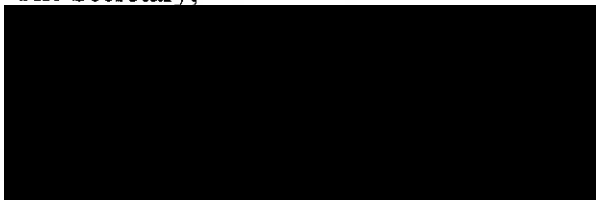


# Comhairle Cathrach Chorcaí Cork City Council

Halla na Cathrach, Corcaigh - City Hall, Cork - T12 T997

The Secretary,



25/08/2025

**RE: Section 5 Request.**

**R955/25: Garrane Dara, Wilton.**

A Chara,

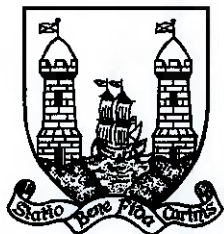
With reference to your request for a Section 5 Declaration at the above-named property, received on the 26th of May 2025.

The Planning Authority has been tasked with determining whether the following works carried out on the lands known as the Sports and Recreation Area being lands the subject matter of planning permission 03/4050 (which formed part of a wider masterplan development for Garrane Darra underpinned by parent permission S/00/3131) is development and if so, are they exempted development.

- a) The locking of gates
- b) Restriction of access to the pathways surrounding the playing fields
- c) Restriction of access to the N40 walkway
- d) Erection of signage
- e) Erection of security camera facing Garrane Darra Estate
- f) The restriction of access and use of the lands outside the playing fields by residents of Garrane Darra
- g) The removal of the hard surface of the tennis courts
- h) The removal and failure to appropriately reinstate pathways
- i) The erection of fencing/gate edging the parking area and a public road



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The Planning Authority has re-worded the question as follows:

Whether the following works carried out on the lands known as the Sports and Recreation Area being lands the subject matter of planning permission 03/4050 (which formed part of a wider masterplan development for Garrane Darra underpinned by parent permission S/00/3131) is development and if so are they exempted development:

- (a) the permanent locking of gates and the consequent restriction of access to the pathways surrounding the playing fields and the restriction of access and use of the lands outside the playing fields by residents of Garrane Darra
- (b) the restriction of access to the N40 walkway;
- (c) the erection of signage;
- (d) the erection of security camera facing Garrane Darra Estate;
- (e) the removal of the hard surface of the tennis courts and the removal and failure to appropriately reinstate pathways;
- (f) the erection of fencing/gate edging the parking area and a public road.'

In considering this referral the Planning Authority had regard to:

Sections 2, 3 and 4 of the Planning and Development Act 2000 (as amended),  
Articles 6 and restrictions on exemptions outlined within Article 9 of Part 2 Exempted Development of the Planning and Development Regulations 2001 (as amended),  
Parts 1 and 2 of Schedule 2 of the Planning and Development Regulations 2001 (as amended),  
Information received as part of the initial application and Further Information and revised details received on 24.07.2025, 28.07.2025 and 05.08.2025,  
Planning history documentation, drawings and conditions attached to S/03/4050 and S/00/3131 (PL 04.130788),  
The zoning of the site as ZO15 'Public Open Space' within the Cork City Development Plan 2022-2028.



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The Planning Authority has concluded that –

the works constitute development which come within the scope of Section 3(1) of the Planning and Development Act 2000 (as amended) apart from (b) the restriction of access to the N40 walkway which is not development

Therefore, the Planning Authority decides that

(a) the permanent locking of gates and the consequent restriction of access to the pathways surrounding the playing fields and the restriction of access and use of the lands outside the playing fields by residents of Garrane Darra **IS DEVELOPMENT** and **IS NOT EXEMPTED DEVELOPMENT**.

(b) the restriction of access to the N40 walkway **IS NOT DEVELOPMENT**.

(c) the erection of Signs 1-4 **IS DEVELOPMENT** and **IS NOT EXEMPTED DEVELOPMENT** and the erection of Sign 5 **IS DEVELOPMENT** and **IS EXEMPTED DEVELOPMENT**.

(d) the erection of security camera facing Garrane Darra Estate **IS DEVELOPMENT** and **IS EXEMPTED DEVELOPMENT**.

(e) the removal of the hard surface of the tennis courts and the removal and failure to appropriately reinstate pathways **IS DEVELOPMENT** and **IS NOT EXEMPTED DEVELOPMENT** and

(f) the erection of fencing/gate edging the parking area and a public road **IS DEVELOPMENT** and **IS NOT EXEMPTED DEVELOPMENT**.

all at Garrandarragh townland, Bishopstown, Cork.

Under Section 5(3)(a) of the Planning and Development Act, 2000, you may, on payment of the appropriate fee, refer this declaration for review by An Coimisiún Pleanála within 4 weeks of the date it is issued.

Is mise le meas,

**Anthony Angelini**  
Assistant Staff Officer  
Planning & Integrated Development  
Cork City Council



**We are Cork.**

## SECTION 5 DECLARATION – PLANNER'S REPORT

**File Reference:** R955/25

**Description:** Whether the following works carried out on the lands known as the Sports and Recreation Area being lands the subject matter of planning permission 03/4050 (which formed part of a wider masterplan development for Garrane Darra underpinned by parent permission S/00/3131) is development and if so are they exempted development.  
(a) the locking of gates;  
(b) Restriction of access to the pathways surrounding the playing fields;  
(c) Restriction of access to the N40 walkway;  
(d) Erection of signage  
(e) Erection of security camera facing Garrane Darra Estate  
(f) The restriction of access and use of the lands outside the playing fields by residents of Garrane Darra  
(g) The removal of the hard surface of the tennis courts  
(h) The removal and failure to appropriately reinstate pathways  
(i) The erection of fencing/gate edging the parking area and a public road.

**Applicant:** Darra Management Company CLG

**Owner:** O'Brien & O'Flynn

**Location:** Garrane Darra, Wilton, Cork

### 1. REQUEST FOR FURTHER INFORMATION

This report should be read in conjunction with my previous report dated 23.06.2025 which recommended that Further Information be sought as per the following:

*'Please be advised that the Planning Authority has insufficient information to complete its assessment of the question before it and therefore requests that the following Further Information be sought in relation to the matters raised:*

#### **(d) Erection of signage**

*Further information in this regard is required as there are several signs on the site and its perimeter, and it is not clear which are included in the question. Please submit a photograph of each sign indicating its location on a site layout map and outlining the exact dimensions of each sign.*

#### **(h) The removal and failure to appropriately reinstate pathways**

*Please clarify the extent of the pathways in question on a site location map.*

#### **(h) The removal and failure to appropriately reinstate pathways**

*Please provide a site layout map showing the paths referred to in this item.*

#### **(i) The erection of fencing/gate edging the parking area and a public road**

*Please clarify whether the fencing referred to in this item was new or replacement fencing and if replacement the height of the original fencing. Please also clarify the height of the fencing in question and its exact location on a site layout map.'*

I also recommended that the Planning Authority:



(1) write to O'Brien and O Flynn and Wilton United FC as owner and lessee of the property notifying them that a Section 5 declaration request has been made on the property (including the details of the question before the Planning Authority), requesting them:

- to confirm details of their ownership or legal interest in the property,
- to submit any information that they consider may be relevant in order to enable the planning authority to determine the section 5 declaration request,
- to clarify the current status/use of the tennis court area,
- to clarify all access arrangements into the site noting Conditions 11 and 12 of S/03/4050 in relation to same,
- To clarify the location and extent of all signage on site,
- The location, extent and height of all newly erected fencing on site.

(2) Advise the applicant of the above accordingly.

## **2. FURTHER PLANNING RESPONSE & ASSESSMENT**

The applicant responded to the F.I. request on 14.07.2025 and also on 05.08.2025.

A response was received from the owners of the site (O'Brien & O'Flynn Wilton (Ltd.)) on 24.07.2025 and the lessees on 28.07.2025.

Having regard to the number of submissions received the date for determination of the question was extended until 25.08.2025.

The question before the Planning Authority is as follows:

*'Whether the following works carried out on the lands known as the Sports and Recreation Area being lands the subject matter of planning permission 03/4050 (which formed part of a wider masterplan development for Garrane Darra underpinned by parent permission S/00/3131) is development and if so are they exempted development:*

- (a) the locking of gates;*
- (b) Restriction of access to the pathways surrounding the playing fields;*
- (c) Restriction of access to the N40 walkway;*
- (d) Erection of signage;*
- (e) Erection of security camera facing Garrane Darra Estate;*
- (f) The restriction of access and use of the lands outside the playing fields by residents of Garrane Darra;*
- (g) The removal of the hard surface of the tennis courts;*
- (h) The removal and failure to appropriately reinstate pathways;*
- (i) The erection of fencing/gate edging the parking area and a public road.'*

The content of my initial report should be read in conjunction with the following assessment. In that report items (a) (b) and (f) were grouped together for assessment purposes.

Following further consideration items (a), (b) and (f) have been grouped into one and (g) and (h) have also been grouped together and the question has been reworded as follows:

*Whether the following works carried out on the lands known as the Sports and Recreation Area being lands the subject matter of planning permission 03/4050 (which formed part of a wider masterplan development for Garrane Darra underpinned by parent permission S/00/3131) is development and if so are they exempted development:*

- (a) the permanent locking of gates and the consequent restriction of access to the pathways surrounding the playing fields and the restriction of access and use of the lands outside the playing fields by residents of Garrane Darra,*
- (b) the restriction of access to the N40 walkway;*
- (c) the erection of signage;*
- (d) the erection of security camera facing Garrane Darra Estate;*
- (e) the removal of the hard surface of the tennis courts and the removal and failure to appropriately reinstate pathways;*
- (f) the erection of fencing/gate edging the parking area and a public road.'*

### **Relevant Legislation**

As noted in my initial report 'development' is defined under Section 3(1) of the Planning and Development Act 2000 (as amended) as:

- '(a) the carrying out of any works in, on, over or under land, or the making of any material change in the use of any land or structures situated on land, or*
- (b) development within the meaning of Part XXI (inserted by section 171 of the Maritime Area Planning Act 2021).'*

Article 9(1) of the Planning and Development Regulations 2001 (as amended) outlines the following restriction on exemptions:

Development to which Article 6 relates shall not be exempted development for the purposes of the Act— (a) if the carrying out of such development would—

*(i) "Contravene a condition attached to a permission under the Act or be inconsistent with any use specified in a permission under the Act"...*

*(iii) endanger public safety by reason of traffic hazard or obstruction of road users...*

*(x) consist of the fencing or enclosure of any land habitually open to or used by the public during the 10 years preceding such fencing or enclosure for recreational purposes or as a means of access to any seashore, mountain, lakeshore, riverbank or other place of natural beauty or recreational utility....*

### **Assessment of the Question**

The re-worded question is assessed under each of the issues:

**(a) the permanent locking of access gates and the consequent restriction of access to the pathways surrounding the playing fields and the restriction of access and use of the lands outside the playing fields by residents of Garrane Darra**

The owners have submitted a response to the Further Information request in the form of a planning submission which provides some background on the development and subsequent use and disuse of the recreational lands. It advises in relation to (a) (b) and (f) of the original question that the pedestrian gate on the western boundary was locked in 2024 for health & safety reasons during which time remedial works were ongoing at the club grounds. The submissions advises that these works are still ongoing and in addition that as the club is obliged to comply with child protection, insurance and welfare obligations it cannot permit unregulated access to the facility. Concerns are outlined in relation to issues with broken locks, dog fouling and it is advised that the gates will remain closed to protect its members and the significant investment in the facility. It is also advised that the paths surrounding the

pitches were in poor condition and not fit for purpose – and repair works have been carried out under Section 4 (1)(h) of the Planning and Development Act (as amended). The submission notes that lands outside the soccer pitch were in a state of disrepair and unsafe and unusable and that it is erroneous to claim that access has been denied to any facilities given their deterioration and the subsequent investment made by a voluntary soccer club.

The lessees - Wilton United A.F.C. Company - has also made a submission in response to the F.I. request advising that it has entered into a long-term lease in 2024 and advising that all works undertaken are either 'not development' or are 'exempted development' as detailed in the planning submission made by the owner's agents. It advises that there is no public right of way or legal obligation on the club to permit uncontrolled access to these lands. In addition it notes that no condition of permission Ref 00/3131 or 03/4050 requires access to the N40 and that as part of 24/43524 the owners intend to construct a connection to the N40 footpath.

### ***Planning History***

The governing permission for the housing element of Garrane Darra (81 No. Apartments, 18 No. Townhouses, 8 Dormer Houses, 56 Duplex Units and One Warden's Lodge) is S/00/3131 which was appealed to An Bord Pleanála (Ref. PL.04/130788).

The site had a stated area of circa 6.2 hectares (15.4 acres) and within the ABP Inspector's report it was noted that the eastern end of the site is adjacent to the Sarsfield Road intersection with the N 25 – i.e. the site included the lands currently under consideration.

At appeal stage the An Bord Pleanála Inspector noted in her report that:

*'It is considered that the proposed development incorporates a valuable element of planning gain by reason of the development of the eastern section of the site into parklands and sporting fields of community benefit and that the residential scheme itself is at a good standard by reason of layout and dwelling mix in particular.'*

An Bord Pleanála granted permission subject to conditions including the following:

3. *Prior to the commencement of the development, a landscaping scheme shall be submitted to the planning authority for written agreement. This scheme shall include details of all existing trees and hedgerows on the site and shall specify those for retention together with measures for protection during the period in which the development is being carried out. The trees to be retained shall include the tree belt on the western site boundary. The site shall be landscaped in accordance with the agreed scheme, which shall include a timescale for implementation.*

*Reason. In the interest of visual amenity and orderly development.*

4. *The construction of Apartment Blocks A1, A2 and A3 shall not be commenced without a prior grant of planning permission for the sports and recreational facilities for the eastern section of the site. The development of the recreational facilities shall be completed and shall be operational prior to the occupation of the Apartment Blocks.*

*Reason: To ensure the satisfactory completion of sports and recreational facilities.*

10. *The public open space, including incidental open space areas shown on the lodged plans, shall be reserved for such use and shall be soiled, seeded, levelled and landscaped in accordance the scheme submitted with the planning application, and shall be made available to residents on completion of the*

*housing development. These areas shall be fenced off during the construction period and shall not be used for the storage of plant, materials or spoil.*

*Reason: In the interest of orderly development and the amenities of the future occupants.*

In response to Condition 4 of PL/04/130788 permission was sought under S03/4050 for the following development: *'Sports, recreational & habitat development to include 1 No. soccer pitch, 2 No. tennis courts, basketball area, car parking and anc. works'.*

Permission was granted by Cork County Council subject to 14 No. conditions.

Condition 9 states as follows:

9. *'Before commencing development, the applicant shall enter into an agreement under Section 47 of the Planning and Development Act 2000 providing for the transfer of the recreational and amenity land covered by this application into the ownership of Cork County Council, subject to a covenant restricting use of the lands to recreational facilities and amenities for the benefit of the local community.'*

Reason: *In order to ensure the retention of the lands in the intended uses, while allowing for the possible future use of the proposed sports facilities by clubs.'*

The management of and control of access to the recreation and amenity lands (area within the red line site boundary) were conditioned under Conditions 11 and 12 as follows:

11. *'Except in so far as specific sports facilities may be leased to sporting clubs, and the terms of the lease transfer to this responsibility for the maintenance of these facilities, the management scheme provided for under Condition 11 of S/00/3131 shall make all necessary arrangements for the appropriate maintenance of all sporting, recreational and woodland areas on site.'*

Reason: *In the interests of residential amenity.'*

12. *Control of access to the recreational facilities and surrounding open space shall be to the satisfaction of the Planning Authority, and the Planning Authority shall be advised and agree to any subsequent changes to these arrangements.'*

Reason: *In the interests of residential amenity and public recreation.'*

I note that the land was not transferred into the ownership of Cork County Council as required under Condition 9 of S/03/4050. As part of this current Section 5 application a copy of a letter has been submitted from the A/C.E. of Cork City Council in relation to a Taking in Charge application made in relation to the management of Garrane Darra estate. This letter notes that at the time of the land transfer under the boundary extension that no land transfer had taken place to Cork County Council under Condition 9 of 03/4050 but that Cork City Council is now engaging with the landowner regarding the transfer of the lands as envisaged by the planning permission.

As per Condition 11 the responsibility for *'all necessary arrangements for the appropriate maintenance of all sporting, recreational and woodland areas on site'* outside of areas leased to sporting clubs lie with the Management Company rather than the landowner.

The Planning Authority was not advised of, nor did it agree to the recent changes to the access arrangements to the lands which had been in place since the development of the housing estate.

It is noted that both the residents of Garrane Darra and other members of the public including residents of Eagle Valley had access to the use of the lands for recreational purposes in the preceding 10 years.

The land at the time of the assessment of the planning application was zoned for public open space/recreation/amenity in the 2003 Cork County Development Plan. The lands now fall within the administrative area of Cork City Council and are zoned ZO 15 'Public Open Space' (Ref: Map 8 South Western Suburbs of Volume 2 of the Plan) the objective of which is *'To protect, retain and provide for passive and active recreational uses, open space, green networks, natural areas and amenity facilities.'*

The definition of development includes *'the making of any material change in the use of any land'*. I consider that a material change in the use of the lands has occurred to the lands from lands which function as recreational open space serving the adjoining residential development 'Garrane Darra' to lands which function solely for sporting use by the lessee of the lands and to which the residents of Garrane Darra/wider community have no access. I conclude that (a) is development and it cannot be considered to be exempted development by virtue of Article 9(1)(a)(x) of the Planning and Development Regulations 2001 (as amended).

On the basis of the additional information received and the above assessment I conclude that (a) the permanent locking of gates and the consequent restriction of access to the pathways surrounding the playing fields and the restriction of access and use of the lands outside the playing fields by residents of Garrane Darra is development and is not exempted development.

**(b) the restriction of access to the N40 walkway;**

As previously outlined the provision of a pedestrian access linking Garrane Darra with the N40 was not a requirement of the permission issued by An Bord Pleanála under – as previously determined by the Planning Authority under Enforcement File Ref: E8846 it was established that the access provided onto the footpath adjoining the N40 was not a requirement of the parent planning permission (PL 04.130788) and that this access was created informally and therefore its removal did not constitute a planning enforcement issue.

I conclude that (b) the restriction of access to the N40 walkway is not development.

**(c) the erection of signage;**

Further information was sought in relation to the signage on site as it was not clear which are included in the question and the dimensions of each. Garrane Darra Management Co. (the applicant) has advised in its response to the F.I. request that 5 signs which are the subject of the question are as follows:

1. Buckley Civil's sign (245cm x 150 cm) located on the northern fencing facing the N40;
2. Bridgewater Construction sign (245cm x 115cm) located on the northern fencing facing the N40;
3. Wilton United Football Academy (900 cm x 150 cm) located on the northern fencing facing the N40;
4. Advertising billboard on the NW corner of the sports and recreation area – no measurements as access was not available.
5. CCTV sign on the access gate – no dimensions given.

Exemption relating to advertising signs are outlined in Part 2 of Schedule 2 of the Planning and Development Regulations 2001 (as amended (Exempted Development – Advertisements). Article 6(2) also applies. No conditions of permission Ref S.03/4050 relate to signage on the site.

|                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>CLASS 6</b></p> <p>Advertisements relating to any institution of a religious, educational, cultural, recreational or medical or similar character, any guesthouse or other premises (other than a hotel) providing overnight guest accommodation or any public house, block of flats, club, boarding house or hostel, situated on the land on which any such advertisement is exhibited.</p> | <p>1. No such advertisement shall exceed 0.6 square metres in area.</p> <p>2. No part of any such advertisement or an advertisement structure on which it is exhibited shall be more than 2.5 metres in height above ground level.</p> <p>3. Not more than one such advertisement or, in the case of premises with entrances on different road frontages, one such advertisement for each such frontage, shall be exhibited in respect of any such premises.</p> |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

- Sign 1 is 3.675 sq.m. in area and Sign 2 is 2.82 sq.m. These signs advertise a building works and a civil contracting firm ((Buckley Civils) and a construction company (Bridgewater Construction) neither of which are based at the site. Class 1 relates to Advertisements (other than those specified in classes 2, 3 or 5 of this Part of this Schedule) exhibited on business premises, wholly with reference to the business or other activity carried on or the goods or services provided on those premises. As signs 1 and 2 relate to businesses which are not related to the use of the lands for its recreational/sporting purpose they cannot therefore exemptions under Part 2 of Schedule 2 vail of exemptions under these Classes and therefore are development and are not exempted development.
- Sign 3 relates to the recreational use (Wilton United Football Academy) and it also includes details of a sponsorship company Satellite Taxis. The sign is 13.5 sq.m.– this is in excess of the 0.6 sq.m. limitation available under Class 6 and this sign is therefore development and is not exempted development.
- Sign 4 (the large billboard) – No dimensions of this sign have been supplied however it is much larger than sign 3 and does not relate to the recreational use and therefore would not be exempted development having regard to 6 limitations. No other exemption applies to this sign under Part 2 and this sign is therefore development and is not exempted development.
- Sign 5 (CCTV) is relatively small - no dimensions of same have been provided however I measured same as 0.08 sq.m. therefore it appears to fall under Class 13 as it relates to the use of CCTV:

|                                                                                                                                                                           |                                                                      |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------|
| <p><b>CLASS 13</b></p> <p>Advertisements for the purposes of identification, direction or warning with respect to the land or structures on which they are exhibited.</p> | <p>No such advertisement shall exceed 0.3 square metres in area.</p> |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------|

It is therefore considered that this sign is development and is exempted development.

It should also be noted that the four signs which are located facing the N40 would also be de-exempted under the restriction of exemption outlined under Article 9(1) (a) (iii) as they are a distraction to road users which could 'endanger public safety by reason of traffic hazard'.



I conclude that the erection of Signs 1-4 referred to above under (c) is development and is not exempted development and the erection of Sign 5 is development and is exempted development.

**(d) the erection of security camera facing Garrane Darra Estate;**

As outlined in my initial assessment – this is considered to be development and exempted development.

**(e) the removal of the hard surface of the tennis courts and the removal and failure to appropriately reinstate pathways;**

The Planning Submission which was submitted by the owners of the lands in response to the F.I. request advises that the tennis courts had deteriorated and was damaged with vegetation growing through the surface – photos supplied. It is stated that it is the club's intention to put an astro surface over the existing surface which has been levelled and covered with grit for drainage purposes. The submission refers to a Section 5 reference by An Bord Pleanála (Ref: 29S.RL3803<sup>1</sup>) which determined that the installation of an artificial 'astro' grass surface was exempted development under Class 33 (c) of Schedule 2 of Part 1 of the Regulations.

As the development involved the removal and excavation of the surface, the activity would constitute 'works' under the definition set out in Section 2 of the Act<sup>2</sup> and would be therefore classed as "development" under S.3 of the Act.

I note that the intention expressed by the owners for the future laying of an astro turf pitch – however this has not yet occurred, and the question relates solely to the removal of the hard surface of the tennis courts. The tennis courts are not currently usable, and it is considered that there has been a material change of use in the lands from recreational use as permitted under S/03/4050.

The applicant has clarified in their response to the F.I. request that Item h of the original question relates to the jogging/walking track which looped around the pitch. It is stated that sections of the track were damaged during the refurbishment of the pitch and has become overgrown and in need of refurbishment. The applicant has submitted extracts from the Landscape Masterplan submitted under planning application Ref: S/03/4050 in which the route was shown and stated to be attendant on the proposed pitch and courts and loop around the parking area to facilitate those using the area in a passive way. It is stated that the route was constructed in 2005 and in use until 2025.

