and are protected due to their special amenity value, which derives from their distinct topography, tree cover, setting to historic structures or other landscape character. **Section 17.2** states that many of these sites have limited or no development potential due to their landscape character. There is a presumption against development within this zone, with development only open for consideration where it achieves the specific objectives set out in Chapter 6 Green and Blue Infrastructure, Open Space and Biodiversity.
- 5.1.2. Chapter 6 of the development plan refers to Corks Landscape, recognising that natural heritage assets are of huge importance. “They are vital to quality of life, are non-renewable assets and help enhance the attractiveness and image of the city as a place to live and work”
- 5.1.3. **Section 6.17** states that Cork City Council seeks to protect and enhance the landscape character of the City by protecting the significant landscape elements that contribute to the general amenity of Cork City. This is achieved through a number of land use mechanisms in this Plan, including the designation of Land Preservation Zones (LPZ) and Areas of High Landscape Value (AHLV).
- 5.1.4. **Section 6.18** Planning applications within areas or on sites benefiting from such landscape protection must demonstrate that there is no resulting adverse impact on the landscape assets and character of the area, by means of a design statement that includes a landscape assessment and visual impact assessment the impact. The City Council may seek discretionary Environmental Impact Assessments on

development proposals that it considers would be likely to have a negative impact on the landscape.

- 5.1.5. **Section 6.20** states that the objective of LPZs is to preserve and enhance the landscape character and assets of the sites. There is a presumption against development within LPZs, with development only open for consideration where it achieves the site-specific objectives set out in Tables 6.6-6.10. The subject site is the last entry in table 6.110: St Patricks Hospital Grounds, with the landscape assets to be protected listed as tree canopy/ areas with existing woodlands or significant tree groups or areas with potential for new woodlands (asset category C), ecology – areas which provide a habitat for wild flora and fauna (asset category D) and public and private open space footprint, including land with potential for public open space (asset category H). There are no site specific objectives listed in the table for the subject site.
- 5.1.6. The second zoning objective on the site is **ZO1 Sustainable Residential Neighbourhoods. ZO 1.1** The provision and protection of residential uses and residential amenity is a central objective of this zoning. This zone covers large areas of Cork City's built-up area, including inner-city and outer suburban neighbourhoods. While they are predominantly residential in character these areas are not homogenous in terms of land uses and include a mix of uses. The vision for sustainable residential development in Cork City is one of sustainable residential neighbourhoods where a range of residential accommodation, open space, local services and community facilities are available within easy reach of residents.
- 5.1.7. **ZO 1.2** Development in this zone should generally respect the character and scale of the neighbourhood in which it is situated. Development that does not support the primary objective of this zone will be resisted.
- 5.1.8. **ZO 1.3** Primary uses in this zone include residential uses, crèches, schools, home-based economic activity, open space and places of public worship.
- 5.1.9. **ZO 1.4** Uses that contribute to sustainable residential neighbourhoods are also acceptable in principle in this zone provided they do not detract from the primary objective of protecting residential amenity and do not conflict with other objectives of this Development Plan

5.2. Natural Heritage Designations

- 5.2.1. Cork Harbour SPA (004030) is 4.5km to the east of the subject site.

5.3. EIA Screening

- 5.3.1. The sub-threshold development the subject of this appeal was carried out post February 1 1990. Having regard to the nature of the proposed development comprising the retention of a playing pitch, in an suburban area where infrastructural services are available, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can therefore, be excluded at preliminary examination and a screening determination is not required.

6.0 The Appeal

6.1. Grounds of Appeal

- 6.1.1. An agent for the applicant has submitted an appeal against the decision of the Planning Authority to refuse permission.
- The pitch was installed in good faith to create important outdoor space for the pupils of the school. The level of tree cover suggested on site did not exist historically or since Griffith College moved to the site.
 - Appendix A to the appeal establishes the acquisition of the site, under the guidance of the Department of Education. At all times, the applicants have worked to protect the amenity of the site.
 - Griffith College moved to the campus in 2014. Sales brochure for the sale in Appendix C includes photo showing level of tree cover. In 20-18, six trees were felled by the College due to the area being overgrown and unmaintained, therefore facilitating anti-social behaviour and illegal activity. Mature trees on the southern boundary were retained, aerial images included. This did not constitute unauthorised development as no tree preservation order existed.
 - The applicant rejects the use of google images by third parties, as they cannot be verified. The claim that the lands were an urban forest are rejected.

