



An  
Bord  
Pleanála

## Inspector's Report

### ABP-320108-24

#### Development

Construction of office building with parking area and food court together with all associated works.

#### Location

Euro Business Park, Ballytrasna, Little Island, Co. Cork

#### Planning Authority

Cork County Council

#### Planning Authority Reg. Ref.

235223

#### Applicant(s)

Esprit Investments Ltd.

#### Type of Application

Permission.

#### Planning Authority Decision

Grant

#### Type of Appeal

Third Party

#### Appellant(s)

Michael Delargey

#### Observer(s)

Kaye Barry

#### Date of Site Inspection

13<sup>th</sup> December 2024

#### Inspector

Oluwatosin Kehinde

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## **1.0 Site Location and Description**

- 1.1. The 0.945Ha site is located in Euro Business Park, Little Island Co. Cork. Little Island is located c.8km east of Cork City and bounded by the N25 to the north and to the south, west and east by Lough Mahon. Little Island is a strategic employment location in Cork and is home to several large industrial estates, business and commercial parks, and some residential developments.
- 1.2. Euro Business Park is located on the northern section of Little Island and the appeal site is located at the western corner of the park. Euro Business Park contains a mix of commercial and light industrial type uses. Access to the site is off L-2985 Ballytrasna Park Road. The site is laid in grass and there is an existing vehicular road through the central part of the site linking with the car parking area of the Jones Engineering building bounding the site on the west. The site is bounded by another building "Valve Services Limited" to the north, to the east and south by the Euro Business Park Road and Ballytrasna Park Road respectively.
- 1.3. There is a residential estate on the opposite side of Ballytrasna Park Road to the south of the site.

## **2.0 Proposed Development**

- 2.1. Permission was sought for the construction of an office development with an overall area of 20,150m<sup>2</sup>. The development comprised of a 3 to 10 storey building with a parking area and a publicly accessible food court on the ground floor.
- 2.2. The development also included the provision of access, footpaths, set-down area, parking, drainage, landscaping, plant at roof level, roof garden, bins store and electrical sub-station/switch room with vehicular access from Euro Business Park and public access from Ballytrasna Park Road.
- 2.3. On foot of a Further Information request by the Planning Authority, the proposed development was revised to provide a 15,350m<sup>2</sup> office building consisting of 3 to 6 stories in height.
- 2.4. A 4 storey building is proposed to the southern boundary of the site and the 6 storeys to the north. These two buildings are linked by a 3 storey structure. The breakdown is as follows:

Site Area	0.945Ha
Proposal Overall floor area – 15,350m <sup>2</sup>	Office – 9,905m <sup>2</sup> Office service areas and stair core – 2,200m <sup>2</sup> Food Court – 1025m <sup>2</sup> Food Court service area and stair core – 410m <sup>2</sup> Toilet, shower & store areas – 20m <sup>2</sup> Coffee shop – 280m <sup>2</sup> Community space – 190m <sup>2</sup> Car parking area – 810m <sup>2</sup> Bicycle parking area – 410m <sup>2</sup>
Height	3 – 6 storeys 4 storeys to the south 6 storeys to the north and 3 storeys as a link building
Parking	70 Car spaces (7 disabled spaces, 12 EV spaces) 20 motorcycle parking spaces 500 bicycle parking spaces

2.5. The proposed development also includes an illuminated Skybox located to the south east corner of the proposed 4 storey building adjacent to Ballytrasna Park Road.

2.6. The following technical documents were submitted as part of the application

- Traffic and Transport Assessment Report (TTA)
- Screening Report for Appropriate Assessment
- Stage 1 and 2 Road Safety Audit
- Quality Audit Report
- Visual Impact Assessment
- Environmental Impact Assessment Report
- Drainage Impact Assessment Report
- Outline Mobility Management Plan
- Construction Surface Water Management Plan
- Resource & Waste Management Plan
- Services Infrastructure Report
- Design & Planning Statement

## **3.0 Planning Authority Decision**

### **3.1. Decision**

The Planning Authority (PA) on the 12<sup>th</sup> of June 2024, issued a notification of the decision to grant permission subject to 46 conditions. The conditions are generally standard in nature, but the following are noted:

- Condition 4 requires that balconies on the north east elevation of the four storey building be removed.
- Condition 5 requires that measures to prevent overlooking from the roof gardens should be submitted for the agreement of the PA prior to commencement of development.
- Condition 6 also requires a skybox feature on the south east elevation be omitted.
- Condition 7 requires that details of how the outdoor seating areas will be managed outside of the operational hours be submitted prior to commencement of development.
- Condition 10 requires that a revised landscaping plan be submitted to the PA retaining the trees along the southern boundary of the site.
- Condition 12 requests that the pedestrian link on Ballytrasna Road to the R623/Ballytrasna Road Junction be implemented at the developer's expense.
- Condition 13 requires that a revised set-down access/egress should be submitted for the agreement of the PA prior to commencement of development.
- Condition 15 requires that the developer shall liaise with the Council in relation to the Little Island Sustainable Transport Intervention works adjacent to the development.
- Condition 16 requires that a Mobility Management Plan should be prepared and submitted for the agreement of the PA.
- Condition 18 requires that no parking on adjacent public roads and public estates be permitted by construction traffic.

- Condition 19 requires a revised parking layout to be submitted for the agreement of the PA.
- Condition 42 requires that before development commences, a lighting reality design report should be submitted for the agreement of the PA.
- Condition 43 requires that external lighting within the development be directed not to interfere with traffic or cause glare or light spill to adjoining properties.
- Condition 45 requires a supplementary contribution be paid in respect of the Cobh/Midleton – Blarney suburban rail project.
- Condition 46 requires a special contribution be paid in respect of works to be carried out for the Little Island Sustainable Transport Initiatives.

### **3.2. Planning Authority Reports**

#### **3.2.1. Planning Reports**

The decision to grant permission by the PA is consistent with the Planning Officer's (PO) report. Following the initial assessment of the application, the Planning Officer requested further information. The PO concerns can be summarised as follows:

- The PO considered that the height and proximity of the development to residential properties was a concern. The PO requested that the applicant demonstrate that the proposed height was appropriate.
- The PO noted that there was no landscaping plan submitted with the scheme. The PO requested for a landscaping plan and required that all mature tree groups on site should be retained.
- The PO required more information on the vehicular and pedestrian entrances. Concerns about the traffic count data in the TTA were also raised. The PO requested an updated TTA, access analysis to be carried out and clarity on the quantity of cycle parking spaces to be provided.
- The PO requested that the applicant submit a screening report for AA and submit information specified in Schedule 7A of the PDR.

- The PO requested that the applicant undertake a Flood Risk Screening Assessment and to also provide an assessment on drainage proposals.

3.2.2. The applicant's response to the further information request was considered acceptable by the PA and the following includes notable revisions:

- The height of the development was revised from 3-10 stories to 4-6 stories.
- Updated Traffic and Transport Assessment Report to take account of the issues raised by the PA.
- The applicant provided an AA report and submitted Schedule 7A information. The PO was satisfied and considered that the development would not likely have significant effects on the environment.

3.2.3. Other Technical Reports

- Road and Transport – Report dated 11/06/2024 sets out conditions to be applied if development is granted. The report stated that a connection to the west to connect to the crossings on the R623 and Ballytrasna Road at the R623/Ballytrasna junction would benefit the proposed development.
- Water services – Report dated 18/07/2023 stated no objections subject to conditions. The application included a Pre-Connection Enquiry (CDS22002984) as part of their submission.
- Ecology – Report dated 13/05/2024 stated no objection subject to conditions. A condition requiring a revised landscaping plan to provide the retention of trees at the southern boundary of the site is advised.
- Environment (Water quality) – Report dated 18/07/2023 stated no objections subject to conditions.
- Environment (Waste) – Report dated 11/06/2024 stated no objections subject to conditions. The engineer conditioned that a specific resource and waste management plan be submitted prior to the commencement of any works on site.
- Public Lighting – Report dated 10/07/2023 stated no objection subject to conditions.



- Architect – Report dated 04/08/2023 recommended further information regarding change of design. The report raised concerns about the proximity of the development to adjoining the housing estate and advised that changes to the design should be considered to allow for a more sustainable integration with the surrounding context. The ground floor food hall is to be better positioned and its use is to have more appeal/connection with the local community.

### **3.3. Prescribed Bodies**

- Transport Infrastructure Ireland (TII) – TII stated in their report dated 14<sup>th</sup> July 2023 that they relied on the PA to abide by official policy in relation to development on/affecting national roads outlined in the Spatial Planning and National Roads Guidelines for Planning Authorities (2012).
- Uisce Eireann – Report dated 19<sup>th</sup> July 2023 stated no objection subject to conditions.

### **3.4. Third Party Observations**

The PA received 18 third party submissions on the initial proposal and 10 submissions received for the revised development following a Further Information request by the PA. The issues raised are summarised as follows:

- The development is excessive and out of keeping with the character of the area.
- The proposal conflicts with the zoning of the site.
- The development will impact on the residential amenity of the area and would devalue the properties within the vicinity.
- Overshadowing, loss of light and overlooking issues.
- Traffic that would be generated from the proposed development would further impinge on the junction.
- The development would further increase commercial activities in Little Island.

- The proposed food court is not appropriate in the area and antisocial behaviour is associated with the food court and sheltered open area.
- Construction noise.
- Impact on wildlife in the area.
- There are flooding concerns on the road adjacent to the development.

## 4.0 Planning History

PA Ref 98/3337 – Planning permission granted for site development & infrastructure works for a light industrial service park subject to 13 conditions. This is the parent permission for the Business Park and I note Condition 9 that restricts the use of the site to industrial and related purposes only. The condition stated that no change of use shall take place without a prior grant of permission.

## 5.0 Policy Context

### 5.1. National Policy

The following are considered to be of relevance to the proposed development.

#### 5.1.1. Project Ireland 2040, National Planning Framework (2018)

The National Planning Framework, 2018 – 2040, recommends compact and sustainable towns / cities, brownfield development and densification of urban sites. The plan targets an additional 660,000 people at work.

#### 5.1.2. Section 28 Ministerial Guidelines

The following is a list of Section 28 - Ministerial Guidelines considered to be relevant to the proposed development. Specific policies and objectives are referenced within the assessment where appropriate.

- Urban Development and Building Heights, Guidelines for Planning Authorities  
It is Government policy that building heights must be generally increased in appropriate urban locations. There is therefore a presumption in favour of buildings of increased height in our town/city cores and in other urban locations with good public transport accessibility.

- Development Contributions – Guidelines for Planning Authorities, 2013

Special Development Contributions - A special development contribution may be imposed under section 48(2)(c) where specific exceptional costs, which are not covered by the general contribution scheme, are incurred by a local authority in the provision of public infrastructure or facilities which benefit very specific requirements for the proposed development, such as a new road junction or the relocation of piped services. The particular works should be specified in the condition. Only developments that will benefit from the public infrastructure or facility in question should be liable to pay the development contribution

### 5.1.3. Other Guidelines

- National Biodiversity Action Plan 2023 – 2030

The plan includes five strategic objectives aimed at addressing existing challenges and new and emerging issues associated with biodiversity loss.

- Climate Action Plan 2024

Climate Action Plan 2024 sets out the roadmap to deliver on Ireland's climate ambition. It aligns with the legally binding economy-wide carbon budgets and sectoral ceilings that were agreed by Government in July 2022.

- OPR Practice Note PN03 – Planning Conditions

Section 3.16 – Conditions Requiring Financial Contributions or Ceding of Lands Conditions requiring applicants to pay contributions or other payments to planning authorities or other bodies should be imposed only where there is specific provision for such payments set out in the planning legislative framework applicable to the application. Relevant sections of the 2000 Act are Section 48 (development contribution scheme) and Section 49 (supplementary development contribution scheme), which relate to contributions to the costs involved in providing public infrastructure services and facilities. Special development contributions are provided for in Section 48 (2)(c) of the 2000 Act for specific works which benefit the individual development. These relate to costs associated with works that are not covered by the planning authority's Development Contribution Scheme. Any

works in respect of which the special contribution is being levied must be specified in the condition.

## **5.2. Regional Policy**

### **5.2.1. Regional Spatial and Economic Strategy (RSES)**

The Southern Regional Assembly's RSES seeks to achieve balanced regional development and full implementation of the National Planning Framework. The RSES provides a long-term, strategic development framework for the future physical, economic and social development of the Southern Region and includes Metropolitan Area Strategic Plans (MASPs) to guide the future development of the Region's three main cities and metropolitan areas – Cork, Limerick-Shannon and Waterford.