The owner's agent in the Planning Submission state that it is considered that the works to the pathways fall under Section 4 (1) (h) of the Planning and Development Act 2000 (as amended) however as the development in this instance does not relate to a structure it is not considered applicable. Again, I consider that in removing the pathways that the recreational use of the lands has been materially altered.

Therefore, it is considered that (e) the removal of the hard surface of the tennis courts and the removal and failure to appropriately reinstate pathways is development and is not exempted development.

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<sup>1</sup> I note that the S. 5 reference related to the replacement of an existing natural grass rugby pitch with an artificial grass rugby pitch together with an alteration of ground levels.

<sup>2</sup> "works" includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal and, in relation to a protected structure or proposed protected structure, includes any act or operation involving the application or removal of plaster, paint, wallpaper, tiles or other material to or from the surfaces of the interior or exterior of a structure.

**(f) the erection of fencing/gate edging the parking area and a public road**

The applicant has responded to the F.I. request in relation to this item stating that the fencing is new and 2.35m in height – before and after photos have been provided as well as a map showing the location of the fencing in question.

Exemptions for the erection of fencing are outlined under Class 11 (Sundry Works) of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended).

|                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>CLASS 11</b><br><br>The construction, erection, lowering, repair or replacement, other than within or bounding the curtilage of a house, of –<br><br>(a) any fence (not being a hoarding or sheet metal fence), or<br><br>(b) any wall of brick, stone, blocks with decorative finish, other concrete blocks or mass concrete. | <br><br>1. The height of any new structure shall not exceed 1.2 metres or the height of the structure being replaced, whichever is the greater, and in any event shall not exceed 2 metres.<br><br>2. Every wall, other than a dry or natural stone wall, constructed or erected bounding a road shall be capped and the face of any wall of concrete or concrete blocks (other than blocks of a decorative finish) which will be visible from any road, path or public area, including a public open space, shall be rendered or plastered. |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

The erection of the fencing has cut off any public access to the lands outside of the soccer pitch from the eastern roundabout which is accessed off the Sarsfield Road via the Doughcloyne Industrial Estate. The erection of the fence is defined as works and therefore development. Given the height of the fence is not exempted development.

I also note Article 9(a) (x) of the Planning and Development Regulations 2001 which applies also in this instance.

Development to which Article 6 relates shall not be exempted development for the purposes of the Act— (a) if the carrying out of such development would—

*(x) consist of the fencing or enclosure of any land habitually open to or used by the public during the 10 years preceding such fencing or enclosure for recreational purposes or as a means of access to any seashore, mountain, lakeshore, riverbank or other place of natural beauty or recreational utility....*

I therefore conclude that (f) The erection of fencing/gate edging the parking area and a public road is development and is not exempted development.

**3. FURTHER ENVIRONMENTAL ASSESSMENT**

Pursuant to article 103(1) of the Planning and Development Regulations 2001 as amended, having regard to the nature and scale of the proposed development and following a preliminary examination of, at the least, the nature, size or location of the proposed development, it is considered that there is no real likelihood of significant effects on the environment and it is consequently concluded that E.I.A. is not required.

It is not considered that the response to the F.I. gives rise to a significant change or modification to the proposed development so that it would now have a significant impact on a European Site, or that it would require environmental impact assessment. Consequently, it is considered that appropriate assessment and environment impact assessment are not required.

#### **4. CONCLUSION**

To conclude:

The Planning Authority has re-worded the question as follows:

*Whether the following works carried out on the lands known as the Sports and Recreation Area being lands the subject matter of planning permission 03/4050 (which formed part of a wider masterplan development for Garrane Darra underpinned by parent permission S/00/3131) is development and if so are they exempted development:*

- (a) the permanent locking of gates and the consequent restriction of access to the pathways surrounding the playing fields and the restriction of access and use of the lands outside the playing fields by residents of Garrane Darra*
- (b) the restriction of access to the N40 walkway;*
- (c) the erection of signage;*
- (d) the erection of security camera facing Garrane Darra Estate;*
- (e) the removal of the hard surface of the tennis courts and the removal and failure to appropriately reinstate pathways;*
- (f) the erection of fencing/gate edging the parking area and a public road.'*

In considering this referral the Planning Authority had regard to:

- (a) Sections 2, 3 and 4 of the Planning and Development Act 2000 (as amended),
- (b) Articles 6 and restrictions on exemptions outlined within Article 9 of Part 2 Exempted Development of the Planning and Development Regulations 2001 (as amended),
- (c) Parts 1 and 2 of Schedule 2 of the Planning and Development Regulations 2001 (as amended),
- (d) Information received as part of the initial application and Further Information and revised details received on 24.07.2025, 28.07.2025 and 05.08.2025,
- (e) Planning history documentation, drawings and conditions attached to S/03/4050 and S/00/3131 (PL 04.130788),
- (f) The zoning of the site as ZO15 'Public Open Space' within the Cork City Development Plan 2022-2028.

The Planning Authority has concluded that –

the works constitute development which come within the scope of Section 3(1) of the Planning and Development Act 2000 (as amended) apart from (b) the restriction of access to the N40 walkway which is not development

Therefore, the Planning Authority decides that

- (a) the permanent locking of gates and the consequent restriction of access to the pathways surrounding the playing fields and the restriction of access and use of the lands outside the playing fields by residents of Garrane Darra is development and is not exempted development
- (b) the restriction of access to the N40 walkway is not development
- (c) the erection of Signs 1-4 is development and is not exempted development and the erection of Sign 5 is development and is exempted development
- (d) the erection of security camera facing Garrane Darra Estate is development and is exempted development
- (e) the removal of the hard surface of the tennis courts and the removal and failure to appropriately reinstate pathways is development and is not exempted development and
- (f) the erection of fencing/gate edging the parking area and a public road is development and is not exempted development

all at Garrandarragh townland, Bishopstown, Cork.

---

Evelyn Mitchell,  
Senior Executive Planner,  
25.08.2025

## SECTION 5 DECLARATION R955/25

I note the content of the report of the SEP and concur with the recommendation.

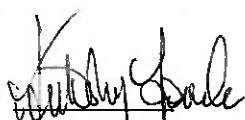
I would highlight condition no. 12 of S03/4050 which stated: 'Control of access to the recreational facilities and surrounding open space shall be to the satisfaction of the Planning Authority, and the Planning Authority shall be advised and agree to any subsequent changes to these arrangements.' It was therefore acknowledged in the condition that there would be some form of restrictions and control of access, it would be open to the respective parties i.e. the owner, the lessee and the management company to engage on the matter, to find a mutually agreeable solution. This could then be submitted to the Planning Authority for consideration in compliance with condition no. 12.

---

Fiona Redmond,

Senior Planner

25/8/2025



Anthony Forde

Acting Director of Services

25/08/2025

**COMHAIRLE CATHRACH CHORCAÍ**  
**CORK CITY COUNCIL**

Community, Culture & Placemaking Directorate,  
Cork City Council, City Hall, Anglesea Street, Cork.

R-Phost/E-Mail [planning@corkcity.ie](mailto:planning@corkcity.ie)

Fón/Tel: 021-4924029

Líonra/Web: [www.corkcity.ie](http://www.corkcity.ie)

**SECTION 5 DECLARATION APPLICATION FORM**  
under Section 5 of the Planning & Development Acts 2000 (as amended)

**1. NAME OF PERSON MAKING THE REQUEST**

GARRANE DARRA MANAGEMENT COMPANY CLG

**2. POSTAL ADDRESS OF LAND OR STRUCTURE FOR WHICH DECLARATION IS SOUGHT**

GARRANE DARRA  
WILTON, CORK

**3. QUESTION/ DECLARATION DETAILS**

**PLEASE STATE THE SPECIFIC QUESTION FOR WHICH A DECLARATION IS SOUGHT:**

Sample Question: Is the construction of a shed at No 1 Wall St, Cork development and if so, is it exempted development?

*Note: only works listed and described under this section will be assessed under the section 5 declaration.*

SEE ATTACHED SHEET

**CORK CITY COUNCIL**  
**PLANNING & DEVELOPMENT**

**ADDITIONAL DETAILS REGARDING QUESTION/ WORKS/ DEVELOPMENT:**

*(Use additional sheets if required).*

27 MAY 2025

**DEVELOPMENT MANAGEMENT**

SEE ATTACHED SHEET

4. Are you aware of any enforcement proceedings connected to this site?

If so please supply details:

ENFORCEMENT COMPLAINT E8555

5. Is this a Protected Structure or within the curtilage of a Protected Structure? ☐

If yes, has a Declaration under Section 57 of the Planning & Development Act 2000 been requested or issued for the property by the Planning Authority? ☐

6. Was there previous relevant planning application/s on this site? ☐

If so please supply details:

PLANNING PERMISSION 03/4050

PARENT PLANNING PERMISSION PLO4 130788

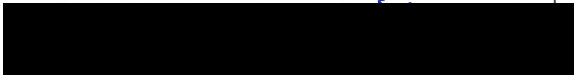
(Original PLANNING PERMISSION S/00/3131

7. APPLICATION DETAILS

Answer the following if applicable. Note: Floor areas are measured from the inside of the external walls and should be indicated in square meters (sq. M)

|                                                                                                                                                                                                            |                                                          |                                            |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------|--------------------------------------------|
| (a) Floor area of existing/proposed structure/s                                                                                                                                                            |                                                          |                                            |
| (b) If a domestic extension, have any previous extensions/structures been erected at this location after 1 <sup>st</sup> October, 1964, (including those for which planning permission has been obtained)? | Yes <input type="checkbox"/> No <input type="checkbox"/> | If yes, please provide floor areas. (sq m) |
| (c) If concerning a change of use of land and / or building(s), please state the following:                                                                                                                |                                                          |                                            |
| Existing/ previous use (please circle)                                                                                                                                                                     | Proposed/existing use (please circle)                    |                                            |

7. LEGAL INTEREST

|                                                                                               |                                                                                      |                                              |
|-----------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|----------------------------------------------|
| Please tick appropriate box to show applicant's legal interest in the land or structure       | A. Owner                                                                             | B. Other <input checked="" type="checkbox"/> |
| Where legal interest is 'Other', please state your interest in the land/structure in question | <u>SEE SEPARATE SHEET</u>                                                            |                                              |
| If you are not the legal owner, please state the name of the owner if available               |  |                                              |

8. I / We confirm that the information contained in the application is true and accurate:

Signature: 

Date: 26/5/2025

## Section 5 Declaration Application

### Q3. Question/Declaration Details

Are the works carried out on the lands known as the Sports and Recreation Area being lands the subject matter of Planning Permission 03/4050 (which formed part of a wider master plan development for Garrane Darra underpinned by the Parent Planning Permission PL04.130788, original planning permission S/00/3131) which have been carried out in the last few weeks/months which includes;

- the locking of gates
- restriction of access to the pathways surrounding the playing fields
- restriction of access to the N40 walkway
- erection of signage
- erection of security camera facing into Garrane Darra Estate
- the restriction of access and use of the lands outside the playing fields by residents of Garrane Darra
- the removal of the hard surface of the tennis courts
- the removal and failure to appropriately re-instate pathways
- erection of fencing/gate edging the parking area and a public road

development and if so, is it exempted development? The development was never carried out and completed in accordance with the details, drawings, plans and particulars submitted as part of the application for planning permission for 03/4050 and the Sports and Recreation Area is therefore unauthorised. In those circumstances it is the view of Garrane Darra Management Company CLG that the exempted development provisions cannot apply. In particular, Section 157(4)(b) Planning and Development Act 2000, as amended provides that "*proceedings may be commenced at any time in respect of any condition concerning the use of land to which the permission is subject*" Attached find the final Grant of Planning Permission which required the development to be carried out and completed in accordance with all of the plans and particulars submitted and conditions of planning permission.



## Section 5 Declaration Application

### Q3. Additional Details

**Addition details regarding works/development carried out in the Sports and Recreation Area over the last number of months:**

1. **Restriction of access from Garrane Darra to the Sports and Recreation Area:**

The gate from the residential area to the Sports and Recreation Area was open from 2005 until July 2024 when the refurbishment of the soccer pitch commenced. The gate was re-opened in February 2025. A notice was displayed on the gate in late April by Wilton United FC announcing that the entrance would be closed to the public effective from 6 May 2025. A lock was placed on the gate on 6 May 2025. The long-standing access to the Sports and Recreation Area is no longer available to the residents of Garrane Darra.

2. **Erection of a security camera and signage on the gate leading to the Sports and Recreation Area from Garrane Darra:**

A camera erected on a gate on the boundary of Garrane Darra on 6 May 2025 is facing into the Garrane Darra estate and capturing images within the private estate.

3. **Restriction of access to the running/biking/walking track surrounding the pitch:**

Residents used the track constructed by O'Brien and O'Flynn for jogging, biking and walking from 2005 until 6 May 2025.

4. **Restriction of access to the lands outside the playing fields by residents:**

The lands not fenced off (tennis courts) or being leased by a club (soccer pitch) were used for casual play and ball games by children and adults for the last 20 years.

5. **The removal of the surface of the tennis courts:**

The hard surface of the tennis courts was dug up.

6. **The removal and failure to re-instate pathways:**

The pathway leading to the access to the N40 walkway and the pathway surrounding the soccer pitch were damaged during the refurbishment of the pitch in 2024 and not re-instated.

7. **Erection of fencing and gate edging the parking area of the Sports and Recreation Area and a public road:**

The new fencing closed off the access from the main entrance and parking area to the Sports and Recreation Area.

8. **Restriction of the right to access to the N40 walkway through the Sports and Recreation Area:**

Since the development of Garrane Darra all residents have had a right of way to (and through) the Sports and Recreation Area and pedestrian access to the N40 footpath according to planning permission. Pedestrian access to the N40 footpath and Dunnes Stores was a specific condition of the original planning permission for Garrane Darra (Ref. S/00/3131). The proposed "*Cork City to Viaduct Greenway Phase 1 – Tramore Road to Eagle Valley*" which received Part 8 planning relied upon this existing access track from Garrane Darra through the amenity grounds which facilitated pedestrian access from Garrane Darra onto the N40 footpath. During the recent refurbishment of the soccer pitch the access to the N40 footpath was closed off.

9. **Erection of signage on the northern fence of the Sports and Recreation Area facing the N40 in 2024/25.** The signs have an impact on the local environment and also impact road safety. Is the signage Exempted Development Advertising?

---

The Directors of Garrane Darra Management Company CLG

26 May 2025

Encl.

To assist in putting the above into context photographs taken in 2022 are enclosed, i.e. prior to the works carried out above. For comparison purposes photographs were taken in May 2025 where possible (access was restricted) and these are also enclosed.

## Section 5 Declaration Application

### Q7. Legal Interest

As owners of properties in Garrane Darra the members of Garrane Darra Management Company CLG have a right to access and use the facilities of the adjoining Sports and Recreation Area according to planning permission. Pedestrian access to the N40 footpath and Dunnes Stores was a specific condition of the original planning permission for Garrane Darra (Ref. S/00/3131).

Furthermore, the following was on Page 3 of the sales brochure used by the developer to showcase the benefits of the properties in Garrane Darra and entice buyers:

***“Garrane Darra is located just off Sarsfield Road in Wilton and is being developed over a 12 acre site. 7 1/2 acres have been earmarked to surround the housing with just under 1 acre of gardens within the internal courtyard. Another 4 1/2 acres will comprise of a football field, basketball court, tennis courts and newly built changing rooms. This area will be open to the public but residents of Garrane Darra will enjoy unrivalled accessibility and a fantastic atmosphere of open space”***

A drawing of the site on the final page of the sales brochure includes a drawing of the Sports and Recreation Area adjacent to the Residential Area.

**AN BORD PLEANALA**  
**INSPECTOR'S REPORT.**

**PL 04 130788**

**DEVELOPMENT:** 81 No. Apartments, 18 No. Townhouses,  
8 Dormer Houses, 56 Duplex Units and  
One Warden's Lodge.

**LOCATION:** Eagle Valley, Garranedarragh, Wilton,  
Co. Cork.

**PLANNING APPLICATION**

|                            |                                |
|----------------------------|--------------------------------|
| <b>Applicant:</b>          | <b>O'Brien and Flynn Ltd.,</b> |
| <b>Planning Authority</b>  | <b>Cork County Council</b>     |
| <b>Reg. Ref.</b>           | <b>S/00/313</b>                |
| <b>Type of Application</b> | <b>Permission</b>              |
| <b>Decision</b>            | <b>Grant Permission</b>        |

**PLANNING APPEAL**

|                       |                                                                     |
|-----------------------|---------------------------------------------------------------------|
| <b>Appellant:</b>     | <b>Woodbrock    Stratton    Pines    Residents<br/>Association.</b> |
| <b>Type of Appeal</b> | <b>Third Party Against Grant of Permission.</b>                     |

**Date of Inspection** 2<sup>nd</sup> February, 2003,

**Inspector:** Jane Dennehy

This file contains a Third Party Appeal by Woodbrook Stratton Pines Residents Association against the decision by Cork County Council to Grant Permission to O'Brien and O'Flynn Ltd., for a residential development at Eagle Valley, Garranedarragh, Wilton, Co. Cork.

I have inspected the site and read the documentation on the Appeal file.

## **SITE LOCATION AND DESCRIPTION**

The site has a stated area of circa 6.2 hectares (15.4 acres) and is located to the west of Wilton and the south side of the N 25 (South Ring Road). The eastern end of the site is adjacent to the Sarsfield Road intersection with the N 25 and is densely covered in rough vegetation. The ground conditions of the eastern section and road frontage eastern section of the site are marshy. There is evidence that some waste materials and other fill may have been brought into part of the site.

Residential development (White Oak) and the Doughcloyne Industrial estate are located on the west side of Sarsfield Road, to the east of the site. The earlier, permitted phases of the Eagle Valley residential development are located to the south east and east of the site. The western site boundary adjoins the entrance avenue from the N 25 to Garrane a house and farm complex. This avenue is tree lined and there are watercourses along part of the boundary of the site and along the northern boundary with the N 25. There are no footpaths along the site frontage however a footpath has been constructed to the west side along the road frontage between the entrance to the Garrane farming complex and the N25 Bandon/Kinsale Road intersection to the west at which a Dunnes Stores units is located. There is dense planting along the median of the N 25. On the opposite side of the N 25 there are residential developments, comprising mainly two storey semi detached dwellings. There is a vacant area of land immediately adjoining the northern side of the N 25 opposite the site to the north side of which is the Woodside residential development.

The lands to the south side of the Appeal site are elevated and include Garrane Hill. These hills are visible from the Bishopstown Road and other roads to the north of the N 25 on the approach to the city.

Photographs taken at the time of site inspection are attached to the file.

## **DEVELOPMENT PLAN.**

The operative development plan is the Cork County Development Plan, 1996. The site is located within the "Urban Edge Zone" to the city and is subject to the zoning objective H7: "Housing Not Exceeding 10 Houses per hectare if sewer is available and three houses per hectare if the sewer is not available." The 1999 Variations to the County Development Plan, 1996, allow for consideration of higher densities subject to satisfaction of qualitative criteria.

The eastern section of the site, (Circa 3.5 hectares) is subject to the zoning objective: S/F –“Sports/Forestry”.

A developed area of the site to the south east is zoned (I) industry/industrial services.

Policies and objectives relating to the City Environs and Green Belt are set out in Sections 5.37-5.40 of the Written Statement. (A copy is attached to the file). Under Section 5.37 reference is made to retention of uninterrupted views to Garrane Hill from the Southern Ring Road while allowing for westward expansion of the industrial estate. Under Section 5.38 reference is made to a flooding problem to the south of Sarsfield Road with forestry and recreational/sports use being the most ideal use.

### **PLANNING HISTORY.**

**P.A. Reg. Ref. S/96/4540:** This is an application for one hundred and thirty six dwellings at Eagle Valley. This was the second phase of the overall development of which the current proposal forms the final phase. Following a number of further information submissions, Permission was Granted for the development, subject to thirty conditions. The site of this application is to the east of Garrane the existing farm complex and dwelling.

Details of the application documentation for **Phase One** of the development, located to the north east of the Appeal site are not available.

**P.A. Reg. Ref. 00.2225:** Permission was Granted for a warehouse development at Doughcloyne industrial estate to the west of the Appeal site.

**P.A. Reg. Ref. S99/4231;** Permission was granted for eight No warehouses units in two blocks at Doughcloyne industrial Estate.

### **THE PLANNING APPLICATION**

The application and further information submissions lodged with the planning authority indicate proposals for residential development and for sports and recreational facilities on the Appeal site. This site is located at the northern end of an overall development comprising new residential development and development under construction to which the planning history outlined above refers. Access to the site is via the existing and permitted Eagle Valley development under construction from Sarsfield Road. The proposed development, comprises a total of one hundred and sixty four dwellings made up of:

- 81 Apartments in three four to five storey blocks.
- 18 Townhouses
- 56 Duplex Units
- 8 Dormer Houses
- 1 Warden's Lodge.



The section of the site on which the proposed dwellings are to be located is approximately 2.4 hectares in area and has an approximate density is sixty eight units per hectare. In addition, site development works, screen walling and fencing, landscaping of active open space and roadwidening and improvement and alignment works at Sarsfield Road are included in the proposal. Further information submissions take into account the reservation line for the future road widening of the N 25 proposed by the National Roads Authority.

The eastern section of the site, the area of which is circa 3.5 hectares is shown as open space for which landscaping proposals have been submitted. Fencing is to be located along the boundaries of the open space area. The central section is dedicated to playing fields and sports use and the eastern section is shown as a parkland area.

Provision for pedestrian routes linking into the earlier phases of the overall development were also included in further information submissions. Storm water retention ponds accepting run off from the proposed development and adjoining industrial development to the east are shown located within the open space.

The dwellings are shown on the site layout plans in the western section of the site with open space and recreational areas on the eastern section. The apartment blocks are located on the northern and western boundaries with the duplex units located centrally in a courtyard layout and at the western boundary. The original and some subsequent further information submissions indicated proposals for four to five storey blocks. In the subsequent further information submissions variations to the design were shown and proposals shown in the further information submission of 19<sup>th</sup> July, 2001 were accepted by the planning authority. These proposals were for three storey blocks.

The main internal access route is on the outer side of the courtyard group of housing and on the inner side of the blocks along the northern and western boundaries with minor access routes thereof.

The proposed means of access is from the southern end of the site via the access road serving the earlier permitted phases of the overall development.

A Roads and Traffic Assessment Report submitted in response to an additional information request on 20<sup>th</sup> December, 2000 includes recommendations for provision of a right turning lane at the main entrance to the overall development off Sarsfield Road, increased road widths and a bus terminus lay-by within the areas of the adjoining development.

Included in the submissions of 20<sup>th</sup> October, 2000 are Design Calculations for the Proposed Stormwater Retention measures on site. The proposed retention pond is shown as a Duck Pond with overflow to surrounding low lying areas and open ditches at the road frontage.

## **Technical Reports.**

**The Roads Sections:** Reports note options for upgrading works at Sarsfield Road in which it is stated that a separation of 30 metres from the south side of the N25 was likely to be required. Revisions to the layout to take account of same were submitted to the planning authority on 17<sup>th</sup> January, 2002 in which the apartment blocks are moved southwards, and one block eastwards. A noise absorption barrier at 2.5 metres in height is also recommended.

**Irish Aviation Authority:** It is noted that the site location is along as a result of which aircraft noise may be experienced by residents as well as a risk of safety in the event of accidental touch down or take offs by airlines.

**South Western Regional Fisheries Board:** There is no objection subject to discharge of effluent to the public sewer, no overloading of the sewer or potential to contribute to water pollution, secondary treatment and no interference with or culverting of watercourses.

