



An
Coimisiún
Pleanála

Inspector's Report PL-501514-CC-26

Development	Permission for development of set-down and circulation area at GAA stadium campus and all associated public lighting and site development works.
Location	Pairc Uí Chaoimh, and Marina Park, Monahan Road, Ballintemple, Co.Cork
Planning Authority	Cork City Council
Planning Authority Reg. Ref.	2543977
Applicant(s)	Páirc Uí Chaoimh CTR
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party Normal Planning Appeal
Appellant(s)	Páirc Uí Chaoimh CTR
Observer(s)	Denis O'Regan Colm O'Leary Ballintemple Area Residents Association Des O'Donoghue

Jamie O'Rourke
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Date of Site Inspection

14th August 2026

Inspector

Matthew McRedmond

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1.0 Site Location and Description

- 1.1.1. The appeal site is located to the east of Cork City, c. 2km from the city centre. The site has a stated area of 0.5 hectares and is located adjacent to the southwest corner of the Pairc Ui Chaoimh GAA Stadium Campus and adjoining lands within Marina Park to the west. A floodlit all-weather playing pitch adjoins the site to the east and forms part of the Cork GAA 'centre of excellence'.
- 1.1.2. The site is located within the wider Marina Park area, which is a large public park of c. 33 hectares. The area to the west of the appeal site has been redeveloped as a modern urban park under Phase 1 of the Marina Park Masterplan, while the area to the east (Phase 2) has also been the subject of recent redevelopment and upgrade works. The appeal site is owned by Cork City Council and a letter of consent for the making of the application was included.
- 1.1.3. The surrounding area also includes the tree-lined Marina riverside area to the north, which includes the Cork Harbour Greenway and 'The Marina' road. The Marina is closed to vehicles and provides a dedicated pedestrian and cycle route at the river side, while there is restricted vehicle access provided from the entrance to the stadium westwards to Centre Park Road. The Lee Rowing Club building and associated recreational facilities and the Presentation Brothers Rowing Club are also located to the south of the vehicular access road, with pedestrian crossings linking each to the pedestrianised Marina.
- 1.1.4. The subject site is bounded to the south by Monahan Road and the wider area to the south is mainly characterised by residential development, along with some commercial and community uses. The wider area to the west on Centre Park Road and Monahan Road contains mainly industrial/commercial development with recent permissions for large scale housing developments within this precinct currently under construction.
- 1.1.5. Vehicular access to the stadium and parking areas is currently provided from the north via Centre Park Road, which is separated from the pedestrianised Marina. To the south, and through the subject site, is an emergency vehicular access (off Monahan Road) to the Pairc Ui Chaoimh Stadium.

2.0 Proposed Development

2.1.1. The proposed development includes the utilisation and upgrade of the existing emergency access route from Monahan Road to the south. The proposed development incorporates the following elements:

- New vehicular set-down and drop-off circulation area at the southwest, City End side of Pairc Ui Chaoimh.
- Proposed drop off is to be accessed via Monahan Road and is located to the south of the existing east-west public concourse and north and east of an existing pedestrian walkway.
- New road junction design at Monahan Road to include raised table for pedestrian priority.
- Raised table at internal access road to facilitate uncontrolled pedestrian crossing point.
- Landscaping and nature-based SuDs works including swales and a retention basin.
- Bollards to prevent parking on access route and to control access to and from the drop off facility as well as restricting vehicular access across east-west concourse along southern boundary of stadium.

2.1.2. The proposal was amended at Further Information (FI) stage to include bike parking, a reconfigured pedestrian crossing point to connect the existing pedestrian path within Marina Park, reconfigured bollard locations and functionality (removable in place of mechanical/automated bollards), and removal of swale.

3.0 Planning Authority Decision

3.1. Decision

3.1.1. On the 13th May 2026, the proposal was refused permission by Cork City Council, following the Material Contravention process, whereby the proposal was brought before elected Council members for a vote. The proposal was refused permission for the following single reason:

“The proposed development of an access road and set-down area to serve the Sports Stadium and ancillary uses at Pairc Ui Caoimh Stadium on lands zoned ZO15 ‘Public Open Space’ would contravene materially the zoning objective of the Cork City Development Plan 2022-2028 (as varied), which states that the objective of this land use zoning is to protect, retain and provide for passive and active recreational uses, open spaces, green networks, natural areas and amenity facilities. This is particularly considered to be the case having regard to the fact that an existing planned and recently upgraded ‘dedicated’ vehicular access (together with associated parking within the stadium) for all types of users is already provided from Marina Promenade.’

- 3.1.2. Notably, the Area Planner (Senior Executive Planner) and Senior Planner recommended refusal of permission following assessment of the proposal. Despite this recommendation for refusal, the Director of Services recommended a Grant of Permission and therefore triggered the Material Contravention process as set out above.

3.2. Planning Authority Reports

Planning Reports

- 3.2.1. The Local Authority Planner had regard to the locational context of the site, planning history, national and local planning policy context, the referral responses received, and any submissions made on the application. Their assessment included the following:
- Key issue is if the nature and scale of proposal would impact on ongoing operation of the Marina Park and the subject lands which are Zoned ZO15 ‘Public Open Space’.
 - Confirmed that existing emergency access is being utilised for proposal. Clarity should be provided in respect of the extent the proposed set-down area will be available for use, including the type and likely number of events that will require the use / operation of the proposed set down area.

- It is considered that the proposal would change the nature of the lands concerned and would materially contravene the Public Open Space zoning of the land, as contained in the City Development Plan.
- The issues raised by Parks and Landscaping Department are noted in relation to severance of public park, use of automatic bollards and maintenance access. Nature based solutions, maintenance plan for proposed landscaping and feasibility of swale also queried.
- Auto tracking of proposed drop off area, and intended use of Marina for bus drop off required. Seating for pick up of passengers and bike parking should be provided. Relocation of bollards at Monahan Road junction also recommended by Traffic and Transport section of Local Authority (LA). Operational plan also required in relation to management of set down area.
- In relation to drainage, responsibility for detention basin following construction should be confirmed.
- Additional Fire Safety details required including emergency access impacts of the proposal. Noted this is addressed under a separate code – Fire Safety Legislation.
- Despite fundamental concerns in relation to Material Contravention of the Zoning of the site as set out in the Cork City Development Plan, further information was requested in relation to a number of items as set out above.

Response to Further Information Request

3.2.2. The applicant provided a response to the FI request, which included the following details:

- Auto-track Analysis of bus/coaches to drop off area, confirmation of main purpose as drop off for children attending stadium and Marina Park and details of operational management plan, which includes confirmation that existing access to stadium for bus parking via Marina will remain in use. Operational Management Plan (OMP) provides a number of scenarios around attendance numbers and how the set-down area will operate. Generally this is outlined as for events with between 1,000 and 15,000 attendees.

- OMP also provides details of staff management of set-down area and management of bollards.
- Inclusion of 100 bicycle parking spaces and reconfiguration of pedestrian/cyclist crossing of access route to be consistent with existing desire lines.
- Revised landscape details to include rain garden with pollinator friendly planting.
- Confirmation that fire safety details have been considered and appropriate certificates will be amended to address evacuation requirements.

PA Response to Applicant's FI Response

3.2.3. The PA prepared a written report assessing the applicant's FI response. The main details are as follows:

- No requirement for bus drop-off/general public use to access Marina Park, which is already well served with parking. OMP will need to remove reference to general access and focus on number and size of events required to use the proposed set-down area including other management details including liaison with An Garda Siochana. Clarification of details in this regard are required from the applicant.
- Revised Autotrack required to illustrate turning movements when bus is already parked. Additional seating should also be provided at the set-down area
- Noted engagement with Fire Safety officer but concern that proposal would hamper emergency evacuation protocols and routes.
- Clarification of further information (CFI) required in relation to revised OMP, provision of event management plan, confirmation of use of existing bus parking practices, and management of bollards. Additional details also required in relation to emergency evacuation routes and protocols. Revised autotrack required and additional seating requested.

Applicant Response to CFI Request

3.2.4. The applicant provided a response to the CFI request from the PA, which included the following details:

- Revised OMP to confirm there will be no general access and bollards to control access for specific events and scenarios. No access proposed on normal day activities, management of unauthorised parking by appointed staff.

- 47no. events per annum estimated for use of the set-down area, with 13no. of these events being above 15,000 capacity, whereby access will be restricted to emergency vehicles only.
- Coach parking for stadium museum to remain in operation.
- All bollards to now be removable.
- No specific requirement for traffic management for smaller events, with larger events managed in line with Event Management Plan submitted with the response.
- Applicant happy to accept a condition requiring a monitoring programme of set down area.
- Revised layout of set down area to limit to 1no. set-down space and to improve functionality. Revised Autotrack shows this operationally.
- Additional planter with 3no. seats added.
- Confirmation that liaison with Fire Department has taken place and the agreed evacuation plan will be incorporated in a subsequent fire safety certificate application.
- Revised drawings and reports were submitted to support this submission.

PA Response to CFI Submission by Applicant

- 3.2.5. Planning Report noted that the Roads Engineer considered the revised auto tracking, seating arrangement and bike parking is welcomed. Revised OMP considered satisfactory subject to conditions and restrictions in relation to use for larger events, whereby the route would be open for emergency access only and monitoring of the operation of the area.
- 3.2.6. Planning Report also noted the response of the Parks Section who recommended grant of permission subject to conditions in relation to management, vehicular access restrictions to main east-west concourse and bollards. Fire Department indicated no objection subject to the emergency vehicle access route being available at all times.
- 3.2.7. Notwithstanding the reports from Roads and Parks, the Planning Report recommended refusal of permission on the basis that the subject proposal would materially contravene the ZO15 'Public Open Space' zoning of the land, this is also

in the context of the planned and upgraded dedicated access for all vehicle types from Marina Promenade.

