



## **Cork County Council**

### **Municipal District Operations & Rural Development**

#### **Part 8 Planning Documents**

**The proposed development consists of the Construction of a Contemporary Flexible Covered Events Space and associated works at Green Park, Youghal - Lands, County Cork.**

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**Mr. Niall Healy**

**Director of Service**

**Municipal District Operations & Rural Development**

**Cork County Council**

**January 2023**

# Part 8 Particulars

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## 1. Proposed Development

The subject of this Part 8 application is the development of a Contemporary Flexible Covered Events Space & related ancillary works from the environs of Green Park, Youghal-Lands, County Cork.

The proposed development incorporates the following principal features: vegetation and site clearance; provision of a footpaths, Drainage works, Pavilion construction & Landscaping works.

The development consists of works adjacent to the curtilage of Protected Structures: Reg. No. 20823154, 20823153 & 20823152.

This application is made under Section 179 of the Planning and Development Act 2000 (as amended) and Part 8 of the Planning and Development Regulations 2001 (as amended).

## 2. Part 8 Planning Documentation

In accordance with the requirements of the Planning and Development Regulations, 2001 (as amended), details of the proposed development are set out in the Part 8 planning documentation which comprises (i) the Part 8 Planning Documents pack and (ii) the Part 8 Planning Drawings pack which should be read in conjunction with one another. Together, these plans and particulars describe the nature, extent and principal features of the proposed scheme.

### 2.1 Part 8 Planning Documents

The Part 8 Planning Documents pack contains the following:

- Part 8 Planning Report
- EIA Screening Report
- Stage 1 Appropriate Assessment Screening Report
- Flood Risk Assessment Report.

### 2.2 Part 8 Planning Drawings

The Part 8 Planning Drawings pack contains the following:

Drawing No.	Title	Revision
EC-22-01-02-01	Part 8 Location Map 1/2500	A
EC-22-01-02-02	Part 8 Location Map 1/2500	
EC-22-01-02-03	Part 8 Location Map 1/250	
EC-22-01-03	Drainage	
EC-22-01-04	Civils	
EC-22-01-05	Planning Drawings	

### **3. Determination in accordance with Section 120(1B)(b)(i) of the Planning and Development Regulations 2001 (as amended)**

Cork County Council has prepared an EIA Screening Report in accordance with the requirements of Section 120(1B)(b)(i) of the Planning and Development Regulations 2001 (as amended). On the basis of this report, Cork County Council has completed EIA screening and has determined that there is no real likelihood of significant effects on the environment. Accordingly, it has been determined that EIA is not required in respect of this proposed development.

### **4. Notice of Proposed Development**

Notice of the proposed development was published in the Irish Examiner on 27 January 2023. A Site notice has displayed onsite as shown in the Part 8 Planning Drawings.

Plans and particulars of the proposed development shall be available for inspection or purchase at a fee not exceeding the reasonable cost of making a copy during normal office hours on each day and time during which the said offices are open for business during the period commencing on 27 January 2023 and ending on 24 February 2023, both dates inclusive, at the following offices of Cork County Council:

- Cork County Council, County Hall, Carrigrohane Road, Cork. Floor 1 Planning Department
- Cork County Council, East Cork Municipal District Offices, Mall House, Youghal, Co. Cork.

Plans and particulars may also be viewed on Cork County Council's website at:

<https://www.corkcoco.ie/planning/municipal-districts-part-8-planning>

### **5. Submissions**

Written submissions or observations with respect to the proposed development dealing with the proper planning and sustainable development of the area in which the proposed development is situated may be made on or before 4pm 13 March 2023 as follows:

- **In writing to: Municipal District Operations & Rural Development, The County Hall, Carrigrohane Rd, Cork**

Or

- **Online:** at <https://www.corkcoco.ie/planning/municipal-districts-part-8-planning>

**APPENDIX C: BODIES TO WHOM A NOTICE AND COPIES OF THE PROPOSAL WILL BE SENT AS SCHEDULED IN ARTICLE 82(3) S.I. No. 685 of 2006.**

