



An  
Coimisiún  
Pleanála

## Inspector's Report

**320799-24**

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### Development

Upgrade playing pitch facilities, changing from grass to an all-weather playing pitch with floodlights, surface water drainage, replacement fencing and ancillary site works

### Location

Madden Park, Forthill, Kinsale, Co. Cork

### Planning Authority

Cork County Council

### Planning Authority Reg. Ref.

236953

### Applicant(s)

Kinsale AFC

### Type of Application

Permission

### Planning Authority Decision

Grant Permission

### Type of Appeal

Third Party

### Appellant(s)

- 1) Joseph Shanahan
- 2) Gerard and Margaret Gannon

**Observer(s)**

None.

**Date of Site Inspection**

14<sup>th</sup> February 2025

**Inspector**

Suzanne Kehely

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## **1.0 Site Location and Description**

- 1.1. The site relates to playing fields at the periphery of the town development boundary of Kinsale, the town centre of which is some 3km northwest of the site. While the town development area is generally concentrated and extending in a westerly direction from the centre, the development boundary incorporates the satellite historic settlements of Scilly and Summercove to the south and the intervening areas which together extend in a linear leg along the eastern bank of River Bandon up to and including an area of open space which includes the site and Charles Fort.
- 1.2. Charles Fort, a 17<sup>th</sup> century military bastion fortress, is the southern outpost of the town which together with James Fort across the River flag the harbour entrance from the coastal waters to Kinsale town. The environs of Charles Fort are of open pastureland with the subject site immediately to the east on moderately elevated ground. There is an intervening road and carpark area. The fort has been restored in part and is open to the public as a key tourist attraction in the area.
- 1.3. The playing fields and attendant grounds are on a corner site fronting The Terrace/Forthill Road on its western and southern sides. The main vehicular access to the club house and car park is on the southern side. Forthill is a rural type of road with low density one-off type housing to the north and east of the site and a hinterland of open fields. The road loops the southern settlement area providing a direct link into the town through Summercove to the west of the site and also through a local rural road network via the R600 to the east outside the development area.
- 1.4. Summercove is a Fort related settlement with steep and narrowly aligned roads where two cars cannot pass at some points. The alternative route is unimpeded but rural in nature lacking footpaths and lighting.
- 1.5. The site has two playing fields with wire and post fencing supporting advertisement in an ordered row of painted signs. The site is moderately elevated above the fort with the terrain generally falling to the coast to the west and north. The pitches are stepped with the top pitch at the more northern end and a steep embankment to the lower pitch. The pitches are on the site of a former town dump dating from 1960s to late 1970s after which it was repurposed by adding topsoil for sporting use.

## 2.0 Proposed Development

2.1. The proposal involves the upgrading of existing pitch facilities and works include:

- Replacement of the existing grass pitch with an all-weather pitch and associated drainage on the higher ground in the northeast corner of the club grounds.
- Replacement of existing fencing with a 1.2m high standard green coated mesh fencing boundary fence with gates on all sides. The fenced area will be marginally increased as it is proposed to incorporate and enclose a gravel footpath along the eastern pitch boundary
- 6 no. 15.2m high floodlight poles are proposed – 3 along each of the 90m long pitch sides and at 32m intervals. Each has three lamps spanning a total of c.2m in width
- Team seating is proposed along the eastern side.
- The layout shows retention of the changing room facilities in the north east corner and the recent clubhouse in the centre of the grounds.

2.2. The application is accompanied by a planning submission outlining the history and future growth of the football club and the need for the new facilities. It sets out the nature of the works in terms of stripping back topsoil, disposing of material in a licensed waste facility and importing material and backfilling incorporating a new drainage system and subbase while maintaining the ground levels.

- Visual impact on the setting of the Fort has been mitigated through design: such as works on the more distant pitch – ‘top pitch.’
- Using the low-profile LED lights with low albedo casing. The Musco LED are designed to reduce spill and glare behind and above light heads and can be dimmed.
- Retractable lighting was ruled out based on cost. This would reduce to 3m when retracted and would be vulnerable to vandalism in absence of fencing.
- The lights would not be in use when the Fort is open
- The views from the Fort are limited – the relevant ramparts are not safe for use and this is the point from which the pitch is most visible.
- Security fencing typically 3.2m high has been omitted.
- The economics of funding an all-weather pitch require longer hours

- Planning concerns have been addressed by such as microplastics, maintaining ground levels, controlling light spill and glare and hours of use 2200hr

Other Attachments/information:

- Letter of consent form Cork County Council who own the grounds.
- Unsolicited information was submitted with photomontages and details and illumination summary.
- Sports Lighting Proposal by an engineer MIET for Musco Lighting
- Observations are refuted. The site was used as a dump and was welcomed as a sports amenity in 1983. The proposal seeks to increase the amenity value of the land.

## **3.0 Planning Authority Decision**

### **3.1. Decision**

Following submission of further information to its satisfaction, the planning authority issued notification of its decision to grant permission subject to 12 conditions, by order on 20<sup>th</sup> August 2024

#### **3.1.1. Conditions**

Condition 1 restricts hours of operation.

As lighting was a contentious issue on which further information was sought conditions nos. 2, 3 and 4 refer to this.

Condition 5 relates to landscaping and species being in the All-Ireland Pollinator plan

Condition 6 is particular to drainage for artificial turf.

Other conditions relate to standard drainage and construction matters.

The planning report refers to omission of some of the Environmental Division conditions on the basis of not being necessary.

### 3.2. Planning Authority Reports

3.2.1. Initial Planning Report: Having regard to the development plan provisions and the issues raised in objections, the PA sought Further Information (FI) in relation to

- additional photomontages from coastal footpath and scenic route to include nighttime lights,
- light illumination details in terms of reducing visual effect on the harbour and wider environs for glare and sky glow and how to keep within minimum tolerance levels in recognised standards for the light zone.
- Clarification of data assumptions and accuracy,
- specification for lighting luminaires and mitigation measures in the night sky and I that it will not interfere with spot lighting Charles onto Charles Fort, in addition to
- proposals for net biodiversity gain

3.2.2. The second report notes the further objections in respect of insufficient details regarding nighttime impact on residents, ecology and overall impact on an historic site and inadequate EclA of the bats and birds in the area. However, the PA is satisfied that there is adequate information to make a decision and concludes that:

- Visual impact from the lighting poles and luminaires on the setting of Charles fort will not be severely obtrusive as illustrated in the photomontage.
- Overall, the poles will not harm, directly or indirectly, the heritage context or visitor experience of the Fort to the extent anticipated in the internal Heritage reports. It is concluded that the development with lighting can co-exist with surrounding property and the Fort in this visually scenic area without undermining the amenities of the area.
- The proposed development does not materially conflict with the CDP in respect of its site-specific zoning objectives as it is not within the Charles Fort Meadows Local Bio-Diversity area. It is on an existing playing pitch where there was previous dump.
- Conditions regarding landscaping, a time-curfew and operational aspects of lighting are critical and should be strictly complied with.



