



An
Coimisiún
Pleanála

Inspector's Report

PL-500464-CK-25

Development

Construction of a 4-storey building consisting of a gaming/amusement arcade at ground floor level with 4 apartments at upper levels with separate access and entrances.

Location

West Beach and Rahilly Street,
Kilgarvan, Cobh, Co. Cork.

Planning Authority

Cork County Council

Planning Authority Reg. Ref.

255173

Applicant(s)

Wonderboy Amusements Limited

Type of Application

Permission

Planning Authority Decision

Grant Permission + Conditions

Type of Appeal

First Party Normal Planning Appeal

Appellant(s)

Wonderboy Amusements Limited

Observer(s)

None

Date of Site Inspection

14th of August 2026

Inspector

Karen Hamilton

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1.0 Site Location and Description

- 1.1. The subject site consists of an empty space between two existing buildings fronting onto West Beach, Cobh, Co. Cork. The building to the west includes a three and half storey building with commercial use on the ground floor and to the east is a three/ four storey building also with commercial use on the ground floor.
- 1.2. Cobh centre comprises of a main street running along the waterfront. The centre runs from east beach, at the eastern side to Westbourne Place to the west and include two public squares in the centre. There is a range of commercial buildings, retail, cafes and restaurants throughout Cobh town centre.

2.0 Proposed Development

- 2.1. The proposed development comprises of the following:
 - Proposal for a 4-storey building;
 - gaming/ amusement arcade at ground floor level;
 - 2 no 1-bed apartments at first floor level; and
 - 2 no. 2-bed duplex apartments at second floor and third floor.
 - Access to the gaming/amusement arcade will be provided via an entrance on West beach while access to the apartments in the upper floors will be via a separate entrance onto Rahilly Street.

3.0 Planning Authority Decision

3.1. Decision

Permission granted subject to 18 no conditions of which those of note are included in section 3.1.1. Permission was granted following the submission of further information (FI) and clarification of further information (CFI) of the following:

Further Information;

- Information of the use of the ground floor gaming/ amusement arcade identical to that permitted use at the subject site in Reg Ref 17/5969 & Reg Ref 18/6249. The hours of opening are to be 9am- 12pm, 7 days per week.

- Revised elevational treatment and building finishes to respect the scale and proportion of traditional shopfronts in Cobh with materials to compliment the Architectural Conservation Area (ACA).

Clarification of Further Information

- Further elevational changes to the shopfront design to reflect the location in the ACA to include the following:
 - Console brackets extended past the nameplate and architraves,
 - Nameplate depth reduced to a maximum of 500mm.
 - A top moulding/architrave now incorporated into the design.
 - Change in the design of the pilasters and change to panelling,
 - Omission of arch detail to the shop display window
 - Change of plinth to pilasters of render or stone
 - Specific details of the shop front signage.

3.1.1. Conditions

- Condition No 2: Section 48 levy condition
- Condition No 3: Section 49 levy condition in respect of the Cobh/Midleton-Blarney Suburban Rail Project.
- Condition No 4: The use of the premises as a gaming arcade shall cease on or before five years from the date of the grant of this permission unless its continuance has been authorised by a further grant of permission.

Reason: To enable a review of the development on the amenities of the area having regard to the circumstances prevailing.

- Condition No 5: The opening hours of the amusement arcade shall be confined to the following hours: 10:00- 20:00.

Reason: To safeguard the amenities of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The report of the area planner reflects the decision to grant permission with most of the FI and CFI requests relating to the external design specification of the building having regard to the location within the ACA.

The report of the area planner noted the hours of operation applied for 09.00- 24.00, 7 days a week and those hours of operation on a previous application on the site as 10.00- 20.00. The planner noted a similar condition was applied to the Liberty Casino site to the west, in one of the public squares (ABP 04.249389 Reg Ref 17/5918 and Reg Ref 21/4428). In the interest of consistency they considered similar hours of operation should apply.

In relation to the 5-year restriction on the permission, the area planner noted that under a previous grant of permission the gaming use was subject to 5-year temporary condition. Due to the absence of any fundamental policy changes since the previous grant of permission, the planner included the same temporary permission.

3.2.2. Other Technical Reports

- Environment Section: No objection to the proposed development.
- Archaeologist Report: No objection subject to conditions on archaeological monitoring during construction
- Conservation officer: No objection to the proposed development after the submission of further information and clarification of further information on the information stated above in Section 3.1.