Sub clause of 82(3)	Bodies suggested in 82(3)	Selected in this case
(a)	<b>An Chomhairle Ealaion, Failte Eireann, and An Taisce</b>	Relevant
(b)	<b>Failte Eireann</b>	Relevant
(c)	Minister for Arts, Heritage, Gaeltacht and the Islands, The Heritage Council, An Taisce, An Chomhairle Ealaion, Failte Eireann	Not relevant in this case.
(d)	Other affected local authority	Not relevant in this case.
(e)	Regional authority where he proposed development would materially contravene any planning guideline of the regional authority	Not relevant in this case.
(f)	Other affected local authority	Not relevant in this case.
(g)	Regional Fisheries Board and Waterways Ireland	Not relevant in this case.
(h)	Irish Aviation Authority	Not relevant in this case.
(i)	Affected airport operator	Not relevant in this case.
(j)	Coras Iompair Eireann and the Railway Procurement Agency	Not relevant in this case.
(k)	National Roads Authority	Not relevant in this case.
(l)	Dublin Transportation Office	Not relevant in this case.
(m)	Environmental Protection Agency	Not relevant in this case.
(n)	<b>The Heritage Council, An Taisce, The National Trust for Ireland</b>	Not relevant in this case.
(o)	Minister for Community, Rural and Gaeltacht Affairs and Udaras na Gaeltachta	Not relevant in this case.
(p)	The Minister for Justice, Equality and Law Reform	Not relevant in this case.

<b>(q)</b>	The Health Service Executive	Not relevant in this case.
<b>(r)</b>	Minister for Communications, Marine and Natural Resources	Not relevant in this case.
<b>(s)</b>	Minister for Communications, Marine and Natural Resources	Not relevant in this case.
<b>(t)</b>	The Railway Procurement Agency	Not relevant in this case.
<b>(u)</b>	Minister for Communications, Marine and Natural Resources	Not relevant in this case.
<b>Others</b>		
	<b>National Park &amp; Wildlife Services</b>	Relevant
	<b>Office of Public Works</b>	Relevant
	<b>Department of Environment, Heritage and Local Government, Parks &amp; Wildlife section</b>	Relevant
	Cork County Council Planning Department notified	

## APPENDIX E: PART 8 REGULATIONS

### REQUIREMENTS IN RESPECT OF SPECIFIED DEVELOPMENT BY, ON BEHALF OF, OR IN PARTNERSHIP WITH LOCAL AUTHORITIES

Note: Applicable sections are in '**Bold**' type

Type	Article	Description	Comment
Development which relates to establishment to which the Major Accident Regulations apply	79.	Any development of a type referred to in article 145 shall be subject to the requirements of Chapter 4 of Part 11 in addition to the requirements of this Part.	Not Applicable
Development prescribed for purposes of section 179 of Act.	80. (1)	Subject to sub-article (2) and sub-section (6) of section 179 of the Act, the following classes of development, hereafter in this Part referred to as "proposed development", are hereby prescribed for the purposes of section 179 of the Act —	
		(a) the construction or erection of a house,	Not Applicable
		(b) the construction of a new road or the widening or realignment of an existing road, where the length of the new road or of the widened or realigned portion of the existing road, as the case may be, would be—  (i) in the case of a road in an urban area, 100 metres or more, or  (ii) in the case of a road in any other area, 1 kilometre or more,	Not Applicable
		(c) the construction of a bridge or tunnel,	<b>Not Applicable</b>

	(d) the construction or erection of pumping stations, treatment works, holding tanks or outfall facilities for waste water or storm water,	Not Applicable
	(e) the construction or erection of water intake or treatment works, overground aqueducts, or dams or other installations designed to hold water or to store it on a long-term basis,	Not Applicable
	(f) drilling for water supplies,	Not Applicable
	(g) the construction of a swimming pool,	Not Applicable
	(h) the use of land, or the construction or erection of any installation or facility, for the disposal of waste, not being—  (i) development which comprises or is for the purposes of an activity in relation to which a waste licence is required or  (ii) development consisting of the provision of a bring facility which comprises not more than 5 receptacles,	Not Applicable
	(i) the use of land as a burial ground,	Not Applicable
	(j) the construction or erection of a fire station, a library or a public toilet, and	Not Applicable