The plan acknowledges the strategic employment location of Little Island and it is the priority of the plan to advance transport study measures for Little Island as a holistic approach comprising all modes, including cycling and effective management of car access and parking facilities.

## **5.3. Development Plan**

The Cork County Development Plan 2022 – 2028 is the pertinent statutory Plan. The site is zoned **ZU 18-10** – Existing Mixed/General Business/Industrial Uses with the following objectives to:

“Facilitate development that supports in general the employment uses of the Existing Mixed/General Business/Industrial Areas. Development that does not support, or threatens the vitality or integrity of the employment uses of these areas shall not be permitted”.

**Section 8.7.10** of the Development Plan identifies Little Island as a strategic employment location suitable for large scale employment development.

**Section 8.7.13** of the Development Plan relates to the vision for Little Island to promote a high-quality workplace environment for the existing and future workforce population, along with an expansion of the residential offering and supporting facilities.

### **EC 8-3 Strategic Employment Locations**

- a) Promote the development of Strategic Employment Locations suitable for large scale industrial developments at Carrigtwohill, Little Island, Ringaskiddy, and Whitegate where any such development must be sensitively designed and planned to provide for the protection of any designated sites. Any development must be compatible with relevant environment, nature and landscape protection policies as they apply around Cork Harbour and the protection of residential amenity.
- b) Protect lands in these areas from inappropriate development which may undermine their suitability as Strategic Employment locations.

**Section 4.10.6** of the Development Plan relates to building heights and states that new applications for building greater than 4 storeys shall address the development management criteria set out in paragraph 3.2 of the Urban Development and Building Heights Guidelines (2018).

**Section 2.16.14** of the Development Plan seeks to support the delivery of an efficient transport system in the County supporting connectivity and competitiveness, and to make sustainable travel modes an attractive and convenient choice for as many people as possible in order to deliver economic, social, health, wellbeing, environmental and climate action benefits. Policy seeks to reduce both the demand for travel and dependence on the private car for transport and support high frequency public transport services.

Specific plan objectives include:

- TM 12-1: Integration of Land Use and Transport
- TM 12-2: Active Travel
- TM12-3: Rail Transport
- TM 12-5: Bus Transport
- TM12-7: Cork Metropolitan Area Transport Strategy (CMATS)
- TM 12-8: Traffic/Mobility Management and Road Safety
- TM 12-9: Parking
- TM 12-10: Park and Ride
- TM 12-11: Smart Mobility

- TM 12-13: National, Regional and Local Road Network

## **Volume 4, Cork County Development Plan**

### **Section 2.6.1**

“Little Island is one of the key employment locations in Metropolitan Cork, designated as a Strategic Employment Area in the 2014 County Development Plan, and designated as a Strategic Employment Location in this plan. The main vision for the area is to promote a high quality work place environment for the existing and future workforce population along with an expansion of the residential offering and supporting facilities”.

### **Section 2.6.22**

“Given its proximity to Cork City and the existing mixed character of employment development that is located there, it is considered that Little Island’s employment potential will be best achieved by continuing to provide for mixed employment development. While some locations close to the rail station may be suitable for higher density office uses, more areas, less well located in relation to public transport, will be best suited to lower density manufacturing, storage and distribution/logistic uses. It is important to support high occupancy rates of retail warehousing units”.

### **Objective LI-GO-01**

Locate new business development within the development boundary, which will provide additional employment growth.

#### **5.3.1. Other Local Strategy**

##### **Little Island Transport Study**

The Little Island Transport Strategy includes proposals for investment in cycling and walking routes, new public transport services (including a mobility hub at the train station) and local road improvements. Section 2.6.9 of the 2019 outlines

- Short term road capacity enhancements to assist in reducing congestion and delay for traffic entering and exiting Little Island in the AM and PM peak hours.
- A range of public transport improvements to support sustainable travel.

- A suite of demand management measures (including elements such as parking management, flexi-time working etc.) to support the use of sustainable travel and assist in reducing car demand on the network.

#### **5.4. Natural Heritage Designations**

Great Island Channel Special area of Conservation (Site Code – 001058) is approximately 991m east of site. Cork Harbour Special Protection Area (Site Code – 004030) is approximately 432m east of the site.

Great Island Channel pNHA (Site Code – 001058) is approximately 70m north of the site.

### **6.0 EIA Screening**

6.1.1. Refer to Appendix 1 attached to this report for the EIA Screening Determination. Information on Schedule 7A of the PDR has been submitted.

6.1.2. Having regard to: -

the criteria set out in Schedule 7, in particular

(a) the limited nature and scale of the proposed office development, in an established mixed use/general business area served by public infrastructure.

(b) the absence of any significant environmental sensitivity in the vicinity, and the location of the proposed development outside of the designated archaeological protection zone.

(c) the location of the development outside of any sensitive location specified in article 109(4)(a) of the Planning and Development Regulations 2001 (as amended).

The results of other relevant assessments of the effects on the environment submitted by the applicant (Appropriate Assessment Screening Report).

The features and measures proposed by applicant envisaged to avoid or prevent what might otherwise have been significant effects on the environment, including measures identified to be provided as part of the Resource & Waste Management Plan, the Construction Surface Water Management Plan, the Drainage Impact Assessment Report and the Screening report for Appropriate Assessment.

The Board concluded that the proposed development would not be likely to have significant effects on the environment, and that an environmental impact assessment report is not required.

## **7.0 The Appeal**

### **7.1. Grounds of Appeal**

This is a Third Party appeal by Michael Delargey and the issues raised are summarised as follows:

- The proposed development is not in keeping with the overall development of the area. The original planning order for Euro Business Park is for light industrial and small-scale offices. The business park is not for a large office block as proposed.
- The development would be more suited for city centre locations and the development will severely overshadow their property.
- There is no business case for the proposed development. The appeal points out that there is office space available in Eastgate Business Park and there is an underdeveloped office site at the entrance of Eastgate Business Park. The developer has not presented a strong argument for the need for this development.
- The proposed building is not of similar scale to the rest of the buildings in Euro Business Park. The height of the proposed building is considerably higher than the surrounding buildings. The proposed development would seriously affect the visual amenity of the houses next to the southern boundary.
- The proposed 3-6 Storey building will impact on the residential amenity of Fairways residents. The development would have an impact on the quality of light and the right to privacy. The lighting at night, emanating from the development will cause excessive background light to the houses at Fairways.
- The proposed development will affect the biodiversity of the local area and the business park. The development will result in the destruction of rabbit warrens



located on the northern boundary of the site. The proposed height of the development may affect buzzards and other birds of prey.

- The proposed development will add considerably to the light pollution of the area. Light pollution affects insects and will result in a reduced food supply for the bat population in the area.
- The proposed development will take away the last remaining green space within the Park. Cork County Council should consider a compulsory purchase of the site and develop the site as an amenity space.
- The proposed food hall associated with the development will damage the current retail premises on the island and the zoning of the business park does not allow for such purposes.
- The proposed development will add significantly to the already heavy traffic in the immediate vicinity of the business park. The development is proposing a significant number of vehicles, and this would add considerable strain to the traffic of the business park.
- The commuter plan associated with the development is depended on the overall commuting plan proposed by the PA and this plan does not exist. The infrastructure needed for the island is not in place.
- The Ballytrasna road L2985 is liable to flooding after heavy rain and the proposed development may add to the flooding. The wastewater from the development will add to the already stretched capacity of the drains.
- Flooded roads will affect traffic flow and if the road is flooded, the additional traffic generated by the development will add to the traffic issues.

## **7.2. Applicant Response**

The applicant responded to the Third Party appeal and is summarised as follows:

- The applicant states that the 6 storey element on the two principal building wings has been omitted in the revised proposal.
- The proposed building will be located to the north of the Fairways estate and the development will have very little effect on natural light levels affecting the

estate. The applicant carried out a BRE Daylight and Sunlight assessment and states that there will be little or no impact on the daylight and sunlight characteristics of the appellants' properties.

- The proposed development is consistent with the provisions of the Cork County Development Plan (2022-2028). The development is designed to provide a positive addition to the locale in terms of streetscape, community facilities and use. The proposed food hall will augment the range of retail and food options in Little Island.
- There is an ecology report included as part of the documentation submitted on foot of the RFI and the report states that there will be no negative impact on any fauna activity on the site as a result of the development.
- There will be a net increase in the provision of tree cover in the proposed development.
- The proposed building height has been reduced to 3- 6 stories with the wing on the north side set as six stories. The potential for overlooking of properties in the Fairways residential development is now eliminated. The building is designed with an external screen/double façade and intended to completely eliminate the possibility of overlooking.
- The proposed development would generate additional trips to the area but these trips would not have significant negative impact on the capacity of the existing junctions in the area.
- The traffic and transport proposals put forward are consistent with the aims of the Cork County Development Plan and the Little Island Transport Study. A number of the interventions under the Little Island Transport Study have already been put in place and further interventions are planned by Cork County Council.
- Surface water runoff from the proposed development will be attenuated to a greenfield runoff rate before discharge to the surface water sewer network in the business park. A flood risk and drainage impact assessment has been carried out and concluded that there is no record of flooding on the road outside the development and no records of the road becoming inaccessible.

### 7.3. Planning Authority Response

The PA responded to the appeal and stated that in terms of the light pollution issue raised in the appeal, it is conditioned that the applicant submits a public lighting design for the development prior to commencement under Condition 42, which states the following:

*“Before development commences, the developer shall submit a 'Lighting Reality' design report and drawing(s) for the written agreement of the Planning Authority. The report and drawing(s) shall be to a minimum scale of 1/500 on A0 or A1 or A2 sized background, (ideally all on one drawing) and shall show lux contour levels for the designed minimum lux level, 1.5, 3, 5, 10, 15, 20....lux, as appropriate. The lux contour lines shall be of a colour and intensity that makes them easily identifiable from the background road/boundary/ducting lines and individual spot lux levels shall be omitted from the drawing to avoid clutter. The developer shall include proposed tree locations on the Public lighting drawing to demonstrate that no trees are to be planted within 10m of a public light. The developer shall also aim to site public lighting columns in public ground, and where appropriate columns shall be located on the boundaries between properties and not in locations where they could affect the potential to extend driveways in the future. In the info box of page 1 of the Lighting report, the Designer shall include details of the CLO wattages for lights proposed (in lumen output batches) and the design classes achieved in the various design grids applicable to different elements of the design”.*

### 7.4. Observations

One observation has been received by Kaye Barry and the issues raised can be summarised as follows:

- The height of the proposed building is still very invasive and will overlook private residences in the area. The height is out of character with the neighbourhood.
- The height will tower over existing office buildings and will impact the residential amenity of the area.

- The lighting from the development will be very polluting for residential homes and the car parking provisions do not cater for sufficient spaces.
- The overall increase in footfall and traffic in the area will worsen noise pollution in the area.

## 7.5. Further Responses

7.5.1. The appeal made by Barry Fahily was subsequently deemed invalid and the response summarised below only relates to the valid appeal from Michael Delargey.

- The appellant requests that the Board justify why the applicant is allowed to respond to an invalid appeal.
- The appellant refutes the claims that there was meaningful engagement with the local residents and that the applicant met one resident from Fairways estate.
- Overlooking and privacy are not satisfactorily dealt with by the applicant. The appellant asserts that the development will look onto the properties at Fairways and in particular, the appellant's house.
- Arguments made concerning light loss and daylight by the developer are said to be misleading. It is stated that the evening sun from March to September will set behind the proposed building and will cast a long shadow over the appellant's property.
- The appellant refutes the assertion that the main distributor road (Ballytrasna Park Road) on which the proposed building site is to be situated does not flood. The appellant provided images of flooding incidents on the road, said to be in 2022, 2023 and 2024.
- Regarding ecology, the appellant claims that there will still be a negative impact on fauna activity on the site as a result of the development.
- The removal of trees will enable overlooking of properties and impact on the privacy of houses.
- The applicant has not demonstrated an adequate business case for the development and that the business park was never intended for a high rise

office building. The appellant still asserts that relative to the overall business park the development is excessive in terms of height, form, site coverage and scale.