3.3. Prescribed Bodies

Inland Fisheries Ireland: Further information request on the disposal of effluent.

3.4. Third Party Observations

Submission from Cork Tidy Towns in relation to the shopfront design and a request for a condition on the signage permitted. The redevelopment of the site is welcome.

4.0 Planning History

On the site

Reg Ref 18/6249

Permission granted for the construction of a 4-storey building for a gaming/ amusement arcade at ground floor and 4 no apartments on the first, second and third floors. (Change to permitted Reg Ref 17/5969).

Reg Ref 17/5969

Permission granted for a 4-storey building consisting of a gaming/ amusement arcade on the ground floor, ancillary offices on the first floor and residential accommodation on the 2nd and 3rd floors. The amusement arcade use at ground floor was restricted to a 5-year permission.

Adjoining the site**ABP 319299-24 (Reg Ref 23/6561)**

Permission refused for the change of use to gaming/ amusement arcade with ancillary office, storage, smoking and service area; internal alterations and replacement signage. The proposal includes works to a protected structure.

Permission was refused for reasons of impact of the shopfront decision on the ACA and protected structure. The inspector considered the principle of change of use acceptable and did not consider that permitted two gaming/amusement arcades at West Beach would lead to proliferation of use.

ABP PL04.249389 (Reg Ref 17/5918)

Permission was granted for a gaming/amusement arcade at No. 9 Pearse Street, Cobh (March 2018). A temporary condition for the 3 years was included in the grant of permission.

Reg Ref 21/4228

Permission granted for a further continuation of use as gaming/amusement arcade for 5 years No. 9 Pearse Street, Cobh (May 2021).

5.0 Policy Context

5.1. Cork County Development Plan 2022-2028

Volume 4 South Cork

Cork Harbour Cluster

The Cork Harbour area of County Metropolitan Cork is a spatial entity consisting of five County Metropolitan Towns (Passage West/Glenbrook/Monkstown, Carrigaline, Cobh, Carrigtwohill and Midleton), as well as four Strategic Employment Locations (Ringaskiddy, little Island, Carrigtwohill and Whitegate/Aghada).

Chapter 2 Cobh Municipal District

Cobh is one of four of the Main Towns in the Cobh Municipal District.

The site is located on lands zoned as Town Centre/ neighbourhood centre (CH-T-01).

Volume 1

County Development Plan Objective ZU 18-17: Town Centres/ Neighbourhood Centres

a) Promote the development of town centres and neighbourhood centres as the primary locations for retail and other uses that provide goods or services principally to visiting members of the public. The primary retail areas will form the main focus and preferred location for new retail development, appropriate to the scale and function of each centre and in accordance with the Retail Strategy. Residential development will also be encouraged particularly in mixed use developments while the use of upper floors of retail and commercial premises in town centres for residential use will in particular be encouraged.

b) Recognise that where it is not possible to provide the form and scale of development that is required on a site within the core area, consideration can be given to sites on the edge of the core area based on sequential approach.

Appropriate Uses in Town Centre/Neighbourhood Centres

Retail, cultural uses, recreation uses, hotel, bed and breakfast, public houses, financial services, professional services, medical and healthcare services, leisure facilities, places of worship, residential, mixed residential, childcare facilities, education facilities, community facilities, civic uses, offices, public transport facilities, car parks, funeral homes.

Chapter 9 Town Centres and Retail

County Development Plan Objective

TCR 9-2: Vacancy and Regeneration

- a) Develop a strategy to reduce vacancy in town centres during the lifetime of the Plan by utilising measures which seek to manage and ease overall vacancy. Aim to reduce the amount of vacant floorspace within core retail areas by 50% in the short term, half of which should be occupied by retail use and the remainder by non-retail uses or retail services.
- b) Monitor vacancy levels in town centres during the lifetime of the Plan and to take appropriate actions to address the issue as necessary.
- c) Promote the appropriate revitalisation of vacant and derelict properties and to facilitate the adaptation of existing property in town centre areas for retail, residential and other town centre activities. To encourage the merging of buildings to create larger commercial footprints where this is appropriate within context of the town.
- d) Promote the use of upper floors of existing buildings for residential and office use, where new development can positively contribute to the commercial vitality of the town centre.
- e) In more peripheral or edge town centre locations which are experiencing significant vacancy issues the Council will encourage the redevelopment of vacant/underutilised commercial premises to facilitate residential use.
- f) Support the regeneration of town centres by encouraging the sensitive redevelopment of key sites identified at settlement level.
- g) In relation to Derelict Sites the council will endeavour to use all mechanisms available to it as appropriate in order to maximize the potential of such lands.

