



An
Coimisiún
Pleanála

Inspector's Report PL-500084-CC

Development	Construct an Indoor Recreation Facility/Commercial Leisure Use, to accommodate 8 no. Padel Tennis courts, reception, seating area, merchandise display & sales area, welfare facility units & associated works.
Location	Bandon Road (N71), in the townland of, Ardrostig, Bishopstown Cork
Planning Authority	Cork City Council
Planning Authority Reg. Ref.	2544065
Applicant(s)	Padel Tennis Ireland Limited
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party Normal Planning Appeal
Appellant(s)	Padel Tennis Ireland Limited
Observer(s)	None

Date of Site Inspection

23rd December 2025

Inspector

Bernadette Quinn

1.0 Site Location and Description

- 1.1. The appeal site is located on lands at Ardarostig, c.1.4km to the southwest of Bishopstown. The site is accessed via an existing estate access road off the western side of the Bandon Road. This access road serves a number of car showrooms. The Cork South Ring Road / N40 and the Bandon Road Roundabout are located approximately 150m to the north of the site. Cork City Centre is approximately 7km by road to the northeast.
- 1.2. The site has a stated area of 1.016ha and is part of a larger undeveloped site which is covered in grass/scrub and some building materials including a soil mound, rubble and concrete bollards. The site survey drawing indicates a wastewater treatment plant and percolation area located within the site close to its northeast boundary. There is an ESB sub-station adjoining the sites southeastern boundary. Site boundaries comprise a steel access gate and fence and to the north, east and west are hedgerows.
- 1.3. A wayleave is indicated through the site from the southeast to northeast and from the northeast to the northwest. This wayleave extends into the adjoining lands to the south and along the estate access road. The existing site survey drawing indicates a stream along the sites eastern boundary and a bank along the northern boundary. Ground levels across the site are generally flat, decreasing from west (24.8 OD) to east (23.3 OD).
- 1.4. Existing land uses surrounding the site include car showrooms, a petrol station and window and door showroom immediately to the east, low density residential development to the north east, a metal supplier and car showroom to the north and undeveloped lands to the west. On the opposite side of Bandon Road there are a number of commercial uses including self-storage units, car sales and convenience retail.

2.0 Proposed Development

- 2.1. The proposed development comprises an indoor recreation facility/commercial leisure use building with a gross floor area of 2,758 sq.m. and accommodating 8 no.

padel tennis courts with ancillary spaces for changing, equipment store, reception and merchandise display and sales area.

- 2.2. The building has a flat roof with a height of 9.2m, length of 76.5m and width of 37.2m. The proposed main entrance to the building is located on the northern elevation, areas of glazing are proposed on the northern and southern elevations, and the southeast corner incorporates glazing and signage. Material finishes consist of Kingspan wall cladding and curtain wall glazing.
- 2.3. Vehicular access is proposed via the existing estate access road off the N71 Bandon Road. 35 no. car parking spaces, 2 no. coach parking spaces, 4 no. motorbike spaces and parking for 20 no. bicycles in two no. covered stands are proposed. A proposed combined cycle/footpath is located between the southern elevation and the southern site boundary along the full extent of the site with a potential future connection to the adjoining lands to the west.
- 2.4. Wastewater treatment is proposed by an existing on-site wastewater treatment system. Surface water drainage includes a proposed attenuation tank and discharge to existing public sewer

3.0 Planning Authority Decision

3.1. Decision

On 23/09/2025 Cork City Council issued notification of the decision to refuse permission for one reason as follows:

The site is located within an area zoned ZO9 Light Industry and Related Uses within the Cork City Development Plan 2022 - 2028 (Ref: Map 8, Volume 2). The main purpose of this zoning objective is to provide for and protect dynamic light industry and manufacturing employment areas with ancillary uses open for consideration at an appropriate scale where they are subsidiary to the main employment uses and do not conflict with the primary zoning objectives. Given that the proposed development is not an employment type use nor a light industry or related use, the proposed development, would, if permitted, materially contravene the objective of this zoning, and would prejudice the future provision of light industry and related uses within this area of Cork City on a site which is currently undeveloped. The proposed

development would, therefore, be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Planner's Report dated 16/09/2025 can be summarised as follows:

- The proposed land use type is sports/recreation.
- There are a mix of uses in the area and consequently a mix of zonings.
- There are ample zonings in the CDP whereon the proposal could be considered.
- The application includes details that the number of employees will be 2. The proposed use would not sufficiently fit within an employment related use as set out in the CDP.
- There is no ambiguity in terms of the provisions of the CDP, the zoning and what uses would be favourably considered.
- It is not considered that the proposed use would come within the scope of a light industry and related use having regard to the range of uses set out in Paragraph 9.1 in the CDP.
- Having regard to the criteria set out in Paragraph 9.2, it is not considered that the proposed use is an ancillary use (CDP gives examples of childcare facilities and small-scale local services where they serve the local area) and it is not subsidiary to the main employment uses. It is a large scale standalone sports facility and it is in conflict with the primary zoning objectives.
- Paragraph 9.1 states that its purpose is to 'protect' lands zoned light industry and related uses. To favourably consider a grant of planning permission on the site would undermine the provisions of the CDP and its development strategy, and result in the loss of undeveloped light industry uses.
- The proposed use it is not considered appropriate nor compatible use within this zoning objective and would constitute a material contravention of the zoning objective.