7.5.2. The observer Kaye Barry also responded to the applicant's submission and the issues are also summarised as follows:

- There were 1-2 people who met with the applicant and the proposed height is one of the key reasons why Fairways residents are opposing the development. The revised height of 3-6 stories, the scale and oppressive nature of the development are still key issues.
- The observer also disagrees with the applicant's assertion that "objection to the concept of the development was not expressed". The observer spoke to residents and attended various estate meetings on the same. There is an objection to the concept of the development overall.
- The style and nature of the building are not in keeping with the style of existing buildings in the area. The building will be an eyesore from all the windows at the rear of Fairways.
- The height, character, materials and style of the existing buildings in the area offer a perfect combination of residential and office balance. The development is not a benefit to the area.
- The applicant is playing down the impact of the additional lighting that will worsen light pollution as a result of the development.
- The shadow & lighting does not address the privacy aspect in any way. The height and lack of privacy will result in lower house value.
- Regarding the food court proposed, the observer does not think it will enhance facilities or the overall culture of the area. The extra traffic and footfall will potentially impact on noise in the area.
- The claim by the applicant that the potential for overlooking has been eliminated by the reduction in height is not the case. There will be at least 2-4 stories that will have direct views into the private back gardens of Fairways.

- The food court could lend itself to loitering and unwanted evening congregating and the sheltered open area will make it worse.
- The observer strongly disagrees that the current design, scale and setting will make a positive contribution to the area.

7.5.3. The PA is of the opinion that all relevant issues have been covered in the technical reports already forwarded to the Board and has no further comment to make on the matter.

## 8.0 Further Information

8.1. Under the provisions of section 132 of the Planning and Development Act, 2000 (as amended) the Board sought the following information from Cork County Council, by way of letter dated 8<sup>th</sup> of April 2025, a copy of which is on file for the Board's perusal.

8.2. In summary, as part of the transportation and parking considerations in Section 9.7 of this report, the Board requested information relating to the breakdown calculation for the Section 48(2)(c) special contribution of €234,726.56 in respect of works proposed to be carried out for the provision of Little Island Sustainable Transport Initiatives.

8.3. A response from Cork County Council was received on the 24<sup>th</sup> of April 2025 and contained the following:

- The development contribution calculation is based on two transport initiatives. These are the Little Island/N25 Pedestrian and Cycle Bridge and the Little Island Sustainable Transport interventions.
- The proposed development provides for 510 staff and the projected number of employees on Little Island would be 11,923 by 2040. The development equates to 4.2774% of the projected employees.
- The Little Island Sustainable Transport Interventions (LISTI) is being developed in three phases with an estimated cost of €8,488,868.29. It is estimated that staff would benefit from 20% of these measures.
- $€8,488,868.29 \times 20\% \times 0.042774 = €72,621.37$

- The Little Island/N25 Bridge, which is permitted and progressing to approval processes and detailed design has a cost estimate of €8,421,700.00. It is estimated that 45% of staff would benefit from the infrastructure, which is complemented by the development's mobility management.
- $€8,421,700.00 \times 45\% \times 0.042774 = €162,105.19$
- $€72,621.37 + €162,105.19 = €234,726.56$

8.4. The Board was of the view that it would be appropriate that relevant parties make submissions or observations in relation to the Further Information received and the information was circulated to the following parties on the 6<sup>th</sup> of May 2025 (a copy of which is on file) with observations sought on same in accordance with Section 131 of the Planning and Development Act, 2000 (as amended).

- Applicant
- Third Party Appellant and Observer

#### 8.5. Additional Responses Received

8.5.1. A response to the Further Information Received by the Board was received from the applicant on the 21<sup>st</sup> of May 2025. This is summarised as follows:

- The applicant argues that the infrastructure works for the area do not have exceptional costs that will incur a Section 48(2)(c) special contribution. The infrastructure works identified are part of the strategic planning framework of the area and thus be financed under the general contribution scheme.
- The two infrastructure works referenced in the Cork County Council submission to An Bord Pleanála are included within the Cork Metropolitan Area Transport Strategy (CMATS) and the County Development Plan. As such, these infrastructure works are planned strategic improvements necessary for the broader area's development.
- Cork County Council's submission confirms that these infrastructure projects align with Cork County Council's transport strategy for Little Island. The 2018 Little Island LAP identifies these infrastructure improvements in Objective LI-

GO-02 as essential for the sustainable development of the settlement as a whole.

- The applicant refers to relevant judgement *Simons v An Bord Pleanala* (2019) IEHC 568.
- There is precedent in Little Island where arguments against special contributions have been accepted.
- The proposed development will be contributing through the development contribution scheme under Section 48 and the imposing of an additional special contribution would be double charging.
- Having regard to the NPF and RSES, the imposition of excessive or inappropriate contributions can undermine the strategic objectives in these documents.
- An Bord Pleanala highlighted the cumulative impact of financial conditions on development viability and encouraged planning authorities to ensure special contributions are only applied where genuinely exceptional circumstances exist.

## **9.0 Assessment**

- 9.1. The Board should note that appeals from Michael Delargey and Barry Fahily were sent to the applicant to comment on, and accordingly, the applicant responded to the two appeals. I also note that the appeal from Barry Fahily was subsequently made invalid. Therefore, I will only have regard to the applicant's response to the active appeal on the file.
- 9.2. Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, and inspected the site, and having regard to relevant local/regional/national policies and guidance, I consider that the main issues in this appeal are as follows:
- Principle of Development
  - Height and Design
  - Impacts on Residential Amenity



- Proposed Food Court
- Transportation and Parking
- Other Matters

### 9.3. Principle of Development

- 9.3.1. The proposed development initially comprised of an office building ranging from 3 to 10 stories in height and all associated site works. Following a response to a Request for Further Information (RFI) by the PA, the applicant reduced the height of the proposed development to 3 to 6 stories. The initial six storey towers over the 4 stories have been removed from the proposal and to compensate, two additional two stories were added to the northern block of the development.
- 9.3.2. The County Development Plan 2022-2028 zones the site ZU 18-10 and promotes development in general that supports employment uses of the Existing Mixed/General Business/Industrial Areas. Developments that do not support or threaten the vitality or integrity of the employment uses of these areas shall not be permitted. The proposed development is mainly an office development with retail and community spaces provided on the ground floor. I consider that the proposed development is consistent with the zoning objective of the site.
- 9.3.3. I note that the Third Party appeal submits that there is no significant green space within Euro Business Park and suggests that the council should acquire the site and develop it as an amenity space for the benefit of the workers within the Park and the local community. I acknowledge the appellant's comments in this regard and note that the site is in a commercial business park within close proximity of a train station and as such an amenity space on the site would not constitute the best use of land in this instance. I also note that an amenity space is not considered as an appropriate use in the zoning objective of the site. The Development Plan acknowledges that Little Island is changing and it is the strategy of the plan to expand on the residential offering in the area. I therefore consider that there would be opportunities to provide amenity space in tandem with future residential developments in Little Island.
- 9.3.4. The Third Party appeal submits that the development is not in keeping with the light industrial and small-scale offices of the original permission granted by the Council and that the development will be more suited to city centre locations. I note the

parent permission of 98/337 and specifically Condition 9 that restricts the use of the site to industrial and related purposes only, unless subject to a separate grant of permission.

- 9.3.5. The parent permission was granted permission under the 1996 County Development Plan and while I note Condition 9 of the previous permission, the proposed development is being considered under the current County Development Plan 2022-2028. The Development Plan acknowledges that Little Island is changing and I refer the Board to Section 8.7.13 of the Development Plan 2022-2028 that seeks to promote a high-quality workplace environment for the existing and future workforce population, along with an expansion of the residential offering and supporting facilities in Little Island. I am of the view that the proposed development provides an opportunity to reaffirm Little Island's function as a strategic centre of employment.
- 9.3.6. The proposed development is close to a train station (c. 400m) and I also note Section 2.6.22, Volume 4 of the Development Plan, which states that Little Island's employment potential will be best achieved by continuing to provide for mixed employment development and some locations close to the rail station may be suitable for higher density office uses. The Development Plan therefore supports higher density office use at this location.
- 9.3.7. Furthermore, I note that the Regional Spatial and Economic Strategy (RSES) also supports the integration of land use and transport. I refer the Board to RPO 151 (d) that states that "new employment and residential development will be consolidated and intensified in a manner which renders it serviceable by public transport and ensures that it is highly accessible, by walking, cycling and public transport. Within the Metropolitan Areas of Cork, Limerick-Shannon and Waterford, except in limited planned circumstances, trip intensive developments or significant levels of development will not occur in locations which are not well served by existing or proposed high capacity public transport". I am of the view that the development proposed which is within proximity of quality public transport service, constitutes an appropriate use of land.
- 9.3.8. While the proposed development is not in a city centre location, I consider that the proposed development is supporting employment uses in a strategic employment location.

- 9.3.9. The Third Party appeal stated that there is no business case for the proposed development and a strong argument for the need for the development has not been presented by the applicant. There is no provision in the Development Plan to require the applicant to prepare a business case and I am of the view that the applicant is proposing the development in support of the vision for Little Island contained in the Development Plan. I refer the Board to Objective LI-GO-01 of the Development Plan (vol. 4) that seeks to “Locate new business development within the development boundary, which will provide additional employment growth”.
- 9.3.10. With regard to the Third Party’s submission that Euro Business Park is not zoned for a food court, I refer the Board to the zoning objective of the Cork County Development Plan for the site which seeks to facilitate development that supports in general the employment uses of the existing area. Accordingly, I consider the proposed food court as a subsidiary use development that will support the proposed office and the existing light industrial/commercial premises in the business park.
- 9.3.11. Having regard to the foregoing, I am satisfied that the proposed development including office, retail and community use would be consistent with the Development Plan zoning for the area and accordingly, I have no objections to the development in principle.

#### **9.4. Height and Design**

- 9.4.1. As stated earlier, the proposal provides for a 3 to 6 storey development comprising of a 4 storey building on the southern edge and a 6 storey to the north. The two buildings will be linked by a 3 storey building. I acknowledge that the buildings around the site are predominantly 2 storeys with a 3 storey building “Euro House” immediately east of the site. I also acknowledge that there is a residential estate “Fairways” on the opposite side of Ballytrasna Park Road south of the appeal site and characterised by 2 storey dwellings.
- 9.4.2. The appellant and the observer have raised concerns about the height of the development and in particular, the 4 storey element that is closest to the Fairways residential estate. It is submitted that the proposed development would be out of character and the height proposed is considerably higher than the surrounding buildings.

- 9.4.3. Firstly, I will have regard to the 4 storey section of the development proposed. The proposed building will have a general height of c.15.8m at parapet level and a maximum height of c.17.9m at the lift core roof access. It is also proposed to provide a ground level that is c.1.2m below the existing level and as such the building will be set below grade the level of Ballytrasna Park Road located south of the building. The building (Jones Engineering) immediately west of the proposed 4 storey building along Ballytrasna Park Road reads to be 2 stories with a maximum height of c. 8.5m and the building (Euro House) to the east is 3 stories with a maximum height of c. 12m. I refer the Board to the contiguous elevation drawing no 1047 FI-500 of the documentation submitted. Having regard to the height of the existing buildings, I consider that the 4 storey section proposed with the parapet height of c.15.8 is a moderate increase of height in the area. I note that the taller element of the lift core roof access area is set back by at least 10m from the southern edge of the building and as such would not be visible at the street level. I am of the view that the proposed 4 storey building is not considerably higher than the prevailing height in the area and therefore, I have no objection to the height of this southern block.
- 9.4.4. Similarly, the northern section will be 6 stories in nature and has a general height of c.24m at parapet level and a maximum height of c.25.7m at the lift core. Apart from the Jones Engineering building located immediately west which is owned by the applicant, the proposed 6 storey block is distanced by at least 30m from any building within the vicinity of the block. I consider that this setting provides the opportunity for an increase in height especially given its close proximity to quality public transport service. The six storeys will be considerably higher than the prevailing height in the area and I consider that the separation distance afforded will allow the site to accommodate this building height (see section 8.5 below). The existing properties around this block are commercial/light industrial premises and the closest residential houses 'Fairways' are located at least 60m south of the building. I therefore have no objections to the 6 storey block to the north of the site.
- 9.4.5. The 3 storey section of the development is located between the southern and the northern buildings. This building links the two blocks together and has a maximum height of c.12m in height. The height of this structure is consistent with the prevailing heights in the area and as such I consider the building height to be acceptable.

- 9.4.6. I note that the Development Plan (Section 4.10.6) requires that any building greater than 4 stories should address the management criteria set out in paragraph 3.2 of the Urban Development and Building Heights Guidelines for Planning Authorities. In this regard, I have considered the criteria in the height guidelines in the following table.