Table 9-1 (Except for Cobh designated Sub-Regional/Large Metropolitan Town) TCR 9-6: Support the vitality and viability of the metropolitan towns and to ensure that such centres provide an appropriate range of retail and non-retail functions to serve

the needs of the community and respective catchment areas, with an emphasis on convenience and appropriate comparison shopping.

County Development Plan Objective TCR 9-13: Town Centre Focus for Retail Development Promote the County's town centres as a network of compact, vibrant and attractive centres for retail and other appropriate activities. The 'primary' areas of town centres which will be the focus of future retail development.

Chapter 11 Placemaking and Managing Development

- Policy in Section 11.191 Amusement Centres/ Arcades

Amusement centres/ arcades generally include the playing of amusements with-prize machines and/ or amusement only (e.g. video gaming) as the main use. In assessing applications for amusement centres / arcades, the proposal must demonstrate:

1. It will not cause harm to neighbouring properties in terms of noise and general disturbance;
2. The external appearance and design of the amusement centre shall not detract from the streetscape and it is recommended that an appropriate shop front with a window display be included in proposals;
3. Appropriate opening hours;
4. An excessive concentration of amusement centres/ arcades will not be permitted.

5.2. Natural Heritage Designations

The subject site is approximately;

- 1.5km southwest from proposed Natural Heritage Area Cuskinny Marsh (Site Code 001987)
- 3.5km proposed Natural Heritage Area Monkstown Creek (Site Code 001979) and Cork Harbour SPA (004030).
- 5km from proposed Natural Heritage Area Rostellan Lough, Aghada Shore and Poul nabibe Inlet (001076)

6.0 EIA Screening

- 6.1. The proposed development includes a 4-storey building with commercial on the ground floor and 4 no. apartments on the upper floors. Although the appeal of conditions is not a class of development the overall proposed development is subthreshold and 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.

7.0 The Appeal

7.1. Grounds of Appeal

The grounds of appeal are submitted by the applicant and relate to the Condition No 4 and Condition No 5 of the grant of permission. The submission is summarised as follows:

Introduction

- It is requested the appeal is dealt within under Section 139 and the applicants welcome the decision by Cork County Council to grant permission.
- The applicants have been previously granted permission under Reg Ref 17/5969 (amended under Reg Ref 18/6249).
- The previous permission was not carried out as the applicant pursued other commercial opportunities. They are now committed to investing in Cobh.
- The conditions are seen as restrictive.
- Chapter 9 of the CDP supports nighttime uses.

Planning Precedent

- Permission has been granted for similar developments in town and village settings over the years.

- ABP 320080-24 was a permission for a gaming/ amusement arcade in Ballincollig and has been deemed acceptable by the Commission.
- Other precedent permissions include PL26.23527, PL85.231296, PL42.224804, PL70.22449, PL05E.306432 and PL04.301616.
- In PL70.222449 the inspector noted that the gaming arcade would not have a negative impact on the residential amenity.
- ABP 313394-22 in Ballina was granted permission

Condition No 4: Temporary Use

- The planner considers the proposed use is appropriate.
- The proposed use does not challenge planning policy or conditions 6, 14 and 16.
- Condition No 4 restricts the gaming use to 5 years and is unnecessary and undermines the viability of a redevelopment project.
- The planning authority has not highlighted any concerns regarding compatibility or appropriateness of use and appear to have simply reapplied a previous condition.
- A previous permission ABP 320080-24 (Ballincollig) dealt with an issue of temporary permission for a similar gaming use. In this instance, the Commission considered a temporary permission was not necessary.

Condition No 5: Opening hours

- The gaming use is a town centre use. They are similar to bookmakers and public houses.
- The closing time restriction at 20.00 threatens the viability of the redevelopment project.
- The restricted closing time reduces the applicant's ability to operate the night-time economy.
- Condition No 5 is unduly restrictive.
- In ABP 320080-24, gaming arcade in Ballincollig, the Commission imposed the following

The gaming/amusement arcade shall not operate between the hours of 1 am and 9 am Monday to Sunday.

Reason: In the interest of clarity and to allow for the hours of operation as sought by the applicant which are considered reasonable, and to protect the amenities of the area.

7.2. Planning Authority Response

The PA responded to state that all the relevant issues have been covered in the technical reports already forwarded to the Board, and there is no further comment to make.