- Objectives 3.26 and 6.20 in the CDP which set out to support and facilitate the development of outdoor and indoor recreational facilities are noted as are permitted and pending housing developments in the area.
- The proposed development is not deemed to be an employment related use, it is not a light industry or related use and the zoning objective does not support a recreational/sports use. Objectives in the CDP such as 3.26 and 6.20 would not be sufficient grounds to overrule the non-compliance with the zoning objective.
- There is a pending planning application for a LRD on the site to the west and its site layout plan shows possible future connections with the subject site.
- The recommendation from Traffic Regulation and Safety is significant in terms of traffic movements and impacts on the N71 and the overall layout of the scheme.
- Details of what the wayleaves traversing the site relate to are not set out. A wayleave running through the northern part of the site forces the position of the building to its southern boundary.
- There are some concerns regarding existing and proposed arrangements for the management of foul water. It would be more desirable to connect to public wastewater infrastructure to serve the proposal which is located in an urban area.
- There are no concerns regarding the visual impact of the proposal.
- There are concerns regarding the location of the cycleway/footpath to the south due to lack of passive surveillance.

3.2.2. Other Technical Reports

Environment: No objection subject to conditions.

Traffic Regulation & Safety Report: Further information required

Drainage: Further information required

Contributions Report: No objection

3.3. Prescribed Bodies

Transport Infrastructure Ireland: No objections noted.

3.4. Third Party Observations

None received.

4.0 Planning History

Appeal Site:

No recent relevant history

Surrounding Area (not an exhaustive list):

Site immediately to the south:

2443027 – Permission granted for a three-storey primary care centre, upgrade to existing wastewater treatment system and all ancillary development works.

Site immediately to the west:

2544140: Current application for permission for a Large-Scale Residential Development (LRD) located at Waterfall Road, Ardarostig, Bishopstown, comprising the construction of 246 no. residential units and a creche.

Site to North:

2240835 – Permission granted for extension to an existing storage warehouse and the construction of an associated office building.

Site to Southeast

184767 - Permission granted for vehicle showroom

166632 - Permission granted for a vehicle showroom incorporating a workshop.

5.0 Policy Context

5.1. Cork City Development Plan 2022-2028

- 5.1.1. The appeal site is located on lands zoned objective Z09 – To provide for light industry and related uses (Map 08 South Westerly suburbs).

Chapter 3 refers to Delivering Homes and Communities wherein Objective 3.29 refers to Neighbourhood Recreation and Amenity and outlines objectives in support of the development of recreational facilities.

Chapter 7 relates to Economy and Employment wherein Objective 7.15 refers to Light Industry and states ‘To protect areas zoned for light industry for such uses in order to maintain an adequate supply of light industrial space and employment in order to help ensure a diverse range of employment opportunities in the city’.

Chapter 7 outlines key employment types. In this regard, paragraph 7.60 identifies ‘Commercial Leisure’ and notes that such facilities are best located in places that offer the highest levels of accessibility to a range of transport modes, in particular public transport.

Objective 7.17 Commercial Leisure seeks to encourage a broad range of commercial leisure activities in key locations and in suitable locations throughout the city.

Chapter 9 Environmental Infrastructure addresses water management and Objective 9.4 lists the requirements relating to SuDS that applies to all new development.

Chapter 12 relates to Land Use Zoning Objectives and includes the following paragraphs of relevance:

In relation to ‘Permitted Uses’ Section 12.4 states that while the primary objective of each land use zoning is clearly stated, the various uses listed are intended as a general guide and are not an exhaustive list. Land uses open for consideration may be acceptable where the Planning Authority is satisfied that: they would not have a detrimental impact on the primary land use zoning objective; they would be consistent with the relevant objectives and criteria set out in this Plan; and there would not be any significant adverse impacts on the site or on the surrounding environment.

Section 12.5 states that in exceptional circumstances there may be uses that are not referenced in this Plan; these will be considered on their own merits in accordance with the primary land use zoning objective concerned.

ZO 9.1 states the main purpose of the Z09 zoning objective is to provide for and protect dynamic light industry and manufacturing employment areas. Primary uses in this zone are where the principal activity is the manufacturing of a physical product and which activity is compatible with being located near to residential areas. Primary uses include light industry; small to medium sized manufacturing and repairs; wholesaling; trade showrooms; retail showrooms ancillary to manufacturing, fitting and business to business activity; car showrooms; and incubator units. Other uses may include warehousing, logistics, storage and distribution, primary healthcare centres, builders providers / garden centres, subject to local considerations. Offices ancillary to the main light industry, manufacturing or employment use are also acceptable.

ZO 9.2 states that ancillary uses such as childcare facilities and small scale local services, where they serve the local area, are open for consideration at an appropriate scale where they are subsidiary to the main employment uses and do not conflict with the primary zoning objectives. Pure retailing, retail warehousing, standalone offices and office - based industry are not generally acceptable in this zone.