At the scale of the relevant city/town	
The site is well served by public transport with high capacity, frequent service and good links to other modes of public transport.	The site is located c. 400m south of Little Island train station. A new Pedestrian and Cycle Bridge adjacent to Little Island Train Station to Little Island has been approved. The upgrading of Dunkettle interchange is completed. Construction is underway of pedestrian and cycle route from Bury's Bridge, Kilcoolishal to Carrigtwohill, connecting with Little Island rail station. Sustainable transport infrastructure, providing high quality pedestrian and cycle access to and within Little Island, is being developed to serve existing and future residential and employment areas. BusConnect services will be provided for Little Island.
Development proposals incorporating increased building height, including proposals within architecturally sensitive areas, should successfully integrate into/ enhance the character and public realm of the area, having regard to topography, its cultural context, setting	The site is within a built up location of commercial and light industrial type uses. There are no architectural sensitive areas. The site is within an area designated as a High Value landscape. A visual impact assessment has been submitted to illustrate the scale of the development.

of key landmarks, protection of key views	<p>Having regard to the flat topography of the site and existing land use pattern in the area, I consider that the placing of the taller element of the development (6 storeys) to the north is acceptable.</p> <p>I also consider that the four storey element is a moderate height increase from the prevailing 2/3 storey buildings in the area.</p>
Such development proposals shall undertake a landscape and visual assessment, by a suitably qualified practitioner such as a chartered landscape architect.	<p>The proposal was accompanied by a Visual Impact Assessment on foot of a further information request.</p> <p>Photomontages illustrate the proposal from the surrounding area and allows for a comprehensive assessment of the development in its context. See sections 9.5.2 &amp; 9.5.3 below.</p>
On larger urban redevelopment sites, proposed developments should make a positive contribution to place-making, incorporating new streets and public spaces, using massing and height to achieve the required densities but with sufficient variety in scale and form to respond to the scale of adjoining developments and create visual interest in the streetscape	<p>The proposal includes connectivity with the existing “Jones Engineering” site west of the site and provide pedestrian access from the development onto Ballytrasna Park Road. The 4 storey building located to the south respond to the scale of adjoining developments in the area. The photomontages in the visual impact assessments illustrate that this design approach is appropriate for the site.</p>
At the scale of district/ neighbourhood/ street	

<p>The proposal responds to its overall natural and built environment and makes a positive contribution to the urban neighbourhood and streetscape</p>	<p>The development supports the Development Plan strategy to reaffirm Little Island as a strategic employment location. The provision of retail and community spaces on the ground floor to enhance the streetscape and the public pedestrian route through the development will also help animate the streetscape.</p>
<p>The proposal is not monolithic and avoids long, uninterrupted walls of building in the form of slab blocks with materials / building fabric well considered</p>	<p>The proposal comprised of a two main blocks of 4 stories and 6 stories which are linked together by a 3 storey building. The design strategy submitted details a contemporary glazing system and provides for terracotta panels with all junctions expressed in powder coated steel.</p>
<p>The proposal enhances the urban design context for public spaces and key thoroughfares and inland waterway/ marine frontage, thereby enabling additional height in development form to be favourably considered in terms of enhancing a sense of scale and enclosure while being in line with the requirements of “The Planning System and Flood Risk Management – Guidelines for Planning Authorities” (2009)</p>	<p>The site is square shaped and moderately sized (0.945Ha). This provides a capacity for greater height on the site. The height proposal responds to the context of the site and provides for landscaping to enhance the public realm around the site.</p> <p>The development proposes footpath accesses and a sheltered open area along the Ballytrasna Park Road boundary with the main pedestrian entrance along the Euro Business Park Road. This will create animation at the street level and also enhance the public realm.</p>

	A Flood Risk Assessment is included justifying the proposal in accordance with the “The Planning System and Flood Risk Management – Guidelines for Planning Authorities (2009)”
The proposal makes a positive contribution to the improvement of legibility through the site or wider urban area within which the development is situated and integrates in a cohesive manner	<p>The height modulation of the proposed development from 3-6 stories responds to the wider urban setting and will contribute to the legibility of the area.</p> <p>The perimeter streetscape (particularly on the east and south side) will also improve legibility within the wider urban area.</p>
The proposal positively contributes to the mix of uses and/ or building/ dwelling typologies available in the neighbourhood.	The development is mainly an office development with approximately 80% office use and 20% service use. I consider the mix to be appropriate having regard to the strategic employment location of the area.
At the scale of the site/building	
The form, massing and height of proposed developments should be carefully modulated to maximise access to natural daylight, ventilation and views and minimise overshadowing and loss of light.	<p>The development is mainly office buildings. The form, orientation and height proposed is such that there will be maximum light into the development.</p> <p>There are residential properties in the area and the Daylight and Sunlight analysis submitted demonstrates compliance with the BRE guidelines.</p>
Appropriate and reasonable regard should be taken of quantitative performance approaches to daylight	A Daylight and Sunlight analysis was submitted as part of the application which states that the proposal complies



provision outlined in guides like the Building Research Establishment's 'Site Layout Planning for Daylight and Sunlight' (2nd edition) or BS 8206-2: 2008 – 'Lighting for Buildings – Part 2: Code of Practice for Daylighting'	with the BRE and BS standards for sunlight and daylight. I have reviewed the daylight and sunlight analysis submitted in sections 9.5.8 - 9.5.14 below. I am satisfied that the development will not lead to any significant loss of daylight/sunlight enjoyed by existing residential properties close to the site.
Where a proposal may not be able to fully meet all the requirements of the daylight provisions above, this must be clearly identified and a rationale for any alternative, compensatory design solutions must be set out, in respect of which the planning authority or An Bord Pleanála should apply their discretion, having regard to local factors including specific site constraints and the balancing of that assessment against the desirability of achieving wider planning objectives. Such objectives might include securing comprehensive urban regeneration and or an effective urban design and streetscape solution.	<p>The proposed use of the development is non-residential in nature and no compensatory design solution is required.</p> <p>With regards to the residential units within close proximity of the development and the potential for loss of sunlight, the Daylight and Sunlight analysis submitted demonstrates that the proposal meet all the requirements of the daylight provisions. See sections 9.5.8 - 9.5.14 below.</p>
Specific Assessments	
Specific impact assessment of the micro-climatic effects such as downdraft. Such assessments shall include measures to avoid/ mitigate such micro-climatic effects and, where appropriate, shall include an	The maximum height of the development is 6 stories (c. 25.7m) and not within a cluster of taller buildings and as such an assessment on wind microclimate is not necessary.

assessment of the cumulative micro-climatic effects where taller buildings are clustered	
In development locations in proximity to sensitive bird and / or bat areas, proposed developments need to consider the potential interaction of the building location, building materials and artificial lighting to impact flight lines and / or collision	The development is not located in proximity to sensitive bird or bat areas. The AA concludes no significant impact on any protected species within any European Site. The closest European site is Cork Harbour SPA, located c.432m east of the site.
An assessment that the proposal maintains safe air navigation.	The maximum height of the development is 6 stories (c. 25.7m) and an assessment in this regard is not necessary.
An urban design statement including, as appropriate, impact on the historic built environment	A Design Statement was submitted as part of the original development. The design is considered as a sensitive approach.
Relevant environmental assessment requirements, including SEA, EIA, AA and Ecological Impact Assessment, as appropriate.	An EIA screening assessment and a screening report for Appropriate Assessment have been submitted. Impacts on Ecology and Biodiversity have been covered in both documents.

9.4.7. In conclusion, I consider the height of the proposed development to be appropriate having regard to the context and setting of the site. The proposed buildings within the development are articulated to respond to the character of the area. I consider that the development has provided for appropriate separation distances to allow the site to accommodate 3-6 storey structures. I am therefore satisfied that the proposed development will not be out of character with the surrounding area. Accordingly, I have no objections to the proposed height of the development.

## **9.5. Impacts on Residential Amenity**

- 9.5.1. The appellant and the observer have raised concerns in relation to the potential impact of the development on their residential amenity at Fairways.

### Overbearing/Visual Impact

- 9.5.2. The closest residential house(s) to the proposed development are within Fairways south of the development and on the opposite side of Ballytrasna Park Road. These houses are predominately 2 stories in height and mainly have their side/rear gardens backing onto Ballytrasna Park Road. The appellant argues that the scale of the development would impact on the amenities of the houses. The Development Plan requires that a minimum separation distance of 22m is generally needed to avoid overbearing impacts on residential amenities. I note that there is a minimum separation distance of c.23 between the development and the rear boundary wall of the Fairways estate. I also note that there is a separation distance of c. 35m between the development and the side elevation of the closest house at No. 8 Fairways. I am therefore satisfied that the development would not have any significant overbearing impact on the houses at Fairways.
- 9.5.3. The appellant asserts that the development would be visible from many locations within Little Island and the size of the development would seriously impact on the visual amenity of the houses at Fairways. A visual impact assessment was submitted as part of the documentation and photomontages supplied provided viewpoints from Ballytrasna Park Road, Ballytrasna Park Road Junction, Eastgate Way, and the Little Island entrance bridge. Having reviewed the report and having inspected the surrounding area, I conclude that the proposed development would be most prominent at the Little Island entrance bridge particularly the 6 storey northern building. Having visited the site, buildings in Euro Business Park and other business parks in Little Island offer different variations in height and I am of the view that the development will not physically impose itself on any building in the area and will not significantly impact on the visual amenity of the area. The most sensitive receptor to any potential significant visual impact would be the residential houses Nos. 1-8 to the south of the site at Fairways Estate. Further to the proposed separation distance, the houses at Fairways are configured to face their local road and there is also a

boundary wall located north, delineating these houses from the Ballytrasna Park Road and the business park. I consider these houses to be at a remove from the development site and as such I do not envisage any significant negative visual impact from the development. Therefore, I am of the view that the proposed development will not visually impact on the residential amenities of the area.

#### Overlooking/Privacy

- 9.5.4. There are concerns from the appellant and the observer that the development will overlook the houses and gardens at Fairways and thereby impact on their privacy and amenity. The proposed 6 storey section of the development is to the north of the site and positioned at least c. 60m away from the rear boundary wall of Fairways. Having regard to such separation, I do not consider that the houses at Fairways will be overlooked by the 6 storey building. As previously outlined, the southern end of the site that includes a 4 storey building is set back by a minimum distance of c.23m from the rear boundary wall of the Fairways Estate. This clearance distance is characterised by tree cover, footpaths, L2985 Road and the northern boundary wall of Fairways estate. I am of the view that the 4 storey building is at an adequate distance to avoid direct overlooking and I also acknowledge that the elevational treatment of the development at this side includes the provision of a secondary opaque glazing panel outside the primary window panel to avoid overlooking of Fairways. Having regard to the above, I am satisfied that the proposed development will not lead to overlooking of the existing houses at Fairways.
- 9.5.5. In addition, based on the drawings submitted, I note that the development will provide for a roof garden and balconies to the north east elevation of the 4 storey building. Notwithstanding the separation distance, the roof garden and balconies on this building can create a perception of overlooking on the houses at Fairways. In any case, having regard to the orientation of the 4 storey building, I see no significant amenity value that can be associated with the use of the roof garden and balconies here. I also note that the 6 storey building also proposes to have a roof garden and balconies. Having regard to the proximity of the 4 storey building to residential properties at Fairways compared to the 6 storey section, I am of the view that the balconies should be removed and the access to the roof garden should be limited to maintenance access only to eliminate any perception of overlooking. If the Board is minded to grant permission, such a condition should be included. I note that the PA

also had concerns about the potential overlooking from the roof gardens and balconies associated with the development.

- 9.5.6. In terms of privacy, having regard to the separation distance afforded by development and the proposed southern elevational treatment discussed above, I do not consider that the proposal will lead to any significant privacy concerns.

#### Proposed Development Lighting

- 9.5.7. The appellant has raised concerns about light emanating from the development at night and submits that it will cause excessive background light to the houses at Fairways. No lighting report is submitted with the application and I am of the view that the lighting for the proposal should be provided to ensure no adverse impact on the houses nearby. The Development Plan under section 15.11.3 acknowledges the impact light pollution can have on residential amenities and provides general criteria for artificial lighting. The applicant has submitted that all relevant elevations will be shaded by the secondary glazing system and any lighting from the building will be refracted by the angled secondary glazing system. Again, as stated earlier there is a minimum separation distance of c.23m from the houses at Fairways. I therefore have no objections and consider that the lighting of the proposed buildings will not negatively impact on the residential houses in the vicinity. I note that the PA included lighting conditions (Condition 42 & 43) in the grant and I am of the opinion that these lighting conditions be retained, if the Board is minded to grant permission.