**Environmental Services Section:** Provision of pumphouse and standby generator and eight hour storage to serve the existing and proposed development is recommended. The storage requirement for the storm water retention pond which it is recommended, should not exceed two metres in depth, should be determined by reference to the maximum recorded flood level. Other measures required including security railing, pipe layout for the surrounding water meadow and depth taking into account seasonal variation. A final report indicated acceptance of the revised proposals.

**Cork City Council (Cork Corporation):** the Report contains a recommendation for a financial levy on the development towards the cost of flood relief works to the Glasheen River at Clashdubh (within the Cork City Council Administrative Area.

## **DECISION OF THE PLANNING AUTHORITY.**

The planning authority issued a Notification of a Decision to Grant Permission subject to thirty seven conditions on 27<sup>th</sup> September, 2002.

Apart from standard planning and technical conditions, the requirements of the following conditions are of note:

### **Condition 2. Amendments to the design details of the dwellings.**

- (1) Omission of porch structures and simplification of balconies and railings. (Type C and D1)
- (2) Variation in ground level in internal courtyard to shorten stairs (Type D)
- (3) Omission of porch and steps. Staircase to access internal lobby. (Type T1)



- (4) Reduction in depth of rear elevation balconies, provision for side walling instead of columns and simplification of railing.

**Condition 6:** Prior to construction of the three apartment blocks the developer is required to have finalised the details of the recreational facilities for the eastern section of the site including the management of these facilities. The facilities are to be operational prior to occupation of the apartment block accommodation.

**Condition 12:** Submission of ground level finished floor level details and ground level.

**Condition 15:** Details of sewage pumping station to be submitted to the planning authority prior to commencement of development.

**Condition 16:** Standby generator to be fitted at existing sewage pumping station serving adjoining industrial estate.

**Condition 28:** Indemnification of County Council against defects in sewers until development is taken in charge.

**Condition 33:** Provision of traffic signals at the junction at Sarsfield Road and Eagle Valley entrance within three years in accordance with drawings included in the traffic impact assessment report submitted to the planning authority.

## THE GROUNDS OF THE APPEAL

I refer to the Appeal received from Woodbrook Stratton Pines Residents' Association on 23<sup>rd</sup> October, 2003. Attached are several items of literature, newspaper cuttings relating to environmental heritage issues, local history and planning and development policies.

Based on the review of the Appeal, the main grounds of objection to the proposed development are:

- The area in which the site is located should be retained in rural related or recreational use and should be retained as a 'green belt' of visual and natural amenity free from pollution. Reference is made to views of the ridge of Garrane Hill from the South Link Road and it is contended that in the past there have been undertakings at County Council level, not to permit development at Garrane Hill. In support of the objections reference is made to Sections 5.7-5.40 "*The City Environs and the Green Belt*", in the Cork County Development Plan, 1996
- Inadequate public transport in the area to serve the development and increasing use of the private car. necessitating widening to three lanes of the Southern Ring Road.
- Air pollution associated with traffic and industrial development.

- Water pollution, notably, the Glasheen River.

## **RESPONSE TO THE APPEAL BY THE APPLICANT.**

I refer to the submission received from the applicant's agent on 22<sup>nd</sup> November, 2002.

In summary, the following points are made:

- the Appeal site is an infill site between the Southern Ring Route and the earlier phases of the Eagle Valley development and that there are little or no views of the site of Garrane Hill from the Woodbrook estate. It is also submitted that the rear gardens of Woodbrook Estate do not face into the site of the development and are at least four hundred metres from the Appeal site.
- Provision has been made for the provision of a bus service for The Eagle Valley Estate, the last phase of which is the subject proposal.
- The proposed development complies with the zoning objectives and the objectives set out under Section 5.37 and 5.38 of the Development Plan, having regard to the provision for sports recreational facilities on a large portion of the site to serve developments in the area.

Attached to the submission is a map indicating the locations of the residential developments referred to in the Appeal in relation to the Appeal site. It is also contended that the claims made in the Appeal are not representative of the views of the residents in the area.

## **THE PLANNING AUTHORITY'S OBSERVATIONS ON THE APPEAL.**

There is no submission by the planning authority on file.

## **ASSESSMENT.**

The Appeal is submitted by the Woodbrook Stratton Pines Residents' Association. The Woodbrook and Stratton Pines developments are residential schemes that are located on the northern side of the N25 and to the south of the Bishopstown Road.

Based on examination of the Appeal submission it is considered that the central issues for consideration in respect of the proposed development are:

- Visual, natural amenities and character of the green belt and city environs, including views towards Garrane Hill.
- Public Transport, Traffic Generation and Pedestrian Linkage.
- Water and Air Pollution.

These issues are considered below:

### **Visual, Natural Amenities and Character of the Area:**

The Bishopstown, Curraheen and Wilton Roads to the north are elevated above these developments and there are views over them towards Garrane Hill to the south side of the Appeal site and surrounding areas.

The proposed development comprises two main elements. It is for (1) a final phase of an overall residential development "Eagle Valley" the access road to which is off Sarsfield Road to the south east on the eastern section of the site and (2) for sports and recreational facilities and parklands on the larger western section of the site. The residential element of the development comprises a courtyard style layout containing a mixture of duplex units, townhouses and dormer bungalows. Along with three, three storey apartment blocks, two of which are wing blocks at the south west, south east and north west corners of the site. (Four to five storey blocks were shown in the earlier submissions and were revised to three in the further information submission of 19<sup>th</sup> July, 2001). In addition, a warden's house is included and shown at the entrance to the north east, to the development. The Recreational and Parklands element entails parklands, basketball, football, tennis courts and play areas.

The planning authority made a decision to Grant Permission for the development and it is noted in the planning officer's report the view is expressed that the proposed development was considered to be of a high quality incorporating the sports and recreational facilities, with the residential development being subject to a phasing condition in connection with the development of the latter.

The residential element constitutes a significant in layout, form and character from that of the earlier phases of the Eagle Valley Development and existing residential development in the south west Cork area. The view of the planning officer as expressed in the planning officer report to the effect that the scheme is considered to be a high quality scheme is supported. It incorporates in the adjoining area within the site, generous provision for sports and passive recreation the provision of which according to a condition of the planning authority decision is subject to phasing to correspond with the residential development. Having regard to the *1999 Variation to the 1996 County Development Plan* allowing for consideration of higher densities at the location, where it is deemed justifiable and the qualitative criteria within "*Residential Density: Guidelines for Planning Authorities*" published by the DOELG in 1999, the proposed concentration of a residential development at the western end of the overall site area is acceptable.

It is considered that the site can generally accommodate the proposed development particularly having regard to the reduced three storey apartment blocks height shown in the revised proposals of 19<sup>th</sup> July, 2001. Given the low lying location of the site between the hills inclusive of Garrane Hill to the south and the incline towards Bishopstown Road, Curraheen Road and Wilton Road to the north, it is considered that the proposed development will not give rise to obstruction of views towards the south and the provisions of the development plan under Section 5.38 are noted in this regard. It is noted in this regard the larger section of the site which is to the east will essentially remain as open land although developed into playing fields and parklands.



It can be argued that these blocks by reason of the location at the east and west ends of the development along the road frontage provide definition to the development and denote its edges, as viewed from the N 25. It is however considered that the open character, and visual amenities of the development could be significantly improved by deletion of Apartment Block A1 due somewhat transitional location between the residential scheme and the open space recreational area. Its omission would lead to an increased width and open character to the open space/recreational section of the site. As a result there is a continuous view, uninterrupted, along a significant part of the road frontage along the site frontage from the intersection with Sarsfield Road.

It is noted that the Appeal has been submitted on behalf of occupants of residential development on the northern side of the N 25. The Woodbrook Estate is directly opposite the site but along with other residential developments, separated from the Appeal site by a considerable distance. In this regard the case made by the applicant's agent in response to the Appeal as to the lack of significant impact of the development on views from the Woodbrook Estate is accepted. As such it is considered that the amenities of these developments are unaffected by the proposed development.

The applicant has also described the proposal as an "infill" development and, in view of the permitted earlier phases of the Eagle Valley Development this contention is considered reasonable. To this end, it is implied that the references in the Appeal as to effect on rural character and amenities of the Green Belt are rejected. It is accepted that in the absence of the proposed development, the area immediately along the southern frontage of the N 25 between the Sarsfield Road intersection and the Dunnes Stores site at the Bandon Road is open and undeveloped. The earlier phases of Eagle Valley development are set back a considerable distance from the road and relate more closely to Sarsfield Road from which there is access. The proposed development involves insertion at the western end, on the road frontage of a residential scheme that is distinctly urban in character. Correspondingly, the eastern section of the site would remain free of structures but the benefit of the amenities of parklands and sports fields would be introduced on land that is at present, due to the ground conditions, unsuitable for development, inaccessible and of little or no public utility.

It is considered that the proposed development incorporates a valuable element of planning gain by reason of the development of the eastern section of the site into parklands and sporting fields of community benefit and that the residential scheme itself is at a good standard by reason of layout and dwelling mix in particular. The proposal is considered to be generally in accordance with the recommendations set out in *"Residential Density: Guidelines for Planning Authorities"* published by the Department of the Environment and Local Government in 1999 with regard to density and qualitative criteria. In this regard the increase in density, having regard to the Variation to the 1996 development plan provisions are considered to be justified.

Some revisions to the design details, particularly simplification of the elevation treatment and balconies, for some of the dwelling types are required under Condition 2 of the planning authority decision. It is considered that these amendments would result in an enhancement of the visual and residential amenity of the scheme and should be required by condition, that in the event that permission is granted.

Subject to the deletion of Apartment Block A1, and other minor amendments as set out under Condition 2 of the planning authority decision., the proposed development, although urban in character, is considered acceptable with regard to visual and natural amenities and character of the area.

#### **Public Transport, Traffic Generation and Pedestrian Linkages.**

The Sarsfield Road area and Bandon Road roundabout are at relatively peripheral areas in relation to the centre of the city. The Appellants are concerned about increasing dependence on private vehicular traffic and refer to the causal link between demands for road construction and upgrading works and car dependant development. Reference is made to proposals for additional lane construction at the N25 in order to increase its capacity. The air pollution that is associated with vehicular traffic is also discussed, the Appellant being concerned about increasing levels of air pollution, and its impact on a Green Belt area in particular. It is argued that there is insufficient public transport available to serve the development. The planning authority noted the lack of public transport in considering the application. The proposals for a bus service direct to the Eagle Valley Scheme and the provision for a bus turning area should significantly improve the public transport convenience and availability for residents. While it is considered that this is a sufficient public transport measure, it is not clear as to when such a service will be operational, and as to its proposed frequency.

With regard to the issues of traffic generation and air pollution, the concerns about the impact of residential and industrial development of the Appellant are noted. It should be borne in mind however, that while the proposed development would generate additional traffic movement, the determination of the application does not influence the adopted road widening objectives for the N 25. It is furthermore considered that the impact on air quality that could be directly attributable to the development is negligible.

In the revised submissions pedestrian linkages to the N 25 road frontage are shown as well as to the Sarsfield Road. As is noted, elsewhere, there is at present no footpath along the site frontage towards the Sarsfield Road intersection at the N 25 or as far as Garrane to the west from which there is a footpath as far as Dunnes Stores adjoining the Bandon Road intersection. It is noted that the National Roads Authority has road widening and upgrading proposals for the N25 for which a reservation line and amendments to the site layout were made by the applicant in further information submissions. The use of the N25 pending construction of public footpaths, following road widening would result in endangerment of public safety by reason of traffic hazard. This raises concern as to whether the proposed development should be regarded as premature. The link to Sarsfield Road could be deemed to constitute reasonable provision pending completion of the upgrading of the N25 and footpath construction, however it is not clear as to when such upgrading works to the N 25 are to take place. An restriction on occupation of the development, pending completion of the footpath construction, by condition could be considered, should Permission be Granted.

## **Water and Air Pollution.**

The Appellant has raised the issue of problems of deterioration in the quality and pollution of the waters in the Glasheen River. Proposals for on site stormwater attenuation have been included in the application, comprising initially one pond within the site, with piping leading to a surrounding wetland area and discharge to the existing open drain along the site frontage leading to the Glasheen River. There were several further information submissions including one indicating proposals for discharge direct to the open drain without the use of the wetland area. This drain in would appear to be at risk of flooding, and was noted to be at full and at risk of flooding at the site frontage at the time of inspection. Further Information submissions comprised proposals for two retention ponds one in third party lands. The acceptability of the calculations for the design capacity of the retention pond of 451.3 cubic metres submitted on 19th July, 2001 to the Sanitary Services Department is noted. The reports of Cork Corporation within the administrative area of which a flood relief scheme is being carried out on the Glasheen River at Clashdubh Estate contain includes a recommendation for a financial levy on the development towards the cost of the flood relief scheme.

There is some lack of clarity regarding the proposal on the application documentation and the proposal gives rise to some concern about implications for the capacity of the receiving waters irrespective of the submitted calculations. Adequate measures have been included by condition in the planning authority decision for oil and other pollutant interception. It is noted that no objections have been made by Cork Corporation and that the flood relief works to the Glasheen River being undertaken at present and that the Sanitary Services Department are satisfied with the final calculations and proposals submitted by the applicant on 19<sup>th</sup> July, 2002. Although the proposal gives rise to some concern, acceptance of the proposal is recommended.

The proposed attenuation pond is shown as a feature within the parkland areas and by revisions to design, as requested by the planning authority at application stage, safety and security is satisfactorily addressed. It is considered that the necessity for fencing off the area diminishes the amenity value as a feature and that the proposed use of pallisade fencing is unacceptable. Higher quality fencing can be required, by condition in the event that Permission is granted.

## **CONCLUSION AND RECOMMENDATION.**

It is noted that the location of the site is adjacent to N 25, for which there are proposals for widening and across which there are views to the south towards Garrane Hill. The proposed development entails the insertion of an urban scheme in the western section of the area along the road frontage, to the east of which the ground conditions are such that the area is unsuitable for development. As a result the scope for development of this area is confined to sports or passive recreational development resulting in retention of its open character.

It is considered that in principle the proposed development is acceptable, having regard to the combination within the proposal of the parklands and sports facilities on lands with little utility in their existing state and the concentration of a good quality



residential scheme within the western section of the site. Deletion of Block A1 would enhance the transition between the residential and open space/sports area and some simplification of design details as reflected in Condition 2 of the planning authority decision is recommended. Having regard to the 1999 Variation of the 1996 County Development Plan whereby higher density is open to consideration subject to it being justified and the qualitative principles of set out in the Government Policy document, "Residential Density, Guidelines for Planning Authorities" it is considered that the proposal is not in Material Contravention of the Development Plan.

It is considered that there are adequate roads and public transport facilities to serve the development, assuming that the new bus route passing through Eagle Valley is operational prior to completion of the development. A desirable pedestrian linkage onto the N 25 allowing for access to Wilton and the Bandon Road roundabout at which Dunnes Stores is located, is proposed. The lack of footpaths along the site frontage between the boundary with the access road to Garrane to the west and the Sarsfield Road intersection to the west and road widening proposals are proposed for the N 25 involving lands in the applicant's ownership is an other matter of concern. Pending the completion of the road upgrading works and footpath provision on the N25, safe pedestrian access would be available only onto Sarsfield Road in that in the absence of footpaths along the N25. The Board may wish to consider a phasing or occupation restriction in this regard. Similarly, the proposal does give rise to some concern about the adequacy of receiving environment to accept stormwater runoff irrespective of submitted attenuation proposals. Adequate measures would appear to be in place with regard to safety in the vicinity of the retention ponds, however, by reason of fencing off such an area there is some loss of amenity. It is recommended that a condition be included for high quality boundary treatment to the pond. The palisade fencing proposed is considered unacceptable from an aesthetic perspective in public parkland and recreational area.

In view of the foregoing, it is recommended that Permission be Granted for the development on the basis of the Reasons set out under the First Schedule and subject to the Conditions set out under the Second Schedule.

## FIRST SCHEDULE

Having regard to the site location and the policies and objectives of the Cork County Development Plan, and the 1999 Variations thereto, it is considered that the proposed development, subject to compliance with the conditions set out below, would not be seriously injurious to the visual and natural amenities and the character of the area, would be acceptable in terms of transport convenience and public health. The proposed development would therefore be in accordance with the interests of the proper planning and sustainable development of the area.

## SECOND SCHEDULE.

1. The development shall be carried out in accordance with the plans and particulars lodged with the application as amended by the additional information received by the planning authority on 20<sup>th</sup> December, 2000, 6<sup>th</sup> April, 2000, 19<sup>th</sup> July, 2001, 21<sup>st</sup> July, 2000, 16<sup>th</sup> October, 2001, 17<sup>th</sup> January, 2002 and 6<sup>th</sup> August except as may otherwise be required in order to comply with the following conditions. The layout shall in accordance with Drawing No 99148-108G received by the planning authority on 17<sup>th</sup> January, 2002 and the Apartment Block design shall be in accordance with the Drawings 99148-10, 11, 12, 13 and 14 (Rev B) received by the planning authority on 19<sup>th</sup> July, 2001.

**Reason:** In the interest of clarity.

2. Prior to the commencement of the development the applicant shall submit for the written agreement of the planning authority plan, elevation and section drawings at a scale of 1:100 showing the following amendments.
  - Deletion of Apartment Block A1 at the eastern edge of the residential development with the area incorporated into the landscaped open space or sports fields.
  - Deletion of the two storey porch structures shown for Type D1 and C Dwellings.
  - The following amendments shall be made to the design for the TI Apartment Blocks: (a) The two storey porch structures shall be deleted. (b) The external steps with the stairs accessing upper floors shall be internal and accessed from an internal lobby at ground floor level. (c) The depth of the balconies shall not exceed two metres. (d) Columns and railings to the sides of the balconies shall be replaced with side walls, with external finishes to match that of the main block.



Reason: In the interest of visual and residential amenity.

3. Prior to the commencement of the development, a landscaping scheme shall be submitted to the planning authority for written agreement. This scheme shall include details of all existing trees and hedgerows on the site and shall specify those for retention together with measures for protection during the period in which the development is being carried out. The trees to be retained shall include the tree belt on the western site boundary. The site shall be landscaped in accordance with the agreed scheme which shall include a timescale for implementation.

Reason: In the interest of visual amenity and orderly development.

4. The construction of Apartment Blocks A 2 and A 3 shall not be commenced pending a Grant of Planning Permission from the planning authority or An Bord Pleanala on Appeal for the sports and recreational facilities for the eastern section of the site. The development of the recreational facilities shall be completed and shall be operational prior to the occupation of the Apartment Blocks.

Reason: Reason to ensure the satisfactory completion of sports and recreational facilities.

5. 1.5 metre high high vertical steel railings painted black embedded in 0.5 metre high plinth walling shall be erected around the perimeter of the duck pond/storm retention ponds. Prior to the commencement of the development the applicant shall submit for full details of for the written agreement of the planning authority.

Reason: In the interest of amenity and public safety.

6. All service cables associated with the development (such as electrical, communal television, telephone and public lighting cables) shall be run underground within the site.

Reason: In the interest of orderly development and the visual amenities of the area.

7. Public lighting shall be provided in accordance with a scheme, details of which shall be submitted to the planning authority for agreement prior to the commencement of development.

Reason: In the interest of amenity and public safety.

8. Prior to the commencement of development, proposals for an estate/street name, house numbering scheme and associated signage shall be submitted to the planning authority for agreement.

Reason: In the interest of orderly development.

9. No house shall be occupied until all services thereto have been connected and are operational.

Reason: In the interest of the proper planning and development of the area.

10. The public open space, including incidental open space areas shown on the lodged plans, shall be reserved for such use and shall be soiled, seeded, levelled and landscaped in accordance the scheme submitted with the planning application, and shall be made available to residents on completion of the housing development. These areas shall be fenced off during the construction period and shall not be used for the storage of plant, materials or spoil.

Reason: In the interest of orderly development and the amenities of the future occupants.

11. Prior to commencement of development, a management scheme providing adequate measures relating to the future maintenance of private open spaces, roads, communal areas and control of car parking spaces in a satisfactory manner shall be submitted to the planning authority for agreement.

Reason: To ensure the adequate future maintenance of this private development in the interest of residential amenity.

12. Roads, water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services. These requirements shall include the provision of an oil interceptor shall be provided at the inlet for the stormwater retention ponds and a stand by generator at the existing sewage pumping station.

Reason: In the interest of public health and to ensure a proper standard of development.

13. Prior to commencement of construction of the houses, details of the materials, colours and textures of all the external finishes to the proposed houses shall be submitted to the planning authority for agreement. Roof tiles shall be dark blue/black in colour.

Reason: In the interest of orderly development and the visual amenities of the area.

14. Screen walls shall be provided at such locations as may be required by the planning authority to screen rear gardens from public view. Such walls shall not exceed two metres in height, shall be in brick or block or similar durable materials and shall be suitably capped and rendered.

Reason: In the interest of visual and residential amenity.

15. Prior to the commencement of the development, cross and longitudinal section drawings to show details of the existing and proposed ground and finished floor levels relative to that of the adjoining houses and the spot level of the road shall be submitted to the planning authority for written agreement.

Reason: In the interest of the proper planning and development of the area.

16. Traffic signals shall be erected at the junction of Sarsfield Road and the access road serving the Eagle Valley development in accordance with the requirements of the planning authority, within three years of the commencement of the development.

In the interest of public safety.

17. Prior to the commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the planning authority to apply such security or part thereof to the satisfactory completion or maintenance of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be determined by An Bord Pleanála.

Reason: To ensure the satisfactory completion of the development.

19. Prior to commencement of development, the developer shall pay the sum of €80,645 (updated at the time of payment in accordance with changes in the Wholesale Price Index - Building and Construction (Capital Goods), published by the Central Statistics Office), to the planning authority as a contribution towards the expenditure that is proposed to be incurred by the planning authority in respect of footpath provision in the area that will facilitate the proposed development.

Payment of this contribution is subject to the provisions of section 26(2)(h) of the Local Government (Planning and Development) Act, 1963 generally, and in particular, the specified period for the purposes of paragraph (h) shall be the period of seven years from the date of this order.

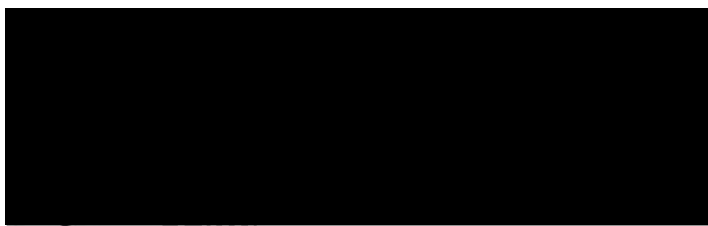
Reason: It is considered reasonable that the developer should contribute towards the expenditure that is proposed to be incurred by the planning authority in respect of works facilitating the proposed development.

20. Prior to commencement of development, the developer shall pay the sum of €80,645 (updated at the time of payment in accordance with changes in the Wholesale Price Index - Building and Construction (Capital Goods), published by the Central Statistics Office), to the planning authority as a contribution

towards the expenditure that is proposed to be incurred by the planning authority in respect of the provision of a stormwater sewer serving the area that will facilitate the proposed development.

Payment of this contribution is subject to the provisions of section 26(2)(h) of the Local Government (Planning and Development) Act, 1963 generally, and in particular, the specified period for the purposes of paragraph (h) shall be the period of seven years from the date of this order.

Reason: It is considered reasonable that the developer should contribute towards the expenditure that is proposed to be incurred by the planning authority in respect of works facilitating the proposed development.



**JANE DENNEHY**  
**INSPECTORATE**  
12<sup>th</sup> February, 2003.

**RE: PL 04 130788; Wilton, Cork - Residential Development.**

**ADDENDUM to Inspector's Report.**

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I refer to the Cork County Development Plan, 2003, adopted in February, 2003. the "Advance Working Version" of which is now available.