- The lands subject of retention are not included in the lands the subject of the tree planting. No trees were felled to facilitate the retention works. the lands formerly accommodated poly tunnels. Lands were cleared of scrub to regrade.
- The artificial surfaced sports area is for the use of both Griffith College and CETSS students while a new school is being sought. CETSS is in temporary accommodation for 7.5 years and for five years have had to bus off-site to use PE facilities. The loss of the play area will have a detrimental impact on students.
- There is a significant shortage of publicly accessible playing facilities in the area.

6.1.2. The grounds of the appeal can be summarised as follows:

- The Planning Authority reports refer to the pitch being predominantly within the LPZ zoning objective. The site has an area of 752.05sq.m. of which 380.01sq.m. (50.5% of total site area) is within the LPZ and 372.04sq.m. (49.5%) is within the ZO 01 Sustainable Residential Neighbourhood zoning objective. Image submitted based on GIS mapping overlain on digital overlay of the development plan land use mapping.
- The subject site is 6% of the total LPZ zoned wider lands. Photo and image submitted. Only a small component of the overall LPZ is the subject site and it is on the very eastern fringe of the designation where it transitions to the sustainable residential / educational zones. It is located behind the main buildings on campus where polytunnels previously existed.
- The proposed development forms an educational use which complies with the sustainable residential neighbourhood zoning objective.
- There are no specific objectives for the subject site in table 6.5 of the development plan. In the absence of a site-specific objective and having regard to the fact that only half the site is within the LPZ, it is submitted that the Planning Authority should have assessed the proposal in the context of the stated site assets with compatibility with landscape character the primary determinant of suitability of the development.
- The Planning Authority planning report stops short of assessing the proposal against compatibility. In the absence of a direct assessment, the appellant commissioned an independent review of the scheme in landscape terms, in the

context of the development plan provisions – Appendix E. The review confirms that the site is and was not in an area that contained a tree canopy (asset category C) or comprised an area of dedicated ecology (asset category D). The site did not comprise trees pre or post the felling of 6 no. trees, in 2018. The site formerly comprised grassland amenity area with polytunnels.

- The all-weather playing pitch is not at odds with the final asset category – “public and private open space footprint, including land with potential for public open space”. The well used space blends readily with the grassed area to the west and vegetated slopes above. The light and functional fencing does not visually impose.
- A landscape and visual assessment is included with the appeal. This confirms that the subject pitch is not readily visible from any public area. Therefore, visual impact is not a material or reasonable reason for refusal. The salient issue is the impact on landscape fabric and character and the LPZ. The assessment notes that the site straddles two zoning objectives with a third adjoining. The proposal does not result in any adverse impacts on prevailing landscape fabric or character, inclusive of visual impact.
- It is noted that the LPZ designation has not been updated since the Cork Landscape Study 2008.
- The second reason for refusal appears to be based on the report of the Biodiversity Officer that the site was cleared of forest. The site was not a forest and does not comprise the wider LPZ lands. The red line refers to the artificial surfaced sports area only. There is no evidence of a forest.
- The use of unverified imagery and an incorrect assumption to form a reason for refusal is worrying. There is no objective assessment of the proposal or reference as to how the proposal contravenes the development plan policies stated in the reason:
 - Objective 6.5: no trees were felled to accommodate the pitch,
 - Objective 6.7: is not relevant,
 - Objective 6.11: It has been demonstrated the development will not detract from landscape value,

- Objective 6.12: site is only partially within LPZ, does not detract from landscape, no site-specific objective,
- Objective 6.22: planting proposal for the wider site outlined,
- Objective 6.25: site is not part of a formally mapped biodiversity network,
- Appeal is supported by a statement from Environmental Consultant that development will not have any adverse impact on biodiversity, with recommendations to increase ecological value of wider site. Applicant happy to accept conditions to this effect.
- The reference to Strategic Objective 6 in the reason for refusal is assumed to be a typographical error. It is presumed that the reason should refer to SO 5. The proposed development does not contravene SO5.
- With no trees on the subject site, it cannot be claimed that tree protection contributed to the setting of Griffith College Protected Structure, or the wider ACA.
- The Architectural Heritage Impact Assessment submitted with the application concluded that there would be no negative impact on the ACA, no direct negative impact on a Protected Structure and negligible visual impact on Griffith College.
- On an objective review of all available resources, the subject site did not provide any specific contribution to the setting of a historic structure or landscape of note.
- The Board is requested to grant permission to retain.