Furthermore, I note that the proposal includes an illuminated skybox at the south east corner of the 4 storey building at the southern edge of the site. The Skybox extends from the first floor to the third floor of the 4 storey building. Based on the information submitted with the application, there is no other function of the skybox other than a lighting feature. Given the rear orientation of the houses at Fairways and the possibility that bedrooms could be located to the rear, I am of the view that this lighting feature could impact on the amenities of the houses at Fairways. Again, if the Board is minded to grant permission, I recommend that a condition be included to remove the skybox.

### Loss of Daylight & Overshadowing

- 9.5.8. Concerns have been raised by the appellant who resides at 8 Fairways that the development would adversely affect the quality of natural sunlight at Fairways and would also overshadow their property.
- 9.5.9. At the outset it should be noted that the houses on Fairways (1-8) are located to the south of the proposed development and as such overshadowing concerns would not arise. The applicant submitted a Daylight, Sunlight and Overshadowing analysis in response to the appeal. The analysis was informed by the 2022 BRE Guidance 'Site layout planning for daylight and sunlight: A guide to good practice', third edition. The analysis tested 8 residential properties within the area including 5 in Fairways (1,2,3,4,5 &8), 1 in Castlevue west of the site and 1 in Beach Lawn located north west of the site. The location of all the houses assessed is shown on Page 8 of the report. The report measured the potential for loss of light from the sky to existing houses, loss of sunlight to the houses and garden spaces, and overshadowing.
- 9.5.10. Loss of daylight is measured through the assessment of the levels of Vertical Sky Component, (VSC), which is equivalent to the amount of skylight falling on a vertical wall or window. BRE guidance states that where a VSC of 27% or more is achieved enough skylight should still be reaching the existing building and daylight will not be significantly affected. Where a VSC of less than 27% is achieved, further analysis is required, and any reductions should be limited to 20%. The analysis concluded that the VSC to the houses meets the criteria as all windows assessed were all in excess of 27%.
- 9.5.11. For internal spaces sunlight availability is measured by the Annual Probable Sunlight Hours, (APSH) and only windows facing within 90° of due south are considered. The Guidance states that rooms will appear reasonably sunlit provided that at least one main window faces within 90° of due south and the centre of at least one window to a main living space can receive 25% of APSH including at least 5% APSH in the winter months between the 21<sup>st</sup> of September and the 21<sup>st</sup> of March. Only the house at Beach Lawn has windows facing 90° of due south and the report showed that all assessed windows of the house were in excess of the criteria.
- 9.5.12. In terms of the garden spaces analysis, again only the house at Beach Lawn was tested as the external spaces of the house are located due south. The BRE

guidance recommends that for an amenity space to appear adequately sunlit throughout the year, at least half of the garden space should receive a minimum of two hours of sunlight on March 21<sup>st</sup>. The analysis in the report showed that at least half of the garden areas at Beach Lawn would achieve 2 hours of sunlight on the design day (21<sup>st</sup> of March) with more than 97.5% of the garden assessed achieving the required level of sun.

9.5.13. An analysis was also carried out to determine whether the properties would be subject to overshadowing from the proposed development. Again, only the house at Beach Lawn was tested because it was the only residential property orientated due south. The images generated are contained in Section 9 of the report. They show shadow cast plots that have been carried out from 08.00 – 18.00 on the 21<sup>st</sup> of March and concluded that the proposed development will have no impact on the houses at Fairways and Castlevue due to their orientation. There is also little to no impact on the house at Beach Lawn. The appellant further stated that the evening sun from March to September will set behind the proposed development and will cast a long shadow over their property and other properties in Fairways and will reduce the quality of natural lighting illuminating their property. The daylight analysis did not provide shadow cast plots for summertime and there is a potential for some overshadowing of the houses during the long evenings in summertime. I do consider this to be limited to short time periods in the late evenings, however having regard to the location of development in relation to Fairways, I am of the view that the houses will receive sufficient levels of sunlight in line with the BRE guidance. I also note that upon site visit, the window at no 8 Fairways facing the development appears to be for a WC or a passageway and as such no impact is expected.

9.5.14. Having reviewed the information submitted and considered the proposed separation distances among the buildings, I am satisfied that the proposed development will not have any significant impact on the levels of daylight and sunlight currently experienced by the houses on Fairways, Beach Lawn and Castlevue. I am also of the opinion that their gardens and houses would not be significantly overshadowed by the development.

## **9.6. Proposed Food Court**

- 9.6.1. The development includes a 1,025m<sup>2</sup> of food court area at the ground level of the 4 storey section proposed to the south of the site. The food court will also include an outdoor covered seating area. The Third-Party appellant has concerns regarding the damage that the food court will have on current retail premises on the island. Upon site visit, I observed that Euro Business Park is predominately light industrial/commercial developments and there are a few retail shops within the park itself that would provide food offerings and Circle K located south west of the site would be the closest to the site. There are a few other retail premises at the retail park at the adjoining Eastgate Business Park also close to the site. From the documentation submitted, the applicant has stated that the food court would mainly be for the use of the proposed office staff. Having regard to the land use pattern of Euro Business Park and the extent of the proposed development being for c. 495 office workers, I am of the view that a food offering area of the scale proposed is necessary. The proposed food court will accommodate the office workers associated with the development and the other light industrial/commercial sites in the park. I also note that the site is a strategic employment location in which the Development Plan seeks to consolidate with employment uses that support the existing mixed, general business and industrial nature of the area. Having regard to the above, I do not accept that the proposed food court will damage the existing retail services in the area. I am of the view that the food court will enhance the food offering in Euro Business Park.
- 9.6.2. Given that the proposed food court is mainly for the use of the office staff associated with the development, I do not consider that there will be significant additional footfall traffic or noise pollution from further afield as a result of the development.
- 9.6.3. The observer also submits that there could be loitering and unwanted evening congregating at the food court and the sheltered open area would exacerbate it. In this regard, I consider that the proposed food court and the sheltered open area have been appropriately designed and integrated into the development. The sheltered open area is adjacent to the road and will be suitably overlooked. I also note that the operational hours of the food court are similar to the office use. The proposed development would operate between 8.00 and 18.00 on weekdays with little staff presence after or at weekends. Accordingly, I do not consider that there is



any reasonable evidence to conclude that the food court and the sheltered open area would lead to any antisocial behaviour.

- 9.6.4. I note that the PA included a condition requesting the applicant to submit details of how the sheltered open area will be managed outside the operational hours. If the Board is minded to grant permission, I also recommend that a similar condition be included.

## **9.7. Transportation and Parking**

- 9.7.1. Traffic concerns have been raised by the appellant and argues that the development proposes a significant number of vehicles and this would add to the already heavy traffic in the immediate area.
- 9.7.2. Table 12.6 of the Development Plan sets out maximum car parking standards and 910 spaces are the maximum spaces for the development. The Development Plan allows for reduced car parking where the PA is satisfied that good public links are available or planned. I also note that it is the strategy of the Little Island Transport study (LITS) to further reduce the quantum of workplace parking spaces compared to Development Plan Standards for future developments. The development proposes to provide for 70 new car spaces, inclusive of 7 disabled car parking spaces, 12 EV spaces and 20 motorcycle parking spaces. The applicant stated in their application that providing fewer car parking spaces will encourage the staff and visitors to use public transport to access the site.
- 9.7.3. Regarding the maximum car parking requirement for the development, I do consider any provision of car parking close to the maximum would be excessive having regard to the proximity of the site to the train station. I note that there are existing public transport services to the area and there are plans to provide two quality bus corridors in the area (BusConnects). I also note that the Council is implementing transport interventions in Little Island to improve the increase in the number of people using sustainable modes of transport for travelling. The area is a strategic employment location and having regard to the nature of the development, I consider that encouraging other sustainable modes of transport is important and as such I do not have any objections to the provision of 70 car parking spaces to cater for the development.

9.7.4. On foot of a request for Further Information a Traffic and Transport Assessment prepared by J. Barry & Partners Ltd was submitted. The assessment was based on 2024 baseline traffic flows calculated by factoring the 2023 recorded traffic flows in accordance with the TII Publications Project Appraisal Guidelines for National Roads document. In order to determine the current traffic behaviour in the vicinity of the site, a traffic survey was carried out at the following junctions:

- Junction 1 – Old Youghal Road/R623.
- Junction 2 – R623/N25 Slip Road.
- Junction 3 – Castlevue/R623/N25 Slip Road.
- Junction 4 – Ballytrasna Park Road/R623.
- Junction 5 – Ballytrasna Park Road/Access Road to Euro Business Park.
- Junction 6 – Access Road to Euro Business Park/Access Road to Jones Engineering; and
- Junction 7 – Island Corporate Park Road/R623/Little Island Industrial Estate Road.

The traffic survey was carried out over a 12-hour period from 7.00 hours to 19.00 hours to include both the morning and evening peak periods. A traffic capacity assessment of the seven junctions was carried out and the result showed that all but 1 junction were operating within the normal design threshold in both morning and evening peak hours in 2024. However, the R623 arm of junction 1 in the evening peak hour was operating over the normal design threshold, resulting in substantial queues and delays for motorists.

9.7.5. The Trip Rate Information Computer System (TRICS) database was used to derive the potential development trip generation rates. A 50% reduction on estimated trip generation from the TRICS was applied due to reduced parking provision and shared trip use at the proposed development because of the existing public transport provision in the area and the improvement works contained in the Little Island Transport Strategy (LITS) to improve public transport and sustainable travel options. In this regard, the estimated vehicle trips are estimated to be 72 trips inbound and 18 trips outbound in the morning peak and 27 trips inbound and 63 trips outbound in the evening peak.

- 9.7.6. The traffic impact assessment considered the implications of the proposed development in terms of its integration with existing traffic in the area. Traffic analysis was carried out for the Junctions to test their capacity in scenarios 'with development' and 'without development'. In the model scenarios, 2026 is taken as the 'Opening Year' and 2041 taken as the 'Design Year' assessments. 1.90% and 15.83% of traffic reduction were applied to the junctions in the 2026 Opening Year and 2041 Design Year based on Development targets for modal shift. I note that the assessment also considered proposed and permitted developments within the vicinity of the site. See Figure 7.1 of the Traffic and Transport Assessment Report.
- 9.7.7. In the 2026 Opening Year traffic impact, Junctions 2, 5, 6 and 7 will operate within the normal design threshold in both the morning and evening peak hours in 2026 for both the 'without' development and 'with' development scenarios. In the 2041 Design Year traffic impact, Junctions 2, 5, 6 and 7 will also operate within the normal design threshold in both the morning and evening peak hours in 2041 for both the 'without' development and 'with' development scenarios. I note that the PA did not have any concerns regarding the assessment carried out.
- 9.7.8. Having reviewed the traffic assessment report, junctions 1, 3 and 4 will exceed the normal design threshold during certain peak hours as a result of the proposed development. This will lead to queues/delays at these junctions. To address the traffic issues in the area generally, the Council is progressing with the implementation of transport interventions in the area as set out in LITS. The interventions provide measures to alleviate peak hour traffic congestion on the road network and exploring ways of increasing active travel and public transport use in the area. I refer the Board to section 2.6.9 of (LITS) published in 2019, which includes the following:
- Short term road capacity enhancements to assist in reducing AM and PM peak hour traffic entering and exiting Little Island.
  - High frequency bus services operating to Little Island.
  - Re-routing existing bus services on-island.
  - Introduction of public transport priority.
  - Creation of a new Park and Ride site and train station at North Esk.

- Provision of a Mobility Hub at the Little Island Railway Station.
- Provision of a direct Commuter Rail service to Mallow and
- Introduction of a new shuttle bus service linking employment locations to the train stations and Park and Ride site.

9.7.9. It is the strategy of LITS to encourage a modal shift to other sustainable modes of travel. The appellant asserts that the commuting plan proposed by the PA does not exist and the infrastructure needed for the island is not in place. I can only assume that the appellant refers to LITS and I do not accept the appellant's claims. LITS does exist and the Council is progressing on the delivery of transport infrastructure in the area. I also note that it is the priority of the Regional Spatial and Economic Strategy (RSES) to advance the LITS transport measures for Little Island.

9.7.10. Furthermore, the implementation of LITS has commenced and I note Table D3 – Residential Lands NPF Tiering for Little Island in the Development Plan. In terms of roads and transport, construction is underway for the pedestrian and cycle route from Bury's Bridge, Kilcoolishal to Carrigtwohill, connecting with Little Island rail station. High quality pedestrian and cycle access to and within Little Island is being developed and the Council is progressing the design of an optimised priority bus route to serve Little Island. I also note that the Council received a grant of permission for a new pedestrian and cycle bridge adjacent to Little Island Train Station. This will connect with the Inter-urban cycleway to Cork City and Midleton. Therefore, I am of the view that the transport interventions being carried out by Cork County Council will encourage a modal shift from cars to other sustainable forms of travel that will reduce traffic volume in the area.