It is noted that the planning application was lodged with the planning authority in December 2000 with the date of the determination of the decision being 27<sup>th</sup> September, 2002 at which time the operative development plan was the Cork County Development Plan, 1996.

According to the Cork County Development Plan, 2003, the western section of the site is located within an area designated as a "New Area" and subject to the zoning objective "Residential". There is a specific objective R-01 relating to the site.

The specific objective for this area is for "Medium density residential development to include a mix of house types and size. A tree planted buffer, minimum twenty metres wide shall be provided along the boundaries of the site. Open Space and recreation facilities including playing pitches shall be provided on O-01 as part of the development of R-01".

The eastern section of the site is also located within the area designated as a "New Area" and subject to the zoning objective "Open Space/Sports Recreation/Amenity".

The specific objective for this area is for "Open Space, recreation and amenity provision including playing pitches to be provided as part of the development of R-01"

It is considered that the subject proposal is in general accordance with the policies and objectives outlined above. The density of the development is considered acceptable. It is accepted that the development is urban in character and intense in scale and form. The recommendation in the Inspector's report for omission of one of the apartment blocks for reasons of enhancement of the transition between the open space recreational area and the residential development also results in a reduction in density.

Having regard to the policies and objectives within the recently adopted development plan pertaining to the site, it is considered that the proposed development is acceptable. There are therefore no revisions, or additions to the assessment recommendations within the inspector's report.

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**JANE DENNEHY**  
**INSPECTORATE**  
**13<sup>th</sup> March, 2003.**



# Eagle Valley Recreational Space Facilities: Extracts from Planning Documents

| # | Topic                           | Page | Content                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | File                                              | Date       | Title                            | Organisation                                | Author/ Signatory | Job Title    | Signature Date |
|---|---------------------------------|------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------|------------|----------------------------------|---------------------------------------------|-------------------|--------------|----------------|
| 1 | Recreational Space & Facilities | 1/4  | <p>Paragraph 2.0 Recreational Open Space: The site plan together with the open space areas have been redesigned taking note of the concerns raised. The master plan for the development will follow the detail indicated on Dwg No 99148/ 03 Revision F.</p> <p>The active open space areas for playing ball games will become the responsibility of a sports club to be set up initially under the control of the D.O. Flynn Management Company. Residents will be invited to take part in the active management of the facilities. Conditions of sale will require that each residence will subscribe a small monthly figure to the annual maintenance costs, in return for one share in the management company itself.</p> <p>The sports facilities have been re-positioned to be within reasonable direct visual supervision of the proposed on-site warden's lodge. Whilst certain courts will be fenced and controlled, e.g. tennis, others will remain open for casual use. All facilities will be available to club members and the general public. Club members from outside the immediate site would contribute the same annual membership fee.</p> <p>At this time the proposals shown are considered 'indicative' and will require further consultation with the local community representatives with regard to the day to day management policies of the enclosed courts and the use and supervision of the changing rooms proposed. Please note the enclosed plan of the Club House (Dwg No 99148 101) does not form part of this application at this time but illustrates how we foresee this aspect of the scheme developing at the appropriate time.</p> <p>The remaining 9 acre area is given over to public open spaces intended to encourage jogging, biking and walking with trails and paths meandering through the area and connecting to the ESB/Wilton pedestrian routes beyond. Landscaping details and specifications have been given on the previously submitted Kieran McDonough Master Landscaping Plan Dwg No 00.05.300. The amendments to this plan in terms of the revised overall general arrangement are shown on the enclosed</p> | 20001219_DDArchitects_S0031_31_ArchitectsResponse | 19/12/2000 | Architects Response              | Architects - Dennehy & Dennehy Designs Ltd. | Tony Dennehy      | Architect    | 19/12/2000     |
| 2 | Pedestrian Links                | 2/4  | <p>Paragraph 3.0 Pedestrian Links: It is envisaged that the proposed development will provide the missing pedestrian and cycle routes from the whole Eagle Valley Development Area through to Dunne's Stores at the Kinsale roundabout to the west and to the Wilton shopping malls beyond the Sarsfield Road/ESB roundabout to the east (via the present pedestrian bridge link over the Ring Road). To achieve this objective a footpath will need to be developed along the southern side of the Ring Road and outside the present site boundary in addition to the pathways proposed through the 9 acre open space as mentioned. The Area Plan (Dwg No 99148-105) indicates how this pedestrian route could be achieved in principle. Parts of this route will also need to reinforce and integrate the needs for visual and acoustic separation between the residential areas within the development and the pedestrian routes mentioned. There is a need to reconcile the desire to encourage the public pedestrian links described through the development area, on the one hand, and the security needs residents will demand for their vehicles parked in the common areas. Care has been taken to define the actual link on the northern boundary accordingly.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | 20001219_DDArchitects_S0031_31_ArchitectsResponse | 19/12/2000 | Architects Response              | Architects - Dennehy & Dennehy Designs Ltd. | Tony Dennehy      | Architect    | 19/12/2000     |
| 3 | Traffic Lights                  | 6/34 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 20001220_MHLAssociates_S003                       | 20/12/2000 | Traffic Impact Assessment Report | MHL & Associates                            | Brian Loughrey    |              | 20/12/2000     |
| 4 | Pedestrian Links                | 1/1  | <p>"It is also proposed to install a pedestrian link between the Eagle Valley development and the pedestrian over bridge to the Dunnes Stores supermarket. This should be conditioned also and as follows:</p> <p>The Pedestrian link shall be installed to the design and approval of the Councils engineer"</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 20010209_Cork CountyCouncil_                      | 09/02/2001 | Engineers Report                 | Cork County Council                         | D.J. Ryan         | A/Divisional | 13/02/2001     |



## Eagle Valley Recreational Space Facilities: Extracts from Planning Documents

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| 5 Recreational Space & Facilities                      | 1/6       | <p>The site consists of c. 6 acres allocated for housing development, and 9 acres recreation/open space. The land is wet, but much of it has been filled. There are two inconsistent drawings of what will happen on the 9 acres recreational area. This should be clarified [1]. If it is intended that the recreational facilities will be open to those outside the complex, appropriate parking and changing facilities will be needed [2]. Details of who will manage and maintain the proposed facilities, and whether users will be expected to pay for use, should be submitted [3]. The same developer has built large industrial building up to the boundary of this open space, which may in practice dominate part of it. An avenue of <i>ulmus hollandica</i> (= dutch elm?) is proposed.</p> <p>The proposed density on the part of the site which is zoned and on which housing development is intended is c. 27 per acre. The zoning in the 1996 Plan envisaged 3 houses per acre (7.5 per acre), and the 1999 variations provided for an increase in density, though without indicating the extent of the increase. If we were to grant permission for anything over c. 150 per acre, we may need to refer the application to the Development Committee in the manner provided for in the Variations.</p> <p>High density development in this location is difficult to justify because of remoteness from public transport and social facilities, unless the applicants are in a position to overcome this problem by pedestrian links from the site to the Sarsfield and/or Bandon Road footbridges over the Southern Ring Road [4]. The tenure pattern in an estate of this type may be a cause for concern, as a high proportion might be expected to be bought by landlords.</p> | 20020212_CorkCountyCouncil_12/02/2002 | Planners Report (31/5/2001, 13/12/01, 12/2/2002 | NBK Mansergh                  | A/Senior Plai | 12/02/2002 |
| 6 Recreational Space & Facilities                      | 5/5       | "The combination of a residential development with recreational development alongside is also a desirable innovation, and a phasing condition designed to ensure that this aim is realised promptly has been included."                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 20020212_CorkCountyCouncil_12/02/2002 | Planners Report (31/5/2001, 13/12/01, 12/2/2002 | NBK Mansergh                  | A/Senior Plai | 12/02/2002 |
| 6 Recreational Space & Facilities                      | 6/6       | The net residential site shown on the application as originally submitted was 15.432 acres (total site) - 9.43 (recreational area) = 6 acres, resulting in a density of 21 units per acre. This is fairly high density, and in any future discussions which may arise with the applicant, involving revisions to the layout, it should be made that it is unlikely that anything like this type of density would be available for a more conventional development. A condition to this effect is suggested.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | 20020212_CorkCountyCouncil_12/02/2002 | Planners Report (31/5/2001, 13/12/01, 12/2/2002 | NBK Mansergh                  | A/Senior Plai | 12/02/2002 |
| 7 Recreational Space & Facilities                      | 5 (i)/14  | Paragraph 6 "Before commencing any development works relating to the 3 apartment blocks A1, A2 and A3, the developer shall have finalised and agreed proposals with the planning authority for the provision of the recreational facilities planned for the eastern section of the site, including details of the club or other organisation which will manage them, and have obtained any necessary planning permission. Before any apartments in the said apartment blocks are occupied, the said facilities shall have been developed and be in use.<br>Reason: To ensure that the recreational elements of the proposed are fully implemented.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 20020902_CorkCountyCouncil_27/09/2002 | Managers Order No. 02/4267 For Permission       | Cork County Council T. Stitch | Asst. Cork Cc | 27/09/2002 |
| 8 Access & no gates without Local Authority Permission | 5 (ii)/14 | Paragraph 9 "Notwithstanding the inclusion of gates at the vehicular entry to the development in drawings submitted with the application, no gates, remotely controlled security barriers or other entry features shall be installed except with the written agreement of the planning authority.<br>Reason: In the interests of visual amenity and community integration.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 20020902_CorkCountyCouncil_27/09/2002 | Managers Order No. 02/4267 For Permission       | Cork County Council T. Stitch | Asst. Cork Cc | 27/09/2002 |

## Eagle Valley Recreational Space Facilities: Extracts from Planning Documents

|                                    |           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                              |            |                                           |                                                          |              |               |            |
|------------------------------------|-----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|------------|-------------------------------------------|----------------------------------------------------------|--------------|---------------|------------|
| 9 Recreational Space & Facilities  | 6/14      | Paragraph 10 "The density of development provided for under this permission is permitted because of the special design and layout features of the application, and its association of housing with a substantial recreational area. This permission is therefore without prejudice to the level of housing density which may be permitted, in the event of any revised application on this site involving a different layout and mix of dwelling types.<br>Reason: To clarify the status of the permission, when viewed as a possible precedent.                                                                                                                                                                      | 20020902_CorkCountyCouncil_5 | 27/09/2002 | Managers Order No. 02/4267 For Permission | Cork County Council                                      | T. Stitch    | Asst. Cork Cc | 27/09/2002 |
| 10 Pedestrian Links                | 11/14     | Paragraph 34 "The pedestrian link between the Eagle Valley development and the pedestrian over bridge to the Dunnes Stores development shall be installed to the satisfaction of the Council's Roads Engineer and before development commences, details of same shall be submitted to and agreed with the Planning Authority.<br>Reason: In the interests of Road Safety                                                                                                                                                                                                                                                                                                                                              | 20020902_CorkCountyCouncil_5 | 27/09/2002 | Managers Order No. 02/4267 For Permission | Cork County Council                                      | T. Stitch    | Asst. Cork Cc | 27/09/2002 |
| 11 Taking in charge                | 12/14     | Paragraph 35 "Before commencing any individual house construction, the developer shall provide, to the satisfaction of the Planning Authority, security for the provision and satisfactory completion, including maintenance until taken in charge at the discretion of that Authority, of roads, footpaths, sewers, watermains, road lighting, open spaces and other services required in connection with the development. The security shall be a Bond in a form and amount approved by the Planning Authority and provided by a Bank or Insurance Company acceptable to the Planning Authority.<br>Reason: To ensure that these parts of the development are constructed and completed to a satisfactory standard. | 20020902_CorkCountyCouncil_5 | 27/09/2002 | Managers Order No. 02/4267 For Permission | Cork County Council                                      | T. Stitch    | Asst. Cork Cc | 27/09/2002 |
| 12 Recreational Space & Facilities | 2/2       | "as the lands dedicated to sports and recreation will form part of a substantial tract of land for sport and amenity purposes to serve the estates on Sarsfield Road and adjoining Eagle Valley"                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 20021122_ABPAppeal_Dennehy   | 22/11/2002 | Developers Response Submission            | Architects - Dennehy Tony Dennehy & Dennehy Designs Ltd. |              | Architect     | 20/11/2002 |
| 13 Pedestrian Links                | 4 (i)/17  | "Provision for pedestrian routes linking into the earlier phases of the overall development were also included in further information submissions"                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 20030202_AnBordPleanala_Insp | 2/2/20223  | ABP Inspectors Report                     | An Bord Pleanala                                         | Jane Dennehy | Inspector     | 02/02/2003 |
| 14 Access                          | 4 (ii)/17 | "The proposed means of access is from the southern end of the site via the access road serving the earlier permitted phases of the overall development"                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 20030202_AnBordPleanala_Insp | 2/2/20223  | ABP Inspectors Report                     | An Bord Pleanala                                         | Jane Dennehy | Inspector     | 02/02/2003 |
| 15 Recreational Space & Facilities | 8/17      | "The proposed development comprises of two main elements. It is for (1) a final phase of an overall residential development "Eagle Valley" the access road to which is off Sarsfield Road to the south east on the eastern section of the site and (2) for sports and recreational facilities and parklands on the large western section of the site"                                                                                                                                                                                                                                                                                                                                                                 | 20030202_AnBordPleanala_Insp | 2/2/20223  | ABP Inspectors Report                     | An Bord Pleanala                                         | Jane Dennehy | Inspector     | 02/02/2003 |
| 16 Pedestrian Links                | 10/17     | "In the revised submissions pedestrian linkages to the N25 road frontage are shown as well as to Sarsfield Road"                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 20030202_AnBordPleanala_Insp | 2/2/20223  | ABP Inspectors Report                     | An Bord Pleanala                                         | Jane Dennehy | Inspector     | 02/02/2003 |
| 17 Pedestrian Links                | 12/17     | "A desirable pedestrian linkage onto the N25 allowing for access to Witon and the Bandon Road roundabout at which Dunnes Stores is located, is proposed."                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | 20030202_AnBordPleanala_Insp | 2/2/20223  | ABP Inspectors Report                     | An Bord Pleanala                                         | Jane Dennehy | Inspector     | 02/02/2003 |
| 18 Recreational Space & Facilities | 14/17     | Recommended 2nd Schedule, Paragraph 4 "The construction of Apartment Blocks A2 and A3 shall not be commenced pending a Grant of Planning Permission from the planning authority or An Bord Pleanala on Appeal for the sports and recreational facilities for the eastern section of the site. The development of the recreational facilities shall be completed and shall be operational prior to the occupation of the Apartment Blocks"                                                                                                                                                                                                                                                                             | 20030202_AnBordPleanala_Insp | 2/2/20223  | ABP Inspectors Report                     | An Bord Pleanala                                         | Jane Dennehy | Inspector     | 02/02/2003 |

Eagle Valley Recreational Space Facilities: Extracts from Planning Documents

|                                    |     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                               |                                            |                  |              |           |            |
|------------------------------------|-----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|--------------------------------------------|------------------|--------------|-----------|------------|
| 19 Recreational Space & Facilities | 1/1 | <p>Cork County Development Plan, 2003, adopted in February 2003, the "Advance Working Version" of which is now available.</p> <p>The eastern section of the site is also located within the area designated as a "New Area" and subject to the zoning objective "Open Space/Sports Recreation/Amenity".</p> <p>The specific objective for this area is for " Open Space, recreation and amenity provision including playing pitches to be provided as part of the development of R01 "</p> | 20030313_AnBordPleanala_ Insp | 13/03/2023 ABP Inspectors Report - Adendum | An Bord Pleanala | Jane Dennehy | Inspector | 13/03/2003 |
|------------------------------------|-----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|--------------------------------------------|------------------|--------------|-----------|------------|



Planning Permission Reference:  
03/4050

CORK COUNTY COUNCIL

O.S. NO.

ORDER NO:

5964/04

SUBJECT:

Application Reg. Ref. No. 03-4050

for: Sports, recreational & habitat development to include 1  
no. soccer pitch, 2 no. tennis courts, basketball area,  
carparking and anc. works.

at: EAGLE VALLEY,  
EAGLE VALLEY,  
GARRANEDARRAGH,

ORDER:

**CONDITIONAL PERMISSION** is hereby GRANTED  
subject to the provision of Subsection 11 of Section 34 of the  
Planning and Development Act, 2000 - 2002 for the reason set  
out in the First Schedule attached hereto.

to: O'BRIEN & O'FLYNN LTD

of: C/o Denny & Denny,  
Watercourse Road,  
Cork.

for: Sports, recreational & habitat development to include 1  
no. soccer pitch, 2 no. tennis courts, basketball area, carparking  
and anc. works

at: EAGLE VALLEY, EAGLE VALLEY,  
GARRANEDARRAGH,

in accordance with plans and particulars lodged by the applicant  
on 13/08/2003 and amended on 05/04/04, 24/06/04, 24/09/04  
and subject to the conditions ( 14 no. conditions) set out in the  
Second Schedule attached hereto

The **PERMISSION** is to be granted subject to the conditions  
provided no appeal is made to An Bord Pleanála within the  
Statutory time for the making of such appeals.

SIGNED:

ASST. CORK COUNTY MANAGER

Dated this 21 October 2004

|    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                         |
|----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|
|    | areas on site                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                         |
| 12 | Control of access to the recreational facilities and surrounding open space shall be to the satisfaction of the Planning Authority, and the Planning Authority shall be advised and agree to any subsequent changes to these arrangements                                                                                                                                                                                                                                                                                                                     | In the interests of residential amenity and public recreation                                           |
| 13 | The alder wood shall be planted in the first available planting season, shall be adequately maintained and managed by the developer for the first 4 years, with any trees which do not survive being replaced promptly, and shall be protected by adequate fencing to the satisfaction of the Planning Authority                                                                                                                                                                                                                                              | In the interests of amenity                                                                             |
| 14 | Before commencing development the developer shall provide, to the satisfaction of the Planning Authority, security for the provision and satisfactory completion, including maintenance until taken in charge at the discretion of that Authority, of roads, footpaths, sewers, watermains, road lighting, open spaces and other services required in connection with the development. The security shall be a Bond in a form and amount approved by the Planning Authority and provided by a Bank or Insurance Company acceptable to the Planning Authority. | To ensure that these parts of the development are constructed and completed to a satisfactory standard. |



## **FIRST SCHEDULE**

**Planning Ref. No. 03/4050**

It is considered that, subject to compliance with the conditions set out in the Second Schedule, the proposed development would not seriously injure the amenities of the area and would be in accordance with the proper planning and sustainable development of the area.

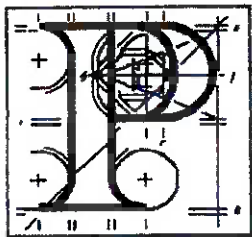


|    |                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                            |
|----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------|
|    | to and agreed with the Planning Authority before development commences.                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                            |
| 6  | A 1.2m high palisade fence shall be provided around the proposed storm water retention basin.                                                                                                                                                                                                                                                                                                                  | In the interests of orderly development.                                                                                                                   |
| 7  | The developer shall provide attenuation to the storm water discharging from the existing industrial estate.                                                                                                                                                                                                                                                                                                    | In the interests of orderly development.                                                                                                                   |
| 8  | A defined outlet shall be provided from the wet/pond area to the Glasheen stream and details shall be agreed with the Planning Authority before development commences.                                                                                                                                                                                                                                         | In the interests of orderly development.                                                                                                                   |
| 9  | Before commencing development the applicant shall enter into an agreement under section 47 of the Planning and Development Act 2000 providing for the transfer of the recreational and amenity land covered by this application into the ownership of Cork County Council, subject to a covenant restricting use of the lands to recreational facilities and amenities for the benefit of the local community. | In order to ensure the retention of the lands in the intended uses, while allowing for the possible future use of the proposed sports facilities by clubs. |
| 10 | The proposed development shall comply with the terms and conditions of Planning Permission Reg. No. S00/3131 which governs the overall development of the lands of which the site forms part. In particular, the timing of works shall reflect the provisions of condition 4 attached by An Bord Pleanála to Planning Permission Reg. No. S00/3131.                                                            | In the interests of the proper development of the site.                                                                                                    |
| 11 | Except in so far as specific sports facilities may be leased to sporting clubs, and the terms of the lease transfer to them, responsibility for maintenance of these facilities, the management scheme provided for under condition 11 of S00/3131 shall make all necessary arrangements for the appropriate maintenance of all sporting, recreational and woodland                                            | In the interests of residential amenity.                                                                                                                   |

|   | Condition                                                                                                                                                                                                                                                                                                                                                                                                                 | Reason                                   |
|---|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|
| 1 | A wall 2.5metres high shall be constructed along the northern boundary of the site with the South Ring Road (N25). The exact position of this wall shall be agreed with the Planning Authority before development commences.                                                                                                                                                                                              | To shield the site from noise.           |
| 2 | Protective wire mesh shall be installed to prevent balls from going onto the South Ring Road (N25). Protective mesh shall be installed to protect the apartment block to the north east of the pitch. The extent and height of these wire meshes shall be agreed with the Planning Authority before development commences.                                                                                                | In the interests of orderly development. |
| 3 | Full details of all external lighting, including floodlighting of pitches, car park lighting or any other external lighting, shall be submitted to and agreed with the Planning Authority prior to commencement of development.                                                                                                                                                                                           | In the interests of orderly development. |
| 4 | Details of foul water disposal, surface water drainage in car parking and sports areas and proposed levels shall be submitted to and agreed with the Planning Authority before development commences.                                                                                                                                                                                                                     | In the interests of orderly development. |
| 5 | The foul sewer from the proposed dressing rooms to the sewage pumphouse shall be 150mm diameter at a gradient of 1:80. Full details of the storm water retention basin shall be submitted, including method of construction, depth, volume of water to be stored, size, level and gradient of outlet pipe. "Wet Woodland" area and full details of outfall from the Wetland area to the Tramore River shall be submitted. | In the interests of orderly development. |



An Bord Pleanála



## Board Direction

Ref: 04. 130788

The submissions on this file and the Inspector's report were considered at a Board meeting held on 26/03/2003.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, subject to the amendments shown in manuscript on the following draft reasons, considerations and conditions.

### FIRST SCHEDULE

Having regard to the pattern of development in the area and the residential zoning of the site, it is considered that, subject to compliance with the conditions set out in the Second Schedule, the proposed development would not seriously injure the visual, natural amenities and the character of the area, would be acceptable in terms of traffic safety and convenience and would not be prejudicial to public health. The proposed development would, therefore, be in accordance with the proper planning and development of the area.

### SECOND SCHEDULE.

1. The development shall be carried out in accordance with the plans and particulars lodged with the application as amended by the drawings and documentation received by the planning authority on the 20<sup>th</sup> day of December, 2000, the 6<sup>th</sup> day of April, 2001, the 19<sup>th</sup> day of July, 2001, the 16<sup>th</sup> day of October, 2001, the 17<sup>th</sup> day of January, 2002 and the 6<sup>th</sup> day of August, 2002, except as may otherwise be required in order to comply with the following conditions. The layout shall in accordance with Drawing Number 99148-108G received by the planning authority on the 17<sup>th</sup> day of January, 2002 and the Apartment Block design shall be in accordance with the Drawings Numbers 99148-11, 12, 13 and 14 (Rev B) received by the planning authority on the 19<sup>th</sup> day of July, 2001.

**Reason:** In the interest of clarity.

2. Prior to the commencement of the development, the developer shall submit to the planning authority for written agreement plans, elevations and section drawings at a scale of 1:100 showing the following amendments -

- (a) the two-storey porch structures shown for Type D1 and C dwellings shall be omitted, and
- (b) the following amendments shall be made to the design for the TI Apartment Blocks: (i) the two-storey porch structures shall be omitted, (ii) the external steps with the stairs accessing upper floors shall be internal and accessed from an internal lobby at ground floor level, (iii) the depth of the balconies shall not be more than two metres and (iv) columns and railings to the sides of the balconies shall be replaced with side walls, with external finishes to match that of the main block.