5.2. Natural Heritage Designations

The appeal site is not located in or immediately adjacent to a European Site, a Natural Heritage Area (NHA) or a proposed NHA (pNHA). The closest European sites are Cork Harbour SPA (Site Code 004030) located approx. 6 km east of the site and Great Island Channel SAC (Site code 001058) located approx. 13 km east of the site

5.3. EIA Screening

- 5.3.1. The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 and Form 2 in Appendices of this report). Having regard to the characteristics and location of the proposed

development and the types and characteristics of potential impacts, it is considered that there is no real likelihood of significant effects on the environment. The proposed development, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. One no. first party appeal against the Planning Authority's decision to refuse permission has been received. The grounds of appeal can be summarised as follows:

- Development Plan Objective 3.29: Neighbourhood and Recreation Amenity seeks to support and facilitate the development of outdoor and indoor recreational facilities.
- The ZO 09 zoning objective does not make explicit provision for facilities such as indoor padel tennis centre classed as a commercial leisure use, the use is not prohibited and is therefore considered to be open for consideration.
- Section 12.4 and Section 12.5 of the development plan outline that uses listed under each land use zoning are not an exhaustive list and land uses open for consideration may be considered, and that uses that are not referenced will be considered on their own merits.
- The proposed commercial leisure use is considered to be open for consideration having regard to the character of the site and surrounding permitted and planned uses, it does not threaten the vitality or integrity of the existing neighbouring employment uses and it provides for enhanced employment opportunities with the proposal providing for 10 no. permanent employment positions.
- The definition of light industrial building is outlined. Existing and permitted uses in the vicinity of the site are not light industrial or manufacturing related, comprising car dealerships, existing and proposed residential use, permitted health care centre building materials supplier. Noting the character of the

surrounding uses which are not light industrial or manufacturing related, the land use zoning objective would not be prejudiced, a fundamental provision of the development plan would not be departed from and the proposal would not contravene materially policies or objectives of the development plan and a material contravention would not arise.

- Section 37(2)(b)(i)-(iv) of the Planning & Development Act, in particular 'where there are conflicting objectives' in the development plan and the 'proposal is in keeping with National Planning Policy, Regional Spatial and Economic Strategy or other recent guidelines and policy directives could be relied on by the Commission to permit the proposal, acknowledging the current pattern of development and permissions granted in the area.
- The proposal complies with Development Plan provisions relating to facilitating active recreational infrastructure.
- To the north of the appeal site the Heiton Steel site is severed from the appeal site by an access road.
- The proposal is located on the last available ZO 09 site in the area, accommodates adjoining permitted development and will extend the range of uses available, including for intended increased number of residents as a result of permitted and proposed residential development in the area.
- The PA's required link through the appeal site to the residential lands to the west can be accommodated north of the appeal site where a right of way exists. The requirement by the PA that this link be accommodated through the appeal site is not appropriate and is contrary to the proper planning and sustainable development of the area.
- The applicant cannot demonstrate the required legal land rights over third party lands to execute works required to provide a local link road to residential lands to the west other than the proposed cycle/footpath included as part of the proposed development.
- In relation to the PA's concerns regarding lack of surveillance over the cycle/footpath to the south, the intended operation of the proposed development at evenings and weekends will provide adequate surveillance.

- Surface water drainage matters raised by the PA can be addressed by condition.

6.2. **Planning Authority Response**

None received.

6.3. **Observations**

None received.

7.0 **Assessment**

7.1. Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, the reports of the local authority, and 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
- Design and Layout
- Surface Water Drainage
- Wastewater Treatment

7.2. **Principle of Development**

7.2.1. The PA's refusal reason refers to the use of the site which is not an employment type use nor a light industry or related use which the PA considered would materially contravene the ZO9 Light Industry and Related Uses land use zoning objective and would prejudice the future provision of light industry and related uses within this area of Cork City on a site which is currently undeveloped.

7.2.2. The first party appeal argues that the ZO 09 zoning objective does not make explicit provision for commercial leisure use and does not prohibit this use and therefore the use is considered open for consideration. It is also argued that the Development Plan supports the development of indoor recreational use and active recreational infrastructure. It is argued that existing and permitted uses within the locale of the

appeal site are not light industrial uses, that the proposal will not prejudice the provision of light industrial use, that the PA has failed to acknowledge the employment opportunities created by the proposal, and that a fundamental provision of the development plan would not be departed from nor would a material contravention arise.

7.2.3. I note that the pattern of land uses within the vicinity of the appeal site located on the area zoned Z09 includes car showrooms, steel works, storage, and permission has been granted for a healthcare centre on the adjoining site to the south. Section ZO 9.1 of the Development Plan states 'Primary uses include light industry; small to medium sized manufacturing and repairs; wholesaling; trade showrooms; retail showrooms ancillary to manufacturing, fitting and business to business activity; car showrooms; and incubator units. Other uses may include warehousing, logistics, storage and distribution, primary healthcare centres, builders providers / garden centres ...'. I consider the existing and permitted uses on Z09 zoned lands in the vicinity of the site are all uses which are listed as acceptable within ZO 9.1. I note that the wider area includes a mix of uses including residential and retail and that these uses are not located on Z09 zoned lands. I therefore do not accept that the character of the surrounding area and permitted and planned uses provides an acceptable case to permit the proposal.