- The flood lighting of the car park is a separate matter,
- The environment condition regarding bins and invasive species and waste are not considered necessary to enable the development to proceed.

### 3.2.3. Other Technical Reports

- Area engineer: (14/2/24) -No objections
- Conservationist Report :(9/7/24) - nothing to add in FI report to previous report which recommends a refusal of permission. This is based on concerns primarily regarding floodlighting impact on the wider setting of Charles Fort.
- Archaeologist Report: (8/7/24) reaffirms position as per primary report of 6/2 which raises concerns primarily about lights and recommends a refusal of permission on the basis that:
  - It is considered that the proposed development would negatively impact on the historic setting of Charles Fort and would therefore be contrary to the county development plan objective HE16-2 4-7 to safeguard sites and their setting. The proposed development would therefore be contrary to the public planning and sustainable development of the area you know.

Objective HE 16-7 is cited regarding Battlefield Ambush and Siege sites and Defense Archaeology which seeks to protect such and their associated landscape due to historical and cultural value

- Environment report: (6/8/24) Construction management plan would be beneficial. Other conditions for waste and an invasive species management plan.
- Public lighting: No objection subject to specification being in line with the Councils 2023 specification. Condition recommended which restricts interference with neighbours.

### 3.3. Prescribed Bodies

No submissions or observations submitted by The Heritage Council, the DAU or An Taisce.

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

- Impact on Charles Fort which is a valuable national heritage asset - NIAH description provided as well as references to 19 designated sites within 500 metres among others within 1km.
- 15m pylons will be visible from surrounding headlands and harbour and out of keeping with the townscape and natural surroundings
- Impact on status of Wild Atlantic way
- Inadequate details
- Biodiversity -No benefit with development with added concern about light pollution
- Impact on neighbours by reason of light poles/lighting

### 4.0 **Planning History**

PA ref. 03667 refers to the original permission for the playing field in 2003.

Subsequently PA refs. 144385 and 166477 refer to permission for a club house with sewage treatment unit and subsequently additional dressing room/club facilities with access road and parking and associated site works in 2014 and 2017 respectively.

PA ref 206176 refers to permission to modify facilities permitted in the 2017 permission. Permission granted to retain the referee changing room facilities to the northeast and to relocate treatment plant and add a training area.

### 5.0 **Policy Context**

#### 5.1. **Cork County Development Plan 2022-2028 (CDP)**

- 5.1.1. The site in the zoning maps (Volume 6) designated as '**Green Infrastructure**' for which the objective (ZU18-13) states in Volume 1

- Three subcategories of Green Infrastructure zonings have been identified to:
  - a) Retain and provide for open space and recreational amenities within Green Recreational (Open Spaces/ Park) areas;

- b) Retain and generally protect appropriate areas for their landscape, amenity or nature conservation value or their current or future flood management role, within Green Conservation (Landscape amenity/ nature conservation) area; and
- c) Retain and provide for active recreational facilities within Green Active (Active Open Space) areas.

No development other than development which supports Green Infrastructure will be considered in these areas. Any proposals in Green Infrastructure areas will need to ensure the protection and enhancement of the integrity of biodiversity and to recognise the importance of wildlife corridors and sites of nature conservation and be in accordance with Article 10 of the Habitats Directive.”

- 5.1.2. The site is also located in a **High Value Landscape** area as delineated on the CDP maps. Part of scenic route extending along the Higher Road from Kinsale to Summercove and beyond to the Fort extends along the southern frontage of the football grounds and a few kilometres in the direction of Clonleigh to the south east.
- 5.1.3. Section 14.8.5 in Vol 1 defines High sensitivity landscapes as vulnerable landscapes with the ability to accommodate limited development pressure. In this rank, landscape quality is at a high level, landscape elements are highly sensitive to certain types of change. If pressure for development exceeds the landscape’s limitations the character of the landscape may change.

- Objective GI14-9 landscape

- a) protect visual and scenic amenities of County Cork’s built and natural environment
- b) landscape issues would be an important factor in all land-use proposals ensuring proactive view of development is undertaken while protecting the environment and heritage generally in line with the principles of sustainability
- c) ensure that new development meets high standards of siting and design
- d) protect skylines and ridgelines from development
- e) discourage proposals necessitating the removal of extensive amounts of trees hedgerows and historical walls or other distinctive nature treatments

5.1.4. **Volume 5** West Cork refers. In this document the CDP site specific policies and objectives are set out for Kinsale Town and environs which includes the subject site. In this plan site specific objectives area:

- **KS-GC-04 Open Space.** This prominent site is an important part of the scenic and historical setting of Charles Fort. The site contains dry meadows which have ecological value and form part of the **Charlesfort Meadows Local Area of Biodiversity**
- **KS-GC-05 Open Space and Amenity Area** including protection of the historic Charles Fort and its setting. The site contains dry meadows which have ecological value and form part of the Charlesfort Meadows Local Area of Biodiversity. There is a general presumption against new development in the area as it makes a significant and prominent contribution to the entire setting of the town and its amenities.

5.1.5. Biodiversity

- BE 15-5: Biodiversity on Council owned and managed land and property
  - a) Protect biodiversity and support the principle of biodiversity net gain on land and property owned and managed by Cork County Council.
  - b) Support the implementation of positive conservation management on lands and property which are owned or managed by Cork County Council;
  - c) Support and implement best practice in the management of roadside boundaries including tree lines and hedgerows managed by Council;
  - d) Support national policy to create new woodlands on public land and participate in the Creation of Woodlands on Public Lands Scheme and any successor schemes;
  - e) Where possible, develop and implement Pollinator Plans and/or Biodiversity Action Plans for lands managed by Cork County Council in accordance with the National Biodiversity Action Plan (and any future National Biodiversity Plan which may be adopted during the lifetime of this Plan) and the All-Ireland Pollinator Plan;

f) Support the use of natural approaches to flood management and control on lands owned or managed by or on behalf of Cork County Council.

g) The Council will incorporate primarily native planting into new landscaping schemes within its own developments

#### 5.1.6. Built and Cultural Heritage

Chapter 16 sets out policy and objective for Built and Cultural Heritage:

- HE 16-6: Industrial and Post Medieval Archaeology refers to protection inter alia of military and coastal installation HE16-2 4-7 to safeguard sites and their setting
- HE 16-7: Battlefield, Ambush and Siege Sites and Defensive Archaeology: Protect and preserve the defensive archaeological record of County Cork including strategic battlefield, ambush and siege sites, and coastal fortifications and their associated landscape due to their historical and cultural value. Any development within or adjoining these areas shall undertake a historic assessment by a suitably qualified specialist to ensure development does not negatively impact on this historic landscape.
- HE 16-11: Archaeological Landscapes: To protect archaeological landscapes and their setting where the number and extent of archaeological monuments are significant and as a collective are considered an important archaeological landscape of heritage value.
- HE 16-14: Record of Protected Structures: a) The identification of structures for inclusion in the Record will be based on criteria set out in the Architectural Heritage Protection Guidelines for Planning Authorities (2011). b) Extend the Record of Protected Structures in order to provide a comprehensive schedule for the protection of structures of special importance in the County during the lifetime of the Plan as resources allow. c) Seek the protection of all structures within the County, which are of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest. In accordance with this objective, a Record of Protected Structures has been established and is set out in Volume Two Heritage and Amenity, Chapter 1 Record of Protected Structures. d) Ensure the protection of all structures (or parts of structures) contained in the Record of Protected Structures. e) Protect the curtilage and attendant grounds of all

structures included in the Record of Protected Structures. f) Ensure that development proposals are appropriate in terms of architectural treatment, character, scale and form to the existing protected structure and not detrimental to the special character and integrity of the protected structure and its setting. g) Ensure high quality architectural design of all new developments relating to or which may impact on structures (and their settings) included in the Record of Protected Structures. h) Promote and ensure best conservation practice through the use of specialist conservation professionals and craft persons. i) In the event of a planning application being granted for development within the curtilage of a protected structure, that the repair of a protected structure is prioritised in the first instance i.e. the proposed works to the protected structure should occur, where appropriate, in the first phase of the development to prevent endangerment, abandonment and dereliction of the structure

- HE 16-15: Protection of Structures on the NIAH: Protect where possible all structures which are included in the NIAH for County Cork, that are not currently included in the Record of Protected Structures, from adverse impacts as part of the development management functions of the County
- HE 16-20: Historic Landscapes: a) Recognise the contribution and importance of historic landscapes and their contribution to the appearance of the countryside, their significance as archaeological, architectural, historical and ecological resources. b) Protect the archaeological, architectural, historic and cultural element of the historic/heritage landscapes of the County of Cork. c) All new development within historic landscapes should be assessed in accordance with and giving due regard to Cork County Councils 'Guidance Notes for the Appraisal of Historic Gardens, Demesnes, Estates and their Settings' or any other relevant guidance notes or documents issued during the lifetime of the Plan.
- HE 16-21: Design and Landscaping of New Buildings: a) Encourage new buildings that respect the character, pattern and tradition of existing places, materials and built forms and that fit appropriately into the landscape. b) Promote sustainable approaches to housing development by encouraging new building projects to be energy efficient in their design and layout. c) Foster an innovative approach to design that acknowledges the diversity of suitable design solutions in

most cases, safeguards the potential for exceptional innovative design in appropriate locations and promotes the added economic, amenity and environmental value of good design. d) Require the appropriate landscaping and screen planting of proposed developments by using predominantly indigenous/local species and groupings and protecting existing hedgerows ...

## 5.2. **Architectural heritage protection Guidelines for Planning Authorities (2011).**

- 5.2.1. These guidelines provide practical guidance for planning authorities and for all others on the protection of the architectural heritage in the context of Part IV of the Planning and Development Act 2000. They set out criteria for understanding the character and features of Protected Structures and ACAs. Chapter 13 provides guidance on the meaning of curtilage and attendant grounds and policy considerations in protecting same.

## 5.3. **Built Heritage Designations**

### Southwest of site

- 5.3.1. Charles Fort is a complex of buildings and structures that comprises a National Monument in state guardianship (no.535) and open to the public. Individual elements are included in the NIAH and the RPS. These include the main entrance, stables, guard house, officer's houses, outbuilding, magazine, lighthouse, and barracks. See the National Built Heritage Service [Buildings Search - Buildings of Ireland](#) for itemised records.
- 5.3.2. The site is described by the National Monument Service by reference to The Archaeological Inventory of County Cork Volume 2 East and South Cork (Dublin Stationary Office, 1994), as updated, as follows
- CO125-007 Bastioned Fort **Description:** On the E shore of Kinsale Harbour, facing James Fort (CO112-036---). This bastioned star-shaped fort is about 10 acres in extent. It was built on the site of Ringcurran Castle in 1678-83 and designed by architect William Robinson. It is overlooked landward, a weakness exposed by besieging Williamite forces in 1690 when the garrison surrendered after a 13 day siege. It is an irregular polygon in plan, with three bastions facing inland (Cockpit, Flagstaff and North), and two demi-bastions

on shoreline. The bastions are linked by massive masonry ramparts (H c. 14m); along the shoreline outer ramparts form a second tier of gun batteries; Orrery's battery to the S forms a third tier. The outside ramparts to landward have a dry moat, covered way and a sloping glacis of which little survives. Central landward bastion is the largest and once served as the citadel of the fort. Most of the gun embrasures survive though many have been altered or enlarged. The entrance gateway between the Flagstaff and North bastions was erected in the 18th century - the original one was destroyed in the 1690 siege. Bastions and ramparts are basically unchanged since the 17th century; the interior is however much altered as the fort functioned as military barracks throughout the 18th and 19th centuries when officers' quarters, soldiers' quarters, governor's house, guard house etc. were built inside the fort. A 17th-century vaulted magazine and diagonal blast wall survive, as well as part of the inward-facing ramparts of the citadel. Since 1973 the OPW have carried out repairs; an archaeological excavation took place in 1998

5.3.3. Burial grounds C0125-008001/2 are directly south of the development site.

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

Nearest SPA - Sovereign Islands SPA.

Nearest pNHA - James Fort pNHA.

### **6.0 Water Framework Directive**

6.1. The European Union Water Framework Directive (WFD) aims to improve water quality and applies to all water bodies. Member States are required to achieve 'good' status in all waters and must ensure that status does not deteriorate.

6.2. The development site relates to a grass pitch in an established football grounds that has been rehabilitated from a small municipal dump/waste facility over 40 years ago. The works relate to resurfacing and upgrading the playing pitch drainage and discharging run-off to a soakaway pit. It is to incorporate an interceptor and the PA require a microplastic filter. There is no watercourse within or in the immediate vicinity of the site. Other than what I would regard as standard conditions (for the



nature of development) by the engineering division of the PA, water quality concerns are not raised by any parties.