**Reason:** In the interest of visual and residential amenity.

- 3. Prior to the commencement of the development, a landscaping scheme shall be submitted to the planning authority for written agreement. This scheme shall include details of all existing trees and hedgerows on the site and shall specify those for retention together with measures for protection during the period in which the development is being carried out. The trees to be retained shall include the tree belt on the western site boundary. The site shall be landscaped in accordance with the agreed scheme, which shall include a timescale for implementation.

**Reason.** In the interest of visual amenity and orderly development.

- 4. The construction of Apartment Blocks A1, A2 and A3 shall not be commenced without a prior grant of planning permission for the sports and recreational facilities for the eastern section of the site. The development of the recreational facilities shall be completed and shall be operational prior to the occupation of the Apartment Blocks.

**Reason:** To ensure the satisfactory completion of sports and recreational facilities.

- 5. A 1.5 metre high vertical steel railings painted black embedded in 0.5 metre high plinth walling shall be erected around the perimeter of the duck pond/storm retention ponds. Prior to the commencement of the development the developer shall submit full details to the planning authority for written agreement.

**Reason:** In the interest of amenity and public safety.

- 6. All service cables associated with the development (such as electrical, communal television, telephone and public lighting cables) shall be run underground within the site.

**Reason:** In the interest of orderly development and the visual amenities of the area.

7. Public lighting shall be provided in accordance with a scheme, details of which shall be submitted to the planning authority for agreement prior to the commencement of development.

**Reason:** In the interest of amenity and public safety.

8. Prior to the commencement of development, proposals for an estate/street name, house/apartment numbering scheme and associated signage shall be submitted to the planning authority for agreement.

**Reason:** In the interest of orderly development.

9. No house shall be occupied until all services have been connected and are operational.

**Reason:** In the interest of the proper planning and development of the area.

10. The public open space, including incidental open space areas shown on the lodged plans, shall be reserved for such use and shall be soiled, seeded, levelled and landscaped in accordance the scheme submitted with the planning application, and shall be made available to residents on completion of the housing development. These areas shall be fenced off during the construction period and shall not be used for the storage of plant, materials or spoil.

**Reason:** In the interest of orderly development and the amenities of the future occupants.

11. Prior to commencement of development, a management scheme providing adequate measures relating to the future maintenance of private open spaces, roads, communal areas and control of car parking spaces in a satisfactory manner shall be submitted to the planning authority for agreement.

**Reason:** To ensure the adequate future maintenance of this private development in the interest of residential amenity.

12. Roads, water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services. These requirements shall include the provision of an oil interceptor at the inlet for the stormwater retention ponds and a stand by generator at the existing sewage pumping station.

**Reason:** In the interest of public health and to ensure a proper standard of development.

13. Prior to commencement of development, details of the materials, colours and textures of all the external finishes to the proposed development shall be submitted to the planning authority for agreement. Roof tiles shall be dark blue/black in colour.



**Reason:** In the interest of orderly development and the visual amenities of the area.

14. Screen walls shall be provided at such locations as may be required by the planning authority to screen rear gardens from public view. Such walls shall not exceed two metres in height, shall be in brick or block or similar durable materials and shall be suitably capped and rendered.

**Reason:** In the interest of visual and residential amenity.

15. Prior to the commencement of the development, cross and longitudinal section drawings to show details of the existing and proposed ground and finished floor levels relative to that of the adjoining houses and the spot level of the road shall be submitted to the planning authority for written agreement.

**Reason:** In the interest of the proper planning and development of the area.

16. Traffic signals shall be erected at the junction of Sarsfield Road and the access road serving the Eagle Valley development in accordance with the requirements of the planning authority, within three years of the commencement of the development.

**Reason:** In the interest of public safety.

17. Prior to the commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the planning authority to apply such security or part thereof to the satisfactory completion of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be determined by An Bord Pleanála.

**Reason:** To ensure the satisfactory completion of the development.

18. The developer shall pay a sum of money to the planning authority as a contribution towards expenditure that was and/or that is proposed to be incurred by the planning authority in respect of works facilitating the proposed development. The amount of the contribution and the arrangements for payment shall be agreed between the developer and the planning authority or, in default of agreement, shall be determined by An Bord Pleanála.

In the case of expenditure that is proposed to be incurred, the requirement to pay this contribution is subject to the provisions of section 26(2)(h) of the Local Government (Planning and Development) Act, 1963 generally, and in particular, the specified period for the purposes of paragraph (h) shall be the period of seven years from the date of this order.

**Reason:** It is considered reasonable that the developer should contribute towards the expenditure that was and/or that is proposed to be incurred by the planning authority in respect of works facilitating the proposed development.

Board Member

[Redacted Signature]

Date 27/03/2003

Planning S/00/3131 Permission Ref. 27/9/2002 11/12  
74/13

CORK COUNTY COUNCIL

ORDER NO. 02/4267  
FOR PERMISSION

SUBJECT: Application Reg. Ref. No. S/00/3131

for: Residential development - 81 no. apartments, 18 no. townhouses  
56 no. duplex units, 8 no. dormer houses, warden's lodge, assoc.  
site works & road alignment

at : EAGLE VALLEY, GARRANEDARRAGH,  
WILTON

ORDER: PERMISSION is hereby GRANTED, subject to the  
provision of Sub Sections 5 & 9 of Section 26 of the Local  
Government (Planning and Development) Act, 1963.

To : O'BRIEN & O'FLYNN LTD

c/o Tony Dennehy, 138 Sunday's Well Road,  
Cork

For: 54 No. apartments, 4 No. town houses, 8 No Corner houses- 48  
No duplex units, 12 No. duplex units, 1 Warden's Lodge, assoc  
site works & road alignment.

At : EAGLE VALLEY, GARRANEDARRAGH,  
WILTON

in accordance with the plans and particulars submitted  
by the applicant

On: 24/05/00

And as amended by Drawings on 20/12/00 and 06/04/01 and 19/07/0  
and 16/10/01 and 17/01/02 and 06/08/02

and subject to the conditions ( 37 No.) set out on the  
schedule attached hereto.

The PERMISSION is to be granted  
subject to the said conditions, provided no appeal is made to  
An Bord Pleanala, within the statutory time for the making of  
such appeals.

Signed:

ASST. CORK COUNTY MANAGER

Dated this 27th day of SEPTEMBER 2002

Certified to be true copy of Managers

Order No. .

Signed .....

Dated 20/11/2002

(2/13)

SCHEDULE  
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Reference No. in Planning  
Register: 00/3131

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Column 1 - Conditions  
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Column 2 - Reason  
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(1)

The proposed development shall be carried out in accordance with plans and particulars lodged with the Planning Authority on 24/5/00, as amended by drawings submitted on 20/12/00, 6/4/00, 21/7/00, 16/10/01, 17/1/02, and 6/8/02, with the most recent version prevailing over earlier ones, save where amended by the conditions herein. In particular, the layout shall be in accordance with drawing 99148-108G submitted 17/1/02, and the design of apartment blocks A1, A2, and A3 shall be in accordance with revision B drawings lodged on 19/7/01.

In the interests of the proper development of the site, and of visual amenity

(2)

The design of the following dwelling types shall be amended in the following respects:-

In the interests of visual amenity.

(i) Types D1 and C (corner house) (as proposed in drawings submitted on 20/12/00): the rear elevations shall be amended by omission of the plastered, pedimented two storey porch type structures, and substitution of a simpler arrangement of balconies and railings

(ii) Type D1: within the internal courtyard, ground levels shall be varied and use shall be made of raised paths in order as far as practicable to facilitate the provision of shorter and simpler external staircases

(ii) Type T1: the front elevation shall be amended by omission of the pilastered, pedimented two storey porch type structure and associated external steps. The staircase

Reference No. in Planning  
Register: 00/3131

Column 1 - Conditions

Column 2 - Reason

linking the 1st, 2nd and 3rd  
floor shall continue downwards  
to the ground floor to  
terminate in the proposed  
lobby at that level

(iii) Type T1: the rear  
elevation shall be amended  
through reduction in the depth  
of the proposed balconies, the  
provision of side walls  
instead of freestanding  
columns, and the use of  
simpler type of railing

- and, before development  
commences, revised drawings  
making provision for the above  
requirements shall be  
submitted to and agreed with  
the Planning Authority.

(3)

The site shall be landscaped  
in accordance with a  
comprehensive scheme of  
landscaping, full details of  
which shall be submitted to  
and agreed with the Planning  
Authority before development  
commences. The scheme shall  
include

In the interests of visual and  
residential amenity.

(i) details of level  
variations, surface treatment,  
paving, planting and  
maintenance requirements  
within the proposed central  
courtyard.

(ii) proposals for  
underplanting and reinforcing  
the tree belt on the western  
boundary of the site, and  
creating areas of dense  
planting close to other parts  
of the site perimeter

(iii) proposals for low level  
or other appropriate lighting  
in pedestrian and open space  
areas



SCHEDULE

Reference No. in Planning  
Register: 00/3131

Column 1 - Conditions

Column 2 - Reason

(iv) an assessment of the maintenance requirements, specifying the various tasks which will have to be carried out to maintain the landscaping and common areas of the development in an attractive condition

(v) a programme for the implementation of the landscaping scheme

(4)  
Before development commences on the proposed dwellings, a management company or management companies shall be legally incorporated to provide for the future maintenance of the site and structures of this development and legal documentary evidence to this effect shall be submitted to and agreed with the Planning Authority. The obligation to participate in and pay reasonable annual fees towards the relevant company shall be incorporated into contracts providing for the disposal of dwellings within the development. The management company or companies shall be responsible and fully liable in perpetuity for the provision and ongoing maintenance of the development or specified parts thereof, including the performance of the maintenance tasks identified in the landscaping condition.

To ensure the satisfactory maintenance of these parts of the development.

(5)  
All trees within and on the boundaries of the site, except those specified trees whose removal is authorised in writing by the Planning Authority to facilitate the

In the interests of visual amenity.

SCHEDULE  
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Reference No. in Planning  
Register: 00/3131

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Column 1 - Conditions

Column 2 - Reason  
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development, shall be  
protected during building  
operations and retained  
thereafter.

(6)  
Before commencing any  
development works relating to  
the 3 apartment blocks A1, A2  
and A3, the developer shall  
have finalised and agreed  
proposals with th planning  
authority for the provision of  
the recreational facilities  
planned for the eastern  
section of the site, including  
details of the club or other  
organisation which will manage  
them, and have obtained any  
necessary planning permission.  
Before any apartments in the  
said apartment blocks are  
occupied, the said facilities  
shall have been developed and  
be in use.

To ensure that the  
recreational elements of the  
proposed are fully  
implemented.

(7)  
Before commencing development,  
the applicant shall submit and  
agree full details of all  
boundary walls, fences or  
other structures to be  
provided on the perimeter of  
this development, or to divide  
it internally.

In ther interests of  
residential and visual  
amenity.

(8)  
Before commencing development,  
the applicant shall submit and  
agree full details of the  
means by which safety,  
sanitary and visual amenity  
considerations will be  
satisfied in relation to the  
proposed duck pond/ storm  
water retention ponds

In the interests of safety and  
amenity

(9)  
Notwithstanding the inclusion  
of gates at the vehicular

In the interests of visual  
amenity and community

(6/13)

SCHEDULE  
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Reference No. in Planning  
Register: 00/3131

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Column 1 - Conditions  
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Column 2 - Reason  
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entry to the development in drawings submitted with the application, no gates, remotely controlled security barriers or other entry features shall be installed, except with the written agreement of the planning authority.

integration.

(10)

The density of development provided for under this permission is permitted because of the special design and layout features of the application, and its association of housing with a substantial recreational area. This permission is therefore without prejudice to the level of housing density which may be permitted, in the event of any revised application on this site involving a different layout and mix of dwelling types.

To clarify the status of the permission, when viewed as a possible precedent

(11)

All details of surface water disposal shall be to the Council's satisfaction

The satisfactory disposal of surface water is of particular importance on this site.

(12)

Cross and longitudinal sections showing details of existing and proposed ground levels and proposed finished floor level relative to finished floor level of adjoining houses and spot level on road shall be submitted to and agreed with the Planning Authority before development commences.

In the interests of the proper development of the site.

(13)

Cross and longitudinal sections showing details of

In the interests of the proper development of the

7/13

SCHEDULE

Reference No. in Planning  
Register: 00/3131

Column 1 - Conditions

Column 2 - Reason

existing and proposed ground levels and proposed finished floor level relative to finished floor level of adjoining houses and spot level on road shall be submitted to and agreed with the Planning Authority before development commences.

site.

(14)

An oil interceptor shall be provided on the inlet pipe to the storm water lagoon.

To protect the amenities of the area.

(15)

Details of sewage pumping station shall be submitted to and agreed with the Planning Authority before development commences.

To protect the amenities of the area.

(16)

A stand-by generator shall be fitted at the existing sewage pumping station currently serving the industrial estate.

To protect the amenities of the area.

(17)

The developer shall provide built in connections to the foul sewer to facilitate the installation of washing machines and dishwashers. Additional gullies discharging to the foul sewer shall be provided where directed by the Council.

To avoid contamination of the storm system and facilitate satisfactory discharge of waste from these appliances.

(18)

Surface water shall not be permitted to enter the foul sewer.

To prevent overloading of the sewer.

(19)

Road gullies shall have grit sumps of at least 1/30 cu.m capacity.

To prevent obstruction of road gullies.

(8/13)

SCHEDULE  
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Reference No. in Planning  
Register: 00/3131

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Column 1 - Conditions  
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Column 2 - Reason  
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- |                                                                                                                                                                                                                                                                                                                                  |                                                 |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------|
| <p>(20)<br/>The storm system shall be designed using a rainfall intensity of 50mm per hour. Storm pipes shall have a minimum diameter of 225mm</p>                                                                                                                                                                               | <p>In the interests of orderly development.</p> |
| <p>(21)<br/>Footpaths shall be designed to the Council's Estate Engineer's satisfaction.</p>                                                                                                                                                                                                                                     | <p>In the interests of orderly development.</p> |
| <p>(22)<br/>The watermain shall be laid on the roadway, 1 metre from the kerb line.</p>                                                                                                                                                                                                                                          | <p>In the interests of orderly development.</p> |
| <p>(23)<br/>A fire hydrant shall be provided at the end of each road and otherwise no house shall be more than 50 metres from a hydrant.</p>                                                                                                                                                                                     | <p>In the interests of orderly development.</p> |
| <p>(24)<br/>A water service control box (W.S.C.R.) which shall include a non-return valve, shall be fitted to each water service pipe.</p>                                                                                                                                                                                       | <p>In the interests of orderly development.</p> |
| <p>(25)<br/>Water supply shall be metered to the Council's satisfaction.</p>                                                                                                                                                                                                                                                     | <p>In the interests of orderly development.</p> |
| <p>(26)<br/>All connections to the foul sewer shall be made using tee pieces built into the main line where PVC pipes are used. Where concrete pipes are used, connections shall be made using either cored pipes or inlets cast into the pipes during manufacture. The appropriate rubber rings and fittings shall be used.</p> | <p>In the interests of orderly development.</p> |
| <p>(27)<br/>The developer shall submit as</p>                                                                                                                                                                                                                                                                                    | <p>To facilitate future</p>                     |



SCHEDULE

9/13

Reference No. in Planning  
Register: 00/3131

Column 1 - Conditions

Column 2 - Reason

required by the Planning Authority, accurate record drawings to scale 1/500 of roads, footpaths, foul and storm sewers including depths and locations of manholes, and locations of house services; watermains including locations of valves, hydrants and other fittings; public lighting and open space areas.

maintenance of the roads and services.

(28)

The developer shall indemnify the County Council against all claims resulting from defective foul and storm sewers man holes and road gullies until the development is taken in charge by the County Council.

In the interests of orderly development.

(29)

Details of colour of plaster shall be submitted to and agreed with the Planning Authority before development commences.

In the interests of visual amenity.

(30)

Details of colour and type of roofing material shall be submitted to and agreed with the Planning Authority before development commences.

In the interests of visual amenity.

(31)

Within a period of one month prior to the date of commencement of the development, but no later than such date, the developer shall pay to Cork County Council a sum of 161,290 Euro updated in accordance with the Consumer Price Index from the date of grant of Permission to the value pertaining at the time of payment, as a contribution towards the

It is considered appropriate that the developer should contribute towards the expenditure to be incurred by the Council in respect of these works which will facilitate the proposed development.

16/13

SCHEDULE  
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Reference No. in Planning  
Register: 00/3131

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Column 1 - Conditions  
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Column 2 - Reason  
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expenditure proposed to be incurred by the Council in the provision of upgrading of public water supply which will facilitate the proposed development. The payment of the said contribution shall be subject to the following:-

(a) Where the proposed works are, within a period of 7 years from the date of payment of the full contribution or final instalment payment thereof, not commenced, the return of the contribution or the instalments thereof, paid during that period. (b) Where the proposed works are, within a period of 7 years from the date of payment of the full contribution or final instalment payment thereof, carried out in part only, or in such a manner as to facilitate the proposed development to a lesser extent, the return of a proportionate part of the contribution or the instalments thereof paid during that period. (c) Payment of interest at the prevailing interest rate payable by the Council's Treasurer on the Council's General Account on the contribution or any instalments thereof that have been paid, so long as and in so far as it is or they are retained unexpended by the Council.

No development shall take place until the monies have been paid to the Council.

(32)

Within a period of one month prior to the date of commencement of the development, but no later than such date, the developer shall

It is considered appropriate that the developer should contribute towards the expenditure incurred by the Council in respect of these

11/13

SCHEDULE  
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Reference No. in Planning  
Register: 00/3131

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Column 1 - Conditions

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Column 2 - Reason

pay to Cork County Council a sum of 41,910 Euro updated in accordance with the Consumer Price Index from the date of Grant of Permission, to the value pertaining at the time of payment, as a contribution towards the expenditure incurred by the Council in the provision of public sewer which has facilitated the proposed development.

works which have facilitated the proposed development.

No development shall take place until the monies have been paid to the Council.

(33)

Within 3 years of the commencement of the development, the junction of Sarsfield Road and the road serving Eagle Valley development shall be signalised. The design and layout of the signals shall be in accordance with DWG No. Gev-P1-04 of the traffic impact assessment report or to any other design that conforms to the current standards-regulations current at the time.

In the interests of road safety.

(34)

The predestrian link between the Eagle Valley development and the pedestrian over bridge to the Dunnes Stores development shall be installed to the satisfaction of the Council's Roads Engineer and before development commences, details of same shall be submitted to and agreed with the Planning Authority.

In the interests of road safety.

(35)

Before commencing any individual house construction the developer shall provide,

To ensure that these parts of the development are constructed and completed to

SCHEDULE  
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Reference No. in Planning  
Register: 00/3131

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Column 1 - Conditions

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Column 2 - Reason

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to the satisfaction of the  
Planning Authority, security  
for the provision and  
satisfactory completion,  
including maintenance until  
taken in charge at the  
discretion of that Authority,  
of roads, footpaths, sewers,  
watermains, road lighting,  
open spaces and other services  
required in connection with  
the development. The security  
shall be a Bond in a form and  
amount approved by the  
Planning Authority and  
provided by a Bank or  
Insurance Company acceptable  
to the Planning Authority.

-----  
a satisfactory standard.

(36)

Within a period of one month  
prior to the date of  
commencement of the  
development, but no later than  
such date, the developer shall  
pay to Cork County Council a  
sum of 80,645 Euro updated  
in accordance with the  
Consumer Price Index from the  
date of grant of Permission to  
the value pertaining at the  
time of payment, as a  
contribution towards the  
expenditure proposed to be  
incurred by the Council in the  
provision of a public footpath  
which will facilitate the  
proposed development. The  
payment of the said  
contribution shall be subject  
to the following:- (a) Where  
the proposed works are, within  
a period of 7 years from the  
date of payment of the full  
contribution or final  
instalment payment thereof,  
not commenced, the return of  
the contribution or the  
instalments thereof, paid  
during that period. (b) Where  
the proposed works are, within  
a period of 7 years from the  
date of payment of the full

It is considered appropriate  
that the developer should  
contribute towards the  
expenditure to be incurred by  
the Council in respect of  
these works which will  
facilitate the proposed  
development.

SCHEDULE

Reference No. in Planning  
Register: 00/3131

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Column 1 - Conditions

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Column 2 - Reason  
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contribution or final  
instalment payment thereof,  
carried out in part only, or  
in such a manner as to  
facilitate the proposed  
development to a lesser  
extent, the return of a  
proportionate part of the  
contribution or the  
instalments thereof paid  
during that period. (c)  
Payment of interest at the  
prevailing interest rate  
payable by the Council's  
Treasurer on the Council's  
General Account on the  
contribution or any  
instalments thereof that have  
been paid, so long as and in  
so far as it is or they are  
retained unexpended by the  
Council.

No development shall take  
place until the monies have  
been paid to the Council.



ACCESS TO THE SPORTS AND RECREATION AREA

Gate from Garage Drive to the Sports and Recreation Area  
2005 — 6 May 2025

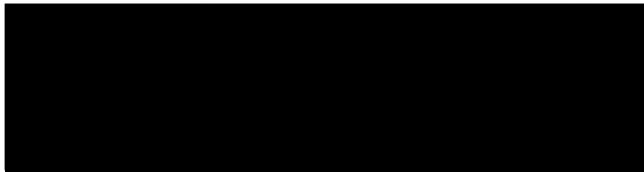




# Comhairle Cathrach Chorcaí Cork City Council

Halla na Cathrach, Corcaigh - City Hall, Cork - T12 T997

The Secretary,



08/08/2025

**RE: Section 5 Request.**  
**R955/25: Garrane Dara, Wilton.**

A Chara,

I refer to your request for a Section 5 declaration on the above-named property, received on the 26th of May 2025 and your responses to the Further Information request received on 14/07/25 and 05/08/25.

Please be advised that, due to the complexities of the question and the several submissions made in response to the Further Information request; the Planning Authority intends to make a determination on the questions before 25/08/25 as per Section 5(2) (ba) of the Planning and Development Act 2000 (as amended).