7.2.4. I note the appellants case that Section 12.4 of the Development Plan outlines that the uses listed are intended as a general guide and are not an exhaustive list and that Section 12.5 states uses not referenced will be considered on their own merits. However, I note that Section 12.4 states that land uses open for consideration may be acceptable where the Planning Authority is satisfied that they would not have a detrimental impact on the primary land use zoning objective and they would be consistent with the relevant objectives and criteria set out in the Development Plan. Objective 7.15 refers to Light Industry and states 'To protect areas zoned for light industry for such uses in order to maintain an adequate supply of light industrial space and employment in order to help ensure a diverse range of employment opportunities in the city'. Given that the proposed development is not related to light industry and I do not consider it constitutes an employment or related use, I consider the proposal would be contrary to this objective. I note the appellants case that the Development Plan supports the provision of recreational facilities, including in

Objective 3.29. However, I note that this is a general objective of the Development Plan and I do not consider it appropriate that this be relied upon to contravene a site specific zoning objective. I consider ZO 9.1 and ZO 9.2 are clear in relation to the purpose of the zoning objective which is to provide for and protect dynamic light industry and manufacturing employment areas and ancillary uses which serve the local area. I do not consider commercial leisure use complies with the overall aim of the zoning objective.

- 7.2.5. ZO 9.2 outlines that ancillary uses and small scale local services which serve the local area are open for consideration where they are subsidiary to the main employment uses and do not conflict with the primary zoning objective. Having regard to the nature and scale of the proposal which provides for a large padel tennis facility I do not consider that it can be considered an ancillary use which serves the local area.
- 7.2.6. ZO 9.2 states that pure retailing, retail warehousing, standalone offices and office-based industry are not generally acceptable in this zone. I note the case made by the first party that commercial leisure use is not specifically referenced. I do not agree that as a use is not explicitly stated as not permitted that this can be understood to mean that a use is open for consideration. I consider the wording of ZO 9.1 and ZO 9.2 is clear in relation to the types of uses envisaged on lands zoned Z09 as listed in these sections of the plan. I consider it is clear that such uses comprise employment related uses and other uses such as car and trade showrooms, storage, and healthcare centres which are located or permitted on the surrounding Z09 lands. The appellant outlines that the proposal will generate up to 10 permanent employment uses. I do not consider the extent of employment created by the proposal constitutes an employment related use, noting the use proposed is commercial leisure.
- 7.2.7. I note that Section 12.5 of the Development Plan refers to exceptional circumstances and I see no evidence on the file to conclude that the proposal relates to exceptional circumstances. I also note that there are a number of other zoning objectives identified in the Development Plan within which sports facilities and commercial leisure are considered an acceptable use.

- 7.2.8. I note the appellants case that the Heiton Steel site to the north is severed from the appeal site by an access road, however I do not consider this provides grounds to consider the proposal acceptable in principle on the Z09 zoning.
- 7.2.9. Having regard to my findings above I do not agree with the appellant's case that a fundamental provision of the development plan would not be departed from and the proposal would not contravene materially policies or objectives of the development plan and a material contravention would not arise.
- 7.2.10. I note the case made that Section 37(2)(b)(i)-(iv) of the Planning & Development Act could be relied on by the Commission to permit the proposal, acknowledging the current pattern of development and permissions granted in the area. I have outlined above that I consider the pattern of development on surrounding Z09 zoned lands is in accordance with the zoning objective. I do not consider there are conflicting objectives in the development plan and I do not consider National or Regional Planning Policy or other planning guidelines and policy provide grounds to permit the proposal at this location.
- 7.2.11. Having regard to the above I do not consider the proposal would be consistent with the Z09 land use zoning and I agree with the PA's refusal reason in this regard.

7.3. Design and Layout

- 7.3.1. The PA planning officer's report noted that there is a pending planning application for a large scale residential development (LRD) on the site to the west wherein the site layout plan shows possible future connections with the subject site. I note that a decision has not yet been made in relation to the LRD application referred to (reference 2544140). I note that these adjoining lands are zoned for residential development. I also note the proposed layout relating to the appeal site includes a proposed combined cycle/footpath connection to these adjoining lands connecting to a pedestrian and vehicular connection on the LRD site.
- 7.3.2. The PA Traffic Report states the integration of the proposed development with the neighbouring residential development is poor and the scheme needs to provide enhanced accessibility to the neighbouring residential development to the west. The report also states that the current proposal to provide the combined cycle/ footpath connection to the rear of the building with little or no passive surveillance is unacceptable and is likely to attract anti-social behaviour; and that the proposed

combined cycle/footpath connection should be provided to the front of the proposed building and combined with a local road link to the neighbouring residential zoned lands to ensure good passive surveillance and connectivity with the padel courts immediate neighbours. The report recommends a request for further information to include a new road link serving the neighbouring residential zoned lands to the front of the proposed padel court building including a new alignment to the boundary of the site. The planning officer in their report shares the concerns relating to lack of passive surveillance over the cycleway/footpath.