- 3.2.8. The Senior Planner provided a report that supported the assessment of the Area Planner and recommended that permission was refused.
- 3.2.9. Following compilation of all relevant information a report from the Director of Services, Planning and Integrated Development, found that the proposal was acceptable in planning terms and directed a Grant of Permission and noted the Material Contravention process needed to be initiated.
- 3.2.10. Following the direction of the Director of Services, the Area Planner (SEP) and Senior Planner moved to recommend a Grant Permission for the proposal subject to 11no. Conditions. Condition 2 stipulated that the set down area shall not be open for events with less than 1,000 person capacity. Condition 4 noted that for events with a capacity of greater than 15,000 persons, the set down area shall only be used by emergency vehicles.
- 3.2.11. Other Technical Reports
- **Drainage Report** – No objection to grant of permission.
 - **Environment:** No objection to grant of permission, subject to conditions in relation to construction management.
 - **Traffic: Regulation and Safety Report:** Recommended further information in relation to auto tracking, sheltered seating and an operational management plan. CFI was requested in relation to specific details of the same issues. The CFI response from the applicant was considered acceptable and Traffic Department had no objection to a grant of permission subject to conditions related to bollards and management of events outside the 1,000-15,000-person capacity.
 - **Urban Roads and Street Design:** Required further information in relation to revised layout of raised table to facilitate desire lines of pedestrians/cyclists on existing path. This information was provided in the applicant's response to FI and was considered acceptable and permission was recommended subject to conditions in relation to final agreed details of construction and reparation of any damages to roads and footpaths.

- **Fire Department:** Requested further review of layout in context of emergency evacuation plan. This detail was clarified by the applicant at FI stage and was considered acceptable by the Fire Department who had no further objection to the grant of permission.
- **Parks Department:** Concern in relation to compliance of proposal with zoning for the site. Use of automatic bollards not supported, and access for maintenance required. Initially recommended refusal but following submission of further information, made a number of recommendations in relation to the management of the proposal, if permission is granted.

3.3. Prescribed Bodies

3.3.1. None on file.

3.4. Third Party Observations

- 3.4.1. Third party observations on the application may be taken as summarised in the Planning Authority Planner's Report. Some of the key issues raised are as follows:
- Proposal will lead to traffic safety issues
 - Impacts on loop walk around 4G Pitch and wider park walks.
 - Alternative access to the stadium already available via Marina Walk.
 - Proposal is contrary to the spirit and intent of Marina Park.
 - Previous decision under ABP 311651-21 is pertinent.

4.0 Planning History

- 4.1.1. The Pairc Ui Chaoimh Stadium has been subject to a range of planning applications and alterations over a number of years. I do not propose to list them all here. I consider the most relevant to the subject appeal to be:
- 4.1.2. **Cork City Council (CCC) Ref. 21/40374 (ABP-311651-21):** Permission granted for the internal reorganisation of the south stand and other external access arrangements. The final grant of permission included conditions to omit a proposed parking zone as well as a managed pick up / drop off area along the western access

from Monaghan Road, due to contravention of zoning provision 'ZO 14 – Open Space' under the City Development Plan 2015-2021.

- 4.1.3. The stadium campus is also located within a wider context of several other significant permitted and planned developments. In summary, relevant projects include the following:
- 4.1.4. **ABP Ref. 28.HA.0013:** The Board granted permission (2010) for the construction of the Eastern Gateway Bridge and associated road network and the construction of the Water Street Bridge and associated road network, the raising and upgrading of Centre Park Road, the raising and upgrading of Monahan's Road and related works in the Cork Docklands.
- 4.1.5. **Marina Park Phase 1:** Approved (10th March 2015) under section 179 of the Planning and Development Act 2000 (as amended) to develop a park and enhancement works along Monahan Road, The Marina and Atlantic Pond, including a 250-space car park at Shandon Boat Club. This project was completed in 2021.
- 4.1.6. **ABP Ref. TA28.309059:** SHD permission granted (April 2021) on former Ford Distribution Site to the west of Marina Park for demolition of existing structures, 10 year permission for the construction of 1,002 no. apartments, childcare facilities and associated site works.
- 4.1.7. **ABP Ref. TA28.313142:** SHD application granted permission in 2022 on former Cork Warehouse Company Site to the west of Marina Park for demolition of existing structures on site and construction of 190 no. apartments, creche and associated site works.
- 4.1.8. **Marina Park Phase 2:** This phase includes land to the east and south of the stadium and extends eastwards from Atlantic Pond. It includes the 'nature' zone of the park. This phase of park construction is also complete.
- 4.1.9. **Monahan Road Extension:** A four-lane carriageway with a traffic lane and dedicated bus lane in each direction, segregated cycle ways and pathways are to be provided. It is intended to act as the catalyst for the early development of the adjoining lands within the Docklands area. It would provide the first element in the Eastern Gateway Bridge Project which will link the local South Docklands district to the strategic road network. The design will be integrated with the adjoining Marina

Park and the Strategic Housing Development at the former Ford Development site along the route of the Monahan Road Extension. Part 8 planning was approved in October 2021. Construction has commenced and is ongoing in conjunction with the SHD development at the former Ford Site.

- 4.1.10. **Marina Promenade Project:** This project extends from Centre Park Road to Blackrock village and aims to integrate Marina Park, the Greenway, Blackrock and the Docklands. The project enhances cycling/pedestrian infrastructure and improves its recreation and amenity value. This project is now complete.

5.0 Policy Context

5.1. National and Regional Planning Policy

- 5.1.1. The NPF is the Government's high-level strategic plan for shaping the future growth and development of the country to the year 2040. A key element of the NPF is a commitment towards 'compact growth', which focuses on a more efficient use of land and resources through reusing previously developed or under-utilised land and buildings. National Strategic Outcome No. 1 is 'Compact Growth'. Activating strategic areas and achieving effective density and consolidation, rather than more sprawl of urban development, is a top priority.
- 5.1.2. The NPF contains several policy objectives that articulate the delivery of compact urban growth as follows:
- NPO 4: Ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being.
 - NPO 11 outlines a presumption in favour of development in existing settlements, subject to appropriate planning standards.
 - NPO 13: In urban areas, planning and related standards, including in particular building height and car parking will be based on performance criteria that seek to achieve well-designed high quality outcomes in order to achieve targeted growth.
 - NPO 27 seeks to integrate alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility.

- NPO 37 seeks to 'Ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments and integrating physical activity facilities for all ages'.

5.1.3. The Regional Spatial and Economic Strategy for the Southern Region, 2020-2032 is relevant in terms of the aim to strengthen the role of the Cork Metropolitan Area as an international location of scale, a complement to Dublin and a primary driver of economic and population growth in the Southern Region.

5.2. **National Biodiversity Action Plan (NBAP) 2023-2030**

5.2.1. The NBAP includes five strategic objectives aimed at addressing existing challenges and new and emerging issues associated with biodiversity loss. Section 59B(1) of the Wildlife (Amendment) Act 2000 (as amended) requires the Commission, as a public body, to have regard to the objectives and targets of the NBAP in the performance of its functions, to the extent that they may affect or relate to the functions of the Commission. The impact of development on biodiversity, including species and habitats, can be assessed at a European, National and Local level and is taken into account in our decision-making having regard to the Habitats and Birds Directives, Environmental Impact Assessment Directive, Water Framework Directive and Marine Strategy Framework Directive, and other relevant legislation, strategy and policy where applicable.

5.3. **Cork City Development Plan 2022-2028**

5.3.1. The Cork City Development Plan 2022-2028 (CDP) is the relevant statutory plan that applies to the subject site. The site is located within the City Centre/Docklands area of Cork City as specified in Map 01 of the CDP.

5.4. **Zoning**

5.4.1. The appeal site has a land use zoning of 'ZO 15 Public Open Space'. Which has an objective to protect, retain and provide for passive and active recreational uses, open space, green networks, natural areas and amenity facilities.

5.4.2. Paragraph ZO 15.1 of the plan states that this includes strategic public open space and amenity lands. Lands in this zone comprise a wide range of passive and active recreational and amenity resources for the community including parks, sport and

water sports, leisure facilities, amenity areas and natural areas including ecological networks, woodlands and other habitats. The primary purpose of this zone is to preserve all land in this zone for open space and amenity use.

5.4.3. Paragraph ZO 15.2 states that there is a presumption against developing land zoned Public Open Space for alternative purposes.

5.4.4. Paragraph ZO 15.3 states that Ancillary and incidental uses such as small cafés and other amenities that add to the vitality and support the public open space and public recreational infrastructural role of an appropriate public open space, such as a park, may be open for consideration. Such ancillary and incidental service facilities shall be commensurate to the nature and scale of the public open space and must integrate with the public open space and not conflict with the primary zoning objectives.

5.4.5. Objective 10.25 of the plan relates to 'Marina Park' within which the subject site sits and seeks 'To Support the provision of Marina Park'.

5.4.6. Other Policy provisions of relevance to the subject appeal are as follows:

- **Section 10.41:** Marina Park will be a new City Park to serve the City Docks, the City Centre, and the South-East Suburbs. Ultimately, it will also be accessible to the North-East of the City via the Eastern Gateway Bridge. Marina Park will provide for passive recreational needs primarily, as well as accommodating:

- Flood storage capacity;
- Páirc Ui Chaoimh / Centre for Excellence;
- An LRT corridor;
- River-based recreational activity;
- Biodiversity areas;
- The Eastern Gateway Bridge; and
- Ancillary car parking.