Is mise le meas,

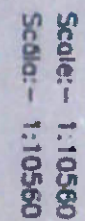
**Anthony Angelini**  
**Assistant Staff Officer**  
**Planning & Integrated Development**  
**Cork City Council**



**We are Cork.**



## Record PLACE Map



Plot Ref. No. 26063.1.9  
Plot Date 11-AUG-2003

PLANNING DRAWINGS

15 AUG 1995



Notice posted on gate to Sports & Recreation Area



## WILTON UNITED PARK

### NOTICE

Effective Monday May 6th  
This entrance will be closed to the public

Wilton United AFC committee  
[www.wiltonunitedfc.ie](http://www.wiltonunitedfc.ie)  
Contact No. 086 855 3048



Child Welfare and  
Safeguarding

April 2025

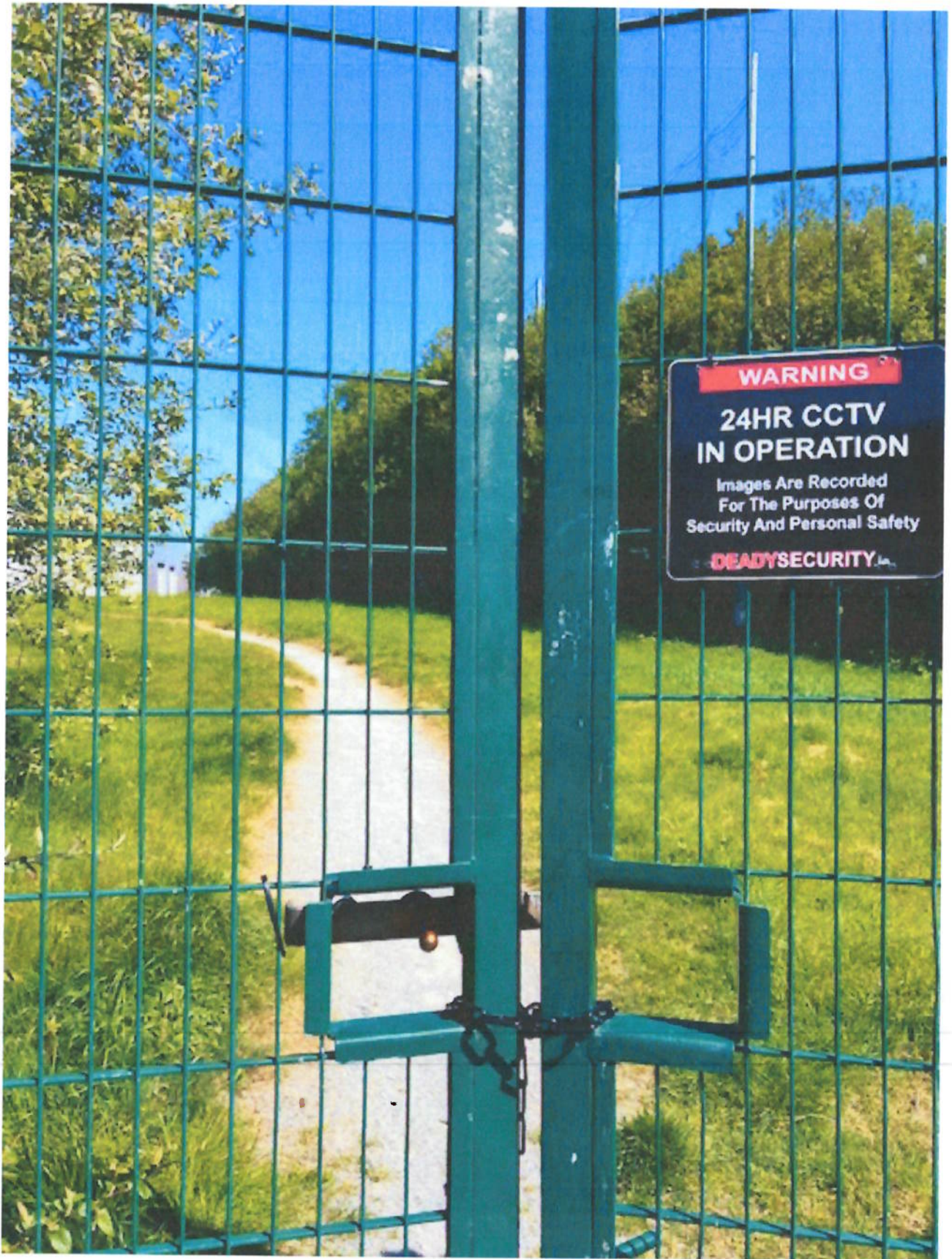


# Urban PLACE Map





The gate was locked on 6 May 2025 and  
signage erected





A camera facing Garrane Darra was installed  
on the gate on 6 May 2025



The Secretary  
Planning Department  
Cork City Council  
City Hall  
Cork



23rd July 2025

**Re: Section 5 Declaration Request: R955/25**  
**Response to Information in relation to in relation to amenity areas at Garranedarragh (Townland), Bishopstown, Cork.**

Dear Sir/Madam,

We act on behalf of the landowner, O'Brien & O'Flynn who are the owners of the the lands referred to as the Sports and Recreation facility at Garranedarragh and who have given a long term lease to Wilton United AFC to use, manage and maintain the facility.

We refer to the Council's letter regarding the Section 5 Declaration Request R955/25 and specifically the request made in relation to the following at:

- a) The locking of gates
- b) Restriction of access to the pathways surrounding the playing fields
- c) Restriction of access to the N40 walkway
- d) Erection of signage
- e) Erection of security camera facing Garrane Darra Estate
- f) The restriction of access and use of the lands outside the playing fields by residents of Garrane Darra
- g) The removal of the hard surface of the tennis courts
- h) The removal and failure to appropriately reinstate pathways
- i) The erection of fencing/gate edging the parking area and a public road

We will deal with the items raised above in Section 2 of this response, but before we do, it is important to provide some context for this Section 5 declaration request, which we have done in Section 1 below.



# 1. Context

O'Brien & O'Flynn constructed the sports facility in Garranedarragh approximately twenty years ago in accordance with planning permission granted under Cork County Council Ref.s 00/3131 / Appeal ref. 04.130788 and 03/4050.

As can be seen from the aerial photo from 2006, the facility, which included a pitch, dressing room, amenity walk (around the pitch), tennis and basketball courts and car park, was completed to a very high standard.



Figure 1: Aerial view of the sports facility in Garranedarragh taken c.2010

Like many builders at the time O'Brien and O'Flynn went into Nama in 2010, and in 2014 NAMA petitioned the High Court to appoint a liquidator to O'Brien and O'Flynn's assets. This meant that for a period of ten years or so, O'Brien and O'Flynn's did not control assets such as Garranedarragh and during this time the facility fell into serious disrepair. Appendix 1 includes photos of the facility taken in 2023-2024 and shows the serious deterioration of the property which included the following:

- The soccer pitch was not maintained and became unplayable.
- The walkway around the pitch was not maintained and not safe.
- The clubhouse was damaged - all of the sinks, toilets, doors and equipment was smashed and with graffiti internally and externally.
- Trees were growing through the surface of the tennis and basketball courts.
- The equipment and fencing around the tennis and basketball courts was damaged.
- There was extensive illegal dumping and fly tipping across the entire facility.



In addition to the above, the facility became subject to vandalism and serious anti-social behaviour which was widely reported in local and national media:

- [www.irishexaminer.com/news/arid-31009014.html](http://www.irishexaminer.com/news/arid-31009014.html): Two men arrested after violent incident at football training in Cork city
- [www.newstalk.com/news/two-men-arrested-soccer-team-attacked-cork-1040783](http://www.newstalk.com/news/two-men-arrested-soccer-team-attacked-cork-1040783): Two men arrested after soccer team attacked in Cork | Newstalk
- [www.iradio.ie/iradio-app/soccerattack-1663635](http://www.iradio.ie/iradio-app/soccerattack-1663635): Soccer player hospitalised after team were attacked with weapons at training

When O'Brien and O'Flynn regained control of the facility, they sought to address the prolonged neglect of the facility and agreed a long term lease with Wilton United AFC in 2024 who now have responsibility to manage and maintain the facility.

Wilton United AFC is a local community-based soccer club and have already invested over €100,000 to restore, repair and bring the facility back to a useable state and will be maintaining the facility going forward in accordance with the conditions of the lease.

The use of the facility by Wilton United is completely authorised and compliant with the governing planning permission. Under Cork County Council Ref. 00/3131 / Appeal ref. 04.130788, permission was granted for construction of 81 apartments, 18 townhouses, 56 duplex units, eight dormer houses, lodge at Garranedarragh, Wilton, Cork. At the time of this application, the eastern section of the site, (c.3.5 hectares) was zoned: S/F – “**Sports/Forestry**” and condition no. 4 of the 04.130788 permission required a “grant of planning permission for the **sports and recreational facilities** for the eastern section of the site.” The reason cited for condition no. 4 was “to ensure the satisfactory completion of sports **and recreational facilities**” (emphasis added).

In October 2004, permission was granted under Cork County Council Ref. 03/4050 for the construction of a **sports, recreational development** to include 1 no. soccer pitch, 2 no. tennis courts, basketball area, carparking and ancillary works at Garranedarragh, Cork.

Under Condition no. 11 of the 03/4050 permission, it states that where the sports facility is leased to a sporting club, the responsibility for maintenance and management of these facilities lies with the club i.e. in this case Wilton United AFC.

Given the serious deterioration of the facility, especially between 2010 and 2020 when the facility was outside of O'Brien and O'Flynn's control, was not maintained and fell into total disrepair and subject to significant vandalism and anti-social behaviour, the benefits of Wilton United AFC's involvement and the significant improvements that have occurred since they have signed the lease is obvious for all to see.

The use, including maintenance and management of the sports facility at Garranedarragh by Wilton United AFC, is not only compliant with the terms of the 03/4050 permission including condition 11, it is essential if these facilities are to be maintained and managed in accordance with the conditions of the 00/3131 (Appeal ref. 04.130788) and 03/4050 permissions.

Condition 12 of the 03/4050 permission states that control of “access to the recreational facilities and surrounding open space shall be to the satisfaction of the Planning Authority” which is now Cork City Council. It is clear from the information provided below that open, uncontrolled access to this facility is not in the public interest and most importantly is not a requirement of the 03/4050 permission.

## 2. Reponse to Items Raised

Our response to the specific issues raised in the Section 5 declaration request are as follows:

### a) The locking of gates

As outlined above, the access gates and fencing was erected at the sports facility when it was first constructed in accordance with the 03/4050 permission. The access gates and fencing was an important part of the permission in order to control access and provide security to the facility.

Wilton United initially locked the pedestrian gate on the western boundary in 2024 for health and safety reasons, when remedial works began on the site i.e. while the pitch was being laid and seeded, fencing and footpath repairs were being undertaken, and the dressing rooms were undergoing necessary refurbishment works etc.

As these remedial works are still ongoing, it is essential that access is controlled for health and safety reasons. When operational in the coming months, the facility will serve a full range of club members (who are all members of the local community) — including the clubs academy and youth teams, and older age groups. Given this, security and access control are essential.

The club is obliged to comply with child protection, insurance, and welfare obligations. The grounds will accommodate players as young as five, but also teenage and adult players. The club cannot permit unregulated access to the facility.

Over the last few months there has been some unauthorised access to the facility and some damage has been done to the pitch, locks have been broken on gates, dog fouling, there has been graffiti on the clubhouse and items such as bikes, scooters and general rubbish have been left behind, which club volunteers have had to deal with.

These issues have been raised with a representative for some of the residents, but to date, there has been no response to our concerns around public liability, child safety, rubbish, dog fouling etc

These are core issues which need to be addressed for the club and accordingly the gates will remain closed to protect its members and to protect the significant investment in the facility.

### b) Restriction of access to the pathways surrounding the playing fields

The issue of general access to the facility has already been dealt with above and this also applies to access to the pathways surrounding the playing fields. Furthermore, it should also be noted that before Wilton United carried out remedial works to the facility in Garranedarragh, the pathway around the pitch was in very poor condition and not fit for purpose (see Appendix 1).

Wilton United have since carried out repair works to the pathway (see Appendix 2) in accordance with Section 4(1)(h) of the 2000 Planning and Development Act, as amended (PDA), whereby *“development consisting of the carrying out of works for the **maintenance, improvement or other alteration of any structure**, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance*

*inconsistent with the character of the structure or of neighbouring structures" is exempted development.*

It is completely erroneous to claim that access has been denied to the pathway around the field, when this pathway was allowed to deteriorate to such an extent that it was no longer fit for purpose.

### **c) Restriction of access to the N40 walkway**

The planning permissions granted under ref.s 00/3131 / Appeal ref. 04.130788 and 03/4050 never included or made any reference to access on to the N40. When the South Ring Road Improvement scheme was permitted and completed in 2010, no provision was made for a pedestrian or cyclist access at this location.

The reference to 'access to the N40 walkway' in the correspondence issued by the Council, is a completely unauthorised break through the boundary fence over a grassed verge in the northwest corner of the site that is used as a short cut by some residents to the N40 and Bishopstown Court. There is no proper footpath provided either side of the broken fence – see Figure 2.



Figure 2: Existing break in the fence (inset) and unauthorised access on to the N40 at Garranedarragh

This is an unauthorised access on to the N40 that does not comply with basic health and safety requirements and has been closed off by the club. It is completely unsafe and wholly unsuitable for access on to a major national road and is not included in the clubs insurance.

As part of a permission granted under 24/43524 for 20 no. residential units on the adjoining lands to the west, condition 4(a) requires O'Brien and O'Flynn to construct a connection to the footpath which runs alongside the N40. This will provide a proper, authorised connection between Garranedarragh/Eagle Valley and the N40 footpath and our client is happy to do this in compliance with the 24/43524 permission.

#### **d) Erection of signage**

No unauthorised signage has been erected by Wilton United. There is a non-permanent banner on the fence stating that new players are welcome to the club. This type of banner exists at the vast majority of clubs to solely to attract membership.

#### **e) Erection of security camera facing Garrane Darra Estate**

Planning permission is not required to install a security camera on the property. The property is not a protected structure or located in a conservation area. This is standard security equipment that exists on sport clubs/facilities and is required for insurance purposes.

The camera near the entrance to Garranedarragh estate only provides surveillance of the sports grounds. It does not encroach into the residential area and therefore does not impact the privacy or residential amenity of the area.

As already outlined in this response, the club has invested heavily in this facility and for insurance and security of the facility, the cameras are essential. The grounds will accommodate players as young as five, but also teenage and adult players, so we are obliged to comply with child protection, insurance, and welfare obligations.

Given the significant investment and importance of security, we cannot permit unregulated public access and the security cameras are an essential part of this.

#### **f) The restriction of access and use of the lands outside the playing fields by residents of Garrane Darra**

As outlined in Section 1 and Appendix 1 of this response, before Wilton United took out a lease on Garranedarragh, the facility was in seriously poor condition to the point that the soccer pitch, walkway around the pitch and tennis/basketball area were in a state of disrepair, were unsafe and unusable.

So far, Wilton United AFC have invested over €100,000 to repair and bring the facility back to a useable state and will be maintaining the facility going forward in accordance with the conditions of the lease.

It is completely erroneous to claim that access has been denied to any facilities in Garranedarragh, when these facilities were allowed to deteriorate to such an extent that they were no longer fit for purpose and then argue a right of access after a voluntary soccer club has invested heavily to bring these facilities back to life.

#### **g) The removal of the hard surface of the tennis courts**

As can be seen from the photos in Appendix 1, the hard surface in the courts had deteriorated and was damaged to the point that trees were growing through the surface and the fencing around the courts area was damaged.

As the surface was damaged beyond repair, it is the clubs intention to put astro surface over the existing surface which has been levelled and covered with gravel/grit for drainage purposes.



It has been demonstrated that the installation of an artificial 'astro' grass surface is exempted development in accordance with Class 33(c) of Schedule 2 of Part 1 of the Exempted Development – General Regulations set out under Article 6 in the Planning and Development Regulations, 2001 (as amended) does not require planning permission – see An Coimisiun Pleanála ref. RL29S.RL3803.

#### **h) The removal and failure to appropriately reinstate pathways**

As can be seen from Appendix 1, before Wilton United carried out remedial works to the facility in Garranedarragh, the pathway around the pitch was in poor repair, unsafe and not fit for purpose.

Wilton United have since carried out remedial works to the pathway (see Appendix 2) in accordance with Section 4(1)(h) of the 2000 Planning and Development Act, as amended (PDA), whereby "*development consisting of the carrying out of works for the **maintenance, improvement or other alteration of any structure**, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures*" is exempted development.

#### **i) The erection of fencing/gate edging the parking area and a public road**

The erection of fencing/gate edging the parking area between the former basketball and tennis court areas, on the eastern part of the facility is in replacement of an existing chain link fence at this location, which had fallen into disrepair (see Appendix 1) and allowed access where unauthorised fly tipping had become commonplace.



Figure 3: Former chain link fence (which has now been replaced) and unauthorised rubbish/fly tipping

The replacement of the previous chain link fence between the former tennis and basketball courts, is exempted development in accordance with Class 11 of Schedule 2 of Part 1 of the Exempted Development – General Regulations whereby the construction, erection, lowering, **repair or replacement**, of any fence (not being a hoarding or sheet metal fence), is exempted development as long as the replacement fencing does not exceed 2 metres. The replacement fence does not exceed 2 metres and is therefore in accordance with Class 11 of Schedule 2 of Part 1 of the Exempted Development – General Regulations.

We trust that the enclosed information is to the Council's satisfaction. Please do not hesitate to contact the undersigned if you have any queries.

Yours sincerely,

Tom Halley  
McCutcheon Halley



Appendix 1: Condition of Garranedarragh Sports Grounds – Photos taken 2023 to 2024 (before remedial works by Wilton United AFC)





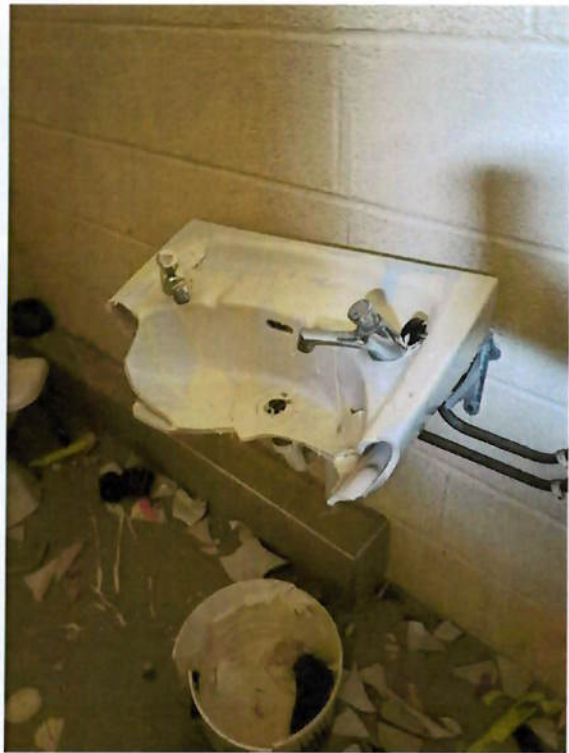




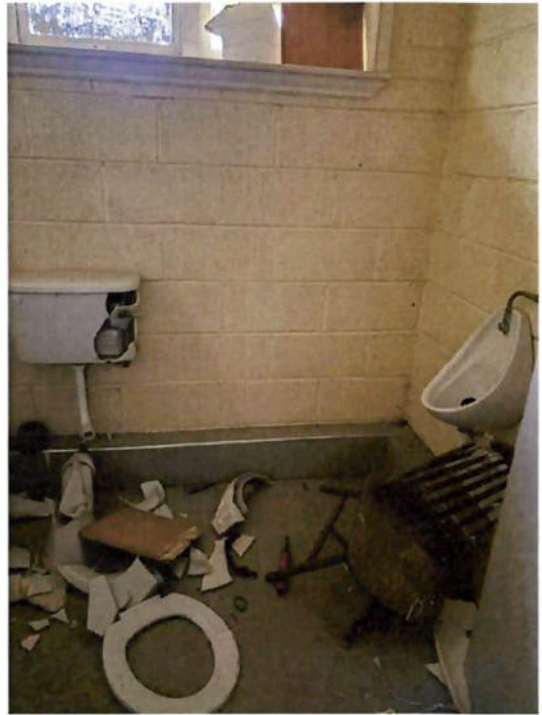
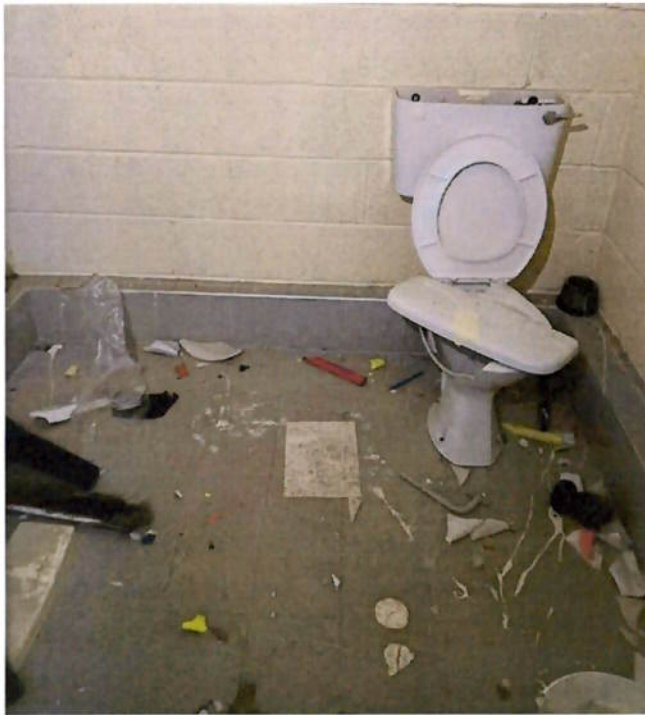