- 6.3. The nearest river as mapped on the EPA maps is over 200m away and forms part of Knochnabohilly\_010 catchment as part of the larger Bandon-Ilen catchment which discharges to the Lower Bandon transitional waters. The coastal waters of the Lower Bandon Bay Estuary are within 300m of the site. Construction impacts from earthworks are limited given the absence of watercourses on site and standard construction methods for stacking of excavated and imported material and removal of waste material to a licensed facility. The hydrological connection is only really possible through groundwater with a consequent potential indirect impact on the local river catchment and then indirectly to the Lower Bandon transitional waters.
- 6.4. The proposed development is for an upgraded drainage system and subject to standard construction practice for the site and drainage system does not pose a risk.
- 6.5. From the EPA website I note the relevant local river catchment and underlying groundwater waterbody are both of good ecological status and neither is at risk. While I note that the Lower Bandon Estuary is at risk, the contributing waterbody to this is the Upper Bandon and not the Knocknabohilly catchment pertaining to the site environs.
- 6.6. I have assessed the proposed development and have considered the objectives as set out in Article 4 of the WFD which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.
- 6.7. The reason for this conclusion is based primarily on the scale of works and nature of development which involves an improved drainage regime for the playing field.
- 6.8. Conclusion: I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its

WFD objectives and consequently can be excluded from further assessment. (Refer to Appendix 3 for screening matrix).

## **7.0 EIA Screening**

- 7.1. The proposed development involves resurfacing and ancillary works to an existing football pitch within the development area of Kinsale. The proposed development is not of a type listed under schedule 5 Part 1 of the Planning and Development Regulations 2001 as amended. The need for environmental impact assessment can therefore be excluded at preliminary examination stage. A screening determination is not required. Refer to Appendix 1 - Form 1 – preliminary screening. An EIAR is not therefore required.

## **8.0 The Appeal**

### **8.1. Grounds of Appeal**

- 8.1.1. In the context of the site being of high ecological, landscape and heritage significance within the area, it is submitted that permission should be refused. In summary the concerns relate to:
- Heritage and impact on Charles Fort - a national monument - given the proximity to the proposed development and its nature. there are concerns about the height prominence and light spill generated by the proposed 15.2m high floodlights both on the setting of this monument and the harbour landscape and overall impact on the integrity of a nationally significant monument. Issues reiterated as already stated by the county archaeologist and the Heritage Divisions of the county council.
  - Biodiversity loss in the absence of proposed planting/scheme as part of green infrastructure in the GI zoning
  - Impact of flood light on adjoining areas and impacts on residential amenities.

## **8.2. Applicant Response (26/11/24)**

- Sets out land-use and planning history of site and how the football club has rehabilitated a former dump and facilitated a hospitable housing environment which has, for example, accommodated the objectors' houses.
- Housing permissions in the town indicate a 20% increase in population.
- Enhancing amenities is commensurate with growing town - not just with pitches but the clubhouses hosts a range of facilities in the community room such as Cinema nights, youth clubs, toddler groups, choir, yoga and chess.
- Preplanning informed application.
- Exhaustive lighting analysis by Musco.
- Retractable lighting ruled out due to cost climate and maintenance. no local use. High risk if something goes wrong.
- No public access to 'sensitive' viewpoint areas.
- No biodiversity impact due to use nature of past and current uses.
- Barren landscape
- Land leased and not in charge of Council.
- Unsuitable habitat for bats
- Impact on birds claimed by neighbour is questioned in context of their helipad in garden.
- Car park lighting will be addressed.
- without floodlighting the scheme would be unviable Split decision is of no use due to costs of works.
- The upgraded facilities meet a community driven need.
- Part of fabric as much as coast guard premises with antennae.

## **8.3. Planning Authority Response (7/10/24)**

- The planning authority fully defends its assessment and decision which was based on full and proportionate considerations of the issues raised having regard to all the relevant CDP policies and objectives. Regard was also had to the previous site use as a dump and its ecological character being limits in this context. The site is outside the local area Biodiversity plan and it is considered

that the landscaping of some 500sq.m. constitutes a net gain in terms of biodiversity. It is incorrect that no landscaping is proposed.

- The report of the public lighting engineer is appended which concludes that there is no likely significant impact noting the 2 lux level which is considerably below the 5 lux limit.
- In the event that the flood lighting is not considered appropriate, a split decision is requested.

#### **8.4. Observations**

None

#### **8.5. Further Responses**

##### **8.5.1. Appellants make further objections based on:**

- Conflict of interest as council owns land
- Non-compliance with requirement for low level lighting 16/6477 where there are now high-level lighting. training pitch at higher ground level higher
- Adverse impact on archaeological and built heritage and contrary to development Plan in protecting such heritage. This is based on the Sensitive area and obtrusiveness of development.
- Further intensification of use with increased facilities and activity and also the visual impact in an environmentally sensitive area. Sets precedence for further inappropriate development
- Permission should be refused given presumption against development in such open space area
- Inadequate nighttime assessment of lighting ground level experience. It is suggested that inaccurate assessment is due to Car park lighting
- Conditions are inadequate in overcoming lighting concerns and impact on heritage and ecology

- Conflict of screen landscaping in a narrow embankment and spectator areas in the same embankment – It is unrealistic. It not sufficiently demonstrated that there will be net bio-diversity gain.

## 9.0 **Assessment**

### 9.1. **Issues**

9.1.1. Having reviewed the file and submissions and inspected the proposed development site and its environs and having regard to the provisions of the Cork County Development Plan and National Policy particularly, the Architectural Heritage Guidelines I consider the salient issues for consideration can be assessed under the following headings:

- Principle of development
- Impact of built heritage
- Impact on natural heritage
- Impact on residential amenity

### 9.2. **Principle of development**

- 9.2.1. The proposal seeks to upgrade the facilities of a football facility such that the quality of the playing field surface and surrounding grounds together with fencing and run-back space are to current sporting standards. The introduction of floodlighting will facilitate increased hours of operation and capacity for growing membership commensurate with the growing town population.
- 9.2.2. At one level it could be argued that as the pitch is somewhat removed from the population centres and schools and reliant on a rural network given the constraints of the connecting urban road network that the works leading to the intensification of the grounds is not in the most strategically advantageous position for long term sustainable accessibility. However, As the proposal relates to enhancement of facilities of a long established and existing playing field on lands previously used as a municipal land infill waste facility, the principle of what is essentially re-development works, and which serve to provide for its continued use is I accept in accordance with the broader objective for Green Infrastructure lands. I refer to

objective (ZU18-13) which includes as an acceptable category of development as that which involves retention and provision for open space and recreational amenities within Green Recreational (Open Spaces/ Park) areas.