6.1.3. The appeal submission is accompanied by the following appendices:

- A: Statement by Griffith College
- B: Stakeholder Letters of Support
- C: Sales Brochure 2012
- D: Map of existing public / private amenity areas in North Cork City
- E: Landscape Resource Statement

- F: Ecology Response Statement
- G: Architectural Heritage Response Statement

6.2. **Planning Authority Response**

6.2.1. None on file

6.3. **Observations**

- 6.3.1. **Department of Education:** writes in support of the proposed retention of the Astro pitch as it facilitates the Cork Educate Together Secondary School campus until their permanent school building is delivered. Submits that the all-weather playing area will allow the students to access the resource throughout the year, engage in physical activity to improve health and reduce stress in a private setting. Removal of the resource would have a detrimental impact.
- 6.3.2. **Oliver Moran:** Unauthorised development is contrary to the zoning objective and is not exempted development. Independent aerial photographs and video show the extent of tree removal, photos and images submitted. The creation of a lawn across the LPZ with the Astro demonstrates that the unauthorised development comprises the full extent of the LPZ not just the pitch. Loss of ecology includes home to foxes, not just 'tree canopy'. Loss of habitat and substantial ground level changes are within the curtilage of a Protected Structure, adjoining another Protected Structure and within an ACA. Subject development has significantly interfered with the objectives for the site regarding LPZ and architectural heritage.
- 6.3.3. **Kevin O'Dwyer:** Feasibility study undertaken as part of sale of site revealed that only two or three specimen trees on the site were worth saving. The best was the pine tree beside the shaft that is still in situ. Rest were self-seeded sycamore saplings. Supports the retention of the Astro as a resident of the area.

6.4. **Further Responses**

6.4.1. None on file.

7.0 **Assessment**

- 7.1.1. Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, the reports of the

local authority, and having inspected the site, and having regard to the relevant local policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:

- Zoning Objectives
- Architectural Heritage
- Biodiversity

7.2. Zoning Objectives

- 7.2.1. The Planning Authority's first reason for refusal refers to the land use zoning of the subject site, stating that it is "*largely* located within the land use zoning Landscape Preservation Zone" wherein there is a presumption against development. In their appeal, the applicant notes that if one overlays the digital development plan zoning maps on the application site, just over half the site is in the LPZ zone and half is in the ZO01 Sustainable Residential development zone.
- 7.2.2. The scale of development plan maps is such that, exact calculations are not ordinarily required – zoning boundaries generally follow land ownership boundaries and are clear cut. This is not the case with the subject application. While the Planning Authority accepted that not the entire site was within the LPZ, it is understandable that this distinction was not obvious to third parties.
- 7.2.3. The situation remains that just over half of the existing playing pitch is located on lands whereon there is a presumption against development and just under half is on land that is zoned to protect and provide for educational and civic uses amongst other uses. If one addresses the sustainable residential zoning first, as noted above, the stated objective for such is to protect and provide for uses that include educational uses. The retention of the subject pitch is in compliance with this objective. Section ZO1.2 of the plan requires that development in this zone should generally respect the character and scale should generally respect the character and scale of the neighbourhood in which it is situated and that development that does not support the primary objective of this zone will be resisted. I am satisfied that given the primary purpose of the pitch is for the use of two educational facilities, given its small scale relative to the wider campus and that it is not visible from any

public area, its retention is entirely keeping with the primary objective of the ZO1 zone.