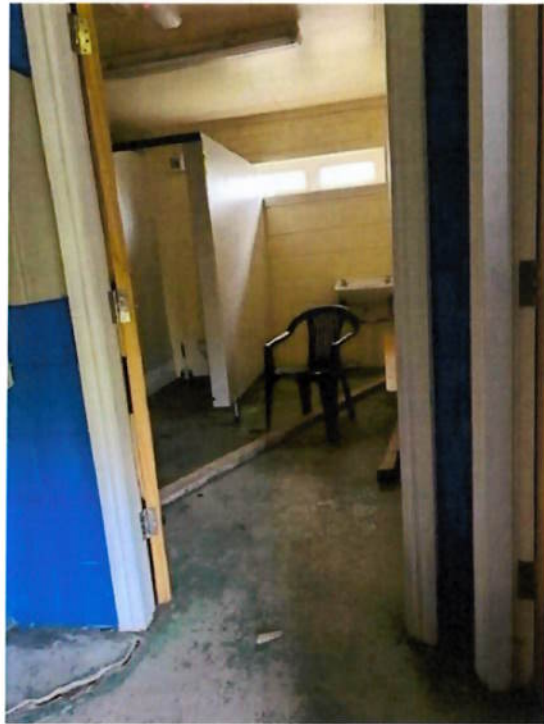








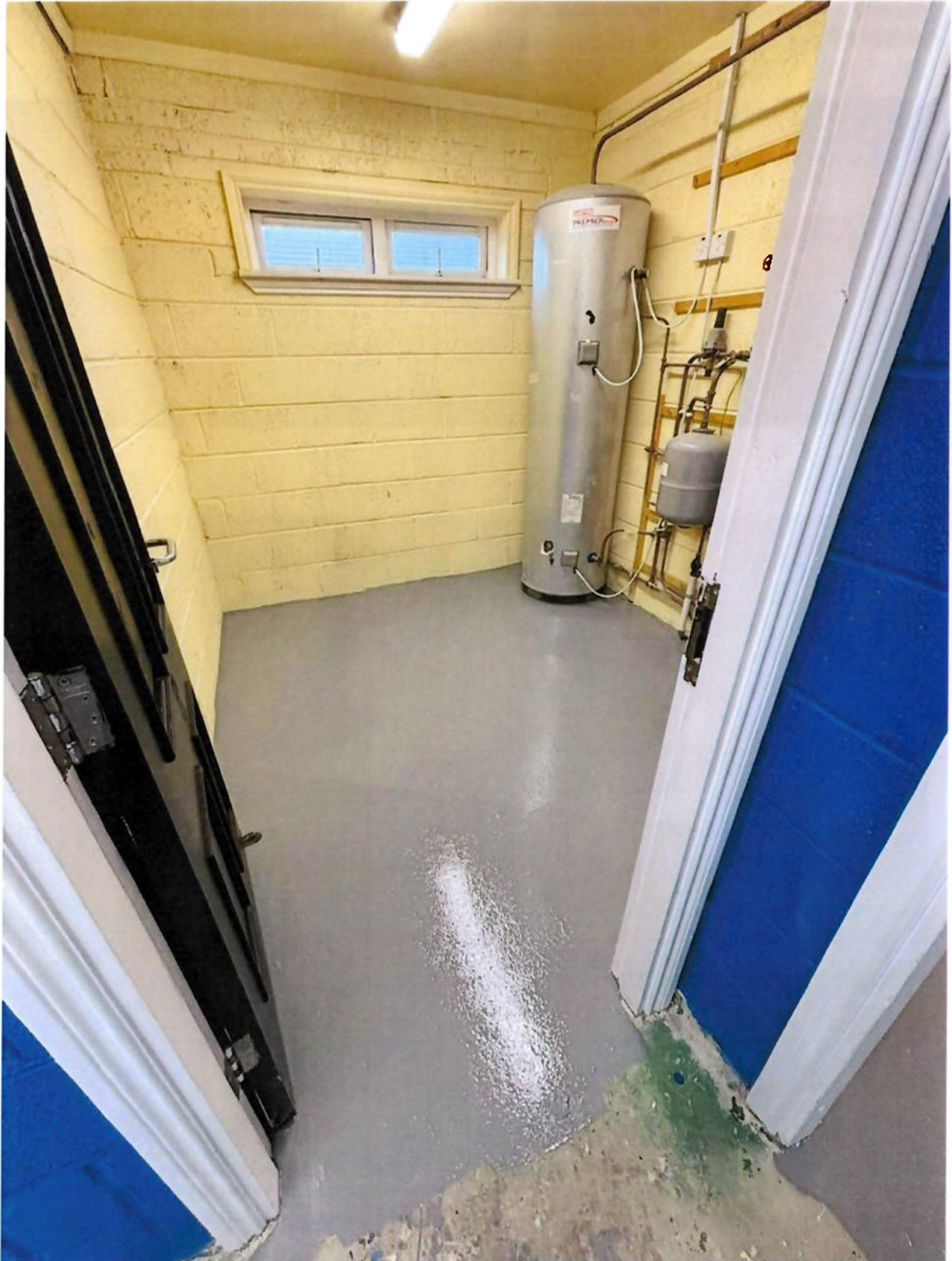






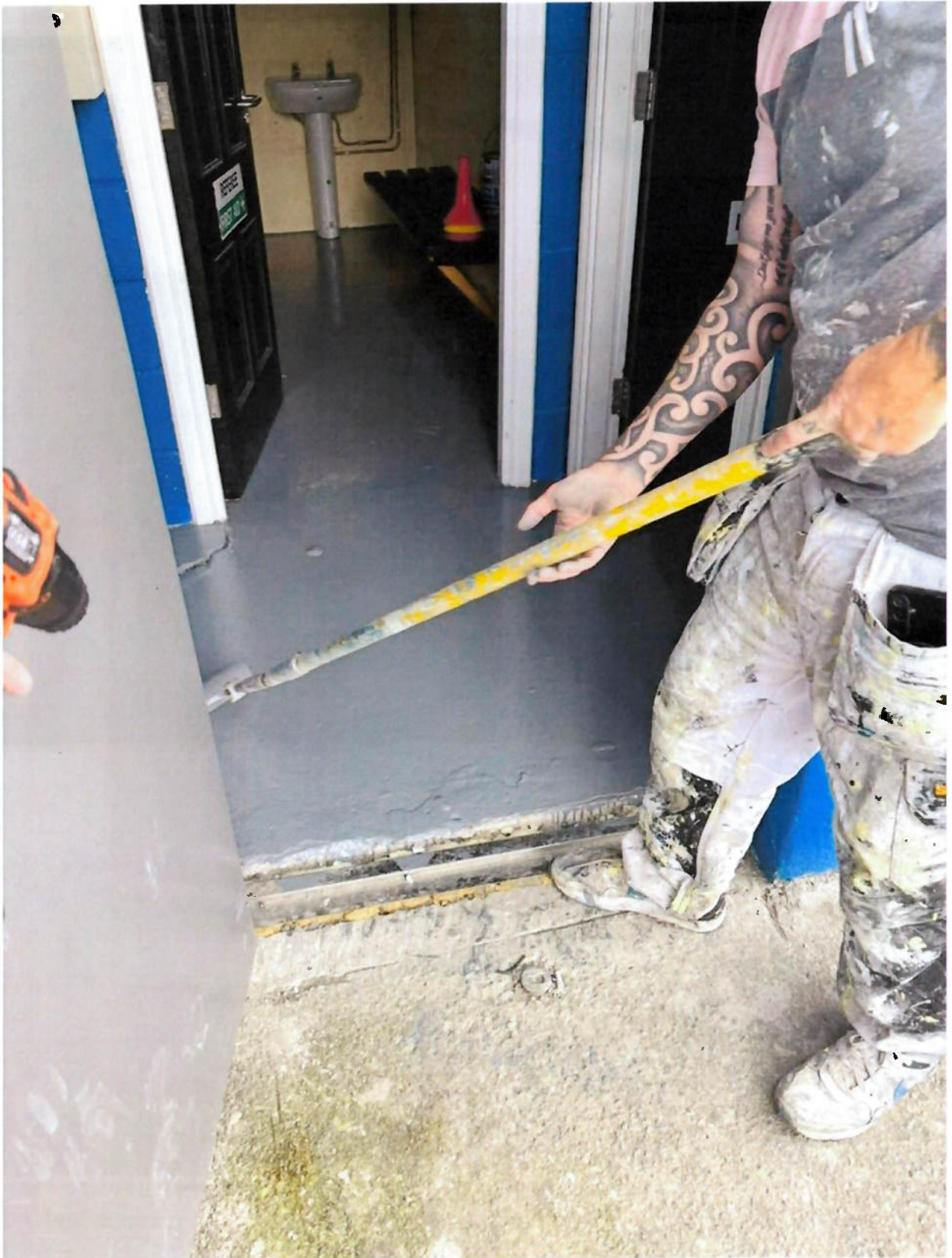
Appendix 2: Sporting Facility at Garranedarragh in 2025 following remedial works by Wilton United AFC











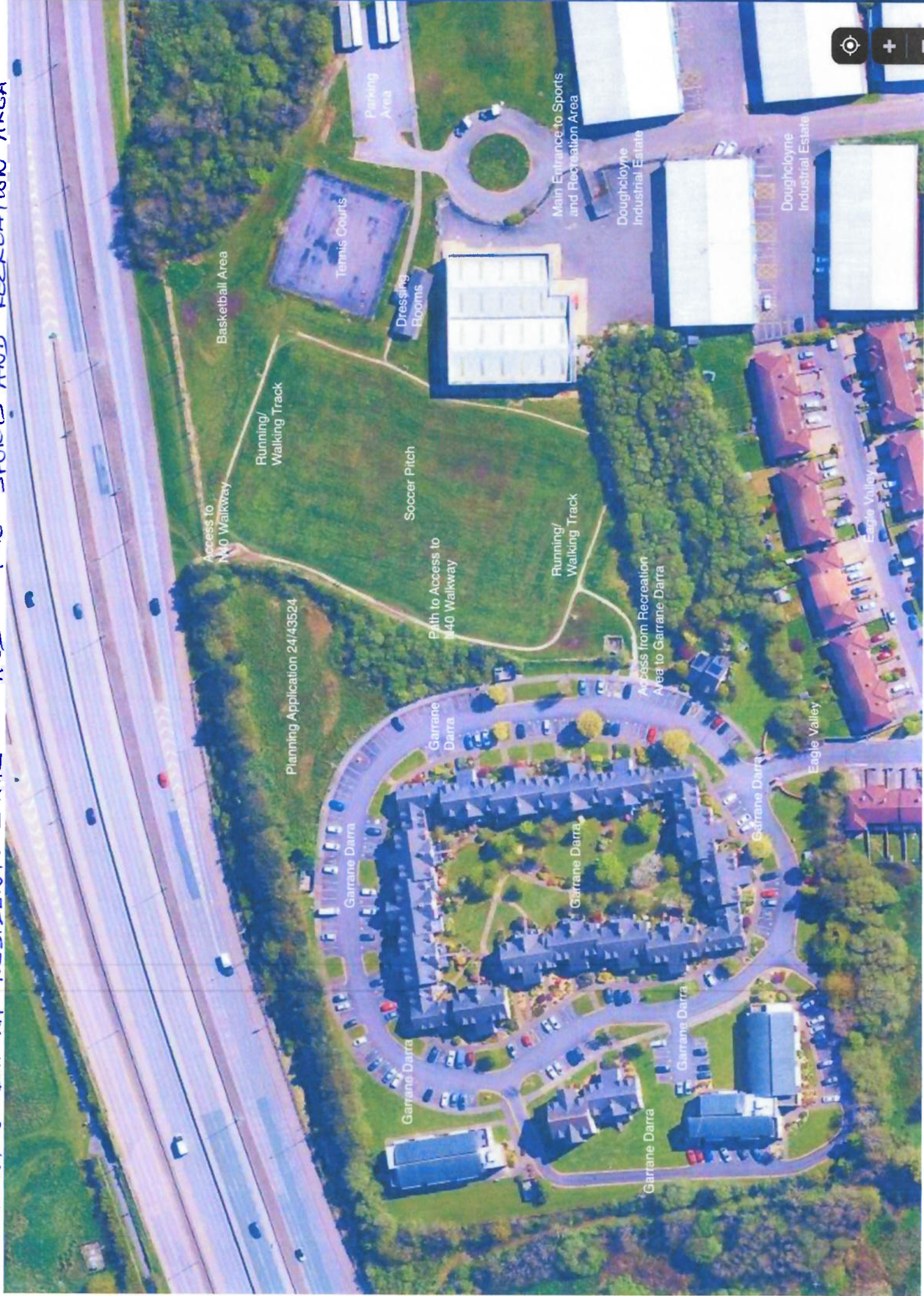


NEW FENCING-ERECTED





GARRANE DARRA RESIDENTIAL AREA AND THE SPORTS AND RECREATION AREA





Pedestrian link to the N40 footpath

Path from Garraun Dara leading to access to the N40  
2005 — 2024





Pedestrian link to the N40 footpath

Access point to the N40 walkway 2005 - 2024





Pedestrian link to the N40 footpath

Access was closed off in 2024







Signage erected in 2025 on the northern fence of the Sports and Recreation Area facing the N40

Hard surface of the tennis courts was dug up in 2024





**RE: PL 04 130788; Wilton, Cork - Residential Development.**

**ADDENDUM to Inspector's Report.**

---

I refer to the Cork County Development Plan, 2003, adopted in February, 2003. the "Advance Working Version" of which is now available.

It is noted that the planning application was lodged with the planning authority in December 2000 with the date of the determination of the decision being 27<sup>th</sup> September, 2002 at which time the operative development plan was the Cork County Development Plan, 1996.

According to the Cork County Development Plan, 2003, the western section of the site is located within an area designated as a "New Area" and subject to the zoning objective "Residential". There is a specific objective R-01 relating to the site.

The specific objective for this area is for "Medium density residential development to include a mix of house types and size. A tree planted buffer, minimum twenty metres wide shall be provided along the boundaries of the site. Open Space and recreation facilities including playing pitches shall be provided on R-01 as part of the development of R-01".

The eastern section of the site is also located within the area designated as a "New Area" and subject to the zoning objective "Open Space/Sports Recreation/Amenity".

The specific objective for this area is for "Open Space, recreation and amenity provision including playing pitches to be provided as part of the development of R-01"

It is considered that the subject proposal is in general accordance with the policies and objectives outlined above. The density of the development is considered acceptable. It is accepted that the development is urban in character and intense in scale and form. The recommendation in the Inspector's report for omission of one of the apartment blocks for reasons of enhancement of the transition between the open space recreational area and the residential development also results in a reduction in density.

Having regard to the policies and objectives within the recently adopted development plan pertaining to the site, it is considered that the proposed development is acceptable. There are therefore no revisions, or additions to the assessment recommendations within the inspector's report.

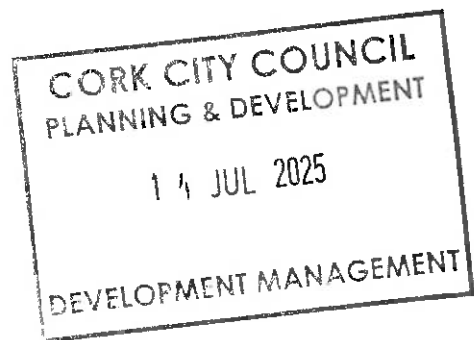
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**JANE DENNEHY**  
**INSPECTORATE**  
**13<sup>th</sup> March, 2003.**

Anthony Angelini,  
Assistant Staff Officer,  
Planning and Integrated Development,  
Cork City Council,  
City Hall,  
Cork

11 July 2025

Re: Section 5 Request  
R955/25: Garrane Darra, Wilton, Cork



Dear Anthony,

With reference to your request for Further Information in relation to the matters raised we respond as follows:

(d) Erection of signage:

"Buckley Civils" sign located on the northern fence of the site facing the N40. It is 295cm x 150cm.

"Bridgewater Construction" sign located on the northern fence of the site facing the N40. It is 245cm x 115cm.

"Wilton United football Academy" sign located on the northern fence of the site facing the N40. It is 900cm x 150cm.

An advertising billboard located at the NW corner of the Sports and Recreation Area. Please note that it was not possible to access the site to take measurements of the billboard.

"CCTV Sign" located on the access gate from the residential area to the recreational area.

Enclosed find a map with the location of each sign marked on it.

(h) The removal and failure to appropriately reinstate pathways:

Please find enclosed a Google Maps screenshot of Garrane Darra showing the "circulation routes" in the Sports and Recreation Area prior to the recent refurbishment of the pitch by Wilton United FC. It is better known among residents of Garrane Darra as the 'running track'.

We also enclose the Landscape Masterplan submitted on 13/8/2003 as part of the planning application 03/4050 with sections highlighted for your convenience:

Note ***“The remaining circulation routes are attendant on the proposed pitch and courts and loop around the parking area to facilitate those using the area in a passive way.”*** The ***“circulation routes”*** were constructed by the developer in 2005 followed the outline of the pitch as set out in the landscaping plan for the Sports and Recreation Area. This path was used by residents for jogging, walking and biking from 2005 until 6<sup>th</sup> May 2025.

Sections of the Jogging/Walking Track as set out in the Landscape Masterplan for the Sports and Recreation Area were damaged during the recent refurbishment of the pitch by Wilton United FC. These sections of the path were not re-instated. Furthermore, due to lack of use (because of the locking of the gate) the ***“circulation route”*** has now become overgrown and is in need of being restored to good condition.

We also enclose photographs of the “running track” which surrounds the pitch. They were taken in 2022 prior to the refurbishment of the pitch.

(i) The erection of fencing/gate edging the parking area and a public road:

The fencing is new. It is 235cm in height.

Enclosed find photographs of the new fencing and of the same area prior to the erection of the fence. Enclosed find the location of the fencing on a map.

We also wish to supply further information in relation to (a), (b) and (f) above:

(a) The locking the gates: i.e., the gate, situated beside The Lodge, which provided access for local residents from the Residential Section of the Garrane Darra site to the Sports and Recreational Area from 2005 until it was locked on 6<sup>th</sup> May 2025 by Wilton United FC.

(b) Restriction of access to the pathways surrounding the playing fields

(f) The restriction of access and use of the lands outside the playing fields by residents of Garrane Darra

***“The main entrance to the parking area will be gated to enable the park to be closed at night but the area will be open to the proposed development on the west side. This will provide passive surveillance over the area.”*** (Landscape Masterplan submitted on 13/8/2003 as part of the planning application 03/4050,



McDonagh, Lane & Associates Ltd.)

In the Planning Report dated 19/9/2003, Jim Collins, Assistant Engineer, notes:

***“The site of this proposed development is located at the northern and lower end of the Eagle Valley Housing Estate. Access is through the housing estate and the adjacent Industrial Estate.”*** The report confirms that one entrance to the Sports and Recreational Area is through the Doughcloyne Industrial Estate (the main entrance) and the other through the housing estate of Eagle Valley/Garrane Darra. When Jim Collins wrote his report on Planning Application 03/4050 he read the statement on the Landscape Masterplan for the Sports and Recreation Area that the ***“area will be open to the proposed development (i.e., Garrane Darra) on the west side.”*** The planner had no objection in principle to the proposed planning application.

***“both lands under the two planning permissions (S/00/3131 and 03/4050) will be part of one total public communal space”*** (Response dated 22/9/2004 from Tony Dennehy, Dennehy & Dennehy Architects, on behalf of the Applicant, following a request for Further Information dated 19/7/2004)

Senior Planner, N. E. K. Mansergh's report dated 12/2/2002 in which he recommends permission with conditions states:

***“The net residential site shown on the application as originally submitted was 15.432 acres (total site) - 9.43 (recreational area) = 6 acres, resulting in a density of 21 units per acre. This is fairly high density, and in any future discussions which may arise with the applicant, involving revisions to the layout, it should be made clear that it is unlikely that anything like this type of density would be available for a more conventional development. A condition to this effect is suggested.”*** (The density figures are based on units per acre for the western residential section)

The planning application submitted on 19 May 2000 states that, ***“The total site area is 15 acres, divided into 6 acres for housing and 9 acres as actual open space. With 10.6 units per acre the overall density is relatively low.”*** (Planning Description as part of the Planning Application, Dennehy & Dennehy Designs Limited, 19 May 2000)  
(The density figures above are based on units per acre for the entire site)

Condition 10 PP S/00/3131

***“The density of development provided for under this permission is permitted because of the special design and layout features of the application, and its association of housing with a substantial recreational area. This permission is***

***therefore without prejudice to the level of housing density which may be permitted, in the event of any revised application on this site involving a different layout and mix of dwelling types". Reason: To clarify the status of the permission, when viewed as a possible precedent.*** (Conditions Paragraph 10 Managers Order No. 02/4267 For Permission, Cork County Council Planning Reference S/00/3131)

It is difficult to believe how anybody could interpret this condition as envisioning the possibility of the residents of Garrane Darra living next door to an amenity area that they don't have access to.

***"To ensure that the recreational elements of the proposed are fully implemented"*** Condition 6 (S/00/3131) was included.

An Bord Pleanála, Inspector's Report PL 04 130788:

***'The planning authority made a decision to Grant Permission for the development and it is noted in the planning officer's report the view is expressed that the proposed development was considered to be of a high quality incorporating the sports and recreational facilities, with the residential development being subject to a phasing condition in connection with the development of the latter.'*** Condition 6 (S/00/3131)

An Bord Pleanála, Inspector's Report PL 04 130788:

***The site is located within the "Urban Edge Zone" to the city and is subject to the zoning objective H7: "Housing Not Exceeding 10 Houses per hectare if sewer is available". The inspector notes that, "The 1999 Variations to the County Development Plan, 1996, allow for consideration of higher densities subject to satisfaction of qualitative criteria."***

The inspector also notes that:

***"The application and further information submissions lodged with the planning authority indicate proposals for residential development and for sports and recreational facilities on the Appeal site."***

***"The section of the site on which the proposed dwellings are to be located is approximately 2.4 hectares in area and has an approximate density of sixty eight units (68) per hectare."***

The ABP Inspector states:

***"The eastern section of the site, the area of which is circa 3.5 hectares is***

***shown as open space for which landscaping proposals have been submitted. Fencing is to be located along the boundaries of the open space area. The central section is dedicated to playing fields and sports use and the eastern section is shown as a parkland area. Provision for pedestrian routes linking into the earlier phases of the overall development were also included in further information submissions."***

The ABP inspector also states that the requirement of certain conditions of planning permission S/00/3131 **are of note** including Condition 6:

***"Before commencing any development works relating to the 3 apartment blocks A1, A2 and A3, the developer shall have finalised and agreed proposals with the planning authority for the provision of the recreational facilities planned for the eastern section of the site, including details of the club or other organisation which will manage them, and have obtained any necessary planning permission. Before any apartments in the said apartment blocks are occupied, the said facilities shall have been developed and be in use. Reason: To ensure that the recreational elements of the proposed are fully implemented,"***

The inspector concluded that:

***"The proposed development would therefore be in accordance with the interests of the proper planning and sustainable development of the area."***

We suggest that the ABP Inspector accepted that the "**qualitative criteria**" referred to above was considered to be the accessibility of an amenity area occupying 9 acres on the eastern part of the Appeal Site. Therefore, the very high density of the residential area was acceptable and Condition 4 was included to ensure the recreational facilities were completed and became available before the completion of the residential section.

Condition 4 (PL 04 130788):

***"The construction of Apartment Blocks A 2 and A 3 shall not be commenced pending a Grant of Planning Permission from the planning authority or An Bord Pleanala on Appeal for the sports and recreational facilities for the eastern section of the site. The development of the recreational facilities shall be completed and shall be operational prior to the occupation of the Apartment Blocks."***

The ABP Inspector accepted the importance of Condition 10 of Planning Permission S/00/3131 which was inserted by the Senior Planner, N. E. K. Mansergh, for Cork County Council.



This is further supported in the ADDENDUM to Inspector's Report which considers that the proposal is in general accordance with the Cork Development Plan 2003: The specific objective for this area (eastern section of the site) is for ***"Open Space, recreation and amenity provision including playing pitches to be provided as part of the development of R-01*** (western section of the site)"

***"Circulation Routes"*** in the Sports and Recreational Area:

***"The remaining circulation routes are attendant on the proposed pitch and courts and loop around the parking area to facilitate those using the area in a passive way."*** (Landscape Masterplan submitted as part of the planning application 03/4050, McDonagh, Lane & Associates Ltd.)

The ***"circulation routes"*** were constructed by the developer in 2005 followed the outline of the pitch as set out in the landscaping plan for the Sports and Recreation Area. This path was used by residents for jogging, walking and biking from 2005 until 6th May 2025. (Enclosed find a Google Maps screenshot of Garrane Darra showing the ***"circulation routes"*** in the Sports and Recreation Area known to the residents as the "running track". This was constructed by the developer in accordance with planning permission)

Finally, as further evidence of a breach of planning related to the locking of the access gate between the open space recreational area and the residential development the clarification received by the planning authority on 20 December 2000 from Dennehy & Dennehy Designs Limited in relation to issues raised should be read. This particular document is enclosed because Planning Permission S/00/3131 was granted based on plans and particulars lodged on 20/12/2000. ABPPL 04 130788 also notes that the development is to be carried out in accordance with additional details received on 20/12/2000.

We request that you investigate these matters and provide a response as quickly as possible because of the negative consequences for residents of Garrane Darra following the locking of the gate from the Residential Section of the Garrane Darra estate to the Sports and Recreation Area by Wilton United FC which has now been ongoing for 10 weeks.

Your faithfully,  
The Secretary,  
On behalf of the directors of  
Garrane Darra Management Company CLG



The Secretary,  
Planning Department,  
Cork County Council,  
County Hall,  
Cork.

19<sup>th</sup> December 2000.

Re: Planning Reg. No. S/OO/3131.

Residential development at Eagle Valley, Garranedarragh, Wilton. comprising :  
96 No. Apartments,,  
64 No. Duplex units,  
8 No. Dormer houses,  
1 No. Warden's Lodge, plus associated site works and road alignment

Dear Sirs,

The enclosed drawings have been prepared in response to the issues raised in your letter dated 21<sup>st</sup> July 2000. In answer to the specific points mentioned, I reply as follows:

- 1.0 **Site Notice** : This has been reinstated at the point indicated on the Site Plan. Two copies are enclosed as requested.
- 2.0 **Recreational Open Space** : The site plan together with the open space areas have been redesigned taking note of the concerns raised. The master plan for the development will follow the detail indicated on Dwg No 99148/ 03 Revision F.

The active open space areas for playing ball games will become the responsibility of a sports club to be set up initially under the control of the D O Flynn Management Company. Residents will be invited to take part in the active management of the facilities. Conditions of sale will require that each residence will subscribe a small monthly figure to the annual maintenance costs, in return for one share in the management company itself.