7.3. Prescribed Bodies

Submission received from the Department of Housing, Local Government and Heritage (DHLGH) to indicate that the National Built Heritage Service has considered the reviewed plans submitted and has no objection subject to conditions.

7.4. Observations

None submitted

8.0 Assessment

- 8.1. This is a first party appeal against two conditions of a grant of permission. Section 139 of the Planning and Development Act 2000 (as amended) allows the Commission (so long as it is satisfied that the application does not require an assessment as if it had been made to it in the first instance) to give the relevant planning authority direction regarding the attachment, amendment or removal of the condition.
- 8.2. The proposed development includes for the construction of a 4-storey infill building along the West Beach in Cobh, Co Cork. The uses proposed include a gaming/amusement arcade on the ground floor with residential on the upper floors. The report of the planning authority noted no objection to the principle of development on the site, although for reasons referred to below, included a temporary permission for the gaming ground floor use. This condition has been appealed by the applicant.

- 8.3. In relation to the design of the building, I note the location within an Architectural Heritage Area (ACA) and the extensive further information and clarification of further information requested by the Conservation Officer, particularly the shopfront. The final report of the Conservation Officer noted the application submissions and the final design and recommended a grant of permission. In addition, a submission from the National Built Heritage Section of the DHLG notes no objection to the proposal following the submission of redesign at further information. I have had regard to the final design of the shopfront, and I am satisfied there will be no negative impact on the built heritage of Cobh, and the proposal can comply with the development plan, in particular Chapter 8, Section 8.32 and 8.35, and Chapter 11, Sections 11.202.
- 8.4. In addition to the above, I note no issues have been raised by the PA regarding the design, layout or standards of the proposed apartments. Therefore, having regard to all these considerations, I am satisfied that the development is otherwise in accordance with the Development Plan and the proper planning and sustainable development of the area, and I am satisfied that the appeal only relates to condition no. 4 and no. 5, and does not raise any further issues.
- 8.5. I am satisfied that the appeal may be dealt with under Section 139 of the Act, and I am going to limit my consideration to the appropriateness of the conditions in question. I consider the issues to be:
- Condition No 4: Temporary Permission
 - Condition No 5: Opening Hours

8.6. **Condition No 4: Temporary permission**

Introduction

8.6.1. Condition No. 4 states:

*Condition No 4: The use of the premises as a gaming arcade shall cease on or before **five years** from the date of the grant of this permission unless its continuance has been authorised by a further grant of permission.*

Reason: To enable a review of the development on the amenities of the area having regard to the circumstances prevailing.

- 8.6.2. The report of the area planner noted that under a previous grant of permission (Reg Ref 17/5969 as amended by Reg Ref 18/6249) the gaming use was subject to 5-year temporary condition. Due to the absence of any fundamental policy changes since the previous grant of permission, the planner included the same temporary permission.
- 8.6.3. The applicant, in their grounds of appeal, refers to the proposal as a redevelopment project, wherein the inclusion of a temporary permission undermines its viability. They note that the planner has no concerns with the compatibility or appropriateness of the proposal, rather they apply the condition because it was included in a previous permission. The grounds of appeal refer the Commission to ABP 320080-24, wherein the Commission did not consider a temporary permission was necessary.

Development Plan Policy

- 8.6.4. The site is located within the town centre of Cobh, designated as a main town within County Cork. The policies and objectives of the Cork County Development Plan 2022-2028 highlight the importance of town centres and neighbourhood centres for retail and other uses that provide goods or services principally to visiting members of the public. Leisure uses are considered appropriate uses within these centres.
- 8.6.5. Section 11.191 Amusement Centres/ Arcades of the development plan includes guidance for assessing applications for amusement centres / arcades, the proposal must demonstrate the following:
- It will not cause harm to neighbouring properties in terms of noise and general disturbance;
 - The external appearance and design of the amusement centre shall not detract from the streetscape, and it is recommended that an appropriate shop front with a window display be included in proposals;
 - Appropriate opening hours;
 - An excessive concentration of amusement centres/ arcades will not be permitted.
- 8.6.6. As stated above, the report of the area planner did not indicate any concerns with regard to the principle of the gaming/ amusement arcade at this location. I note the criteria from the development plan as stated above and I find no evidence to

suggest that the use of the ground floor would cause any harm to the neighbouring properties or the proposed residential unit on the upper floors. The external appearance has been dealt with extensively during the application and there is no objection to the visual appearance to the proposal. Upon site inspection it was noted that there was one Casino in the vicinity of the site and within the town centre, which I do not consider an excessive concentration. The hours of operation are dealt with separately below. Having regard to the location, overall design and location within the town centre I do not consider there is any planning why a temporary permission should be included on this grant of permission and consider that any further application for a gaming/ amusement arcade in the vicinity of the site or wider Cobh area, can address potential of excessive concentration.