Type	Article	Description	Comment
Development prescribed for purposes of section 179 of Act.  contd	80. (1)  contd	<b>(k) any development other than those specified in paragraphs (a) to (j), the estimated cost of which exceeds €126,000, not being development consisting of the laying underground of sewers, mains, pipes or other apparatus.</b>	<i>Applicable</i>
	80. (2)	(a) Subject to paragraph (b), this Part shall not apply to proposed development that a local authority that is a planning authority proposes to carry out outside its functional area.	Not Applicable
		(b) This Part shall apply to development of a class specified in sub-article (1) (b) or (c) that a local authority that is a planning authority proposes to carry out outside its functional area.	Not Applicable
		(c) This Part shall also apply to development which is carried out within the functional area of a local authority that is a planning authority, on behalf of, or in partnership with the local authority, pursuant to a contract with the local authority.	Not Applicable
Notice of proposed development.	81. (1)	<b>A local authority shall, in accordance with this article,</b> —	
		<b>(a) give notice of proposed development in an approved newspaper, and</b>	<b>Applicable</b>
		<b>(b) erect or fix a site notice or site notices on the land on which the proposed development would be situated.</b>	<b>Applicable</b>

	81. (2)	<p><b>A notice referred to in sub-article (1) shall state that the local authority proposes to carry out development and—</b></p>	
		<p><b>(a) indicate the location, townland or postal address of the proposed development (as may be appropriate),</b></p>	<p>See <b>APPENDIX A</b></p>
		<p><b>(b) indicate the nature and extent of the proposed development,</b></p>	<p>See <b>APPENDIX A</b></p>
		<p>(c) where the proposed development consists of or comprises the carrying out of works –</p> <p>(i) which would materially affect the character of a protected structure or a proposed protected structure,</p> <p>(ii) to the exterior of a structure which is located within an architectural conservation area or a proposed variation of a development plan, and the development would materially affect the character of the area concerned, indicate this fact, and</p>	<p>Not Applicable</p> <p>Not Applicable</p>

Type	Article	Description	Comment
<p>Notice of proposed development.</p> <p>contd</p>	<p>81. (2)</p> <p>contd</p>	<p><b>(d) state that—</b></p> <p><b>(i) plans and particulars of the proposed development will be available for inspection or purchase at a fee not exceeding the reasonable cost of making a copy during office hours at the offices of the local authority for a specified period (which shall be not less than 6 weeks beginning on the day of publication of the notice in a newspaper in accordance with sub-article (1)(a)),</b></p> <p><b>(ii) submissions or observations with respect to the proposed development, dealing with the proper planning and sustainable development of the area in which the development would be situated, may be made in writing to the local authority before a specified date (which shall be not less than 2 weeks after the end of the period for inspection of plans and particulars specified pursuant to subparagraph (i)).</b></p>	<p><b>Applicable</b></p> <p><i>Applicable</i></p>
	<p>81. (3)</p>	<p><b>A site notice erected or fixed in accordance with subarticle (1) (b) shall be—</b></p> <p><b>(a) inscribed or printed in indelible ink and affixed on rigid, durable material and be secured against damage from bad weather and other causes, and</b></p> <p><b>(b) subject to sub-article (4), securely erected or fixed in a conspicuous position on or near the main entrance to the land concerned from a public road, or where there is more than one entrance from public roads, on or near all such entrances, or on any other part of the land or structure adjoining a public road, so as to be easily visible and legible by persons using the public road, and shall not be obscured or concealed at any time.</b></p>	<p><b>Applicable</b></p> <p><i>Applicable</i></p> <p><i>Applicable</i></p>

	81. (4)	Where the land concerned does not adjoin a public road, a site notice shall be erected or fixed in a conspicuous position on the land so as to be easily visible and legible by persons outside the land, and shall not be obscured or concealed at any time.	Not Applicable
	81. (5)	<b>A site notice shall be erected or fixed on the land or structure concerned not later than the day of publication of notice of the proposed development in a newspaper in accordance with sub-article (1) (a), shall be maintained in position for a period of at least 4 weeks after publication of the said notice and shall be renewed or replaced if it is removed or becomes defaced or illegible within that period.</b>	<i>Applicable</i>
Notice of proposed development to certain bodies.	82. (1)	<b>A local authority shall send notice of proposed development to any relevant body or bodies specified in sub-article (3).</b>	<i>Applicable</i>