9.7.11. In addition to the above, I note that the applicant submitted an Outline Mobility Management Plan with the application and the plan seeks to align with LITS by providing additional sustainable travel measures for the development. The development proposes 500 cycle spaces and in order not to significantly increase the traffic in the area, the development will consider implementing mitigation measures such as:

- Providing shuttle bus service between Cork City centre/train station and proposed development.

- Implement paid parking for visitors to encourage use of public transport and
- Implement flexible working arrangements to staff arrivals and departures.

9.7.12. While these measures will promote sustainable means of travel and encourage modal shift from cars, the applicant has not provided any further details of how the measures will be implemented. I am of the view that a comprehensive Mobility Management Plan is necessary for the development that provides specific details to support sustainable travel. If the Board is minded to grant permission, I recommend that a condition requiring a Mobility Management Plan that supports the use of other sustainable modes of travel be included.

9.7.13. Given that the development immediately adjoins Ballytrasna Park Road, the PA included a condition requiring the applicant to liaise with the Council regarding LITS works adjacent to the site. Again, if the Board is minded to grant permission, I also recommend that a similar condition be included.

#### LITS Special Contribution

9.7.14. Section 48(2)(c) of the Planning Act 2000 states that 'A planning authority may, in addition to the terms of a scheme, require the payment of a special contribution in respect of a particular development where specific exceptional costs not covered by a scheme are incurred by any local authority in respect of public infrastructure and facilities which benefit the proposed development'. Further guidance is provided on the application of special contributions in the Development Contributions – Guidelines for Planning Authorities, 2013 and the OPR Practice Note PN03 (as referenced in Section 5.1 above). The Development Contribution Guidelines expand on the provisions of Section 48(2)(c) and states that, 'Only developments that will benefit from the public infrastructure or facility in question should be liable to pay the development contribution'. The OPR Practice Note states that 'Special development contributions are provided for in Section 48 (2)(c) of the 2000 Act for specific works which benefit the individual development'.

9.7.15. The PA included a Section 48(2)(c) special contribution in their decision to grant permission and the Board did not have enough detailed information regarding the contribution as it relates to works proposed to be carried out for the provision of Little Island Sustainable Transport Initiatives. The Board sought for Further Information

under Section 132 of the Planning and Development Act from Cork County Council and the details of the response are contained in Section 8 above.

- 9.7.16. The special contribution applied to the development is based on two transport initiatives, the Little Island/N25 pedestrian & cycle bridge and the Little Island transport interventions. I note that the PA states that the projected number of employees expected in Little Island is 11,923 by 2040 and the proposed development will make up c.4.3% of the projected employees. In their response to the further information the applicant asserts that the two transport initiatives identified for the special contribution are part of the strategic planning framework for the area and should be financed through the general contributions scheme.
- 9.7.17. Firstly, the proposed Little Island/N25 pedestrian & cycle bridge will be located approximately 450m north west of the site and form part of the Eastern Corridor: Inter-Urban Cycle Route/Greenway County Development Plan objective to provide high quality pedestrian connectivity. It is also an objective of Cork County Council (Section 12.7.20) to provide high-quality pedestrian cycle connectivity between its boundary with the city at Dunkettle, to Midleton in the east, ultimately connecting to the Midleton-Youghal Greenway. It is envisaged that this will generally follow the indicated alignment of Interurban Route IU-1 of CMATS and the Cork Cycle Network Plan 2017. The proposed bridge will provide a linkage between Little Island and the Inter-Urban Cycle Route. I am therefore of the view that this infrastructure is not just specific to the proposed development. I concur with the applicant that the cost incurred in respect of this infrastructure should be covered under the general contribution scheme.
- 9.7.18. The second transport infrastructure works associated with the contribution are the transport interventions contained in LITS as outlined in section 9.7.8 of this report. The LITS intervention works will facilitate the shift from a vehicle dominated development to a more sustainable one as presented in section 9.7.11 above. While the proposed transport works would directly impact the subject development, I am also of the view that the infrastructure works provide a wider community benefit beyond the development site. I consider that the LITS intervention works to prioritise sustainable forms of travel within Little Island, which is linked to the wider public network. I am therefore of the view that LITS supports the delivery of an efficient transport system in the county as set out in Chapter 12 of the Development Plan.

Furthermore, having reviewed the Cork County adopted development contribution schemes, there is no provision for the LITS intervention works to be levied through special contributions.

- 9.7.19. Regarding special contributions, the Cork County Council Development Contribution Scheme states that special contributions may be required in respect of any development where specific exceptional costs not covered by the Cork County Council Development Contribution Scheme are incurred by any local authority in respect of public infrastructure and facilities which benefit the proposed development. The Cork County Council general contribution scheme allows for financial contribution for the delivery of roads and traffic management. I consider that the costs of delivering the Little Island/N25 pedestrian & cycle bridge and the Little Island transport interventions are not specific exceptional costs and should be covered by the provisions of the general development contribution scheme.
- 9.7.20. Having regard to the above, I consider that the two transport initiatives identified by the PA do not constitute a specific exceptional cost for the purposes of the Section 48(2)(c) and if the Board is minded to grant permission, I recommend that the special contribution condition should not be included.
- 9.7.21. In conclusion, the sustainable travel measures proposed by the development and transport interventions being carried out by the Council will encourage the shift to sustainable modes of travel and ultimately reduce the vehicular traffic in Little Island. Therefore, I do not envisage that the development will lead to any significant traffic delays/queues or any other issues in the area.

Having regard to the foregoing, I am satisfied that the proposed development will not give rise to a significant additional traffic impact on the surrounding road network or lead to noise pollution in the area.

## **9.8. Other Matters**

### **9.8.1. Flooding**

There are concerns that Ballytransa Park/Courtstown Road L2985 is liable to flooding after a heavy rainfall. The applicant submitted a flood risk screening assessment prepared by J.B Barry and Partners Ltd as part of the response to the PA Request for Further Information. The report was prepared in accordance with the

Planning System and Flood Risk Management Guidelines. Using the guidelines, the entirety of the site is located in Flood Zone C and the proposed development is categorised as a less vulnerable development. The report concluded that a detailed flood risk assessment is not required for the proposed development.

Regarding the proposed building levels, the report utilised the Lee CFRAM Coastal flood extent maps in considering the design of the proposed development. The proposed development's finished floor level at ground floor is at least 5.4mOD which is higher than the Coastal Water Level Node 011 (Lee CFRAM)+ allowance for climate change.

The appellant asserts that Ballytransna Park Road floods after a heavy rainfall and the proposed development may add to the flooding. As part of the flood risk assessment, it is a requirement that the proposal is assessed so as not to increase the risk of flooding elsewhere. To avoid increasing the risk of flooding elsewhere, the applicant proposes Sustainable Drainage Systems (SuDS) measures to mitigate against the proposed development's potential to increase flood risk elsewhere.

Excess surface water runoff arising from the development would be attenuated and discharged at a greenfield runoff rate. The surface water management system for the development is designed as much as possible to accord with the principles of SuDS and surface water from the development would be discharged at a controlled runoff rate into the existing storm sewer to the north of the site. It is proposed to provide the following SuDS measures; green/blue roof, permeable paving, swale and attenuation tank. Having regard to the proposed SuDS measures associated with the development, I am of the view that there will be no increased surface water runoff from the development in comparison to the pre-development conditions. I note that the PA has not raised any concerns in this regard. Therefore, I consider that the development will not increase the risk of flooding at Ballytransna Park Road or any other site elsewhere.

#### 9.8.2. Wastewater

The Third Party appeal submits that wastewater from the proposed development would add to the stretched capacity of the drains. In terms of the capacity of the drainage network, the appellant has not provided any evidence to suggest that there is a capacity issue within the network and I also note that the PA service department



did not have any concerns in this regard. Therefore, I have no objections to the development connecting to the existing network.

#### 9.8.3. Biodiversity

The appeal site is in a built-up area and the appellant has stated that the development will affect the local biodiversity of the local area. It is submitted that the development will result in the destruction of rabbit warrens located on the northern boundary of the site. It is also submitted that the height of the development will also affect birds in the area. I do not accept that the development will destroy the local biodiversity in the area. I note that the site is a laid grassed area and within the setting of a built-up business park. I consider the site to be generally of low ecological value. The site is currently being used as an access/exit point for the building (Jones Engineering) west of the site. Regarding the northern boundary of the site, the proposal includes partial removal of the shrub area to facilitate the development. The applicant carried out a bird's survey as part of the screening for the Appropriate Assessment submitted. The survey was carried out between February and April 2024, I refer the Board to section 3.1 of the Screening Report for Appropriate Assessment. The report stated that no waterbirds were recorded using the site, and particularly at the area of amenity grassland within the site. Upon site visit, I observed that the site is urban in nature with little or no fauna activity on the site. Accordingly, I am of the view that the development proposed will not have a significant impact on the biodiversity in the area. I note that the applicant is proposing to increase the tree cover on the site as part of their landscaping measures. With the benefit of SuDS and the landscaping proposed, there will be an improved biodiversity value on the site.

#### 9.8.4. Consultation

While consultation with local residents is welcomed and often beneficial for all parties, I note that there is no obligation in the legislation for the applicants to consult with local residents prior to submission of a planning application.

### 10.0 **AA Screening**

10.1.1. Refer to Appendix 2 attached to this report.

10.1.2. In accordance with Section 177U(4) of the Planning and Development Act 2000 (as amended) and on the basis of objective information

I conclude that that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. It is therefore determined that Appropriate Assessment (stage 2) [under Section 177V of the Planning and Development Act 2000] is not required.

This conclusion is based on:

- Objective information presented in the Screening Report
- The limited zone of influence of potential impacts, restricted to the immediate vicinity of the proposed development.
- Standard pollution controls that would be employed regardless of proximity to a European site and effectiveness of same
- Distance from European Sites,
- The absence of meaningful pathway to any European site
- Impacts predicted would not affect the conservation objectives.

No measures intended to avoid or reduce harmful effects on European sites were taken into account in reaching this conclusion.

## **11.0 Recommendation**

11.1. Having regard to the foregoing and the following reasons and considerations, I recommend that permission should be granted subject to conditions as outlined below.

## **12.0 Reasons and Considerations**

12.1.1. 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.

## 13.0 Conditions

1.	<p>The development shall be carried out 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 02<sup>nd</sup> day of February 2024, 15<sup>th</sup> day of April 2024, and 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 development shall be carried out and completed in accordance with the agreed particulars.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>Revised drawings shall be submitted to and agreed in writing with the Planning Authority prior to commencement of development for the following:</p> <ul style="list-style-type: none"> <li>(a) The skybox feature on the south east elevation shall be omitted from the development</li> <li>(b) The balconies on the north east elevation of the four storey block shall be omitted and the roof garden shall also be restricted to maintenance access only.</li> </ul> <p>Reason: In the interests of visual and residential amenity.</p>
3.	<p>Details of the materials, boundary treatments, colours and textures of all the external finishes to the proposed development shall be submitted to, and</p>

	<p>agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: In the interest of visual amenity and to ensure an appropriate high standard of development.</p>
4.	<p>The disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.</p> <p>(a) A SuDS maintenance plan shall be submitted for the written agreement of the planning authority.</p> <p>Reason: In the interests of sustainable drainage</p>
5.	<p>Final landscape proposals arrangements shall be submitted to the planning authority and written agreement received, prior to the 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 growing season following occupation of the development.</p> <p>(a) Trees along the southern boundary of the site shall be retained.</p> <p>Reason: In the interests of orderly development, biodiversity and the proper planning and sustainable development of the area.</p>
6.	<p>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 the 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.</p> <p>Reason: In the interest of amenity and public safety</p>

7.	<p>Before development commences, the developer shall submit a 'Lighting Reality' design report and drawing(s) for the written agreement of the Planning Authority.</p> <p>Reason: In the interests of orderly development and visual amenity</p>
8.	<p>Details as to how the outdoor sheltered seating areas will be managed outside of operational hours shall be submitted for the written agreement of the Planning Authority, prior to the commencement of development.</p> <p>Reason: In the interest of orderly development and residential amenity.</p>
9.	<p>Prior to the commencement of development, the developer shall liaise with the Sustainable Travel Unit of Cork County Council in relation to the Little Island Sustainable Transport Interventions works adjacent to the development.</p> <p>(a) 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.</p> <p>Reason: In the interest of orderly development.</p>
10.	<p>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.</p> <p>(a) The commitments of the Outline Mobility Management Plan shall be implemented in full</p> <p>Reason: In the interest of encouraging the use of sustainable modes of transport.</p>
11.	<p>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</p>