- **Section 10.102:** Notes The City Docks will include strategically important open spaces and public realm to provide for the passive and active recreational needs of the neighbourhood and to provide focal points for social interaction and pedestrian and cycle routes:

- Marina Park – The Marina Park Masterplan 2013, as amended by subsequent planning permissions, is being delivered in two phases by Cork City Council.

• **Section 10.130:** Catalyst developments will be essential to make the City Docks a successful urban development project and to develop the identity and socio-cultural-commercial profile of the City Centre Extension and new City Centre Neighbourhood. A number of catalyst developments have already been completed or are in the process of being delivered, including:

- Pairc Uí Chaoimh and Centre for Excellence
- Marina Park
- Horgan's Quay mixed use development; and
- Navigation Square office development.

• Section 12.41 notes the following in relation to permitted uses:

“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-site or on the surrounding environment.”*

5.4 Natural Heritage Designations

5.4.7. The site is not located within any designated site. The closest Natura 2000 site is the Cork Harbour SPA (Site Code: 004030) which is located approximately 2.3km to the east of the site.

6.0 EIA Screening

- 6.1.1. I have had regard to the determination of the Planning Authority in relation to EIAR requirements. The proposed development is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended (or Part V of the 1994 Roads Regulations). No mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination. Refer to Form 1 in Appendix 1 of this report.

7.0 The Appeal

7.1. Grounds of Appeal

- 7.1.1. A First-Party Appeal was submitted by the applicant against the Cork City Council decision to refuse permission. The main grounds of appeal may be summarised as follows:

Introduction

- 7.1.2. Confirmed changes at RFI stage to include bike spaces, new seating and planting and that the set down area would not be open for general use and would be confined to specific events. Raised table revisions also noted.
- 7.1.3. Appeal is on the basis of original application, but applicant is open to restricted use if the Commission is so minded to grant permission, the applicant therefore seeks a *de novo* assessment of the proposed development.

Review of PA Assessment and Decision

- 7.1.4. Despite various Departments within Council seeking further information, they each concluded that a grant of permission could be recommended, subject to conditions. This included Infrastructure, Traffic and Transport, Drainage and Urban Roads and Streets.
- 7.1.5. While the Planning Policy review of the proposal did identify that the proposal would be a Material Contravention of the Development Plan, they did not recommend refusal of permission.

- 7.1.6. The SEP report from the PA in relation to the proposal sought further information and clarification of further information in relation to traffic items and did not indicate any additional issues that required further detail, prior to recommending a refusal of permission. This was based on the Planning Policy Report by the PA, which did not recommend refusal, but that a Material Contravention arose.
- 7.1.7. The ultimate recommendation to grant permission by the Director of Services was noted and the Material Contravention process that led to the refusal of permission following a Councillor vote. It is on this basis that the appeal is submitted.

Planning History

- 7.1.8. The First Party Appeal notes the previous grant of permission by the Commission (Ref. 311651-21, Cork CC Ref. 21/40374) and submits that the Inspector recommended grant of permission for car parking on open space land, without finding that a Material Contravention occurred.
- 7.1.9. Other applications at the site were noted including the Part 8 permission for Phase 1 of the Marina Masterplan that permitted car parking and set down areas on Open Space zoned land. The application at Lee Rowing Club (Ref. 24/43106) for extension and other works and by Presentation Brothers College for a boat storage shed and other works (Cork CC Ref. 21/40500) are also noted as being granted permission on Open Space lands and being considered as consistent with the provisions of this land use zone, without being considered a Material Contravention of the Development Plan.

Planning Policy

- 7.1.10. The appeal provides a review of relevant policy to the subject site including the Open Space Zoning provisions under ZO 15 and sections 12.10 and 12.12 that respectively relate to the interaction between land use zones and noting that 'it is not possible for a development plan to account for every possible eventuality' and that situations may arise where an area may be best served by a development that contravenes the land use zoning objectives of the plan. The appeal therefore seeks a flexible plan led approach in relation to non-conforming uses and development located adjacent to zoning boundaries.

Planning Merits of Proposal

- 7.1.11. History of the development of the stadium provided, noting purposes for GAA games, concerts, festivals and a range of social, cultural and local events both within the Stadium and at the 4G pitch adjacent. The Stadium's benefit to the City is therefore substantial and a relevant consideration in terms of economic growth and tourism.
- 7.1.12. The proposed vehicle set-down area strengthens the functional integration between Marina Park and Pairc Ui Chaoimh by creating a shared interface between every day use and events at the stadium. It is submitted the proposal will provide a managed, safe, and efficient arrival space that can accommodate peak-time surges during matches and concerts, reducing reliance on private vehicles.
- 7.1.13. The proposal equates to c.1% of the overall open space land at Marina Park and Section 10.41 of the CDP supports the accommodation of Pairc Ui Chaoimh. Vehicular accessibility to public spaces, within Open Space lands, is a necessary part of their nature as is evidenced by the fact that the existing access route to the stadium and public car parking adjoining both areas zoned as Public Open Space, and other areas that can be found throughout the city. Several examples of car parking permitted on Open Space land are provided by the First-Party, including at Marina Promenade to the north of the Stadium.
- 7.1.14. The appeal submits that the Monahan Road Extension project represents a critical piece of enabling infrastructure that was granted permission on Open Space zoned land and would improve the function and accessibility of the park. The First-Party claims the same rationale can be applied to the subject proposal, which can provide a manageable, safe visitor arrival space and remove the requirement to access via Marina Promenade.

Traffic and Safety

- 7.1.15. Recent pedestrianisation of the Marina is not conducive to safe vehicular drop off and access to the public parking area and stadium. Due to gradients and accessibility via the Marina, buses tend to drop off at Monahan Road or Marquee Road.
- 7.1.16. The proposal provides a solution to this by providing a set down area off an already existing access road, which will restrict access to the pedestrian concourse through the use of retractable bollards. Pedestrian priority will be maintained by way of raised

platform crossings, with long term parking restricted by implementation of bollards along the access route. Allowance for the future Cork Luas is also provided and, on this basis, a Material Contravention of the Development Plan does not arise.

- 7.1.17. No issues of traffic, pedestrian or road safety arise, and the proposal will be managed through an agreed operational management plan. The Appeal asks the Commission to note the long standing issues with road safety along Monahan Road, which have been acknowledged by Cork City Council and local residents. It is submitted the proposal will improve the existing situation and there are no traffic or road safety issues that warrant a refusal of permission.

Other Planning and Development Issues

- 7.1.18. Proposal does not trigger the requirement for mandatory EIAR.
- 7.1.19. Proposed hardstanding area is considered very minor and all flood risks within the site have been mitigated. Flood attenuation under the 4G pitch adjacent to the proposal provides 110% storage capacity, along with retention basin and swales. Justification test is not required.

Response to Reasons for Refusal

- 7.1.20. Submitted that proposal could serve visitors to Marina Park and the stadium, or just the stadium.
- 7.1.21. Proposal does not contravene, materially or otherwise, the City Development Plan. If the commission considers the proposal would contravene the plan, it does not do so materially and can be granted in line with broader policies and objectives. If it is considered that the proposal does contravene the CDP, it can be justified in accordance with Section 37(2)(b) of the 2000 Act.
- 7.1.22. Submitted that the proposal does not contravene the Development Plan for the following reasons:
- Principles established in Supreme Court in RE XJS in relation to the ordinary meaning of planning documents and by the High Court in Highland Residents where the court stated that development plans must be read objectively and construed as a whole.

- Appeal refers to various sections of the plan including 12.6, 12.10, 10.41 and ZO 15.3, whereby there is identified scope for alternative uses within specific zonings.
- A development that enhances and supports the stadium could fall within the zoning as being a sports, leisure facility or amenity area as provided under ZO 15.1 of the Development Plan.
- Proposed pedestrian and cycle facilities, including bike storage, desire lines and sheltered seating, along with landscape will improve the amenity of the park as a whole and enhance linkages east-west.
- Legal case of Stapleton v An Bord Pleanála is referenced in relation to the definition of open space as that being 'open'. Development Plan provides a much broader scope and ZO 15 allows for a flexible approach. ZO 15.3 and 10.41 and accompanying policies are framed in flexible language, are subject to other provisions of the plan and should be applied in a nuanced manner. On this basis it is submitted it is at the discretion of the Commission to conclude that the proposed development does not contravene the Development Plan in respect of ZO 15.

7.1.23. It is submitted in the appeal that if the Commission considers that a contravention does occur, this is not material and may be granted permission without recourse for reverting to s.37(2) of the act, for the following reasons:

- The Reason for refusal implies that the proposal materially conflicts with Development Plan objectives due to the cumulative effect with the existing vehicular access from Marina Promenade. The appeal submits that this materiality of contravention would not arise if existing access was not in place.
- Appeal refers to Concerned Residents of Coolkill v An Bord Pleanála in relation to the Development Plan should be read as a whole to discern if a Material Contravention occurs.
- As the proposal falls within the provisions of ZO 15.3 in relation to ancillary uses and incidental services by providing a facility to serve the park, the astro pitches and would facilitate sporting events, concerts and a broad range of

cultural and amenity uses that the whole area is routinely utilised for, the proposal does not materially contravene the wording of the objective.