- 7.3.3. I agree with the PA that a pedestrian/cycle link as proposed lacks passive surveillance and would preferably be overlooked by active frontage or relocated. I do not accept the first party's argument that the operation of the padel centre at evenings and weekends will provide adequate surveillance from the glazed sections of the southern elevation along with the permitted health care centre to the south.
- 7.3.4. I note the PA Traffic Report outlines recommendations in relation to creation of a new road link serving the adjoining residential zoned lands to the west. The first party appeal outlines that the creation of such a road link presents challenges noting the potential traffic volumes such an access through the appeal site would generate and that the provision of a combined cycle/footpath connection with a local link road would interfere with lands outside of the appeal site and not in the ownership of the applicant. The provision of a road link as indicated in the PA Traffic Report does not form part of the proposed development and I note would materially impact the overall layout of the scheme as proposed and as such I do not consider this is a matter for assessment in the consideration of this appeal.
- 7.3.5. Section 7.60 of the Development Plan notes that commercial leisure facilities are best located in places that offer the highest levels of accessibility to a range of transport modes, in particular public transport. The application includes an Outline Mobility Management Plan which includes details of public transport accessibility with no direct public transport serving the site. The application also includes a Traffic and Transport Assessment (TTA) which assumes the car will dominate traffic movements. The TTA finds that the availability of potential future high quality active travel connections and further public transport improvements would encourage a greater modal shift to the site. Having regard to the above I consider the applicant

has not demonstrated that the proposal complies with Section 7.60 of the Development Plan. I note this matter was not raised by the PA and is a new issue.

- 7.3.6. Whilst the Commission may address the above matters by way of a request for further information, given the substantive grounds for refusal above I do not recommend a request for further information at this point.

7.4. Surface Water Drainage

- 7.4.1. A Drainage Report submitted with the planning application outlines that surface water will be collected to an attenuation tank in the form of a storm cell or similar. Surface water will discharge from the attenuation tank at existing greenfield rates to the existing storm water manhole that discharges into the estate road network. The PA Drainage Report outlines concern in relation to the reliance on an attenuation tank and the absence of green and blue infrastructure with a focus on nature based solutions and that attenuation tanks are only to be used in exceptional circumstances. The report recommends a request for further information in relation to these concerns and also in relation to details of storm water management, proposed discharge point to the public sewer or watercourse and details and calculations of the proposed discharge rate. The appeal outlines details of the proposed surface water connection to the existing local authority storm water sewer and includes a drawing in this regard. The appeal recommends the inclusion of a condition to address outstanding surface water drainage matters raised by the PA.
- 7.4.2. Development Plan Objective 9.4 lists the requirements relating to SuDS that apply to all new development which includes incorporation of SuDS where possible and a comprehensive SuDS assessment and that guidance will be provided in the Department of Housing, Local Government and Heritage document: Nature-based Solutions to the Management of Rainwater and Surface Water Runoff in Urban Areas Water Sensitive Urban Design - Best Practice Interim Guidance Document. Section 11.275 requires all planning applications involving developments of over 500sqm of commercial floorspace to be accompanied by a Scheme Sustainability Statement which shall include information relating to SuDS, including the use of green infrastructure as a means of contributing towards sustainable urban drainage.
- 7.4.3. In the absence of the integration of nature based solutions for the management of rainwater and surface water runoff I agree with the PA concerns in this regard and I

consider the proposal fails to address the requirements of Objective 9.4 and Section 11.261 of the Development Plan. I note that the appeal states that a condition could be attached to a grant of permission to address this matter. Noting the requirements of the Development Plan which includes a requirement for a SuDS assessment including nature based solutions to management of runoff, I do not consider it appropriate that this matter be addressed by a condition. Whilst the Commission may address the above matters by way of a request for further information, given the substantive grounds for refusal above I do not recommend a request for further information at this point.

7.5. Wastewater Treatment

- 7.5.1. Wastewater treatment is proposed by way of an existing private temporary wastewater treatment plant and percolation area located on the appeal site. The Planning Officer's report notes that upgrade works to the temporary treatment plant and percolation area were recently permitted prior to the lodgement of this planning application.
- 7.5.2. I note that upgrade works to the temporary treatment plant and percolation area were permitted under reference 2443027 to serve the permitted primary care centre on the adjoining site to the south. No work has commenced on this primary care centre. A Civil Engineering Report submitted with the planning application states that the wastewater treatment plant is temporary and serves the estate. The Report states that the existing foul water treatment plant and percolation area has sufficient capacity to accommodate the additional foul discharge generated by the proposed development. The report also states that if the works permitted under reference 2443027 for a primary care centre are carried out that the permitted upgraded system will have adequate capacity to accommodate the proposed development. An assessment of the wastewater treatment system is attached to the Civil Engineering report which states that the proposed loading of existing, permitted and proposed development exceeds the capacity of the current system and details of a proposed upgraded system are included and this appears to relate to the above-mentioned permitted development on the adjoining site. The PA did not raise issues relating to the capacity of the existing system to treat the proposed development. Whereby development of the proposed primary care centre occurs on the adjacent site I note that the wastewater system has permission for upgrades. Having regard to the

above I am satisfied that the proposal is acceptable with regard to wastewater treatment.

8.0 Stage 1 – Screening Determination for Appropriate Assessment

8.1. In accordance with section 177U(4) of the Planning and Development Act 2000, as amended (2000 Act), and on the basis of objective information, I conclude that the proposed development (project) 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 2000 Act is not required (see Appendix 3 of this report below).