	<p>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.</p> <p>Reason: In the interest of reducing waste and encouraging recycling.</p>
12.	<p>Prior to the commencement of any works associated with the development hereby permitted, 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 following: [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 of the development.</p> <p>(a) all necessary measures be taken by the contractor 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.</p> <p>Reason: In the interest of environmental protection, residential amenities, public health and safety and environmental protection.</p>
13.	<p>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.</p>

	Reason: To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment.
14.	<p>Prior to the commencement of development the developer shall enter into a Connection Agreement (s) with Uisce Éireann (Irish Water) to provide for a service connection(s) to the public water supply and wastewater collection network. Adhere to any other specific requirements.</p> <p>Reason: In the interest of public health and to ensure adequate water/wastewater facilities.</p>
15.	<p>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 by the planning authority prior to the commencement of development.</p> <p>Reason: In the interest of visual amenity.</p>
16.	<p>Site development and building works shall be carried out only between the hours of 0700 and 1800 Mondays to Fridays inclusive, between 0800 to 1300 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.</p> <p>Reason: In order to safeguard the amenities of properties in the vicinity.</p>
17.	<p>Notwithstanding the provisions of the Planning and Development Regulations 2001, 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.</p> <p>Reason: To protect the visual amenities of the area.</p>

18.	<p>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.</p> <p>Reason: To protect the residential amenities of property in the vicinity and the visual amenities of the area.</p>
19.	<p>Prior to the commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion of streets, footpaths, watermains, drains, open space and other services required in connection with the development, coupled with an agreement empowering the planning authority to apply such security or part therefore to the satisfactory completion of any part of the development. The form and amount of security shall be as agreed between the planning authority and the developer, or in default of an agreement shall be determined by An Bord Pleanála.</p> <p>Reason: To ensure the satisfactory completion of the development.</p>
20.	<p>The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.</p> <p>Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the</p>



	Development Contribution Scheme made under section 48 of the Act be applied to the permission.
21.	<p>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 Bord Pleanála to determine the proper application of the terms of the Scheme.</p> <p>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.</p>

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.

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Oluwatosin Kehinde  
Senior Planning Inspector

27<sup>th</sup> June 2025



# Form 1

## EIA Pre-Screening

<b>An Bord Pleanála</b> <b>Case Reference</b>	ABP 320108-24		
<b>Proposed Development Summary</b>	The construction of an office building and all associated site works		
<b>Development Address</b>	Euro Business Park, Ballytrasna, Little Island, Co. Cork		
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b> (that is involving construction works, demolition, or interventions in the natural surroundings)		<b>Yes</b>	X
		<b>No</b>	
<b>2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?</b>			
<b>Yes</b>	X	Schedule 5 Part 2 Class 10 (b) (iv) Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere.  Schedule 5 Part 2 Class 15 Any project listed in this Part which does not exceed a quantity, area or other limit specified in this Part in respect of the relevant class of development but which would be likely to have significant effects on the environment, having regard to the criteria set out in Schedule 7	Proceed to Q3.
<b>No</b>			Tick if relevant.  No further action required
<b>3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?</b>			
<b>Yes</b>			EIA Mandatory EIAR required

<b>No</b>	X		Proceed to Q4
<b>4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?</b>			
<b>Yes</b>	X	<p>Schedule 5 Part 2 Class 10 (b) (iv) Urban development which would involve an area greater than 2 hectares in the case of a business district and the site is 0.945Ha</p> <p>Schedule 5 Part 2 Class 15 Any project listed in this Part which does not exceed a quantity, area or other limit specified in this Part in respect of the relevant class of development but which would be likely to have significant effects on the environment, having regard to the criteria set out in Schedule 7. The proposal is a 15,350m<sup>2</sup> floor area of office development</p>	Preliminary examination required (Form 2)

<b>5. Has Schedule 7A information been submitted?</b>		
<b>No</b>		<b>Pre-screening determination conclusion remains as above (Q1 to Q4)</b>
<b>Yes</b>	X	<b>Screening Determination required</b>

**Inspector: Oluwatosin Kehinde      Date: 27/06/2025**

## Form 3 - EIA Screening Determination Form

A. CASE DETAILS		
<b>An Bord Pleanála Case Reference</b>	<b>ABP-320108-24</b>	
<b>Development Summary</b>	The Construction of an office development comprising of 3 – 6 Storey building and all associated works	
	<b>Yes / No / N/A</b>	<b>Comment (if relevant)</b>
<b>1. Was a Screening Determination carried out by the PA?</b>	<b>Yes</b>	The PA determined that the development would not be likely to have significant effects on the environment and that the preparation and submission of an environmental impact report is not required
<b>2. Has Schedule 7A information been submitted?</b>	<b>Yes</b>	
<b>3. Has an AA screening report or NIS been submitted?</b>	<b>Yes</b>	An Appropriate Assessment Screening Report was submitted with the application
<b>4. Is a IED/ IPC or Waste Licence (or review of licence) required from the EPA? If YES has the EPA commented on the need for an EIAR?</b>	<b>No</b>	
<b>5. Have any other relevant assessments of the effects on the environment which have a significant bearing on the project been carried out pursuant to other relevant Directives – for example SEA</b>	<b>Yes</b>	<p>Other assessments carried out include:</p> <ul style="list-style-type: none"> <li>• An Environmental Impact Assessment Screening Report (EIASR) which considers the EIA Directive (2011/92/EU, as amended by 2014/52/EU).</li> <li>• Screening for Appropriate Assessment which considers the Habitats Directive (92/43/EEC) and Birds Directive (2009/147/EC).</li> <li>• A Flood Risk Assessment which considers the EU Floods Directive (2007/60/EC).</li> </ul>

B. EXAMINATION	Yes/ No/ Uncertain	<p><b>Briefly describe the nature and extent and Mitigation Measures (where relevant)</b></p> <p>(having regard to the probability, magnitude (including population size affected), complexity, duration, frequency, intensity, and reversibility of impact)</p> <p><b>Mitigation measures</b> –Where relevant specify features or measures proposed by the applicant to avoid or prevent a significant effect.</p>	<p><b>Is this likely to result in significant effects on the environment?</b></p> <p><b>Yes/ No/ Uncertain</b></p>
<p><b>This screening examination should be read with, and in light of, the rest of the Inspector's Report attached herewith</b></p>			
<p><b>1. Characteristics of proposed development</b> (including demolition, construction, operation, or decommissioning)</p>			
<p><b>1.1</b> Is the project significantly different in character or scale to the existing surrounding or environment?</p>	<p><b>Yes</b></p>	<p>The proposed development is located within the existing business park and consists of a floor area of 15,350m<sup>2</sup> and height ranging from 3 – 6 storeys</p>	<p><b>No</b> - The landscape will be permanently altered by the development. However, the site has no specific designations to preserve it and it is zoned for development in the Development Plan.</p>
<p><b>1.2</b> Will construction, operation, decommissioning or demolition works cause physical changes to the locality (topography, land use, waterbodies)?</p>	<p><b>Yes</b></p>	<p>The appearance of the greenfield site would be permanently altered by the development and the land use would be mainly office use consistent with the exiting land use in the area.</p> <p>No demolition works required. Site excavations of between 1.2m and 2.2m proposed with c. 13,660m<sup>3</sup> of soil to be removed.</p>	<p><b>No</b> – The site is not within a visually sensitive area and has no protected views, prospects or features of interest. The site is located in an urban location and standard measures to address</p>

			potential impacts on surface water and ground water in the locality are outlined in the Construction Surface Water Management Plan (SWMP).
<b>1.3</b> Will construction or operation of the project use natural resources such as land, soil, water, materials/minerals or energy, especially resources which are non-renewable or in short supply?	<b>No</b>	Construction materials will be typical for an urban development of this nature and scale. The loss of natural resources because of the development are not regarded as significant in nature.  c. 13,660m <sup>3</sup> of soil to be removed during site excavations. Where this cannot be reused on site it will be removed off site for appropriate reuse, recovery and/or disposal.	<b>No</b>
<b>1.4</b> Will the project involve the use, storage, transport, handling or production of substance which would be harmful to human health or the environment?	<b>Yes</b>	Construction activities will require the use of potentially harmful materials, such as fuels and other such substances. Use of such materials would be typical for construction sites. Any impacts would be local and temporary in nature.  Operational phase of the project does not involve the use, storage, or production of any harmful substance. Conventional waste produced from the development will be managed through the implementation of OWMP.	<b>No</b>
<b>1.5</b> Will the project produce solid waste, release pollutants or any hazardous / toxic / noxious substances?	<b>Yes</b>	Construction activities will require the use of potentially harmful materials, such as fuels and other similar substances and give rise to waste for disposal. The use of these materials would be typical for construction sites. Noise and dust emissions during construction are likely. Such construction impacts would be local and temporary in nature, and with the implementation of the standard measures outlined in the Resource Waste Management Plan, the project would satisfactorily mitigate the potential impacts.	<b>No</b>

		Everyday waste and recycling will be generated at operational stage. Resource efficiency and waste minimisation will be promoted at operational stage.	
<b>1.6</b> Will the project lead to risks of contamination of land or water from releases of pollutants onto the ground or into surface waters, groundwater, coastal waters or the sea?	<b>Yes</b>	<p>Standard construction methods, materials and equipment are to be used, and the process would be managed through the implementation of the CEMP (required by condition).</p> <p>Operation of the standard measures listed in the SWMP will satisfactorily mitigate emissions from spillages during construction and operation. The operational development will connect to mains services and discharge surface waters only after passing through SuDS. Surface water drainage will be separate to foul services within the site.</p>	<b>No</b>
<b>1.7</b> Will the project cause noise and vibration or release of light, heat, energy or electromagnetic radiation?	<b>Yes</b>	There is potential for construction activity to give rise to noise and vibration emissions. Such emissions will be localised and short term in nature, and their impacts would be suitably mitigated by the implementation of a CEMP. No operational impacts in this regard are anticipated.	<b>No</b>
<b>1.8</b> Will there be any risks to human health, for example due to water contamination or air pollution?	<b>Yes</b>	Construction activity is likely to give rise to dust emissions and surface water runoff. Any potential impacts would be localised and temporary in nature. Implementation of a CEMP and a dust control strategy should prevent nuisance to sensitive receptors.	<b>No</b>
<b>1.9</b> Will there be any risk of major accidents that could affect human health or the environment?	<b>No</b>	No significant risk is predicted having regard to the nature and scale of the development. All standard health and safety procedures will be implemented during construction and operation. The site is not at risk from flooding Any risk arising from demolition and construction will be localised and temporary in nature. There are no Seveso/COMAH sites in the vicinity.	<b>No</b>