- 9.2.3. With respect to the site-specific open space objectives KS-GC-04 Open Space and KS GC-05 which recognise both the scenic and historical setting of Charles Fort and its ecological value with dry meadows and being part of the Charlesfort Meadows Local Area of Biodiversity I note the subject pitch site is not directly part of the building complex and is stated by the PA to lie outside the Biodiversity plan area. Notwithstanding, there is what I would describe as a strong historic association between the football grounds and the landscape setting of the Fort complex. Accordingly, details of design and particularly the aspects relating to the floodlighting elements require detailed consideration having regard to the heritage context of the site and provisions in the plan to protect such historic heritage. Permission is also predicated on according with the proper planning and sustainable development.

### **9.3. Impact of built heritage**

- 9.3.1. The site is in very close proximity to Charles Fort where there is a nationally significant complex of buildings and these structures are protected through a range of statutory instruments which underlines its cultural, historic and architectural significance. The site is a National Monument and is also in the National Inventory of Architectural Heritage. These are included in the Record of Protected Structures and as cited in section 5 of this report.
- 9.3.2. I note that the Fort, is described in detail in the National Inventory of Architectural Heritage by the National Building Historic Heritage service NBHS. Under register number 20912517 it is rated as being of national importance with the categories of special interest being Archaeological, Architectural, Historical, Scientific, Social and Technical. It is noted as an outstanding architectural grouping to which has played a significant role in the country's history. As an authority on its importance the design itself is described as a fine example of a 17<sup>th</sup> fortification and its interplay with landward side (i.e. in the direction the subject site) is notable in terms of its historic vulnerability which saw the site fall into the Williamite forces in 1690.

- 9.3.3. While many objectives in chapter 16 of the CDP support the protection of the setting of the Fort, Objective 16-7 specifically refers to the associated landscape which I consider reasonably includes the adjacent subject site. It states:

HE 16-7: Battlefield, Ambush and Siege Sites and Defensive Archaeology  
Protect and preserve the defensive archaeological record of County Cork including strategic battlefield, ambush and siege sites, and coastal fortifications and their associated landscape due to their historical and cultural value. Any development within or adjoining these areas shall undertake a historic assessment by a suitably qualified specialist to ensure development does not negatively impact on this historic landscape.

- 9.3.4. The National Monuments Services in its public records describes the context and records that ‘the Bastions and ramparts are basically unchanged since the 17th century; the interior is however much altered as the fort functioned as military barracks throughout the 18th and 19th centuries.’ The Conservation Officer of the PA also refers to the historic relationship between the subject site and the fort complex given its locally higher ground and combative advantage relative to the fort in the fateful 1690 siege. It was designed to command views of this landscape to the north where the complex is overlooked by higher ground. The tourist guides of the complex specifically focus on the landscape setting of which the subject site forms a part. There are I consider valid concerns about the proximity of the development given that on inspection by the CO, the north and northeast bastions are verified have views towards the development area which is elevated. It is therefore considered that the area to the north and northeast of the complex is most likely to suffer visual impact from the proposed development. Views therefore of the site are I accept, key in the interpretation of this landscape at a seminal point in national history. I am satisfied that the site is in direct line of views from these points.
- 9.3.5. The county archaeologist primarily has issue with the lighting fixtures which scale at 15.2m on the top pitch. This pole height and visibility from the North bastion and flag staff of the fort is of particular concern. Views from further within the monument are not an issue as the topography drops down. As floodlighting is not so much at issue for the county archaeologist as the structural height and massing and retractable lights are accepted as a potential means to alleviate concerns of visual incongruity.

- 9.3.6. The north Bastion is accordingly the key focus and views of the site from this point are I accept reasonably identified as significant to this aspect of its historic context. While the appellant refers to restricted access to the public to this area, this does not I consider eliminate the need to protect the visual encroachment on the setting which is protected at many levels.
- 9.3.7. The photomontages submitted as further information illustrate impacts on 3 viewpoints from ground level - the nearest of these is from the public road north of the Fort in the direction of the pitch which also includes lights present at that time in wider football grounds. (I note these are conceded to be at issue by the reporting Planner but to be separately addressed.) The montages include the more distant light poles being introduced consequent on permission. The impact is described as a moderate visual impact from the public road, as compared to the lesser impact from the 2 other viewpoint taken from the coastal path and outer complex from what appears to be ground level. I note that the planner for the area rationalises the impact as being within an acceptable level and that mitigation by design such as carrying out the works including fencing and lighting all on the top pitch which is the further away pitch from the fort complex is acceptable in overall terms. The use of retractable lighting is accepted as not being feasible. This would appear to be based on cost. The visual benefits of retractable lights are also doubted by the applicant given the potential negation of such by the construction of protective cages although no images of this are provided.
- 9.3.8. In the context of the Open space objectives I accept that the open aspect is being maintained by the continued use of the grounds as playing and training fields, however, I consider the 6 number 15.2m high poles with fixtures will be visually intrusive in the surrounding associated historic landscape setting of the Fort and in this way would detract from its setting and integrity. In the context of the national significance of Charles Fort and its high order as an example of bastion design, I consider proposals to potentially detract from such to require more expertise in design and mitigation. I note the DAU has not made any comment on foot of a request and in the absence of such I therefore consider it appropriate to defer to the informed and detail opinions of the heritage divisions of the planning authority in light of the of HE16-7 for qualified special input.



- 9.3.9. One appellant refers to it as being of international significance which is understandable given the level of separation and scale of this military fortification but not substantiated. I further note from the Development Plan that the Fort is one of the most visited in the county (top 5) and in the region and one of the top 50 nationally.
- 9.3.10. In view of the foregoing, I consider a precautionary approach is warranted in permitting visually obtrusive development such as floodlighting fixtures.
- 9.3.11. I have a number of concerns noting the considered comments by both the conservation office and archaeologist. I do not consider the impact from the more sensitive and elevated locations within the Charles Fort Complex have been addressed. The photomontages of view from the lower ground along the road to the southeast of the playing fields indicate that the proposed lighting fixtures will be visible from this point but also suggest that it would be visible from many potential locations on higher levels. Given the importance of the Fort complex, it would be preferable that an engagement with its caretaker and advisors such as with the OPW/NBHS regarding the maintenance of an appropriate backdrop and context and that this would inform more relevant photomontages and design approach.
- 9.3.12. The appellants are concerned that that the nighttime impact is not adequately depicted in the photomontages and negative impacts are further expressed in the consultant architects for one appellant party. (Submitted to PA on 6<sup>th</sup> August 2024).
- 9.3.13. While I note the extensive lighting analysis and design, given the sensitivity of the Charles Fort site and its role in defining the local landscape character I do not consider the approach to lighting has been adequately addressed for this context. I note for example that the focus has been on not conflicting with the spot lighting of the Fort rather than the visual backdrop and wider contextual impact.
- 9.3.14. The lighting for the entire site should be addressed together with screen planting. I note that the applicant in a manner defends the need for the lighting arrangement in the car park despite what would appear to be a breach of an extent permission. The PA acknowledges that the matter needs to be addressed separately but I consider that this should be addressed comprehensively for the whole site. I also note the condition refers to public lighting standards and it is not fully apparent how this

manifests in terms of altering what is proposed. This is ambiguous and again should be fully clear prior to any permission.