- Section 12.4 and 12.6 provide that alternative uses may be considered within land use zones, based on their own merits and provided they do not have a detrimental impact on the primary zoning, would be consistent with relevant objectives and provided there would be no significant impacts.
- It is submitted the Four Districts judgement is of relevance due to the fact that in addition to serving the Park through the provision of bike parking, raised tables, sheltered seating and enhanced landscaping proposal, the proposed development is an ancillary use for the stadium, serving the ZO 16 zoning. The proposal is considered to support the ZO 16 zoning by enhancing a sports facility. The ZO 16 land use zone is landlocked and it has therefore become necessary to encroach on neighbouring land use zones to provide appropriate facilities.
- The proposed set down area will remove the need for larger vehicles to travel along the Marina Promenade to access the rear of the stadium, ensuring the primary function of the Promenade as a safe pedestrian and cycling amenity.
- It is noted the relationship between the stadium and Marina Park creates a unique spatial dynamic where a major regional stadium sits within an expansive, landscape-led urban public park and the proposed set-down strategy clearly respects this balance and integration.
- The proposal complies with sections 12.8 -12.10 of the CDP by enhancing placemaking within the park and increasing the use of an existing access track. Section 12.10 relates to avoiding abrupt transitions in scale between zones, and consideration must be given to existing development in adjoining zones. Rigid adherence to the wording of ZO 15 zoning would leave the Park and the Stadium precluded from further enhancement or evolution.
- Inspector Report on Ref. 311651-21 is noted and the omission of the previous set down area and parking layout, due to conflicts at the pedestrian concourse. It is submitted that the current proposal is materially different, due

to the removal of vehicular movement across the concourse (other than emergency vehicles) so the previous Inspector's rationale is not applicable to the subject proposal.

7.1.24. If the Commission considers that the proposed development would constitute a material contravention of the Development Plan, the proposal can comply with the requirements of Section 37(2)(b) as follows:

- The strategic importance of the stadium is well established under ABP-311561-21. The proposal is an essential need for the stadium to facilitate more orderly use. Section 37(2)(b) should be applied to allow alterations and extension to development of strategic or national importance.
- Proposal also enhances the periphery of the Marina Park by enhancing pedestrian and cyclist amenities and east-west links in the park.
- Given the provisions of Section 10.41 of the Development Plan whereby the role of the stadium within Marina Park is recognised and Section 15.3 of the plan that allows ancillary and incidental uses within the public open space zone, significant planning judgement is conferred on decision makers to allow such a small scale proposal to be permitted that would facilitate safe, controlled and efficient access for visitors to the stadium and wider park. This is submitted as addressing Section 37(2)(b)(ii) of the Act.
- In relation to the established pattern of development in the area (Section 37(2)(b)(iv)), several significant developments have taken place in the area including Marina Promenade, Marina Park Phase 1 and 2, Monahan Road Extension, 2no. rowing club developments and ongoing development of the Ford Site. The proposal forms part of this development context in terms of enhanced accessibility and integration with Marina Park and the Stadium complex.
- Many of the already permitted and constructed developments of roads and car parking have been on lands zoned public open space.
- The proposed development will promote the use of sustainable modes to event spaces already granted permission and will enhance the integrated

operation of Marina Park and the Stadium by providing necessary supporting infrastructure.

- It is submitted the proposed set down area will serve daily users of Marina Park, event attendees at Pairc Ui Chaoimh in line with event scenarios set out in the OMP for the stadium, families, older people and those with mobility needs and tourists or visitors arriving via coach or shuttle bus. This is in line with the existing pattern of development and the applicant/First Party therefore request that permission be granted.

7.1.25. A letter from Cork City Council is appended to the appeal noting they have no traffic or safety concerns with the subject proposal. The letter submits that the proposal will enable orderly and safe management of visitors arriving and departing and would remove ad hoc set down and turning of buses on Monahan Road. The proposal is also submitted as removing travel movement along the Marina and conflict with pedestrians.

7.1.26. A letter from Cork GAA is also provided that sets out that existing access patterns via the Marina is unsafe and there is no area to turn at Monahan Road in the existing scenario. They submit the proposal would be for the wider benefit of park users.

7.1.27. An Options assessment of an alternative location for the set down area further south, adjacent to Monahan Road was also provided in the appeal. This option showed unacceptable encroachment on the existing stream and would not provide adequate space for visitors to safely disembark. This option would also conflict with existing pedestrian routes and the planned Luas Route. A safe and viable set down area at this location is therefore not achievable.

7.2. Planning Authority Response

7.2.1. None on file, but I note the letter from Cork City Council attached to the First Party Appeal as summarised above.

7.3. Observations

7.3.1. A number of observations were submitted in relation to the First Party Appeal. The main issues raised may be summarised as follows:

- An Coimisiun Pleanála does not have the mandate to overturn the votes of elected members to refuse permission for the proposed development. Notably, 6no. of the 7no. local ward Councillors, who have knowledge of the area, rejected the proposal.
- Proposal is on land zoned public open space, which should be maintained as such. Creation of a road for drop off would lead to safety conflicts for pedestrians and deter pedestrians from using this part of the park. Ownership of public land would give rise to uncertainty in relation to management by a private entity.
- Suggested conditions that would not allow use of the set down for events over 15,000 means it is not a workable solution for big matches and there has been minimal engagement by the applicant in relation to park and ride options for big match days.
- Previous omission of a car park and set down area (ABP Ref. 311651) at the same location is noted, with the subject proposal being of the same character that conflicts with the open space and pedestrian nature and is unsuitable on public open space zoned land. Previous permission restricted this road to emergency use, and the applicant is now proposing to amend this permission without adequate justification. Consistency of planning decision making is required.
- Adequate drop off and access route to stadium from northern side. Bus parking for more than 10no. buses each at southeastern (700sqm) and southwestern (1,000sqm) precinct of the stadium, which are more than adequate and present no conflict with existing pedestrian movements within the Marina Park. Photographic evidence submitted to support these claims of existing bus parking.
- Pairc Ui Chaoimh have shown themselves to be incapable of traffic management for even small events, with illegal parking at Monahan Road and surrounding areas, on double yellow lines, and on green areas. The proposal would worsen this situation with cars and buses wanting to use the turning circle having to idle at Monahan Road. Proposal would also be going against pedestrian traffic, leading to conflicts.

- Suggested that City side of Marquee Road is a more appropriate location for bus drop off than driving buses through a public park for drop off 'at the door' of a 46,000-capacity stadium.
- Applicant has failed to demonstrate a planning necessity for introducing additional vehicular infrastructure within lands designated and developed as public open space. Existing bus parking and access is already available to east and west of stadium with photographic evidence showing this in operation.
- Proposal conflicts with the pedestrian first nature of Marina Park and would give rise to conflicts between pedestrians and vehicles, when no compelling need has been demonstrated.
- Existing functionality uses road parallel to Marina Promenade and has shown to be capable of catering for large events, without a need for the proposal. What is required is traffic management by the stadium. Buses would still need to access Marina to park, and this would add to, rather than improve, the traffic situation.
- Noted there is a bus turning area provided in the Monahan Road extension scheme currently under construction.
- The applicant attempted to justify the proposal but accepted, on advice of Council, that it would not be used for events with less than 1,000 people, more than 15,000 people nor for everyday stadium and parks use. This is a fundamental contradiction in terms of necessity for the proposal.
- Reliance on management controls for safe operation points to the fundamentally unsafe nature of proposal. Reliance on bollards, operational plans and staff management is not supported to facilitate safe operation. Proposal should be inherently safe.
- Open Space zoning is not flexible as represented by the applicant and introduction of vehicle-based infrastructure into this space is not supported. Precedent examples are legacy examples or directly support recreational infrastructure. Proposal also conflicts with Marina Park Masterplan.

- Non-compliance with previous permissions in relation to Mobility Management is noted.

7.4. Further Responses

7.4.1. None.

8.0 Assessment

8.1. Having examined the application details and all other documentation on file, including the grounds of appeal that respond to the single reason for refusal, the reports of the local authority, and having inspected the site, and having regard to the relevant local/regional/national policies and guidance, I consider that the substantive issues in this appeal to be considered can be assessed under the following headings:

- Preliminary Matters
- Principle of Development
- Traffic and Transport
- Material Contravention

8.2. Preliminary Matters

8.2.1. The First Party requests that the Commission consider the proposed development *de novo*. This includes consideration of the proposal for 'normal day' opening, when the access road and proposed set down area would be open for use to all members of the public at all times, including for those using Marina Park, as well as attendees at Pairc Ui Chaoimh for various events of all sizes.

8.2.2. I have had regard to the assessment of the Planning Authority in this regard, and I note the conclusions provided, which notes that there is already ample parking available to the general public for the daily use of Marina Park. The applicant provided an Operational Management Plan at FI and CFI stages to comply with this position, and also to limit the use of the set down area to events at Pairc Ui Chaoimh that fall within a 1,000-15,000 person capacity. No additional rationale was provided by the applicant at FI stage to justify use of the set-down area by the general public

in response to the request from the Planning Authority, nor is there additional details provided in the appeal justifying the use of the proposal for attendees at Marina Park. Therefore, I do not consider it to be appropriate or necessary as part of my assessment of the appeal to undertake a complete assessment of the original proposal, when Cork City Council have already provided valid reasons for reducing the proposal to use associated to operations within the stadium.

- 8.2.3. The final proposal has emerged following feedback from various Departments with the Planning Authority, and I am satisfied that the proposal that was refused permission was the product of detailed comments and review and was developed based on existing constraints. This is notwithstanding the final decision of elected members to refuse permission for the proposal that emerged through the planning application process and for the purposes of clarity, my assessment below is based on the details contained within the final proposal that was refused permission by Cork City Council and is now subject to a First Party Appeal.

8.3. Principle of Development

- 8.3.1. I have considered the previous decision under ABP-311651-21 (Cork CC Ref. 21/40374), the myriad of common themes that arose in that appeal as they relate to the subject proposal, and the overarching requirement for consistency in decision making within the wider planning system. While I have undertaken my own independent assessment of the proposal, I recommend the Commission also have regard to this previous decision, which omitted by Condition a parking and set down area, within the vicinity of the subject proposal.
- 8.3.2. I note in their letter attached to the appeal, the general support from Cork City Council and their submission that they have no issues from a traffic or safety perspective in relation to the proposal. I also acknowledge the balanced views of third-party submissions on file that have endorsed the overall role of the Stadium within the wider area, while also putting forward their opposition to the nature of the subject proposal, for reasons I will discuss in the following sections.