- 8.6.7. Therefore, I consider Condition No. 4 is not necessary to address any impact on the amenities in the vicinity and should be removed.

Planning History

- 8.6.8. Condition No 2 of the similar application on the site Reg Ref 17/5969 included a 5-year temporary permission for the gaming arcade. The development description does not include any reference to a temporary permission for the gaming arcade. The report of the area planner noted no other gaming arcade in the town although it was the second such application for an arcade. The area planner recommend that a review of the gaming arcades in the town was undertaken to ensure there was a mix of uses and the overall vitality and amenities of the town were not negatively impacted upon. In this regard they recommended a temporary permission for the gaming element.
- 8.6.9. Condition No 4 of a pervious permission Reg Ref 18/6249 restricted the use as a gaming arcade for 5 years. The report of the area planner noted this as an almost identical proposal from the previous permission and recommended that the term should be 3 years to reflect the live permission (Reg Ref 17/5969 and that Board permission on the adjoining site Reg Ref 17/5918).
- 8.6.10. The applicant refers to a recent Commission decision ABP 320080-24. I note this permission relates to a change of use from fitness centre to gaming arcade at Unit 4, West site Retail Park, Ballincollig. The Commission will note that Ballincollig is located to the far west of Cork City and this site is within a retail park. I do not

consider the circumstances of either proposal are similar aside from the proposed use of the use as a gaming/ amusement centre. This aside, the Commission may note that no temporary use was imposed on this proposal and the hours of operation where restricted only to times outside 1am and 9am Monday to Sunday.

8.7. Condition No 5: Opening hours

8.7.1. Condition No 5 states:

The opening hours of the amusement arcade shall be confined to the following hours: 10:00- 20:00.

Reason: To safeguard the amenities of the area.

- 8.7.2. The report of the area planner noted the hours of operation applied for 09.00- 24.00, 7 days a week and those hours of operation on a previous application on the site as 10.00- 20.00. The area planner noted a similar condition was applied to the Liberty Casino site to the west (ABP 04.249389 Reg Ref 17/5918 and Reg Ref 21/4428) restricting the hours of operation from 10:00- 20:00. In the interest of consistency they considered similar hours of operation should apply to this site.
- 8.7.3. The applicant, in the grounds of appeal, refers to the impact of the condition of the operation of the commercial use, whereas a closing time of 20:00 threatens the redevelopment of the site. The applicant argues that the proposed use is more akin to that of a bookmakers and public house which operates past 20:00. The applicant again refers to the permission by the Commission for ABP 3200800-24 for a gaming/ amusement arcade in Ballincollig. In this permission the Commission restricted the hours of operation from 1 am to 9am only.
- 8.7.4. I note the precedence submitted by the applicant relates to a grant of permission in a retail park unit in Ballincollig. As stated, before I consider this proposal not particular relevant to this proposed development although the Commission will note the absence of any residential units adjoining the Ballincollig site, therefore the hours of operation would not, in my opinion, be representative of a similar situation to this subject site.
- 8.7.5. The Environment Section of Cork County Council did not raise any issues relating to noise other than recommending a condition for noise limits during the construction phase of the proposal

8.7.6. The application form states that employees proposed would range between 2-4 with the hours of operation 09:00 to 24:00. I note the area indicated for the gaming section on the ground floor at c. 100m². Although I consider this is a modest operation although I have concerns in relation to the location of the gaming directly under residential units, when considering the extended hours of operation proposed by the applicant. The proposed development includes residential units above. I note from the submitted floor plans, there are two bedrooms and terrace areas for apartments no.1 and no.2 on the first floor proposed directly above the gaming area. Due to the location of the residential amenity areas and the bedrooms, directly above any commercial use, I would have concerns that extended opening hours past 20:00 would have a significant negative impact on the residential amenity of future occupants. In this regard, I consider it reasonable to attach the opening hours condition and operation between 10:00 and 20:00.