- 9.3.15. Aside from the impact on the Fort setting, the pitch site fronts onto Scenic route 61 which extends along the road from Summercove along the road separating the grounds from the fort and onto Clonleigh south of the site. While the lights would be obtrusive, a certain latitude may be considered long an expansive scenic route within a developed area and where wider panoramic views prevail. Accordingly I consider the significance of any impact on the route is outweighed by the impact on the fort.
- 9.3.16. Based on the information submitted I do not consider permission in perpetuity for the lighting poles and fixtures in the manner proposed to be appropriate in this location. I do however accept that the football pitch is an established and vital community facility providing sporting facilities for a growing population. By its nature the football training is seasonal and carried on during shorter daylight hours. In these circumstances consideration could be given to retractable mechanism subject to design detail informed by a visual impact assessment in accordance with HE16-7.
- 9.3.17. The site as green infrastructure asset is highlighted by reference to the evolution of the CDP in acknowledging an added role that n just being open space in recreational use. DCP Objectives for biodiversity in the objective ZU 18-13 for GI site is accordingly cited with an emphasis on the provision that 'no development other than development which supports green infrastructure will be considered in these areas. Any proposals in GI areas will be needed to ensure the protection of the integrity of biodiversity.

#### **9.4. Impact on natural heritage**

- 9.4.1. The replacement of grass with astro turf surface is described as a significant loss of green infrastructure by the appellant and this loss is submitted to be compounded by the lack of landscaping proposal and thereby result in a negative impact on the biodiversity of the site. The statement to plant native species is submitted to be inadequate. The proposed sloped embankment is a vulnerable location relative to the sporting /spectator facilities and likely to be destroyed. The post decision approach is not adequate in the context of the policies.

- 9.5. The Planning authority however reject this criticism. Firstly, it is pointed out that the site was formerly a municipal facility - an infill site described as a 'dump' and was restored to provide playing fields. It is considered that the proposed landscaping of a 500sq.m. of embankment with appropriate species constitutes a net biodiversity gain. The PA acknowledges that this will be sufficiently addressed by conditions and holds the view that 3<sup>rd</sup> parties are not necessarily precluded from this process as evidenced by their participation on receipt of further information.
- 9.6. I accept that 500sq.m. is a considerable area although it is sloped terrain and soil conditions in an exposed location is not without challenges. It seems a missed opportunity not to tie in a landscaping scheme for the whole site. Of note is that the site is stated not to be part of the Charlesfort Meadows Biodiversity plan. That does not preclude considering a compatibility of landscaping scheme/species and the PA has perhaps not fully provided for this. I say this in the context of the overriding objectives of the 4<sup>th</sup> National Biodiversity Action Plan 2024 wherein Biodiversity initiatives are inspired and supported across the whole of country and there is an urgency in conserving Biodiversity and ecosystems in the wider countryside. In the absence of details of this Meadows plan I consider a more detailed condition potentially tying-in with the plan referred to or in the absence of such tying in with the indigenous habitat would be appropriate and reasonable. A more comprehensive approach in the wider site such as the boundaries should also be required. This would accord with the development policies in respect of biodiversity generally and also with good practice. I do not therefore agree with the appellant that this aspect of the proposal would amount to a material contravention.
- 9.7. In terms of extended lighting and impacting of foraging or nesting species of interest, the PA clarifies that the site is not known as a habitat for roosting or foraging bats or birds and that there is no demolition of buildings or trees typically associated with roosting bats or nesting birds. I consider this to be reasonable and further details such as an Ecological Impact Assessment Report are not warranted.
- 9.8. **Impact on residential amenity**
- 9.9. The consequence of the flood lighting allows for extended use of the pitches in the evening and in winter months. The PA has sought to regulate intensity of use by both a curfew on hours of use (not later than 22:00 hours) and by control of lighting

spill into surrounding residential properties to the extent that amenities would not be seriously impacted.

9.9.1. European MUSCO lighting engineers with expertise in such lighting have undertaken the sports lighting design which is stated to be in line with industry standards as listed in its technical report submitted as further information. The context is described as a residential rural area - E2 environmental zone which is a Low District Brightness area and light intrusion into windows stated to be within acceptable limits. Similarly, the light spill is acceptable for road users. The column height of 15m is stated to achieve optimal aiming angles thereby minimising glare and light spill while evenly distributing light across the pitch for sports lighting as required in CIBSE LG4. This is illustrated with images of existing pitches and aerial photo montages of the proposed site, but this excludes some of the viewpoints as requested,

9.9.2. The proposed lighting will be visually intrusive to local residents and will also have material change in the intensity of use of the pitches and give rise to disturbance in the evening and during extended anti-social hours. However, I note the light levels as mapped are within an acceptable range and consider the approach by the planning authority to be reasonable in managing residential amenities by way of hours of operation for an established facility.

#### 9.10. **Other**

9.11. Having regard to the location of the site and constraints of the local road network in the Summercove vicinity, I consider in the event of permission that a construction management plan should be required and that this should address local traffic congestion in addition to the environmental matters in conditions 6, 9, 10 and 11 as attached by the planning authority. Separate waste (resource) management plan should also be required given the scale of excavation material. In the event of full permission for the floodlights I consider given the implication for traffic impact consequent on the intensification of use that a mobility management plan should also be required in terms of traffic safety and sustainable transport.

## 10.0 AA Screening

- 10.1. I have considered the proposed development in light of the requirements S177U of the Planning and Development Act 2000 as amended. The subject site is not located in or adjacent to any European site. The nearest site is Sovereign Islands SPA -Site Code: 004124 which is an island site off the other side of this coastal peninsula setting and at a distance of 3.8km to the southwest of the site. The proposal is for works to an existing and established playing field in part of the wider grounds of an established football ground of some 40 years.. The site is not within or directly hydrologically connected to the SPA. There is no likely contamination of marine waters on which the Cormorant species is likely to rely. The loss of lawned grassland in the wider setting would have an imperceptible impact on a marine species. Similarly intermittent lighting in a wider suburban backdrop would I consider have an imperceptible impact at this distance. Accordingly, having regard to the nature and scale of development, indirect connection would be imperceptible.
- 10.2. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any European Site. The reason for this conclusion is as follows:
- The small scale and nature of development in established football grounds in a designated urban area
  - Its remoteness from any European site and lack of meaningful connections to same.
  - The considerations of the planning authority.
- 10.3. I conclude that on the basis of objective information, 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. Likely significant effects are excluded and therefore Appropriate Assessment (stage 2) (under Section 177V of the Planning and Development Act 2000) is not required.