'ZO 15 -Public Open Space'

- 8.3.3. The proposal to provide a set-down area within the ZO 15 zone is clearly a key issue in this case. The subject site is zoned ZO15 – Public Open Space, while the stadium, which the subject proposal is proposed to serve, sits within a separate ZO 16 land

use zoning for 'Sports Grounds and Facilities'. I have had regard to the setting of the Pairc Ui Chaoimh stadium within Marina Park and conclude that the surrounding parkland is intrinsic to the value and appeal of this recreational infrastructure within Cork City, the wider County/Region and also nationally. I am satisfied that the inter-relationship between the stadium and the park are co-dependent and I give due regard to the various objectives and policies within the Development Plan that provide support for the development of each, both independently, and as part of the same City Centre Neighbourhood.

- 8.3.4. The objective for ZO 15 includes a presumption against developing such lands for alternative purposes, while ZO 15.3 states that such zones may incorporate ancillary and incidental uses that add to the vitality and support public open space and the public recreational infrastructural role of an appropriate public open space. Such uses must integrate with the public open space and not conflict with the primary zoning objectives. There is no detailed matrix of uses within the Development Plan outlining 'permissible uses', 'open for consideration' or 'not permitted' uses.
- 8.3.5. Objective 10.25 aims to 'Support the provision of Marina Park', with Section 10.41 of the plan noting that Marina Park will provide for passive recreational needs primarily, as well as accommodating, among other infrastructure, Pairc Ui Chaoimh/Centre of Excellence and ancillary car parking. Having regard to the above, I am satisfied that the Development Plan also acknowledges the inter-relationship between Pairc Ui Chaoimh and Marina Park and that the provisions of ZO 15 allows for the provision of active and passive recreational uses, which are the types of uses that can be logically associated with Pairc Ui Chaoimh stadium, albeit, I acknowledge the separate ZO 16 land use zoning for the stadium itself. Ultimately, I am satisfied that the proposed set-down area can be considered under the provisions of the ZO 15 land use zone given the functional requirements associated with the Stadium, as put forward in the application documents. I make this conclusion on the basis that the stadium cannot be reached or accommodated, without use of the surrounding park and associated lands.
- 8.3.6. I would accept that the development plan does not specifically exclude drop off and set-down facilities within the Public Open Space zone. However, it does clearly outline the zone should be used primarily for recreation, while sports facilities and

other ancillary/incidental uses may be incorporated. This requires a further examination of the nature and purpose of the proposed facilities.

- 8.3.7. In general, I would accept that purpose-built public car-parking would be an ancillary and common element of a public park, which would be acceptable in the ZO 15 zone. As such, the applicant refers to a number of developments within Cork City with roads and parking infrastructure on open space lands and argues that there is no material difference between such developments and the current proposals. However, I consider that the 'purpose' and justification for the set-down area is the key consideration in this instance.
- 8.3.8. The applicant outlines that the proposed set-down could serve the purposes of both the everyday user of the park and the Stadium, with the submitted Operational Management Plan (OMP) setting out a number of scenarios where the set-down area would be in use. In this context, I note some contradiction in the details provided by the first party, whereby the appeal submits that the proposal can accommodate concerts and large sporting events, but the operational management plan relates to events within the 1,000-15,000 person capacity bracket.
- 8.3.9. It is clear that the applicant does not have a primary remit to provide set-down facilities for the everyday public users of Marina Park, with it being identified by the Planning Authority and third parties that sufficient parking already exists for users of the park and that the existing parking facilities have adequate capacity.
- 8.3.10. On my inspection of the site and the wider park surrounds on the morning of 13th August 2026, I noted a surplus of parking availability in the area. This was a warm, clear summer day, which I am satisfied represents a busy period under normal circumstances. At the time of my inspection there was an abundance of parking available, both at the Blackrock End of the stadium and at the Marina Greenway car park. There was no evidence of illegal parking to the south of the stadium along Monahan Road or elsewhere, and there were no related traffic congestion/safety issues. Accordingly, I would conclude that there is no apparent need for additional parking or set-down at this location to serve the everyday needs of Marina Park visitors, as was also concluded by the PA during their assessment of the proposal.
- 8.3.11. I note from the submitted OMP that the set-down area is not proposed for use during events with less than 1,000 people capacity or more than 15,000 capacity. For larger

events, the access route would remain as an emergency access with no use of the proposed set down area. I note the existing bus parking and car parking already available around the stadium, including bus parking at either end of the southern stand, and which can be accessed from the road parallel to Marina Promenade to the north. Each of these bus parking areas are approximately 25m northwest and 220m east of the set down area the subject of this appeal. Although I note third party submissions refer to a grass-crete area to the east end of the stand, I did not observe such a surface at this end of the site on my inspection of the park and surrounds. The referenced location is now a hard surface area that is cordoned off from the car parking area by removable bollards. The applicant has not referenced this area in their application or appeal documents, but I am satisfied that the space available could continue to allow for coach parking as referenced in photographic evidence presented by third parties. I further note that indicative parking for up to 5no. buses is presented on the site layout plan submitted for the appeal under ABP-311651-21, parallel to the existing kerb side, where existing car parking spaces are marked on the ground. I am therefore satisfied that there is currently space available for bus parking at the eastern end of the stand, within the Stadium grounds, and that can continue to be utilised.

8.3.12. The applicant vaguely refers to removal of illegal turning movements at Monahan Road, difficulty of gradients on the access route to the north and the need to provide for drop-off at the Monahan Road side of the sports stadium but no evidence has been submitted that the illegal turning scenario is a common occurrence or has caused delays at previous events, or that the proposal can discernibly enhance the traffic environment at specified event days within the 1,000-15,000 capacity bracket. In my view, the rudimentary references to the need for convenient drop off for smaller events are negated by the locations of existing bus parking within the vicinity of the stadium, with no demonstrable need for an additional bus drop off area for events of between 1,000-15,000 capacity.

8.3.13. I am mindful of third party queries in relation to where buses would travel to following use of the set-down area and I note a brief reference in the OMP that on site management of the drop off area would direct buses to existing bus parking locations following drop off. Third party submissions support this assertion that buses would continue to the northern access to the stadium anyway, which, although not

specifically advocated by the applicant, could reasonably be expected to be the situation, and in my opinion is an unnecessary duplication of vehicular trips in the vicinity of the stadium on event days. Based on these details, I am not satisfied that the applicant has sufficiently demonstrated the requirement for the drop off area, given the substantial bus and car parking areas already available in the vicinity of the stadium and adjoining 4G sports ground.

- 8.3.14. I have given consideration to expanding the use of the set-down area for larger events in excess of 15,000 capacity, when parking infrastructure in the area may start to approach capacity, and additional set down facilities may be required. However, retaining the access road for emergency use in this 'larger event' scenario is a requirement of the PA Fire Officer and given the safety requirements for larger events, I accept the logic of this requirement. Limiting the use of the set-down area for events with between 1,000-15,000 capacity does not indicate a capacity constraint in relation to existing parking, given the proven capability of local infrastructure to cater for 45-46,000 capacity events at the stadium. The justification for the proposal is therefore not supported.
- 8.3.15. Under 'normal' circumstances, I do not consider that there is any appreciable need for the set down area as supported by my inspection of the site and submissions by the Local Authority and third parties. For 'match/event' days, I consider that adequate parking can be provided through existing facilities, and I note that the frequency of major match/event days is limited to approximately 47no. such events in a calendar year.
- 8.3.16. I consider that the primary purpose of the proposed set-down area is to provide a drop off area from the Monahan Road side of the stadium for medium sized events. I will now consider the appropriateness of this use within the ZO 15 Public Open Space zone, where there is a clear presumption against alternative uses.
- 8.3.17. Section 15.21 of the CDP outlines possible alternative uses, one of which is 'public sports facilities and grounds'. Although I consider that the proposed set down is primarily ancillary to the medium sized events within the stadium, which in turn are ancillary to the sports stadium use, I consider that the need for the proposal has not been adequately demonstrated and it would not be reasonable to conclude that the proposed set-down area would be acceptable.

- 8.3.18. The other alternative uses referred to in section 15.21 are ‘ancillary and incidental uses that add to the life of the park (such as small cafes and other amenities) and also to ‘support the public open space and public recreational infrastructural role of the parks’. In this regard, I would again accept that the proposed set down area is ancillary to the sports stadium, which is itself an integral part of Marina Park.
- 8.3.19. Furthermore, I note the provisions of Section 12.4 of the Development Plan that alternative uses may be open for consideration where they are not detrimental to the primary land use zoning, would be consistent with relevant objectives of the Development Plan and would not result in significant adverse impacts on-site or on the surrounding environment.
- 8.3.20. I note the additional landscaping, water retention, bike parking and seating put forward as part of the proposal, which would assist in integrating the proposal into the park. However, I conclude that these are incidental to the main use of vehicular set down, and I do not consider that the purpose of the set-down space has been adequately justified in the open space zone, nor that it would add to the life of the park or support its open space/recreational role, for the traffic and transportation reasons I set out below in Section 8.4. Therefore, the proposed set-down area would not be in accordance with ZO 15 Public Open Space zoning, would not comply with the provisions of Section 12.4 of the Development Plan due to impacts on the surrounding environment as a result of vehicular and pedestrian conflicts in the open space zone and should be refused permission.