Type	Article	Description	Comment
Notice of proposed development to certain bodies.  contd	82. (2)	<b>(2) A notice in accordance with sub-article (1) shall—</b>	
		<b>(a) indicate the location, townland or postal address of the proposed development,</b>	See APPENDIX
		<b>(b) indicate the nature and extent of the proposed development, and</b>	See APPENDIX
		<b>(c) state that submissions or observations in respect of the proposed development, dealing with the proper planning and sustainable development of the area in which the proposed development would be situated, may be made in writing to the local authority before a specified date (which shall be not less than 2 weeks after the end of the period for inspection of plans and particulars specified pursuant to article 81(2)(d)(i)),</b>	See APPENDIX
		<b>and be accompanied by a copy of the plans and particulars of the proposed development specified in article 84.</b>	Applicable

	82. (3)	<b>A notice in accordance with sub-article (1) shall be sent—</b>	
		<b>(a) where it appears to the authority that the land or structure is situated in an area of special amenity, whether or not an order in respect of that area has been confirmed under section 203 (or deemed to be so confirmed under section 268(1)(c)) of the Act, or that the proposed development or retention of the structure might obstruct any view or prospect of special amenity value or special interest — to An Chomhairle Ealaíon, Fáilte Éireann, and An Taisce — the National Trust for Ireland,</b>	<b>Applicable</b>
		<b>(b) where it appears to the authority that the development might obstruct or detract from the value of any tourist amenity or tourist amenity works —to Fáilte Éireann,</b>	<b>Applicable</b>
		(c) where it appears to the authority that the proposed development –  (i) would involve the carrying out of works to a protected structure or proposed protected structure, or to the exterior of a structure which is located within an architectural conservation area,  (ii) might detract from the appearance of a structure referred to in sub-paragraph (i),	Not Applicable  Not Applicable
Type	Article	Description	Comment

<p>Notice of proposed development to certain bodies.</p> <p>contd</p>	<p>82. (3)</p> <p>contd</p>	<p>(iii) might affect or be unduly close to-</p> <p>(I) a cave, site, feature or other object of archaeological, geological, scientific, ecological or historical interest,</p> <p>(II) a monument or place recorded under section 12 of the National Monuments (Amendment) Act, 1994 (No.17 of 1994),</p> <p>(III) a historic monument or archaeological area entered in the Register of Historic Monuments under Section 5 of the National Monuments (Amendment) Act, 1987 (No.17 of 1987),</p> <p>(IV) a national monument in the ownership or guardianship of the Minister under the National Monuments Acts, 1930 to 1994, or</p> <p>(iv) might obstruct any scheme for improvement of the surroundings of or any means of access to any structure, place, feature or object referred to in sub-paragraph (iii),</p> <p>— to the Minister, the Heritage Council, and An Taisce</p> <p>— the National Trust for Ireland, and in the case of development of a type referred to in sub-paragraph (i) or (ii), An Chomhairle Ealaíon and Fáilte Éireann,</p>	<p>Not Applicable</p> <p>Not Applicable</p> <p>Not Applicable</p> <p>Not Applicable</p>
		<p>(d) where it appears to the authority that the area of another local authority might be affected by the development — to that local authority,</p>	<p>Not Applicable</p>
		<p>(e) where it appears to the authority that the development would not be consistent with or would materially contravene any regional planning guidelines (or any objective thereof) of a regional authority— to that regional authority,</p>	<p>Not Applicable</p>
		<p>(f) where it appears to the authority that if permission were granted, a condition should be attached under section 34(4)(m) of the act— to any local authority (other than the planning authority) who would be affected by any such condition,</p>	<p>Not Applicable</p>