8.2. This determination is based on:

- standard pollution controls that would be employed regardless of proximity to a European Site and effectiveness of same
- distance from European Sites, and
- the absence of meaningful pathway to any European Site.

9.0 Water Framework Directive Assessment

9.1. I have assessed the proposed development of a an indoor Recreation Facility/Commercial Leisure Use and associated site works at Ardrostig, Bishopstown and I have considered the objectives as set out in Article 4 of the Water Framework Directive 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 (refer to Appendix 4).

9.2. 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 surface and/or groundwater water bodies either qualitatively or quantitatively.

The reason for this conclusion is as follows:

- the nature of works and the proposed drainage measures
- taking into account the WFD screening report by the Planning Authority.

9.3. 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

10.0 **Recommendation**

10.1. I recommend that permission be refused for the reasons and considerations set out below.

11.0 Reasons and Considerations

The proposed development is located on lands zoned objective Z09 To provide for light industry and related uses in the Cork City Development Plan 2022-2028 wherein section ZO 9.1 states the main purpose of the Z09 zoning objective is to provide for and protect dynamic light industry and manufacturing employment areas and section ZO 9.2 states that ancillary uses where they serve the local area are open for consideration at an appropriate scale where they are subsidiary to the main employment uses and do not conflict with the primary zoning objectives. The proposed development of a commercial leisure facility would materially contravene the Z09 zoning objective and Sections ZO 9.1 and ZO 9.2 of the Cork City Development Plan 2022-2028. Furthermore, the proposal would prejudice the future provision of light industry and related uses within this area of Cork City on a site which is currently undeveloped and would therefore contravene Objective 7.15 which seeks to 'protect areas zoned for light industry for such uses in order to maintain an adequate supply of light industrial space and employment in order to help ensure a diverse range of employment opportunities in the city'. 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.

Bernadette Quinn

26th January 2026

Appendix 1 - Form 1

EIA Pre-Screening

[EIAR not submitted]

Case Reference	PL-500084-CC
Proposed Development Summary	Construct an Indoor Recreation Facility/Commercial Leisure Use, to accommodate 8 no. Padel Tennis courts, reception, seating area, merchandise display & sales area, welfare facility units & associated works.
Development Address	Bandon Road (N71), in the townland of, Ardrostig, Bishopstown Cork.
In all cases check box /or leave blank	
1. Does the proposed development come within the definition of a ‘project’ for the purposes of EIA? (For the purposes of the Directive, “Project” means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	<input checked="" type="checkbox"/> Yes, it is a ‘Project’. Proceed to Q2.
	<input type="checkbox"/> No, No further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	State the Class here
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	

<input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.	
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	State the Class and state the relevant threshold
<input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	State the Class and state the relevant threshold Schedule 5 Part 2 Class 10 (B) – Infrastructure Projects: (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.

4. Has Schedule 7A information been submitted?		
No	x	Preliminary Examination required
Yes		Screening Determination required

Inspector: _____ Date: _____

Appendix 2

Form 2 - EIA Preliminary Examination

Case Reference	PL-500084-CC
Proposed Development Summary	Construct an Indoor Recreation Facility/Commercial Leisure Use, to accommodate 8 no. Padel Tennis courts, reception, seating area, merchandise display & sales area, welfare facility units & associated works.
Development Address	Bandon Road (N71), in the townland of, Ardrostig, Bishopstown Cork.
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
<p>Characteristics of proposed development</p> <p>(In particular, the size, design, cumulation with existing/proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).</p>	<p>Briefly comment on the key characteristics of the development, having regard to the criteria listed.</p> <p>The subject development would comprise the construction of a single storey Recreation Facility/Commercial Leisure building which has a gross floor area of 2,758 sq.m to accommodate 8 no. Padel Tennis courts and ancillary uses and associated works on an overall site area of 1.016ha. Vehicular access and egress for the proposed facility is from an existing estate road off the western side of Bandon Road.</p> <p>During the construction phase, the proposed development would generate waste during excavation and construction. However, given the moderate size of the proposed building I do not consider that the level of waste generated would be significant in the local, regional or national context. No significant waste, emissions or pollutants would arise during the construction or operational phases due to the limited size of the site and the nature of the proposed use.</p>
<p>Location of development</p> <p>(The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic,</p>	<p>Briefly comment on the location of the development, having regard to the criteria listed</p> <p>There are no natural or built heritage features in or adjacent to the site.</p> <p>The site is not located within Flood Zone A or Flood Zone B.</p> <p>The development is proposed to connect to mains surface water drainage.</p> <p>The site is served by a local urban road network.</p> <p>The development is situated on zoned serviced lands within the suburbs of Cork City at a remove from sensitive natural habitats, designated sites and</p>

cultural or archaeological significance).	landscapes of significance identified in the Cork City Development Plan 2022-2028.
Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).	Having regard to the characteristics of the development and the sensitivity of its location, consider the potential for SIGNIFICANT effects, not just effects. The closest European sites are Cork Harbour SPA (Site Code 004030) located approx. 6 km east of the site and Great Island Channel SAC (Site code 001058) located approx. 13 km east of the site. I do not consider that there is potential for the proposed development to significantly affect other significant environmental sensitivities in the area.
Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA
There is no real likelihood of significant effects on the environment.	EIA is not required.