Conclusion

- 8.3.21. In summary, having considered the nature of the application, I consider that the primary purpose of the proposed set-down area would be to serve the increased capacity of medium sized events from the Monahan Road side of the Pairc Ui Chaoimh Stadium. Given that this would not primarily serve the public open space function and considering the conflicting vehicular movements that would arise from the set-down and associated circulation space, I consider that the proposed development would involve a significant and unjustified encroachment on public open space, given the existing bus parking available within the stadium grounds. Accordingly, I would conclude that the proposed development is not in accordance with the Development Plan’s ZO 15 Public Open Space zoning and the provisions of

sections 15.1, 15.3 and 12.4 as the proposal would give rise to unnecessary vehicular movements and conflict with other planning principles as outlined below.

8.4. Traffic and Transport

- 8.4.1. Although the proposal was refused permission by Cork City Council on the grounds of Material Contravention of the ZO-15 Open Space zoning and given there is the existing access to the stadium from the north, one of the key considerations in relation to the acceptability of the proposal is in relation to the traffic and transport impacts of the proposal, particularly on pedestrians and cyclists that currently use Marina Park, the existing path that crosses the access route to the proposed set down area and the cumulative impacts this would have on event days, when the level of pedestrian activity is likely to increase in this area, as attendees seek to access the stadium.
- 8.4.2. The application included an Operational Management Plan (OMP). The OMP considers 6 different scenarios. Under scenario 0 ('normal day'), it is stated that conferences and events could accommodate up to 1,000 persons and that the proposed set down and access road would remain closed with bollards in place. Under scenarios 1, 2, and 3 (1,000 to 6,000 persons), the use of the proposal would fall in line with existing event management plans with the proposed set-down/circulation area being managed by dedicated personnel. During scenario 4 (6,000 to 15,000 persons), the set down would also fall in line with existing event management plans with management by dedicated personnel. Scenario 5 (15,000+ persons) would fall in line with existing event management plans but the vehicular access to the area will be restricted to emergency vehicles only.
- 8.4.3. As part of the OMP the applicant's Engineer's outlined that the existing situation does not allow for safe drop off/pick up from the Monahan Road side of the stadium for any of the event offerings within the stadium itself. Application documentation referred to issues with gradients with the existing access to the north and need for convenient access to the interior of the stadium for smaller events.
- 8.4.4. For completeness, I note in the previous application (Ref. 311651), the main issue identified with the existing access to the north is the steep incline down to the stadium and associated conflict points with pedestrians/cyclists, together with the poor standard of lighting in the surrounding area. Similar concerns were also raised

in the context of the proposed Eastern Gateway Bridge and its potential limitations on access to the Marina, which may require a relocated access from Monahan Road in any case.

- 8.4.5. The previous and current application state that the proposed development can improve this situation by reducing traffic at the Marina. Additionally, it is proposed to provide raised table crossing with appropriate bollards, markings, and signage to comply with existing 'desire lines' in a northwest-southeast direction within the park and in the current proposal to only remove bollards at the existing concourse in the event of an emergency. The previous proposal under Ref. ABP-311651 proposed a crossing of the east-west concourse along the southern boundary of the stadium, and I note this element is excluded in the current proposal, with only emergency access across this concourse. The submitted documentation contends that the proposed drop-off would reduce the extent of conflict between vehicles and pedestrian/cyclist movement within the park and would distribute traffic flows more evenly by removing traffic from the Marina.
- 8.4.6. I have considered the third party responses to the appeal. In summary, these submissions contend that the proposal is contrary to local and national sustainable transportation policies; there is no justification for a set-down area given the existing parking capacity in the area and the availability of alternative solutions with better management procedures; that the proposals will introduce unacceptable traffic safety and congestion issues to the south side of the stadium by conflicting movements with pedestrians; and that existing access arrangements along the Marina can be maintained in accordance with planned infrastructural upgrades.
- 8.4.7. Based on the submitted details, I consider that there would be some inevitable degree of conflict between the movements of vehicles and vulnerable users as a result of the proposal. On the northern side and as per existing access arrangements, I acknowledge that the area to be managed is quite concentrated and that movements would largely be limited to parallel east-west directions, with a dedicated pedestrian/cyclist path, separate to the existing vehicular access to the stadium. I am satisfied that this provides a dedicated road path to the stadium to cater for vehicular traffic, without conflicting with pedestrian movements to an unacceptable level. The Marina Promenade is adequately separated from the

vehicular access route, and appropriate crossings are provided at necessary locations, that link the existing boat clubs to Marina Promenade.

- 8.4.8. I noted the existing gradient at the northern access on my inspection of the site. This is a short section of decline from the access road into the stadium grounds and I note this arrangement has been in place for a number of years without any significant issues. A separate pedestrian path into the stadium grounds is also provided parallel to this access route. Notably, the applicant does not propose to amend this access route or limit its use as part of the subject proposal. I therefore conclude that the existing access will continue to be functional and can provide adequate access to the stadium, and the existing bus parking at the east and west ends of the south stand as I referred to above. I acknowledge that this currently includes some conflicts with pedestrians within the stadium grounds on event days, however this is the current scenario, and the applicant has not provided any details of issues with this arrangement or a requirement for alternative proposals in this regard.
- 8.4.9. On the other hand, the proposed southern access would introduce a new area of interaction between vehicular traffic and pedestrians and would significantly increase vehicular movement in a large open space area, including existing north-south pedestrian movements within a popular 'loop' walk. This pedestrian path is likely to be even more heavily used on event days for access to the stadium and I consider this would give rise to an unacceptable pedestrian/vehicular conflict within an Open Space zone.
- 8.4.10. While I acknowledge the intent of the proposal to provide for bus drop off, other vehicles are proposed to use the drop off, and with queuing, access and exit requirements, a significant level of additional vehicular movement can be reasonably expected to arise within what is now an unmistakable public green area. I find this to be contrary to national planning policies including NPO 27 that seeks to promote alternatives to car travel and promote walking and cycling accessibility.
- 8.4.11. The issue of final parking locations of buses following use of the proposed set-down area is also not adequately addressed. The conclusion of the submitted OMP suggests that buses will be directed to existing bus parking locations within the stadium grounds without specifying exact locations. If this is reference to current bus

parking within the stadium, this would still require buses to re-enter the external road network and access the stadium via the northern entrance. This would give rise to additional journeys on the road network and would be contrary to the principle of reducing traffic at the Marina as submitted by the applicant.

- 8.4.12. I also acknowledge that the proposed crossings would be designed to be consistent with pedestrian desire lines and to minimise hazards, including the use of signage, markings, and bollards, I consider that these mitigation measures would clearly detract from the functionality and attractiveness of the existing green space. While the differing circumstances for use of the set-down are acknowledged, I consider that this has the potential to cause confusion for motorists and vulnerable users alike, which would exacerbate traffic congestion and safety concerns. While the avoidance of use of the east-west concourse from the previous proposal is welcomed, the conflict with other areas of the park remain.
- 8.4.13. Therefore, I consider that it would be unacceptable to accommodate set-down demands through the loss of open space, and I cannot conclude from the details submitted that the bus set down requirements cannot be met within the existing and planned parking/circulation areas.
- 8.4.14. The appeal document also includes consideration of an alternative location for the set-down area, which is not supported by the applicant due to turning area requirements. This proposal would present similar issues to the proposal as discussed above and would completely sever an existing pedestrian route within the park, which is not acceptable. Accordingly, I do not consider that the proposed access and set-down proposals should be permitted.

8.5. Material Contravention

- 8.5.1. Based on my assessment above, I am satisfied that there is sufficient flexibility within Development Plan provisions to conclude that material contravention does not occur, notwithstanding the recommended reasons for refusal as I have discussed. However, for the purposes of a complete assessment, should the Commission be minded to grant permission for the proposal and given the proposal was refused by Cork City Council on the grounds of Material Contravention, An Coimisiun Pleanala are bound by Section 37(2)(b), whereby the Board (now the Commission) may only grant permission where certain grounds are met.

- 8.5.2. The Planning Authority's reason for refusal states that the proposed development would materially contravene Objective ZO 15 Public Open Space of the Cork City Development Plan 2022-2028. And in section 8.3 of this report, I have outlined my conclusions in relation to material contravention, and although I do not consider that a contravention of the Development Plan arises, I am not satisfied with the overall justification for the proposal within Open Space lands.
- 8.5.3. In the event that the Commission does not agree with this opinion, I would highlight that section 37(2)(b) of the Planning and Development Act 2000 (as amended) outlines that where a planning authority has decided to refuse permission on the basis of a material contravention of the development plan, the Board (now Commission) may only grant permission where it considers that: (i) the proposed development is of strategic or national importance, (ii) there are conflicting objectives in the development plan or the objectives are not clearly stated, insofar as the proposed development is concerned, or (iii) permission for the proposed development should be granted having regard to the regional spatial and economic strategy for the area, guidelines under section 28, policy directives under section 29, the statutory obligations of any local authority in the area, and any relevant policy of the Government, the Minister or any Minister of the Government, or (iv) permission for the proposed development should be granted having regard to the pattern of development, and permissions granted, in the area since the making of the development plan.
- 8.5.4. Although the applicant contends that the proposed development does not materially contravene the Development Plan, the appeal outlines an argument in respect of section 37(2)(b). This is discussed with references to the relevant criteria in the following sections.
- (i) the proposed development is of strategic or national importance.**
- 8.5.5. The appeal highlights the long-established nature of the stadium; its grant-aided funding at national and EU level; its importance to the Docklands; the associated financial/economic benefits; its contribution to regional and national policies regarding the promotion of sport, culture and tourism; and its recognition by the planning authority as a key strategic city asset.