		<p>(g) where it appears to the authority that—</p> <p>(i) the development might cause the significant abstraction or addition of water either to or from surface or ground waters, whether naturally occurring or artificial,</p> <p>(ii) the proposed development might give rise to significant discharges of polluting matters or other materials to such waters or be likely to cause serious water pollution or the danger of such pollution, or</p>	Not Applicable
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Type	Article	Description	Comment
Notice of proposed development to certain bodies.  contd	82. (3)  contd	<p><b>(iii) the development would involve the carrying out of works in, over, along or adjacent to the banks of such waters, or to any structure in, over or along the banks of such waters, which might materially affect the waters,</b></p> <p><b>— to the appropriate Regional Fisheries Board and, in any case where the waters concerned are listed in Part 1 of Annex 1 of the Schedule to the British-Irish Agreement Act, 1999 (No.1 of 1999), to Waterways Ireland,</b></p>	<i>Applicable</i>
		<p>(h) where it appears to the authority that the development might endanger or interfere with the safety of, or the safe and efficient navigation of, aircraft — to the Irish Aviation Authority,</p>	Not Applicable
		<p>(i) where it appears to the authority that the development might interfere with the operation and development of a licensed airport, whose annual traffic is not less than 1 million passenger movements — to the airport operator,</p>	Not Applicable
		<p>(j) where the development may have an impact on bus or rail-based transport – to Coras Iompair Eireann and the Railway Procurement Agency, as appropriate,</p>	Not Applicable

		<p>(k) where it appears to the authority that—</p> <p>(i) the development consists of or comprises the formation, laying out or material widening of an access to a national road within the meaning of section 2 of the Roads Act, 1993 No. 14 of 1993), not being a national road within a built-up area within the meaning of section 45 of the Road Traffic Act, 1961, or</p> <p>(ii) the development might give rise to a significant increase in the volume of traffic using a national road,</p> <p>— to the National Roads Authority,</p>	<p>Not Applicable</p> <p>Not Applicable</p>
		<p>(l) where it appears to the authority that the development might significantly impact on surface transport in the greater Dublin Area, the Dublin Transportation Office (or any body that replaces that office),</p>	<p>Not Applicable</p>
		<p>(m) where the development comprises or is for the purposes of an activity requiring an integrated pollution control licence or a waste licence— to the Environmental Protection Agency,</p>	<p>Not Applicable</p>
		<p><b>(n) where it appears to the authority that the development might have significant effects in relation to nature conservation —to the Heritage Council, the Minister and An Taisce- the National Trust for Ireland,</b></p>	<p><b><i>Applicable</i></b></p>
		<p>(o) where the development is in a Gaeltacht area and it appears to the authority that it might materially affect the linguistic and cultural heritage of the Gaeltacht, including the promotion of Irish as the community language — to the Minister for Community, Rural and Gaeltacht Affairs and Údarás na Gaeltachta,</p>	<p>Not Applicable</p>

Type	Article	Description	Comment
Notice of proposed development to certain bodies.  contd	82. (3)  contd	(p) where the development is in the vicinity of an explosives factory, storage magazine or local authority explosives store—to the Minister for Justice, Equality and Law Reform,	Not Applicable
		(q) where it appears to the authority that the development might have significant effects on public health – to the health service executive,	Not Applicable
		(r) where the application relates to extraction of minerals within the meaning of the minerals development acts, 1940 to 1995 – to the Minister for Communications, Marine and Natural Resources,	Not Applicable
		<b>(s) Where it appears to the authority that the development might impact on the foreshore—to the Minister for Communications, Marine and Natural Resources.</b>	<b>Applicable</b>
		(t) where the development might-  (i) give rise to a significant increase in the volume or type of traffic (including construction traffic) passing under a height restricted railway bridge, or using a railway level crossing, or a bridge over a railway,  (ii) because of its proximity to a railway, impact on the structural integrity of railway infrastructure during construction of the development, or  (iii) endanger or interfere with the safe operation of a railway, during or after construction,  - to the railway operator, the railway safety commission, and, in the case of development which might impact on light railway or metro, the railway procurement agency,	Not Applicable