Inspector: _____ Date: _____

DP/ADP: _____ Date: _____

(only where Schedule 7A information or EIAR required)

Appendix 3

**Screening for Appropriate Assessment
Test for likely significant effects
PL-500084-CC**

Step 1: Description of the project and local site characteristics

Brief description of project	Construct an Indoor Recreation Facility/Commercial Leisure Use, to accommodate 8 no. Padel Tennis courts and associated works.
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Brief description of development site characteristics and potential impact mechanisms	<p>A detailed description of the proposed development is outlined in Section 2 of this report and details of the area of the proposed development are provided in planning documents provided by the applicant.</p> <p>The subject development would comprise the construction of a single storey Recreation Facility/Commercial Leisure building which has a gross floor area of 2,758 sq.m to accommodate 8 no. Padel Tennis courts and ancillary uses and associated works on an overall site area of 1.016ha. Vehicular access and egress for the proposed facility is from an existing estate road off the western side of Bandon Road. The development includes a car park area and on site drainage infrastructure including attenuation tank and connection to existing storm water infrastructure. It is proposed to connect to an existing watermain. Foul water will be treated by an existing on site waste water treatment system.</p> <p>The subject site is undeveloped and contains grass and scrub vegetation and is relatively flat in nature with a gradual fall decreasing from west to east. To the north, south and east is a mix of commercial and residential development. To the west and immediate south are undeveloped lands.</p> <p>The site survey and historical maps indicate a stream along the site's eastern boundary which is a minor tributary of the Glasheen river which ultimately discharges to the River Lee.</p> <p>The closest European sites are Cork Harbour SPA (Site Code 004030) located approx. 6 km east of the site and Great Island Channel SAC (Site code 001058) located approx. 13 km east of the site</p>
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Screening report	No
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Natura Impact Statement	No
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Relevant submissions	None
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Step 2. Identification of relevant European sites using the Source-pathway-receptor model				
European Site (code)	Qualifying interests¹ Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connections²	Consider further in screening³ Y/N
Cork Harbour SPA (004030)	<p>Little Grebe (Tachybaptus ruficollis) [A004]</p> <p>Great Crested Grebe (Podiceps cristatus) [A005]</p> <p>Cormorant (Phalacrocorax carbo) [A017]</p> <p>Grey Heron (Ardea cinerea) [A028]</p> <p>Shelduck (Tadorna tadorna) [A048]</p> <p>Teal (Anas crecca) [A052]</p> <p>Pintail (Anas acuta) [A054]</p> <p>Red-breasted Merganser (Mergus serrator) [A069]</p> <p>Oystercatcher (Haematopus ostralegus) [A130]</p> <p>Golden Plover (Pluvialis apricaria) [A140]</p> <p>Grey Plover (Pluvialis squatarola) [A141]</p> <p>Lapwing (Vanellus vanellus) [A142]</p> <p>Dunlin (Calidris alpina) [A149]</p> <p>Black-tailed Godwit</p>	c.6km	<p>There is a potential pathway via a stream identified on drawings along the site's eastern boundary. This is a weak hydrological pathway to downstream sites. Cork Harbour SPA is located at a distance 11 km downstream via the Glasheen & Lee rivers. Over this distance the dilution and settlement process combined with tidal influence means this connection is very weak. Given the nature of the development which includes low excavation volumes in proximity to the existing stream adjoining the site, the potential for water quality contamination is very low. The site does not provide suitable habitat for the Qualifying Interests of Cork Harbour SPA. Any disturbance to the Qualifying Interest would be unlikely.</p>	N

	<p>(<i>Limosa limosa</i>) [A156]</p> <p>Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157]</p> <p>Curlew (<i>Numenius arquata</i>) [A160]</p> <p>Redshank (<i>Tringa totanus</i>) [A162]</p> <p>Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179]</p> <p>Common Gull (<i>Larus canus</i>) [A182]</p> <p>Lesser Black-backed Gull (<i>Larus fuscus</i>) [A183]</p> <p>Common Tern (<i>Sterna hirundo</i>) [A193]</p> <p>Wigeon (<i>Mareca penelope</i>) [A855]</p> <p>Shoveler (<i>Spatula clypeata</i>) [A857]</p> <p>Wetland and Waterbirds [A999]</p>			
Great Island Channel SAC (001058)	<p>Mudflats and sandflats not covered by seawater at low tide [1140]</p> <p>Atlantic salt meadows (<i>Glaucopuccinellietalia maritimae</i>) [1330]</p>	c.13km	<p>As above. An existing stream adjoining the site's eastern boundary provides a weak hydrological pathway and the potential for water quality contamination is very low. The Qualifying Interests are habitats not species and exsitu disturbance impact are not relevant.</p>	N

¹ Summary description / **cross reference to NPWS website** is acceptable at this stage in the report

² Based on source-pathway-receptor: Direct/ indirect/ tentative/ none, via surface water/ ground water/ air/ use of habitats by mobile species

³if no connections: N

Step 3. Describe the likely effects of the project (if any, alone or in combination) on European Sites

From the AA Screening Report or the Inspector’s own assessment if no Screening Report submitted, complete the following table where European sites need further consideration taking the following into account:

(a) Identify potential direct or indirect impacts (if any) arising from the project alone that could have an effect on the European Site(s) taking into account the size and scale of the proposed development and all relevant stages of the project (See Appendix 9 in Advice note 1A).