8.5.6. I would accept that the stadium itself is of strategic and national importance as a venue for hosting major sporting and entertainment events. However, I consider it appropriate to distinguish between the recently redeveloped stadium project and the current appeal case. The current case relates only to access and set-down arrangements. I have previously outlined that I do not consider that these proposals have been adequately justified or acceptable within this setting, given alternative arrangements already in place. Accordingly, I do not consider that the proposed development can be considered to be of strategic or national importance.

(ii) there are conflicting objectives in the development plan or the objectives are not clearly stated, insofar as the proposed development is concerned.

8.5.7. The appeal contends that the zoning objective includes sufficient flexibility to allow supporting infrastructure for the sports ground amenity to be considered on open space zoned land. I have previously outlined that the Development Plan does not include a 'matrix' outlining a range of 'permissible' uses within the various zoning categories. Even with such a matrix, it is inevitable that it would not be an exhaustive list and many uses would have to be assessed on their merits. However, as outlined in section 8.3 of this report, I consider that there is sufficient flexibility provided within the development plan, that would allow sports facilities and other ancillary/incidental uses to be considered. I consider that section 10.41 of the Development Plan is clear in outlining the nature of appropriate alternative uses within Marina Park and Section 15.3 also allows for alternative uses to be considered within the open space zone. I note this is somewhat at odds with Section 15.2 of the Development Plan that includes a presumption against developing land zoned public open space for alternative purposes.

8.5.8. The appeal also outlines that there is inherent flexibility in the ZO 15 zoning and I concur with this position. However, this does not overcome the reasons for refusal as outlined above as it has not been sufficiently demonstrated by the applicant that there is a genuine requirement and justification for the proposal, given existing bus parking within the stadium.

(iii) permission for the proposed development should be granted having regard to the regional spatial and economic strategy for the area, guidelines under section 28, policy directives under section 29, the statutory obligations

of any local authority in the area, and any relevant policy of the Government, the Minister or any Minister of the Government.

- 8.5.9. The appeal does not engage with this element of Section 37(2)(b), however I note a wide range of regional and national policies/directives regarding promotion of and investment in the sustainable/compact development of Cork as supported in the RSES, NPF and NDP, and the importance of the stadium in the context of policy promoting sport, heritage, culture and tourism. I consider that these provisions may be applicable to the stadium, however given the nature and scale of the subject proposal, which would give rise to additional vehicular traffic on the existing network, and would promote the use of cars to access the stadium, I do not find there to be wider policy support for the subject proposal.

(iv) permission for the proposed development should be granted having regard to the pattern of development, and permissions granted, in the area since the making of the development plan.

- 8.5.10. The appeal contends that the proposed development is entirely in keeping with the permissions and pattern of development in the immediate area that included a number of permissions for car parking and road based infrastructure on open Space zoned land. The appeal sets out that there is a pattern of integration and connectivity with projects such as the Marine Promenade and Monahan Road Extension.
- 8.5.11. Having regard to the nature of the site and the wider Marina Park, I do not consider that there is a recognisable pattern of development to support the implementation of the subject proposal, which in my opinion would represent unnecessary encroachment of vehicular based traffic on to open spaced zoned land. The park is clearly a unique facility, within which various sports, recreation and open spaces have been provided as required. Therefore, car parking and vehicular based infrastructure such as the proposal is only provided on an as needed basis.
- 8.5.12. I acknowledge that some extent of car parking appears to have been permitted within Open Space zoned land of Marina Park and within Pairc Ui Chaoimh and the appeal refers to similar parking within other city parks. However, I consider that the primary purpose of such parking has been primarily related to the public sports, recreation, and open space function of the Park, with the stadium parking provided within the confines of the stadium, albeit on Open space zoned land. Otherwise, it

has generally been of a limited scale and at peripheral locations, which has not resulted in any significant encroachment/loss of usable open space. Conversely, I have concluded that the primary purpose of the proposed parking is not adequately demonstrated, and I consider that it would result in an unnecessary loss of public open space.

8.5.13. Having regard to the above, the pattern of development, and permissions granted in the area since the making of the development plan, I do not consider that a material contravention of the Development Plan would be warranted on this basis.

8.5.14. In conclusion, while I consider that the proposed set-down and circulation arrangements would not materially contravene the ZO 15 zoning objective, a material contravention would not be warranted under the provisions of section 37 (2)(b) of the Act, given the absence of a demonstrated need for the proposal. The Commission may disagree with this opinion, which should not necessarily justify a grant of permission. Irrespective of the question of material contravention, I consider that the proposal to replace valuable open space with a bus and vehicular set down area would not be acceptable in the context of policies to protect open space, as well as policies aimed at promoting sustainable transport modes.

9.0 AA Screening

9.1.1. Having reviewed the details on file and having regard to the nature and scale of the proposed development, the location of the site within an adequately serviced urban area, the absence of strong ecological and/ or hydrological connections, and the physical separation distances to European Sites, I consider the potential of likely significant effects on European Sites arising from the proposed development, alone or in combination effects, can be reasonably excluded.

9.1.2. Please refer to the attached appendices for detailed Stage 1 Appropriate Assessment.

10.0 Water Framework Directive

10.1.1. 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 based on the mitigation measures, drainage arrangements and management of surface water as set out in the proposed development. Please see WFD Assessment attached at Appendix 3 of this report.

11.0 Recommendation

11.1. I recommend that permission is refused for the following reasons and considerations.

12.0 Reasons and Considerations

1. Having regard to the documentation submitted with the application and appeal, the Commission is not satisfied that there is suitable justification for the proposed development, given the existing bus set-down and access routes already available to Pairc Ui Chaoimh Stadium. The proposed development is therefore considered to be contrary to policy 12.4 of the Cork City Development Plan 2022-2028 which notes other uses are open for consideration provided they do not have a detrimental impact on the primary land use zoning objective and would not have any significant impacts on-site or on the surrounding environment. The proposed development would contribute to the encroachment of vehicular based traffic to a green space area, would militate against the preservation of the open space environment and would set an undesirable precedent for other similar inappropriate development in the vicinity. For this reason, the proposed development would 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 me, directly or indirectly, following my professional assessment and recommendation set out in my report in an improper or inappropriate way.

Matthew McRedmond
Senior Planning Inspector

25th August 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	PL-501514-CC-26
Proposed Development Summary	New vehicular set down and drop off circulation area and all associated landscaping and site works.
Development Address	Pairc Ui Chaoimh, and Marina Park, Monahan Road, Ballintemple, 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. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	State the Class here
☒ 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)	
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 ☐	Screening Determination required (Complete Form 3)
No ☒	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____ **Date:** _____

Appendix 2: Standard AA Screening Determination

Test for likely significant effects

Screening for Appropriate Assessment Test for likely significant effects				
Step 1: Description of the project and local site characteristics				
Brief description of project		The proposed development is for a new vehicular set-down and circulation area, landscaping and lighting works, at Pairc Ui Chaoimh and Marina Park, Ballinpemple, Cork City. I have provided a detailed description of the proposed development elsewhere in my Inspector's Report in relation to this appeal.		
Brief description of development site characteristics and potential impact mechanisms		It is proposed to construct a new set down area off an existing access route, with associate landscaping, bike parking and lighting works. A detailed description of the site, surrounding area and proposed development is provided in Sections 1.0 and 2.0 of the Inspector's Report and detailed specifications of the proposal are provided in the planning documents submitted by the applicant, including at further information stage. Potential impacts arise during construction, noise and light spill during operation, stormwater run-off and wastewater run-off. The Cork Harbour SPA is located c.2.3km east.		
Screening report		No.		
Natura Impact Statement		No.		
Relevant submissions		No submissions relevant to AA issues.		
Step 2. Identification of relevant European sites using the Source-pathway-receptor model				
One European site is identified as being located within a potential zone of influence of the proposed development as detailed in Table 1 below. I note that no further range of European Sites is necessary for consideration in relation to this proposed development.				
Table 1:				
European Site (code)	Qualifying interests ¹ Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connections ²	Consider further in screening ³ Y/N

Cork Harbour SPA (004030)	Little Grebe (Tachybaptus ruficollis) [A004] Great Crested Grebe (Podiceps cristatus) [A005] Cormorant (Phalacrocorax carbo) [A017] Grey Heron (Ardea cinerea) [A028] Shelduck (Tadorna tadorna) [A048] Teal (Anas crecca) [A052] Pintail (Anas acuta) [A054] Red-breasted Merganser (Mergus serrator) [A069] Oystercatcher (Haematopus ostralegus) [A130] Golden Plover (Pluvialis apricaria) [A140] Grey Plover (Pluvialis squatarola) [A141] Lapwing (Vanellus vanellus) [A142] Dunlin (Calidris alpina) [A149] Black-tailed Godwit (Limosa limosa) [A156] Bar-tailed Godwit (Limosa lapponica) [A157] Curlew (Numenius arquata) [A160] Redshank (Tringa totanus) [A162] Black-headed Gull (Chroicocephalus ridibundus) [A179]	2.3km east	Yes, proximity and potential reduction in water quality to the Cork Harbour SPA. Surface water discharge during construction and operation. Process/foulwater discharge during operation.	Y
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	Common Gull (<i>Larus canus</i>) [A182] Lesser Black-backed Gull (<i>Larus fuscus</i>) [A183] Common Tern (<i>Sterna hirundo</i>) [A193] Wigeon (<i>Mareca penelope</i>) [A855] Shoveler (<i>Spatula clypeata</i>) [A857] Wetland and Waterbirds [A999] Cork Harbour SPA National Parks & Wildlife Service			
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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

Given the proximity of the site to Cork Harbour SPA, potential effects could occur due to surface water run off during construction and operation and foul water discharge during operation, will require management to avoid impacts on conservation objectives.