9.0 AA Screening

- 9.1. I have considered the proposed development in light of the requirements S177U of the Planning and Development Act 2000 as amended.
- 9.2. The subject site is located 3.7km west of Cork Harbour SPA (004030) and 10km west of Great Island Channel SAC (001058).
- 9.3. No nature conservation concerns were raised in the planning appeal. The site is located within the urban area of Cobh on lands served by public infrastructure.
- 9.4. Having considered the nature, scale and location of the proposed development, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site.
- 9.5. The reason for this conclusion is as follows:
- The nature of the development proposal.
 - The location of the development in a serviced area.
 - The distance to the Natura 2000 network and the absence of pathways to any European Site.

- 9.6. I conclude, 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 (under Section 177V of the Planning and Development Act 2000) is not required.

10.0 Water Framework Directive

- 10.1. An assessment of the proposed development has been undertaken with regard to the objectives set out in Article 4 of the EU Water Framework Directive.
- 10.2. Having considered the nature, scale, and location of the proposed development, it is concluded that the proposal will not result in any risk of deterioration in the status of any water body, including surface waters (rivers and lakes), groundwater, transitional waters, or coastal waters. This applies to both qualitative and quantitative status, and in respect of temporary and permanent effects. In addition, the proposed development will not adversely affect the achievement of established environmental objectives, including the protection, maintenance, and improvement of water body status, as required under the Directive.
- 10.3. Accordingly, the proposed development is considered to be compliant with the requirements of Article 4.

11.0 Recommendation

- 11.1. Having regard to the nature of the condition the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to REMOVE Condition No. 4 and RETAIN Condition No.5 as follows:

5) The opening hours of the amusement arcade shall be confined to the following hours: 10:00- 20:00.

Reason: To safeguard the amenities of the area.

12.0 Reasons and Considerations

It is considered that the principle of development is acceptable at this location on lands zoned for town centre uses in the Cork County Development Plan 2022-2028 where commercial and leisure services are appropriate uses, therefore the rationale to restrict the use to temporary is not justified and is unreasonable. The proposed development subject to the REMOVAL of condition No 4 and RETENTION of Condition No 5, would be in accordance with the Cork County Development Plan 2022-2028 and 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 me, directly or indirectly, following my professional assessment and recommendation set out in my report in an improper or inappropriate way.”

Karen Hamilton

Assistant Director of Planning

31st of August 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	500464-CK-25
Proposed Development Summary	Construction of a 4-storey building with gaming/ amusement arcade on the ground floor and apartments on the upper floors.
Development Address	West Beach and Rahilly Street, Kilgarvan, Cobh, Co. 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?	☒ Yes, it is a 'Project'. Proceed to Q.2.
	☐ No, No further action required.
(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)	
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
☐ Yes, it is a Class specified in Part 1.	State the Class here

EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	
☐ 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?	
☐ 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.	
☐ Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	
☒ 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)	Class 10(b)(i) 'Construction of more than 500 dwellings units Class 10(b)(iv) 'urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere

4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes ☐	
No ☒	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____

Date: _____

Appendix 2: Form 2 - EIA Preliminary Examination

Case Reference	500464-CK-25
Proposed Development Summary	Construction of a 4-storey building with gaming/ amusement arcade on the ground floor and apartments on the upper floors.
Development Address	West Beach and Rahilly Street, Kilgarvan, Cobh, Co. Cork.
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development	The proposal for 4 storey building with commercial on the ground floor and residential units on the upper floors. The proposal represents a modest urban infill development. The site is located within the development boundary of Cobh on lands zoned CH-T-01, Town Centre Zoning, in the current Cork County Development Plan (CDP) 2022-2028. The standalone development has a modest footprint within a built-up area and does not require the use of substantial natural resources or give rise to significant risk of pollution or nuisance. The development, by virtue of its type and scale, does not pose a risk of major accident and/or disaster, or is vulnerable to climate change. It presents no risks to human health.
Location of development	The development is situated in a densely populated urban area on brownfield land and is located at a remove from sensitive natural habitats, designated sites

	and landscapes of significance identified in the Cork CDP.
Types and characteristics of potential impacts	Having regard to the modest nature of the proposed development, its location relative to sensitive habitats/features, likely limited magnitude and spatial extent of effects, and absence of in combination effects, there is no potential for significant effects on the environmental factors listed in section 171A of the Act.
Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA
There is no real likelihood of significant effects on the environment.	EIA not required.

Inspector: _____ **Date:** _____

DP/ADP: _____ **Date:** _____

(only where Schedule 7A information or EIAR required)