(b) Are there any design or standard practice measures proposed that would reduce the risk of impacts on surface water, wastewater etc. that would be implemented regardless of proximity to a European Site?

(c) Identify possible significant effects on the European sites in view of the conservation objectives (alone or in combination with other plans and projects)

AA Screening matrix

Site name Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the site*	
	Impacts	Effects
Site 1: Cork Harbour SPA (004030) For QI see above	None	None
	Likelihood of significant effects from proposed development (alone): N	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? No	
	Impacts	
Site 2: Great Island Channel SAC (001058) For QI see above	None	None
	Likelihood of significant effects from proposed development (alone): No	

	<p>If No, is there likelihood of significant effects occurring in combination with other plans or projects?</p> <p>No</p>
<p>Step 4 Conclude if the proposed development could result in likely significant effects on a European site</p>	
<p>I conclude that the proposed development (alone) would not result in likely significant effects on Cork Harbour SPA (Site Code: 004030) & Great Island Channel SAC (Site Code: 001058). 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.</p>	

Screening Determination

Finding of no likely significant effects

In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on Cork Harbour SPA (Site Code: 004030) & Great Island Channel SAC (Site Code: 001058) in view of the conservation objectives of these sites and is therefore excluded from further consideration. Appropriate Assessment is not required.

This determination is based on:

- standard pollution controls that would be employed regardless of proximity to a European Site and effectiveness of same
- distance from European Sites, and
- the absence of meaningful pathway to any European Site.

Appendix 4: WFD IMPACT ASSESSMENT STAGE 1: SCREENING

Step 1: Nature of the Project, the Site and Locality

An Coimisiún Pleanála ref. no.	PL-500084-CC	Townland, address	Bandon Road (N71), in the townland of, Ardrostig, Bishopstown Cork.
Description of project		Construct an Indoor Recreation Facility/Commercial Leisure Use, to accommodate 8 no. Padel Tennis courts, reception, seating area, merchandise display & sales area, welfare facility units & associated works.	
Brief site description, relevant to WFD Screening,		<p>The site has an area of 1.016 hectares, is located on a relatively flat site with a gentle slope decreasing from west to east. The site is approximately 6 km southwest of Cork City Centre. The area is characterised by a mix of residential and commercial uses and undeveloped lands. The site is covered in grass and scrub vegetation as well as building materials. The site survey and historical maps indicate a stream along the sites eastern boundary which is a minor tributary of the Glasheen river.</p> <p>The National Soils Hydrology Map identifies the site as having well drained sandstone till soil type. The site is on a locally important aquifer with high to extreme vulnerability.</p>	
Proposed surface water details		<p>Proposed attenuation tank and connection to public stormwater network which in turn discharges to the Glasheen River.</p> <p>No capacity issues are identified by the PA Drainage Section. Concerns were raised in relation to absence of SuDS and the proposed discharge rate.</p>	

Proposed water supply source & available capacity	Proposed connection to mains.
Proposed wastewater treatment system & available capacity, other issues	On site waste water treatment
Others?	The site is not located within Flood Zone A or Flood Zone B.

Step 2: Identification of relevant water bodies and Step 3: S-P-R connection

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 (e.g. surface run-off, drainage, groundwater)
River	400m east of site. A stream is located on the sites eastern	GLASHEEN (Cork City)_010 IE_SW_19G0407 00	Poor	At risk	Antropogenic pressures	Potential surface water pathway via onsite drainage ditch

	boundary which is a tributary of the Glasheen river.					
Groundwater Waterbody	Underlying site	Ballinhassig East IE_SW_G_004	Good	Not at risk	None	Surface water run-off to groundwater

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.

CONSTRUCTION PHASE

No.	Component	Water body receptor (EPA Code)	Pathway (existing and new)	Potential for impact/ what is the possible impact	Screening Stage Mitigation Measure*	Residual Risk (yes/no) Detail	Determination** to proceed to Stage 2. Is there a risk to the water environment? (if 'screened' in or 'uncertain' proceed to Stage 2.
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1.	Site clearance /construction	GLASHEEN (Cork City)_010	Hydrological pathway via stream adjoining site boundary.	Water Pollution by siltation and/or chemicals	Standard best practice construction; Construction, demolition and environmental management plan (condition)	No	Screened out
2.	Site clearance /construction	Ballinhassig East	Drainage through soil/bedrock	Hydrocarbon and other spillages	Standard best practice construction; Construction, demolition and environmental management plan (condition)	No	Screened out
OPERATIONAL PHASE							
4.	Surface water run-off	GLASHEEN (Cork City)_010	Stream adjoining site boundary	Surface water run-off	Drainage collection and disposal measures (silt collector / petrol	No	Screened out

					bypass, SUDS measures to collect clean storm water and discharge to SW main drain)		
5.	Groundwater discharge	Ballinhassig East	None	Surface water run-off to groundwater	Drainage collection and disposal measures (silt collector / petrol bypass, SUDS measures to collect clean storm water and discharge to SW main drain).	No	Screened out
DECOMMISSIONING PHASE							
7.	N/A	N/A	N/A	N/A	N/A	N/A	N/A