- 7.2.4. The second zoning on the subject site is LPZ, which has the zoning objective for to preserve and enhance their special landscape and visual character, given that that they have identified as worthy of protection due to their distinct features. Section 6.20 of the development plan states that “there is a presumption against development within LPZ’s with development only open for consideration where it achieves the site-specific objectives set out in tables 6.6-6.10 of the development plan. As noted by the appellant, there are no site-specific objectives listed in the table for the subject site.
- 7.2.5. I note section 6.20 of the development plan that provides, “*in exceptional circumstances, there may be limited scope for development to enable existing occupiers to adapt existing buildings to their evolving requirements, providing that the form or nature of development is compatible with the landscape character of the area. This might include a change of use or minor extensions*” . Given that there are no site-specific objectives for the subject site, that the site is only half covered by the LPZ and that the benefits of retaining the sports pitch to the immediate student community are so significant, I am satisfied that this qualifies as exceptional circumstances. I consider the scale of the development to be limited, that it responds to the evolving requirements of the adjoining buildings and that overall it is compatible with the landscape character of the area. The retention of the pitch is not, in my opinion a material contravention of the stated objective of the LPZ. This is particularly the case where it has been demonstrated, and I am happy to accept, that there was limited landscape value on this section of the wider site prior to the development of the pitch.
- 7.2.6. The provision of an active play area for students of CETSS and Griffith College is an important consideration. To that end I note that the Board granted permission for a permanent school for CETSS (ABP-317147-23) on the 13th May 2024.
- 7.2.7. Section 6.18 of the plan requires that a design statement which includes a landscape assessment and visual impact assessment must be included in such applications. I am satisfied that the submissions made at appeal stage comply with this requirement.

7.3. Architectural Heritage

- 7.3.1. The Planning Authority's second reason for refusal refers to the Protected Structures at Griffith College and the Wellington Rd/ St. Lukes Architectural Conservation Area (ACA). The applicant submitted an Architectural Heritage Impact Assessment with the application and a response statement at appeal stage.
- 7.3.2. The AHIA submitted with the application states that there is no direct negative impact and only a negligible visual impact on Griffith College, that the playing pitch is low lying and set into the landscape. With regard to the ventilation shaft, the AHIA states that the area around the shaft was not interfered with and that there is no direct negative impact. The report notes that the shaft was designed to be functional and not intended to be on view. The response submitted with the appeal provides detail on the historical evolution of the site, noting that the site of the pitch was not part of the designed landscape and that it did not provide specific contribution to the setting of a historic structure or landscape. The submission notes that the pitch is not visible from pedestrian height either within the grounds of the former hospital or from any point within the public realm around the site. The submission states that the retention of the structure will not detract from the setting of the Protected Structures on site or have a material negative impact on the ACA.
- 7.3.3. Strategic Objective 7 of the development plan refers to an overarching policy to protect and reinforce the unique character and built fabric of the city, towns, villages, suburbs, neighbourhoods and places that make up the fabric of Cork City. SO 7 states that any development that has a detrimental impact on the historic built heritage of the city, protected structures, archaeological monuments and heritage and ACA's will not normally be acceptable.
- 7.3.4. The subject pitch to be retained is not visible from the main grounds of the former hospital, is not visible from Wellington Road or Bellevue Park. I note Objective 8.17 which seeks to ensure the conservation of Cork City's built heritage and ensure that Cork's Built Heritage contributes fully to the social and economic life of the city and to pursue actions that ensure Cork's built heritage will benefit from good custodianship and building occupation. I consider the subject pitch which facilitates the continued use of the adjoining Protected Structure by both Griffith College and CETSS to support objective 8.17. With regard to Objective 8.18b, as referenced in the Planning Authority's reason for refusal, I am satisfied that the subject retention

has a minimal impact on the historic structures and therefore the development fully complies with the objective.

- 7.3.5. Objective 8.19 refers to the record of protected structures (RPS). The proposed development is considered by the Conservation Officer of Cork to be within the curtilage of the College and that the planted area, being within an LPZ contributes to the setting of the Protected Structure and to the character of the ACA. Objective 8.22 refers to the NIAH. As noted above, only part of the subject site is contained within the LPZ, the vast majority of the LPZ lies to the west of the site. The consideration that the site was planted before the subject development is referred to in the Conservation Officers report. As discussed in section 7.2 above, I am satisfied that the subject development did not remove any tree cover and development that occurred on the wider site to the west is not relevant to the subject retention. I am satisfied that the proposed development does not contravene objective 8.19 and 8.22 given that the subject retention does not cause any negative impact on Griffith College, or on the ventilation shaft.
- 7.3.6. Objective 8.23 refers to development in ACA's. Section (b) of the policy requires that development in an ACA "design and detailing that responds respectfully to the historic environment in a way that contributes new values from our own time". Volume 3 of the City development plan provides a description of the area and a statement of character. The terraces on Military Hill and Military Road are noted as now being within the ACA. The terraces along Wellington Road are noted as being designed to "look out over and be seen from a distance from the city centre and the south side of the river". While this does not refer to the subject site, even if it is applied to the site, it cannot be said that the subject pitch is visible from the wider ACA and has a negative impact on the ACA.
- 7.3.7. I note section 8.36 of the development plan which states that new development in ACA's should "generally reflect contemporary architectural practice, and not aim to mimic historic building styles". Further I note section 8.34 of the plan which seeks to ensure that new development in an ACA responds to the historic environment in a way that contributes new values from our own time.
- 7.3.8. I am satisfied that the proposed development given its limited visual impact, that it forms only part of the wider LPZ and its lack of impact on the ACA, will not have a