<b>1.10</b> Will the project affect the social environment (population, employment)	<b>Yes</b>	The proposed development would have an economic benefit to the local population and would generate employment opportunities during the construction and operational phases.	<b>No</b>
<b>1.11</b> Is the project part of a wider large scale change that could result in cumulative effects on the environment?	<b>No</b>	The site is located within an existing business park and the development is a stand-alone project and has been designed to be self-contained.	<b>No</b>
<b>2. Location of proposed development</b>			
<b>2.1</b> Is the proposed development located on, in, adjoining or have the potential to impact on any of the following: <ul style="list-style-type: none"> <li>- European site (SAC/ SPA/ pSAC/ pSPA)</li> <li>- NHA/ pNHA</li> <li>- Designated Nature Reserve</li> <li>- Designated refuge for flora or fauna</li> <li>- Place, site or feature of ecological interest, the preservation/conservation/ protection of which is an objective of a development plan/ LAP/ draft plan or variation of a plan</li> </ul>	<b>No</b>	<p>The project is not located in, on or adjoining any European site, any designated or proposed NHA or any other listed area of ecological interest or protection.</p> <p>The site is located c. 432m from Cork Harbour SPA and c. 991 from the Great Island Channel SAC. An AA Screening Report has been submitted.</p> <p>There are no direct hydrological connections between the site and European Sites.</p> <p>The proposed development, individually or in combination with other plans or projects, will not have a significant effect on any European site, in view of their conservation objectives.</p>	<b>No</b>
<b>2.2</b> Could any protected, important or sensitive species of flora or fauna which use areas on or around the site, for example: for breeding, nesting, foraging, resting, over-wintering, or migration, be affected by the project?	<b>No</b>	<p>The site is a laid grassed area and within the setting of a built-up business park. I consider the site to be generally of low ecological value.</p> <p>The site does not offer suitable ex-situ habitat for wintering bird species (foraging or roosting).</p>	<b>No</b>
<b>2.3</b> Are there any other features of landscape, historic, archaeological, or cultural importance that could be affected?	<b>Yes</b>	The subject site is designated a High Value Landscape. The site forms part of the Euro Business Park which is characterised by a mix of	<b>No</b>

		commercial and industrial uses. There are residential properties in proximity to the site as well as Eastgate Retail Park.	
<b>2.4</b> Are there any areas on/around the location which contain important, high quality or scarce resources which could be affected by the project, for example: forestry, agriculture, water/coastal, fisheries, minerals?	<b>No</b>	The site is approximately 1.4km to Cork Harbour.	<b>No</b>
<b>2.5</b> Are there any water resources including surface waters, for example: rivers, lakes/ponds, coastal or groundwaters which could be affected by the project, particularly in terms of their volume and flood risk?	<b>No</b>	A Flood Risk Assessment (FRA) was carried out for the development. The site is not located in Flood Zone A or B. The site is not located within a flood plain and as such would not displace flood waters from rivers or watercourses. The surface water management plan for the site would attenuate and discharge water within the site and would not result in additional flood risk to nearby watercourses.	<b>No</b>
<b>2.6</b> Is the location susceptible to subsidence, landslides or erosion?	<b>No</b>	None	<b>No</b>
<b>2.7</b> Are there any key transport routes(eg National primary Roads) on or around the location which are susceptible to congestion or which cause environmental problems, which could be affected by the project?	<b>No</b>	<p>Junction 1 – Old Youghal Road/R623</p> <p>Junction 3 – Castlevew/R623/N25 Slip Road</p> <p>Junction 4 – Ballytrasna Park Road/R623</p> <p>The development proposes 500 cycle spaces to support active travel and will consider implementing mitigation measures such as:</p> <ul style="list-style-type: none"> <li>• Providing shuttle bus service between Cork City centre/train station and proposed development.</li> <li>• Implement paid parking for visitors to encourage use of public transport and</li> </ul>	<b>No</b>

		<ul style="list-style-type: none"> <li>Implement flexible working arrangements to staff arrivals and departures</li> </ul> <p>Cork County Council is also providing transport interventions in Little Island to encourage sustainable transport modes in the area.</p>	
<b>2.8</b> Are there existing sensitive land uses or community facilities (such as hospitals, schools etc) which could be affected by the project?	<b>Yes</b>	Residential properties are located within proximity of the site.	<b>No</b>
<b>3. Any other factors that should be considered which could lead to environmental impacts</b>			
<b>3.1 Cumulative Effects:</b> Could this project together with existing and/or approved development result in cumulative effects during the construction/ operation phase?	<b>Yes</b>	<p>Planning permissions have been granted for a number of warehouses, office, light industrial, housing type developments located in close proximity to the development site. Cumulative impacts are most likely to arise due to potential pollution and nuisance during the construction phase. The construction practices outlined in their CEMPs will mitigate against potential cumulative impacts with adjoining development.</p> <p>Permitted development in the vicinity of the site have been considered in the application and associated assessments e.g. in respect of AA, TTA, FRA.</p> <p>However, these developments are of a nature and scale that have been determined to not have likely significant effects on the environment.</p> <p>No developments have been identified in the vicinity which would give rise to significant cumulative environmental effects with the project.</p>	<b>No</b>
<b>3.2 Transboundary Effects:</b> Is the project likely to lead to transboundary effects?	<b>No</b>	<b>None</b>	<b>No</b>
<b>3.3</b> Are there any other relevant considerations?	<b>No</b>	<b>None</b>	<b>No</b>

## C. CONCLUSION

No real likelihood of significant effects on the environment.

**X**

EIAR Not Required

Real likelihood of significant effects on the environment.

EIAR Required

## D. MAIN REASONS AND CONSIDERATIONS

### ***EG - EIAR not Required***

Having regard to: -

1. the criteria set out in Schedule 7, in particular
  - (a) the limited nature and scale of the proposed office development, in an established mixed use/general business area served by public infrastructure
  - (b) the absence of any significant environmental sensitivity in the vicinity, and the location of the proposed development outside of the designated archaeological protection zone
  - (c) the location of the development outside of any sensitive location specified in article 109(4)(a) of the Planning and Development Regulations 2001 (as amended)
2. the results of other relevant assessments of the effects on the environment submitted by the applicant (Appropriate Assessment Screening Report)
3. the features and measures proposed by applicant envisaged to avoid or prevent what might otherwise have been significant effects on the environment, including measures identified to be provided as part of the Resource & Waste Management Plan, the Construction Surface Water Management Plan, the Drainage Impact Assessment Report and the Screening report for Appropriate Assessment

The Board concluded that the proposed development would not be likely to have significant effects on the environment, and that an environmental impact assessment report is not required.

Approved (ADP) \_\_\_\_\_

Date \_\_\_\_\_

## Appendix 2 - AA Screening Determination

### Template 2: Screening for Appropriate Assessment Screening Determination

#### Step 1: Description of the project

I have considered the proposed office development in light of the requirements of S177U of the Planning and Development Act 2000 as amended.

The subject site is located within Euro Business Park in Little Island. The nearest European Site is located approximately 432m east of the site, which is the Cork Harbour SPA.

A full description of the proposed development is detailed in Section 2 of the report above. The development will be served by public mains connections. SuDS measures are proposed.

#### Step 2: Potential impact mechanisms from the project [consider direct, indirect, temporary/permanent impacts that could occur during construction, operation and, if relevant, decommissioning]

In determining the Natura 2000 sites to be considered, I note the nature and scale of the proposed development, the distance from the site to the designated Natura 2000 sites, and any potential pathways which may exist from the development site to a Natura 2000 site. The site is not directly connected with, or necessary to the management of Natura 2000 sites. Wastewater from the development will be connected to the existing public network.

The site is not within or immediately adjacent to a European site and therefore there will be no loss or alteration of habitat, or habitat/ species fragmentation as a result of the proposed development.

Indirect impacts and effect mechanism

- Surface water pollution (silt/ hydrocarbon/ construction related) from construction works resulting in changes to environmental conditions such as water quality/ habitat degradation.
- Resource requirements (e.g. water supply).
- Emissions (release to land, water or air)
- Recreational pressure
- Changing nature, area, extent, intensity, timing or scale of existing activities

#### Step 3: European Sites at risk

Having regards to nature and scale of the development, I consider that Cork Harbour SPA and Great Island Channel SAC are the sites most relevant to the subject site.

**Table 1 European Sites at risk from impacts of the proposed project**

Effect mechanism	Impact pathway/Zone of influence	European Site(s)	Qualifying interest features at risk
Impairment of water quality	No direct hydrological link. Indirect risk because of construction works	Great Island Channel SAC	Mudflats and sandflats not covered by seawater at low tide [1140] Atlantic salt meadows ( <i>Glaucopuccinellietalia maritima</i> ) [1330]
Habitat Loss and Alteration	Development located outside any European Site and works restricted to the development site.	Cork Harbour SPA	Little Grebe ( <i>Tachybaptus ruficollis</i> ) [A004] Great Crested Grebe ( <i>Podiceps cristatus</i> ) [A005] Cormorant ( <i>Phalacrocorax carbo</i> ) [A017] Grey Heron ( <i>Ardea cinerea</i> ) [A028] Shelduck ( <i>Tadorna tadorna</i> ) [A048] Wigeon ( <i>Anas penelope</i> ) [A050] Teal ( <i>Anas crecca</i> ) [A052] Pintail ( <i>Anas acuta</i> ) [A054] Shoveler ( <i>Anas clypeata</i> ) [A056] Red-breasted Merganser ( <i>Mergus serrator</i> ) [A069] Oystercatcher ( <i>Haematopus ostralegus</i> ) [A130] Golden Plover ( <i>Pluvialis apricaria</i> ) [A140] Grey Plover ( <i>Pluvialis squatarola</i> ) [A141] Lapwing ( <i>Vanellus vanellus</i> ) [A142] Dunlin ( <i>Calidris alpina</i> ) [A149] Black-tailed Godwit ( <i>Limosa limosa</i> ) [A156] Bar-tailed Godwit ( <i>Limosa lapponica</i> ) [A157] Curlew ( <i>Numenius arquata</i> ) [A160] Redshank ( <i>Tringa totanus</i> ) [A162] Black-headed Gull ( <i>Chroicocephalus ridibundus</i> ) [A179] Common Gull ( <i>Larus canus</i> ) [A182] Lesser Black-backed Gull ( <i>Larus fuscus</i> ) [A183] Common Tern ( <i>Sterna hirundo</i> ) [A193] Wetland and Waterbirds [A999]
Habitat Fragmentation	Indirect risk because of potential construction surface water runoff		
Disturbance of species	Having regards to the distances between the European Sites and the development, disturbance or displacement of species is highly unlikely		

#### Step 4: Likely significant effects on the European site(s) 'alone'

**Table 2: Could the project undermine the conservation objectives 'alone'**

European Site and qualifying feature	Conservation objective (summary)	Could the conservation objectives be undermined (Y/N)?			
		Water quality	Habitat Loss	Habitat Fragmentation	Disturbance
Great Island Channel SAC	To restore and maintain the favourable conservation condition of QIs. See full details as of February 2025 below. <a href="#">ConservationObjectives.rdl</a>	N	N	N	N
Cork Harbour SPA	To maintain the favourable conservation conditions of QIs. See full details as of February 2025 <a href="#">ConservationObjectives.rdl</a>	N	N	N	N

The proposed development would not have direct impacts on any European site. There are no spatial overlaps with any Natura 2000 site.

The proposed development is connecting to the existing public water supply network and existing wastewater public network.

During site clearance and construction of the proposed development, possible impact mechanisms of a temporary nature include generation of noise, dust and construction related emissions to surface water. However, the contained nature of the site (serviced, defined site boundaries, no direct ecological connections or pathways) and distance from qualifying interest connected to the Great Island Channel SAC and Cork Harbour SPA make it unlikely that the proposed development would have a significant effect on European Sites.

I conclude that the proposed development would have no likely significant effect 'alone' on any qualifying feature(s) of Great Island Channel SAC and Cork Harbour SPA Further AA screening in-combination with other plans and projects is required.

#### **Step 5: Where relevant, likely significant effects on the European site(s) 'in-combination with other plans and projects'**

**Table 3: Plans and projects that could act in combination with impact mechanisms of the proposed project.**

e.g. approved but uncompleted, or proposed

Plan /Project	Effect mechanism
Planning permissions have been granted for a number of warehouses, office, light industrial, housing type developments located in close proximity to the development site.	Water quality Habitat Loss Fragmentation Disturbance
These developments are of a nature and scale that have been determined to not	



have likely significant effects on the environment.

**Table 4: Could the project undermine the conservation objectives in combination with other plans and projects?**

European Site and qualifying feature	Conservation objective	Could the conservation objectives be undermined (Y/N)?			
		Water quality	Habitat Loss	Habitat Fragmentation	Disturbance
Great Island Channel SAC	To restore and maintain the favourable conservation condition of QIs. See full details as of February 2025 below. <a href="#">ConservationObjectives.rdl</a>	N	N	N	N
Cork Harbour SPA	To maintain the favourable conservation conditions of QIs. See full details as of February 2025 <a href="#">ConservationObjectives.rdl</a>	N	N	N	N

Cumulative impacts are most likely to arise from these permitted developments due to potential pollution and nuisance during the construction phase.

These permissions close to the site include conditions attached to carry out development using industry standard construction practices to ensure proper planning and the sustainable development of the area.

I conclude that the proposed development would have no likely significant effect in combination with other plans and projects on the qualifying features of any European site(s). No further assessment is required for the project.

### Overall Conclusion- Screening Determination

In accordance with Section 177U(4) of the Planning and Development Act 2000 (as amended) and on the basis of objective information

I conclude that that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. It is therefore determined that Appropriate Assessment (stage 2) [under Section 177V of the Planning and Development Act 2000] is not required.

This conclusion is based on:

- Objective information presented in the Screening Report
- The limited zone of influence of potential impacts, restricted to the immediate vicinity of the proposed development.
- Standard pollution controls that would be employed regardless of proximity to a European site and effectiveness of same
- Distance from European Sites,

- The absence of meaningful pathway to any European site
- Impacts predicted would not affect the conservation objectives.

No measures intended to avoid or reduce harmful effects on European sites were taken into account in reaching this conclusion.

**Inspector:** Oluwatosin Kehinde

**Date:** 27/06/2025