## 11.0 Recommendation

- 11.1. I recommend a SPLIT decision whereby:

Permission is GRANTED for the all-weather facility and associated fencing and works based on the reasons and considerations marked (1) under, and

Permission is REFUSED for the proposed 15.2m poles and associated floodlighting fixtures based on the reasons and consideration marked (2) under.

## Reasons and Considerations (1)

Having regard to the established nature of the playing fields and the planning history associated with the football grounds, the scale and recreational nature of the proposed all-weather facilities and associated fencing and site works which maintain the open character of the area, it is considered that subject to compliance with the conditions set out below this element of the development for which permission is sought would not seriously injure the amenities of the area or of property in the vicinity, would not undermine the biodiversity of the area and would therefore be in accordance with the proper planning and sustainable development of the area.

## Conditions

1.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 2nd day of July 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>The site with a particular emphasis on the strip embankment shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the</p>

	<p>planning authority prior to commencement of development. This scheme shall include the following:</p> <p>(a) A plan to scale of not less than 1:500 showing.</p> <p>(i) The species, variety, number, size and locations of all proposed trees and shrubs which shall include a selection of site suitable native species from the All Ireland Pollinator Plan</p> <p>(ii) Details of screen planting which shall not include cupressocyparis x leylandii</p> <p>(iii) Hard landscaping works, specifying surfacing materials, fencing finishes and colours, furniture and finished levels.</p> <p>(b) Specifications for mounding, levelling, cultivation and other operations associated with plant and grass establishment.</p> <p>(c) Evidence of compatibility with the local biodiversity and, where relevant, the Charles Fort Meadows Biodiversity Area/ Plan.</p> <p>(d) A timescale for implementation.</p> <p>All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.</p> <p>Reason: In the interest of visual amenity and biodiversity.</p>
3.	<p>Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services. In this regard all drainage from the artificial turf pitch shall pass through an appropriately designed</p>

	<p>filter system, for the collection of microplastics to prevent contamination from such matter.</p> <p>Reason: In the interest of public health and to ensure a proper standard of development.</p>
4.	<p>The construction of the development shall be managed in accordance with a Construction and Environmental Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including: -</p> <ul style="list-style-type: none"> <li>(a) Details of material for infill/backfill required.</li> <li>(b) Location of the site and material compound(s) including area(s) identified for the storage of construction refuse.</li> <li>(c) Location of areas for construction site offices and staff facilities.</li> <li>(d) Details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site.</li> <li>(e) Measures to obviate queuing of construction traffic on the adjoining road network.</li> <li>(f) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network.</li> <li>(g) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels.</li> <li>(h) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained.</li> <li>(i) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil and materials and waste.</li> <li>(j) Controls for protection of soils, groundwater and surface waters and means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local drains or coastal waters.</li> </ul>



	<p>(k) Site housekeeping, site environmental policy and emergency response planning.</p> <p>A record of daily checks that the works are being undertaken in accordance with this Management Plan shall be kept for inspection by the planning authority.</p> <p>Reason: In the interest of amenities, public health/ and safety and environmental protection.</p>
5.	<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 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>

## Reasons and Considerations (2)

1. Having regard to the location of the proposed floodlighting on an elevated area overlooking Charles Fort National Monument (RMP number C0125-007-- National Monument Number 535) which is also included collectively and by its constituent parts in the County Record of Protected Structures and having regard to the height of the proposed lighting it is considered that the proposed lighting arrangements would be visually obtrusive and dominant and would negatively impact on the historic setting of Charles Fort, a site of national

significance and would therefore be contrary to the objectives HE16-2,4,5,6 and 7 in the Cork County Development Plan 2022-28 which aim to safeguard such sites and their setting. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.

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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Suzanne Kehely  
Senior Planning Inspector

25<sup>th</sup> July 2025

## Appendix 1 - Form 1

### EIA Pre-Screening [EIAR not submitted]

<b>An Bord Pleanála Case Reference</b>		<b>ABP- 320799</b>	
<b>Proposed Development Summary</b>		Upgrade playing pitch facilities, changing from grass to an all-weather playing pitch with floodlights, surface water drainage, replacement fencing and ancillary works.	
<b>Development Address</b>		Colla, Schull, 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)		Yes X	Proceed to Q2
		No	
<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>			
Yes			Proceed to Q3.
No	X		<b>No Screening required</b>
<b>3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class? N/A</b>			
Yes			
No			Proceed to Q4
<b>4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]? N/A</b>			
Yes			
<b>5. Has Schedule 7A information been submitted?</b>			
No	x	Screening determination remains as above (Q1 to Q4)	
Yes			

Inspector: \_\_\_\_\_

Date: 25<sup>th</sup> July 2025

## Appendix 2

Screening for Appropriate Assessment	
Test for likely significant effects	
Step 1: Description of the project and local site characteristics	
Brief description of project	Upgrade playing pitch facilities, changing from grass to an all-weather playing pitch with floodlights, surface water drainage, replacement fencing and ancillary works.
Brief description of development site characteristics and potential impact mechanisms	<p>The site is an existing playing field established for over 40 years at the periphery of the Kinsale development area. It is part of the Madden Park AFC football grounds where there is a recently built clubhouse and car parking, and land is in public ownership. It is adjacent to the Charles Fort Meadows Biodiversity Action Plan area. The work relates to the playing field at the higher ground level with an intervening training field to remain as grass between the upgraded pitch and the fort. A site soakaway for the new drainage is to the east in open ground. It is approx. 3.7km from the nearest European site which is on the far side of the headland and relates to an island where there is a Cormorant colony which are marine dependent. There are no watercourses within the site and the site is separated some 300m from coastal waters by intervening road and the fort complex. The work involves soil excavation and backfill with a new and upgraded drainage regime. The grass being removed involves disturbed ground that has been rehabilitated from previous infill use and managed for active recreational use. There will be no loss of any significant natural habitat. The proposed development would be unlikely to give rise to significant source impacts, given nature and scale of the development and considering the weak and indirect</p>

	ecological connections such as via the site drainage/soakaway pit percolating to the groundwater into the river basin and coastal waters and having regard to the distance to the nearest European Site. Nor will there a loss of relevant foraging ground.			
Screening report	No			
Natura Impact Statement	No			
Relevant submissions	<u>Observing party on application:</u>  General concern about net biodiversity loss and wider ecological impact.  <u>Planning Authority reports and Environment reports:</u>  Screened out need for AA. No concerns arising.			
Step 2. Identification of relevant European sites using the Source-pathway-receptor model				
European Site (code)	Qualifying interests Link to conservation objectives (NPWS, date)	Distance(km) from proposed development	Ecological connections <sup>1</sup>	Consider further in screening <sup>2</sup> Y/N
Sovereign Islands SPA Site Code 004124	Cormorant [A017] <a href="#">CO004124.pdf</a>	c.3.7km	None likely  There are no watercourses on site providing a direct hydrological pathway to the relevant marine habitat for	N