		<p>(u) where the application relates to-</p> <p>(i) the extraction of minerals, other than minerals within the meaning of the minerals development acts 1940-1999, whether by surface or underground means,</p> <p>(ii) the development of, or extensions to, quarries, including sand or gravel pits, for the extraction of earth materials, or</p> <p>(iii) a development which, for other purposes, requires the excavation of earth materials greater than a total volume of 50,000m<sup>3</sup> or the excavation of earth materials on a site area greater than 1 hectare</p> <p>- To the minister for Communications, Marine and Natural Resources.</p>	Not Applicable
	82. (4)	A reference in sub-article (3) to Fáilte Éireann shall, in the case of proposed development which would be situated in the functional area of the Shannon Free Airport Development Company Ltd., be construed as a reference to that Company.	Not Applicable
Availability for inspection of documents, particulars and plans.	83. (1)	<b>A local authority shall make available for inspection in accordance with article 81(2)(d)(i)—</b>	
		<p><b>(a) a document describing the nature and extent of the proposed development and the principal features thereof, including-</b></p> <p>(i) where the proposed development would consist of or comprise the provision of houses, the number of houses to be provided,</p> <p>(ii) where proposed development would relate to a protected structure or a proposed protected structure, an indication of that fact,</p> <p>(iii) where the proposed development would comprise or be for the purposes of an activity requiring an integrated pollution control licence or a waste licence, an indication of that fact,</p>	<p>See Section 1</p> <p>Not Applicable</p> <p>Not Applicable</p> <p>Not Applicable</p>

		<b>(b) a location map, drawn to a scale of not less than 1:1000 in built up areas and 1:1250 in all other areas (which shall be identified thereon) and marked or coloured so as to identify clearly the land on which it is proposed to carry out the proposed development,</b>	<b>See APPENDIX D</b>
		<b>(c) except in the case of development of a class specified in article 80(1)(b) or (c),—</b>  <b>(i) a site layout plan, drawn to a scale of not less than 1:500, showing the boundary of the site on which it is proposed to carry out the proposed development and the buildings or other structures, and roads or other features, in the vicinity of the site, and</b>  <b>(ii) such other plans and drawings, drawn to a scale of not less than 1:100, as are necessary to describe the proposed development,</b>	<b>See APPENDIX D</b>  <b>See APPENDIX D</b>

Type	Article	Description	Comment
Availability for inspection of documents, particulars and plans.  contd	83. (1)  contd	(d) in the case of development of a class specified in article 80(1)(b), such plans and drawings drawn to a scale of not less than 1:2500, as are necessary to describe the proposed development,	Not Applicable
		(e) in the case of development of a class specified in article 80(1) (c), such plans and drawings drawn to a scale of not less than 1:200, as are necessary to describe the proposed development.	Not Applicable
	83. (2)	<b>A local authority shall make available for inspection or purchase on payment of a specified fee not exceeding the reasonable cost of making such a copy of any submissions or observations received by the authority in respect of a proposed development during office hours at the offices of the authority.</b>	<i>Applicable</i>

Notice following period of consideration.	84. (1)	<b>A local authority shall send notice in accordance with sub-article (2) to any body to which notice of the proposed development was sent pursuant to article 82, and to any other persons or bodies who made submissions or observations in respect of the proposed development in accordance with this Part as soon as may be after, as appropriate,—</b>	
		<b>(a) the making of a resolution under section 179(4)(b) of the Act, or</b>	<i>Applicable</i>
		<b>(b) the expiry of a period of 6 weeks after the receipt of the manager’s report referred to in the said section 75 179(4).</b>	<b>Applicable</b>
	84. (2)	<b>A notice referred to in sub-article (1) shall indicate that, as the case may be, the local authority will carry out the proposed development, carry out the proposed development subject to variations or modifications, or not proceed with the proposed development.</b>	<b>Applicable</b>
Transitional.	85. (1)	This Part shall not apply to, or have effect in relation to, proposed development where a notice was published in relation to such development in accordance with article 131 of the Local Government (Planning and Development) Regulations, 1994 before the coming into operation of these Regulations.	<b><i>Not Applicable</i></b>
	85. (2)	The provisions of the Local Government (Planning and Development) Regulations, 1994 to 2001 shall, notwithstanding the repeal of those Regulations, continue in force and have effect in relation to proposed development referred to in sub-article (1).	<b>Not Applicable</b>