negative impact on the strategic and site-specific objectives for the protection of built heritage.

7.4. Impact on Biodiversity

- 7.4.1. As noted in section 5.15 above, the landscape assets to be protected on the entire LPZ site are listed as “*tree canopy/ areas with existing woodlands or significant tree groups or areas with potential for new woodlands*” (asset category C), “*ecology – areas which provide a habitat for wild flora and fauna*” (asset category D) and “*public and private open space footprint, including land with potential for public open space*” (asset category H).
- 7.4.2. It is the submission of the appellant that the subject site contained no tree canopy, the only tree cover was on the site to the west, that before the site was developed for the pitch it comprised poly tunnels, a sloping grassed area and an area of hard standing. An ecological report undertaken in March 2024 finds that there was no loss of mature trees or significant areas of scrub, a minor loss of low amenity grassland and no significant removal of dense native vegetation. The conclusion of the report is that the development to be retained did not have a significant ecological impact due to loss of habitat, construction / operational disturbance or impacts on ecological corridors.
- 7.4.3. I am satisfied that it has been demonstrated that the subject development to be retained will not have a material or seriously injurious impact on biodiversity and ecology which would contravene the objectives of the development plan reacting to green and blue infrastructure, namely Strategic Objective 5.

8.0 AA Screening

- 8.1.1. I have considered the proposed development of the retention of an existing artificially surfaced plating pitch, in light of the requirements S177U of the Planning and Development Act 2000 as amended. The subject site is not located within or adjacent to any European Site. The closest European Site, part of the Natura 2000 Network, is the Cork Harbour SPA (004030), 4.5km to the east.
- 8.1.2. Having considered the nature, scale and location of the project in a built-up, mixed use area, I am satisfied that it can be eliminated from further assessment because it could not have any appreciable effect on a European Site. The reason for this

conclusion is as follows, the limited nature of the works and the distance from nearest European site and lack of connections. I consider that the proposed development would not be likely to have a significant effect individually, or in combination with other plans and projects, on a European Site and appropriate assessment is therefore not required.

9.0 Recommendation

- 9.1.1. I recommend permission to retain be GRANTED for the following reasons and considerations and subject to the following conditions:

10.0 Reasons and Considerations

- 10.1.1. Having regard to the land-use zoning objective for the site as set out in the Cork City Development Plan 2022-2028, to the zoning objective on the subject and adjoining sites, to the nature of development adjoining the site to be retained, the proposed retention of an artificially surfaced playing pitch for use by students of the adjoining educational facilities, would not seriously injure the visual, landscape or heritage or natural amenities of the area or of property in the vicinity, and would be in compliance with the policies and objectives of the Cork City Development Plan 2022-2028. The proposed development to be retained would, therefore, be in accordance with the proper planning and sustainable development of the area.

- 1 The development shall be 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 carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Gillian Kane
Senior Planning Inspector

12 November 2024

Appendix 1 - Form 1

EIA Pre-Screening, EIAR not submitted

An Bord Pleanála Case Reference	ABP-319369-24		
Proposed Development Summary	Retention of playing pitch		
Development Address	Griffith College, Wellington Road, Co. Cork.		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	
2. Is the proposed development of a class specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) and does it equal or exceed any relevant quantity, area or limit where specified for that class?			
No			Proceed to Q.3
3. Is the proposed development of a class specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) but does not equal or exceed a relevant quantity, area or other limit specified [sub-threshold development]?			
	Threshold	Comment (if relevant)	Conclusion
No			No EIAR or Preliminary Examination required
4. Has Schedule 7A information been submitted?			
No		n/a	

Inspector: _____

Date: 12 November 2024