Significant effects from other pathways have been ruled out i.e., habitat loss, spread of invasive species, impacts from noise and disturbance.

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

The proposed development will not result in any direct effects on the SPA as it relates to Cork Harbour. However, due to the size, scale and proximity of the proposed development to Cork Harbour as connected by the River Lee to the north, impacts generated by the construction and operation of the proposed set down area require consideration.

Sources of impact and likely significant effects are detailed in the table below.

AA Screening matrix

Site name Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the site*	
	Impacts	Effects
Site 2: Cork Harbour SPA (004030) QI list:	Direct: No direct impacts within the SPA.	Potential negative indirect effect on habitat quality as a result of impacts on water quality due to

Little Grebe (Tachybaptus ruficollis) [A004] Great Crested Grebe (Podiceps cristatus) [A005] Cormorant (Phalacrocorax carbo) [A017] Grey Heron (Ardea cinerea) [A028] Shelduck (Tadorna tadorna) [A048] Wigeon (Anas penelope) [A050] Teal (Anas crecca) [A052] Pintail (Anas acuta) [A054] Shoveler (Anas clypeata) [A056] Red-breasted Merganser (Mergus serrator) [A069] Oystercatcher (Haematopus ostralegus) [A130] Golden Plover (Pluvialis apricaria) [A140] Grey Plover (Pluvialis squatarola) [A141] Lapwing (Vanellus vanellus) [A142] Dunlin (Calidris alpina) [A149] Black-tailed Godwit (Limosa limosa) [A156] Bar-tailed Godwit (Limosa lapponica) [A157] Curlew (Numenius arquata) [A160] Redshank (Tringa 19irsute) [A162] Black-headed Gull (Chroicocephalus ridibundus) [A179] Common Gull (Larus canus) [A182]	Indirect: Given the proximity to the Cork Harbour SPA, disturbances during the construction phase and operational phase could potentially impact on SCI species. Given the hydrological connection via the existing sewerage network and watercourse that runs adjacent/through the site, potential effects could occur due to impacts on water quality from surface water runoff during the construction and operational phases. Significant effects from other pathways have been ruled out i.e., habitat loss, impacts from spread of invasive species, noise and disturbance primarily due to the developed nature of the site where there are no established areas of vegetation to provide quality habitats and a baseline of noise and disturbance from artificial lighting already occur. No high risk invasive plant species is identified within the site, therefore no impact on qualifying interests.	the hydrological connection to the SPA and alterations to the receiving environment as a result of dust, noise and visual alterations to the existing environment. Due to the confined nature of the development site and the presence of a significant buffer area between this urban site and the River Lee, which drains to Cork Harbour, I consider that the proposed development would not be expected to generate impacts that could affect anything but the immediate area of the development site, thus having a very limited potential zone of influence on any ecological receptors. The proposed development would not have direct impacts on any European site. During site clearance, and construction of the proposed development and site works, possible impact mechanisms of a temporary nature include generation of noise, dust and construction related emissions to surface water. The constrained nature of the site (serviced, defined site boundaries, no direct ecological connections or pathways) and distance from receiving features, make it highly unlikely that the proposed development could result in stormwater quantities that would generate impacts of a magnitude that could affect European Sites.
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Lesser Black-backed Gull (Larus fuscus) [A183] Common Tern (Sterna hirundo) [A193] Wetland and Waterbirds [A999]		
	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? The proposed development will not result in any effects that could contribute to an additive effect with other developments in the area.	
Step 4 Conclude if the proposed development could result in likely significant effects on a European site		
The construction or operation of the proposed development will not result in impacts that could affect the conservation objectives of the Cork Harbour SPA. Due to lack of meaningful ecological connections, there will be no changes in ecological functions due to any construction related emissions or disturbance. There will be no direct or ex-situ effects from disturbance on mobile species during construction or operation of the proposed development. No mitigation measures beyond normal standard construction mitigation and drainage works are required to come to these conclusions.		
Screening Determination		
Finding of no likely significant effects		
Having carried out Screening for Appropriate Assessment of the project in accordance with Section 177U of the Planning and Development Act 2000 (as amended), I conclude that that the project individually or in combination with other plans or projects would not be likely to give rise to significant effects on European Sites within the surrounding area namely, Cork Harbour SPA or any other European site, in view of the sites Conservation Objectives, and Appropriate Assessment (and submission of a NIS) is not therefore required.		
This determination is based on: • The relatively minor scale of the development and lack of impact mechanisms that could significantly affect a European Site • Distance from and weak indirect connections to the European sites • No ex-situ impacts		

Appendix 3: Water Framework Directive Assessment

WFD IMPACT ASSESSMENT STAGE 1: SCREENING			
Step 1: Nature of the Project, the Site and Locality			
An Bord Pleanála ref. no.	PL-501514-CC-26	Townland, address	Pairc Ui Chaoimh, and Marina Park, Monahan Road, Ballintemple, Co.Cork
Description of project		Vehicular set down and circulation area to include junction upgrades, landscaping and all associated site works.	
Brief site description, relevant to WFD Screening,		Site is located at the south side of Pair Ui Chaoimh Stadium in the Docklands area of Cork City. The site is relatively flat and is not connected to adjoining existing stormwater watercourse/stream. Excess storm water will connect to the existing network. A water quality monitoring station is located approx. 350m north of the site within the River Lee	
Proposed surface water details		Connection to existing storm network adjoining site	
Proposed water supply source & available capacity		N/A.	
Proposed wastewater treatment system & available capacity, other issues		N/A	

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)
Groundwater Waterbody		Underlying site	Lee Valley Gravels IE_SW_G_094	Good	At Risk	Ground	No. Hard surfaces will prevent filtration to ground water.
Transitional Waterbody		Underlying Site	Lee (Cork) Estuary Upper IE_SW_060_095 0	Moderate	At risk	Urban run off	Yes – stormwater ultimately drains to River Lee.
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	Waterbody 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.

1.	Ground	Lee Valley Gravels IE_SW_G_09 4	Yes pathway exists via moderate drainage characteristics.	Spillages	As above	No, due to developed nature of site, no additional groundwater filtration expected.	Screened out.
2.	Transitional	Lee (Cork) Estuary Upper IE_SW_060_ 0950	Yes. Pathway via drainage characteristics.	Spillages	As above	Yes – drainage characteristics warrant further assessment.	Screened in.
OPERATIONAL PHASE							
1.	Ground	Lee Valley Gravels IE_SW_G_09 4	Yes pathway exists via moderate drainage characteristics	Spillages	As above	No, due to hard surfaces proposed	Screened out
2.	Transitional	Lee (Cork) Estuary Upper IE_SW_060_ 0950	Pathway exists but poor drainage characteristics	Spillages	As above	Yes – drainage characteristics warrant further assessment.	Screened in
DECOMMISSIONING PHASE							
3.	N/A						

STAGE 2: ASSESSMENT					
Details of Mitigation Required to Comply with WFD Objectives					
Surface Water					
Development/Activity e.g. culvert, bridge, other crossing, diversion, outfall, etc	Objective 1:Surface <u>Water</u> Prevent deterioration of the status of all bodies of surface water	Objective 2:Surface <u>Water</u> Protect, enhance and restore all bodies of surface water with aim of achieving good status	Objective 3:Surface <u>Water</u> Protect and enhance all artificial and heavily modified bodies of water with aim of achieving good ecological potential and good surface water chemical status	Objective 4: Surface <u>Water</u> Progressively reduce pollution from priority substances and cease or phase out emission, discharges and losses of priority substances	Does this component comply with WFD Objectives 1, 2, 3 & 4? (if answer is no, a development cannot proceed without a derogation under art. 4.7)
	Describe mitigation required to meet objective 1:	Describe mitigation required to meet objective 2:	Describe mitigation required to meet objective 3:	Describe mitigation required to meet objective 4:	
Construction works	Site specific mitigation methods described in the Construction Environmental Management Plan including:	Site specific mitigation methods as described.	Site specific mitigation methods as described.	Site specific mitigation methods as described.	YES

	• Suspend works during wet conditions • Management of soil • Fuel and chemical handling to include bunding, check for leaks, labelling • Availability of spill kits Site specific construction mitigation methods including: • Good practice, standard construction methodologies to reduce surface water run-off during construction • Appropriate management of chemical storage including spillage procedures, bunded storage areas, security, management of				
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	refuelling practices, leakages. • Management of sediment and silt levels within the site.				
Stormwater drainage	Adequately designed SUDs features, permeable paving and attenuation	SuDS features as described	SuDS features as described	SuDS features as described	YES
Details of Mitigation Required to Comply with WFD Objectives					
Groundwater					
Development/Activity e.g. abstraction, outfall, etc.	<u>Objective 1: Groundwater</u> Prevent or limit the input of pollutants into groundwater and to prevent the deterioration of the status of all bodies of groundwater	<u>Objective 2 : Groundwater</u> Protect, enhance and restore all bodies of groundwater, ensure a balance between abstraction and recharge, with the aim of achieving good status*	<u>Objective 3:Groundwater</u> Reverse any significant and sustained upward trend in the concentration of any pollutant resulting from the impact of human activity	Does this component comply with WFD Objectives 1, 2, 3 & 4? (if answer is no, a development cannot proceed without a derogation under art. 4.7)	

Development Activity 1: Development of set down area and circulation	Site specific construction mitigation methods including: • Good practice, standard construction methodologies to reduce surface water run-off during construction • Appropriate management of chemical storage including spillage procedures, bunded storage areas, security, management of refuelling practices, leakages. • Management of sediment and silt levels within the site.	Site specific mitigation methods as described.	Site specific mitigation methods as described	Yes
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