			<p>dependent cormorant species which are the QI for for the SPA 3.7km away. The coastal shoreline where cormorant may forage and dry out extends over a greater distance around the intervening headland and waters between the site and the sovereign Islands.</p> <p>The coastal waters are c.300m from the site</p>	
<p><sup>1</sup> Based on source-pathway-receptor: Direct/ indirect/ tentative/ none, via surface water/ ground water/ air/ use of habitats by mobile species</p> <p><sup>2</sup>if no connections: N</p>				
<p>Step 3. Likely effects of the project (if any, alone <u>or</u> in combination) on European Sites</p> <p>N/A</p> <p>The proposed development which is for improved drainage on disturbed ground is not likely to generate any adverse impacts. Having regard to the coastal and hydrological distance between the nearest coastal waters to the development site</p>				

and the Sovereign Islands and to the level of dilution in the coastal waters, no impacts are likely.

Likely effect in view of conservation objectives

The construction or operation of the development is not likely to result in impacts that could affect the conservation objectives of the nearest European Site. Due to the absence of any direct hydrological connection, there is no potential for any surface water run-off laden with silt or pollutants to enter the waters effecting in any way, if at all, foraging cormorants in the area. Furthermore, due to the distance and lack of meaningful ecological connections it is most unlikely that there could be changes in the ecological functioning in the vicinity of relevant receptor arising from any construction related emissions or disturbance.

Having regard to the Department of Housing, Local Government and Heritage's National Planning Application database and EIA Portal and Cork County Council's planning register, I consider that the proposed development will not result in any effects that could contribute to a cumulative effect with other developments in the area. No mitigation measures are required to come to these conclusions.

Step 4 Conclusion

I conclude that the proposed development alone would not result in likely significant effects on the Sovereign Islands SPA, Site Code: 004124. The proposed development would have no likely significant effect in combination with other plans and projects on any European site(s). No further assessment is required for the project.

No mitigation measures are required to come to these conclusions.

Appendix 3			
WFD IMPACT ASSESSMENT STAGE 1: SCREENING			
Step 1: Nature of the Project, the Site and Locality			
An Bord Pleanála ref. no.	ABP- 321470	Townland, address	Madden Park, Forthill Kinsale , Co. Cork
Description of project		Upgrade playing pitch facilities, changing from grass to an all-weather playing pitch with floodlights, surface water drainage, replacement fencing and ancillary works.	
Brief site description, relevant to WFD Screening		<p>The nearest river as mapped on the EPA maps is over 225m away and forms part of Kncoknabohilly_010 river catchment discharging to the lower Bandon Estuary. The hydrological connection is possible but limited through on-site drainage and soak pit east of the pitch.</p> <p>In terms of agricultural land and impact on water quality I note the subject site is not included in the mapped pressure areas.</p> <p>The proposed development comprises new surface to the higher pitch and anew and upgrade drainage regime to a soakaway pit. There are two adjacent dwellings on higher ground to the north.</p> <p>While there is potentially deleterious material on site associated with former dumping it is understood that that the site has been rehabilitated as part of the municipal facility in the control and ownership of the county council.</p>	



<b>Proposed surface water details</b>	<p>New drainage in new pitch surface and subsurface to include –</p> <ol style="list-style-type: none"> <li>1) Perimeter drain around pitch comprising: Geotextile membrane with 225mm diameter land drain and 50mm drainage stones surrounding pipe, and</li> <li>2) subsoil drain 80mm diameter drain</li> </ol> <p>to discharge via interceptor to new soakaway designed to BRE Digest 365 using ESS Eco cell blocks or similar. Infiltration based on .00000957m/sec and rainfall return of 100 years</p> <p>Drawing No. 0020 refers.</p>
<b>Proposed water supply source &amp; available capacity</b>	None proposed
<b>Proposed wastewater treatment system &amp; available capacity, other issues</b>	None.
<b>Others Matters</b>	None.
<b>Step 2: Identification of relevant water bodies and Step 3: S-P-R connection</b>	

Identified water body	Distance to (m)	Water body name(s) (code)	WFD Status	Risk of not achieving WFD Objective e.g.at risk, review, not at risk	Identified pressures on that water body	Pathway linkage to water feature
No mapped river waterbody on site. In coastal river catchment	Approx. 225m (as mapped on EPA website)	Knocknabohilly-010 IE_SW_20K190980  Part of the Bandon-Ilen catchment (20)  District Code IESW.	Good	Not at risk	No pressures in this catchment	None.
Groundwater	Underlying site	Bandon IE_SW_G_086	Good	Not at risk		On-site soakaway drainage.
Coastal waterbody transitional waters	300m to south	Lower Bandon EstuaryIE_SW_080_0100,	At risk	at risk	Upper Bandon Estuary has a poor status and inputs into this lower coastal waterbody.  All other inputting surface waterbodies including the	none.

						knocknabohilly river catchment are good.  Kinsale down river is also good.	
<b>Step 4: Detailed description of any component of the development or activity that may cause a risk of not achieving the WFD Objectives having regard to the S-P-R linkage.</b>							
<b>CONSTRUCTION PHASE</b>							
No .	Component	Water body receptor (EPA Code)	Pathway (existing and new)	Potentia l for impact/ what is the possible impact	Screening Stage Mitigation Measure*	Residual Risk (yes/no)  Detail	<b>Determination** to proceed to Stage 2. Is there a risk to the water environment? (if 'screened' in or 'uncertain' proceed to Stage 2.</b>
1.	Dust dispersion during earthworks	<ul style="list-style-type: none"> <li>(river)</li> <li>(groundwater)</li> <li>(Coastal)</li> </ul>	Potential for hydrological pathway / indirect impact	Surface water pollution minimal, if any	None other than standard construction	No	Screened out

			via surface water drainage /on site soakaway				
<b>OPERATIONAL PHASE</b>							
3.	Contaminated run-off from plastics discharge to soak pit	As above	Potential for hydrological pathway and indirect impact via surface water drains/on site soak pit	Plastic filter /management will protect from localised impacts.	None other than standard best practice to ensure no contaminated waters enter surface water drainage.	No	Screened out  [See determination within Section 6 of report].
<b>DECOMMISSIONING PHASE</b>							
5.	N/A	N/A	N/A	N/A	N/A	N/A	N/A