The sports facilities have been re-positioned to be within reasonable direct visual supervision of the proposed on-site warden's lodge. Whilst certain courts will be fenced and controlled, eg tennis, others will remain open for casual use. All facilities will be available to club members and the general public. Club members from outside the immediate site would contribute the same annual membership fee. At this time the proposals shown are considered 'indicative' and will require further consultation with the local community representatives with regard to the day to day management policies of the enclosed courts and the use and supervision of the changing rooms proposed. Please note the enclosed plan of the Club House (Dwg No 99148 101) does not form part of this application at this time but illustrates how we foresee this aspect of the scheme developing at the appropriate time.

The remaining 9 acre area is given over to public open spaces intended to encourage jogging, biking and walking with trails and paths meandering through the area and connecting to the ESB/Wilton pedestrian routes beyond. Landscaping details and specifications have been given on the previously submitted Kieran McDonough Master Landscaping Plan Dwg No 00.05.300. The amendments to this plan in terms of the revised overall general arrangement are shown on the enclosed D+O Designs Site Plan (Dwg No 99148 003 Rev F).

- 3.0 **Flood Studies** : Also forming part of the large open space is the requirement for storm water retention measures. Details of the storm water run-off design requirements are given in the enclosed engineer's report prepared by DF O'Donovan & Associates. This report is the result of consultation between the DFO'D engineers and the CCC Sanitary Department. A retention pond is proposed sized to take the maximum



immediate need. This structure has been integrated into the landscaping elements in the form of a free form duck-pond, positioned to be within direct visual supervision of the warden's lodge and the surrounding houses. 'Monks' (slatted board) overflows will be used to control the level within the pond overflowing to a system of perforated storm drains fanning out into low lying areas designated as water meadows. These will be landscaped to encourage wet-land fauna and flora as detailed. These areas will also cater for the natural surface water run-off from the adjoining industrial estate. Open ditches at the lowest point will allow surface water run-off to reach the present ditch running alongside the South Ring Road.

- 3 0 **Pedestrian Links** : It is envisaged that the proposed development will provide the missing pedestrian and cycle routes from the whole Eagle Valley Development Area through to Dunne's Stores at the Kinsale roundabout to the west and to the Wilton shopping malls beyond the Sarsfield Road / ESB roundabout to the east (via the present pedestrian bridge link over the Ring Road). To achieve this objective a footpath will need to be developed along the southern side of the Ring Road and outside the present site boundary in addition to the pathways proposed through the 9 acre open space as mentioned. The Area Plan (Dwg No 99148-105) indicates how this pedestrian route could be achieved in principle. Parts of this route will also need to reinforce and integrate the needs for visual and acoustic separation between the residential areas within the development and the pedestrian routes mentioned. There is a need to reconcile the desire to encourage the public pedestrian links described through the development area, on the one hand, and the security needs residents will demand for their vehicles parked in the common areas. Care has been taken to define the actual link on the northern boundary accordingly.
- 4 0 **Adjoining Owners** : 2.1m high metal fencing is proposed around the complete site perimeter with the exception of the area along the South Ring Road requiring an acoustic screen (as addressed by CCC in their letter requesting further information). This requirement will take the form of a solid decorative concrete block wall along the northern site boundary to the Ring Road and will be similar to the present wall opposite. Along the western boundary flanking the drive leading to O'Leary's Farm the metal boundary fence will be under-planted with a continuous beech hedge in addition to the general site planting indicated within the boundary and surrounding the apartments. No direct link is proposed from the industrial estate to the SE for reasons of security. A link at this point will encourage children to use this route to and from the parkland space when there is no need. A direct entry can be made from the present Eagle Valley residential areas through the proposed 'gated' main entry to the development and within view of the warden's lodge.
- 5 0 **Public Transport Links** : To assess the requirement a traffic impact study has been carried out by MHL Associates. Its findings have been discussed and reviewed with Mr Dan Ryan. The enclosed report dated May 2000 recommends traffic signals and a right turn lane at the main entry point to the Eagle Valley estate off Sarsfield Road together with increased road widths within the Phase 1 Eagle Valley development currently under construction. Provision for a bus terminus lay-by has also been made as indicated on MHL Dwg No GEV-PL-04 enclosed. This lay-by will enable direct public transportation links to connect with the proposed development.
- 6 0 **Density and Scale** Regarding the comments made concerning these aspects :
  - a public transportation links have been accommodated as mentioned.
  - b pedestrian links to the adjoining neighbourhood shopping centres have also been addressed. The 'missing' pedestrian route along the southern ring road can now be justified as it will encourage pedestrian movements from the total Eagle Valley development area where no present direct option exists.

With regard to the scale of the development proposed, I respond as follows:

- c The total site area amounts to 6.2 Ha (15.3 acres) of which 2.7 Ha (6.7 acres) is proposed to be built-on inclusive of roads, parking and general amenity landscaped open space. This equates to 43% leaving the remainder given over to active and passive open recreational space.
- d The development proposes a mix of 2 & 3 storey terraced houses and duplex units arranged around a central private, informal garden area with direct access from all dwellings that fringe it.
- e Three blocks of apartments make up the remaining portion of the development, each block comprising a varied mix of 1B / 2B / & 3B units. Each apartment is provided with private balconied space accessed from the principal rooms via full height glazed doors. Open metal balustrades are detailed (generally) to allow maximum visual contact over the landscaped park-land theme adopted in the priority areas running continuously through the development.
- f. Parking provision is higher than the minimum required.

2/25/00  
2/25/00  
CORK COUNTY COUNCIL  
County Hall  
28-03-2000  
Planning Department

- g. Good use of position and orientation has been made to maximise the general prospect from each habitable room over the surrounding open areas.

With regard to the detailed design of the various house types :

- h. Each house type and its various component parts have each been completely redesigned.  
i. A common design theme has been continued through the various house types with design elements in the apartments re-occurring within the duplex units.  
j. Part M requirements have been incorporated in the redesign of each house type.  
k. The apartments have been scaled down in width and height as requested.  
They have been turned thru' 180° to create more open space within each sector creating semi-enclosed landscaped courts.

The curved roofs have been deleted as requested.

The facades have been reconsidered following a more traditional appearance. The elevations have been fragmented to create both visual interest, to reinforce the human scale and engender a more intimate sense of enclosure

A podium theme has been introduced using two tone brickwork with raked bed-joints to reinforce the horizontal dimension.

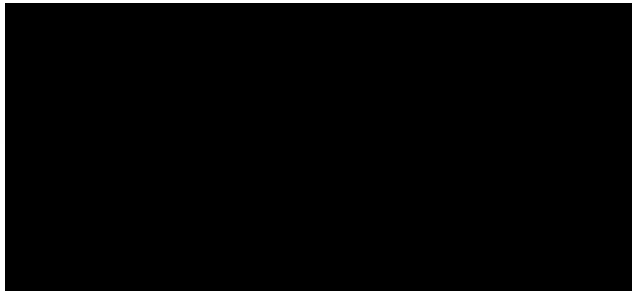
This theme has been continued to the central duplex units to reinforce the visual continuity to the total development

In conclusion, we believe all previous queries have now been addressed fully in the redesign details enclosed.

The development as proposed will provide the logical extension to the last remaining phase of the Eagle Valley area. It will also provide the opportunity to complete the pedestrian links along the southern ring road whilst retaining a large tract of useful open space along the northern boundary. This space will also act as a visual foil to the existing light industrial areas immediately to the south east within Eagle Valley itself whilst providing usable open space to the whole benefit of the neighbourhood in general.

If any point should require further explanation please let me know

Yours sincerely



Tony Dempsey  
D+D Designs Ltd

Enclosures . refer attached list



Enclosures :

D+D Designs Dwgs Nos :

- 99148 102/ 103/ 104 A3 Coloured Street Elevations + Key Plan @ 1:500 (Indicative finished appearance) ✓
- 99148 003 Rev F Site Plan @ 1 : 1000
- 99148 108 & 109 Site Plans Sheets 1 + 2 @ 1 : 500 ✓
- 99148 105 Area Plan @ 1 : 2000 ✓
- 99148 106 / 107 Street Elevations @ 1 : 200 ✓
- 99148 101 GA's for The Club House @ 1 : 100 ✓
- 99148 004 Rev B GA's for Duplex Type D1 @ 1 : 100 ✓
- 99148 005 Rev B GA's for Duplex Type D2 @ 1 : 100 ✓
- 99148 006 Rev F GA's for Town House Apartments Type T1 @ 1 : 100 ✓
- 99148 008 Rev B GA's for Corner Units @ 1 : 100 ✓
- 99148 010 Rev F Apartments Blocks A1 + A2 GA's @ 1 : 200 ✓
- 99148 013 Rev F Apartments Blocks A1 + A2 Elevations @ 1 : 200 ✓
- 99148 016 Rev C Apartment Block A3 GA's @ 1 : 200 ✓
- 99148 019 Rev D Apartment Block A3 Elevations @ 1 : 100 ✓

MHL & Associates Report & Dwgs :

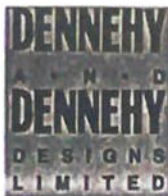
- Report dated May 2000 Traffic Impact Assessment & Junction Analysis ✓
- GEV-P1-04 Plan Showing Internal Road Network @ 1 : 1000

DF O'Donovan Engineers

- Report dated October 2000 Submission for Drainage Retention ✓
- 1283-01 Watermain & Sewers Layout @ 1 : 500 ✓
- 1283-02 Sewer Sections ✓
- 1283-03 Water Retention Pond Section @ 1 : 50 ✓
- 1283-04 Lift Station - Pump Details ✓







138 SUNDAYS WELL ROAD,  
CORK, IRELAND.  
TEL: (021) 393437.  
FAX: (021) 309140.  
email: ddesign@indigo.ie

The Secretary,  
Planning Department,  
Cork County Council,  
County Hall,  
Cork.

19<sup>th</sup> May, 2000

Re:- Residential Development at Garranedarragh, Wilton, Cork.

### PROPOSAL DESCRIPTION.

Dear Sirs,

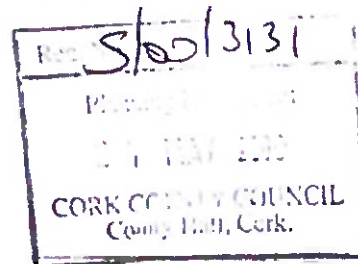
I submit a planning application re. the above for your consideration under the planning process. The application details are as follows:-

#### SITE LOCATION AND SITE DESCRIPTION

The site measures approximately 15.4 acres and is part of the Eagle Valley housing development of O'Brien & O'Flynn Ltd. The O'Brien & O'Flynn Ltd. land is developed for commercial/light industrial units and residential housing, Eagle Valley housing comprises of 270 no. houses, plus this proposal to complete the development.

The site boundary to the north is formed by the N25, South Ring Road. The land to the west is owned by Dunnes Stores Ltd.

The site is now zoned for residential development for increase in density in the Variations to the 1996 County Development Plan (page 33).



## DETAILS OF PLANNING APPLICATION

The planning application is for a residential development of 81 apartments, 18 townhouses, 56 duplex units, 8 dormer houses, warden's lodge, site development works, screen walls and fencing, landscaping of active open area and road widening junction improvement and road realignment of Sarsfield Road at Eagle Valley, Garranedarragh, Wilton.

A traffic report accompanies the submission. It outlines the proposed road widening junction improvement of Sarsfield Road at the entrance to Eagle Valley housing development. The land for junction improvement is owned by the developers O'Brien & O'Flynn, see site location map.

## OPEN SPACE AND DENSITY

The total site area is 15 acres, divided into 6 acres for housing and 9 acres as actual open space. With 10.6 units per acre, the overall density is relatively low. 68% of the site is usable open space whereby 17% is located within the building plot. The open space is distinguished by different degrees of privacy. Every unit has its own private open space either as patios or balconies. The layout of the houses forms a shelter to the semi public space from the road. It is either accessed directly from each house through the patio or balcony (staircase) or between the houses.

The active open space to the east enhances the public space and contributes to the attractiveness, not just to the new development, but also to the whole area, juxtaposing densely planted spaces with open lawns promoting a differentiation in spaces and caters for a variety of uses.

## SCHEDULE OF HOUSE TYPES/MIX/DENSITY

|                |            |     |
|----------------|------------|-----|
| Apartments     | 81 no.     | 50% |
| Town Houses    | 18 no.     | 11% |
| Duplex Units   | 56 no.     | 34% |
| Corner House   | 8 no.      | 5%  |
| Warden's Lodge | 1 no.      |     |
| <b>Total</b>   | <b>164</b> |     |

**Apartments A1, A2 and A3 – 3/4 Storey**

| No. | Unit Type | Sq. m. (Sq. ft.)           |
|-----|-----------|----------------------------|
| 16  | 3 bed     | 109-151 sq. m. (1172-1627) |
| 38  | 2 bed     | 57-93 sq. m. (615-996)     |
| 27  | 1 bed     | 43-73 sq. m. (464-783)     |

**Duplex Unit D1 – 3 Storey**

| No. | Unit Type | Sq. m. (Sq. ft.) |
|-----|-----------|------------------|
| 22  | 3 bed     | 54 sq. m. (578)  |
| 22  | 2 bed     | 97 sq. m. (1044) |

**Duplex Unit D2 – 3 Storey**

| No. | Unit Type | Sq. m. (Sq. ft.)  |
|-----|-----------|-------------------|
| 6   | 3 bed     | 135 sq. m. (1452) |
| 6   | 2 bed     | 75 sq. m. (810)   |

**Town Houses T1 and T2 – 4 Storey**

| No. | Unit Type | Sq. m. (Sq. ft.) |
|-----|-----------|------------------|
| 9   | 3 bed     | 89 sq. m. (960)  |
| 9   | 3 bed     | 92 sq. m. (990)  |

**Corner House C – 2 Storey**

| No. | Unit Type | Sq. m. (Sq. ft.)  |
|-----|-----------|-------------------|
| 4   | 3 bed     | 106 sq. m. (1135) |
| 4   | 3 bed     | 122 sq. m. (1315) |

**Warden's Lodge WL – 1/2 Storey**

| No. | Unit Type | Sq. m. (Sq. ft.)  |
|-----|-----------|-------------------|
| 1   | 2 bed     | 111 sq. m. (1199) |

**STYLE OF DEVELOPMENT**

The form of the houses reflect a more traditional approach to housing estates, but overall the style aims to be modern with regards to the layout and materials, especially in the apartment units.

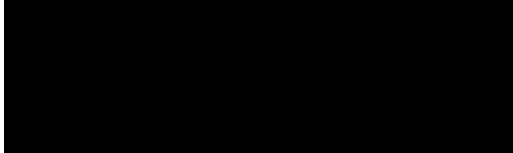
Strictly ordered and repetitive design often leads to an appearance of mechanical precision and **uniformity**. This can be unsympathetic towards the individual and rather promotes isolation due to the lack of **identification** with an individual home rather than reflecting a developing and changing community



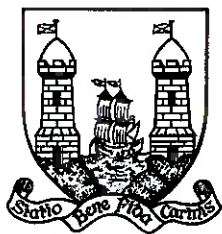


Differentiation of house types of the proposed development and its organic layout suggests a feeling of growth and encourages its users to take part in forming their environment and community.

Yours faithfully,



Tony Dennehy.



# Comhairle Cathrach Chorcaí

## Cork City Council

Halla na Cathrach, Corcaigh - City Hall, Cork - T12 T997

Garrane Daras Management Company CLG,



23/06/2025

**RE: Section 5 Request.**

**R955/25: Garrane Dara, Wilton.**

A Chara,

With reference to your request for a Section 5 Declaration at the above-named property, received on the 26<sup>th</sup> of May 2025.

The Planning Authority has been tasked with determining whether the following works carried out on the lands known as the Sports and Recreation Area being lands the subject matter of planning permission 03/4050 (which formed part of a wider masterplan development for Garrane Darra underpinned by parent permission S/00/3131) is development and if so are they exempted development.

- (a) the locking of gates;
- (b) Restriction of access to the pathways surrounding the playing fields;
- (c) Restriction of access to the N40 walkway;
- (d) Erection of signage
- (e) Erection of security camera facing Garrane Darra Estate
- (f) The restriction of access and use of the lands outside the playing fields by residents of Garrane Darra
- (g) The removal of the hard surface of the tennis courts
- (h) The removal and failure to appropriately reinstate pathways
- (i) The erection of fencing/gate edging the parking area and a public road

is or is not development and is or is not exempted development.



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# Comhairle Cathrach Chorcaí

## Cork City Council

Halla na Cathrach, Corcaigh - City Hall, Cork - T12 T997

Please be advised that the Planning Authority has insufficient information to complete its assessment of the question before it and therefore requests that the following Further Information be sought in relation to the matters raised:

**(d) Erection of signage**

Further information in this regard is required as there are several signs on the site and its perimeter, and it is not clear which are included in the question. Please submit a photograph of each sign indicating its location on a site layout map and outlining the exact dimensions of each sign.

**(h) The removal and failure to appropriately reinstate pathways**

Please clarify the extent of the pathways in question on a site location map.

**(h) The removal and failure to appropriately reinstate pathways**

Please provide a site layout map showing the paths referred to in this item.

**(i) The erection of fencing/gate edging the parking area and a public road**

Please clarify whether the fencing referred to in this item was new or replacement fencing and if replacement the height of the original fencing. Please also clarify the height of the fencing in question and its exact location on a site layout map.

It is also noted that the applicant is not the owner and the owner as well as current lessee will need to be notified to see whether they wish to clarify any item.

It is thus considered that **FURTHER INFORMATION** is required to process the application.

Is mise le meas,

**Anthony Angelini**

**Assistant Staff Officer**

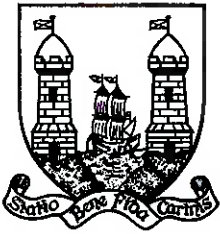
**Planning & Integrated Development**

**Cork City Council**



**We are Cork.**

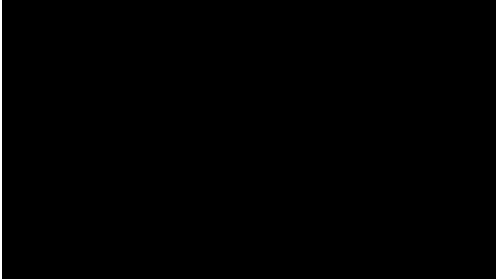




# Comhairle Cathrach Chorcaí Cork City Council

Halla na Cathrach, Corcaigh - City Hall, Cork - T12 T997

O'Brien and O'Flynn (Wilton) Ltd



24/06/2025

**RE: Section 5 Request.**  
**R955/25: Garrane Dara, Wilton.**

A Chara,

I wish to inform you that a Section 5 declaration request has been made on this property.

The Planning Authority has been tasked with determining whether the following works carried out on the lands known as the Sports and Recreation Area being lands the subject matter of planning permission 03/4050 (which formed part of a wider masterplan development for Garrane Dara underpinned by parent permission S/00/3131) is development and if so are they exempted development.

- a) The locking of gates
- b) Restriction of access to the pathways surrounding the playing fields
- c) Restriction of access to the N40 walkway
- d) Erection of signage
- e) Erection of security camera facing Garrane Dara Estate
- f) The restriction of access and use of the lands outside the playing fields by residents of Garrane Dara
- g) The removal of the hard surface of the tennis courts
- h) The removal and failure to appropriately reinstate pathways
- i) The erection of fencing/gate edging the parking area and a public road



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# Comhairle Cathrach Chorcaí Cork City Council

Halla na Cathrach, Corcaigh - City Hall, Cork - T12 T997

The Planning Authority asks if you can provide them with information:

- to confirm details of ownership or legal interest in the property,
- to submit any information that you consider may be relevant in order to enable the planning authority to determine the section 5 declaration request,
- to clarify the current status/use of the tennis court area,
- to clarify all access arrangements into the site noting Conditions 11 and 12 of S/03/4050 in relation to same,
- To clarify the location and extent of all signage on site,
- The location, extent and height of all newly erected fencing on site.

Is mise le meas,

*Anthony Angelini*

**Anthony Angelini**  
**Assistant Staff Officer**  
**Planning & Integrated Development**  
**Cork City Council**



**We are Cork.**

[illegible][illegible]



## PROPOSED RECREATIONAL FACILITIES

On this site provision is to be made for a full size football pitch together with a Basketball Practice ring and two Tennis Courts. Ancillary facilities are also proposed including a Car Parking Area and Changing Rooms to accommodate teams and or groups availing of the sporting facilities.

## PROPOSED FORESTRY

Under the current zoning these lands are also designated for forestry.

The area is low lying and wet at times of the year. *Alnus glutinosa* / Common Alder has over the past number of years taken advantage of the lands drainage and has established significant wooded stands though generally mono cultures of the aforementioned species. These areas of existing tree cover are to be maintained and left to further develop. The recreational and wooded areas will be separated from one and other by chaliklink fencing at the northern edge of the 'flooded' area. New tree planting will be limited as much of the remaining lands are occupied with pitches and courts. Where opportunities do present themselves for planting / extending tree cover species other than *Alnus glutinosa* are proposed. This will increase bio-diversity on this site, the two species to be featured are *Quercus robur* / Common Oak (lowland) & *Pinus sylvestris* / Scots Pine which is also indigenous and an evergreen to ensure that there will be some winter foliage. These trees will be augmented with a selection of under canopy species such as the laurel leaved *Ilex aquifolium* / Common Holly, *Sambucus nigra* / Elder, *Crataegus monogyna* / Common Hawthorn etc.

## CIRCULATION

Circulation in the area will avoid encroachment into the existing woodland area which is seasonally wet and with the extension of the south ring road it will act as a sound buffer to traffic noise. It also reserves the area as a habitat zone. Circulation will therefore link to the pedestrian way from the overpass at the Bishopstown Roundabout and allow for this to cross the site and be extended onto the undeveloped lands to the east of the site in the future. The remaining circulation routes are attendant on the proposed pitch and courts and loop around the parking area to facilitate those using the area in a passive way (walkers). This path will provide a significant pedestrian link between the Douglaslyne Industrial Estate and the Shopping Complex at the roundabout west of the site.

## SECURITY

The main entrance to the parking area will be gated to enable the park area to be closed at night but the area will be open to the proposed residential development on the west side. This will provide passive surveillance over the area.

## RUNOFF MANAGEMENT

Water runoff is being managed on this site through the use of need bed detention basins. These are constructed wetlands which will receive water runoff from the Eagle Valley area and 'detaching' it to allow suspended solids to be filtered out naturally. This water will then piped to a further detention basin before it is allowed to outflow into the habitat area which is an area of ponds, marsh habitats and a wetwoodland. The reed beds will remove pollutants and provide a continued supply of water to the habitat zone where the underlying water table fluctuates naturally and according to prevailing weather conditions and percolation rates.

14 16cm girth, bare root, double staked  
Car Park perimeter

125 No *Quercus robur* / Lowland Oak  
1+2 90-120cm height, bare root, no staking  
size used in group planting

8 No *Quercus palustris* / Pin Oak  
14 16cm girth, bare root, double staked  
Street Tree at park eastern edge

50 No *Carpinus fastigiata* / Columnar Hornbeam  
14 16cm girth, bare root, double staked  
Surrounding Pitch & Courts

30 No *Salix cinerea* / Grey willow  
150-175 2Xtr, bare root, no staking  
In Reed Bed Area

## PROPOSED UNDER CANOPY TREE SELECTION

Shrub trees to be interplanted with canopy species listed above where these are planted in groups to augment the existing wetwoodland & provide greater bio-diversity with the provision of flowers & fruit to attract birds etc.

50 No *Crataegus monogyna* / Common Hawthorn  
40-60cm height 1+0, bare root, no staking  
50 No *Euonymus europaeus* / Spindle  
40-60cm height 1+0, bare root, no staking  
100 No *Ilex aquifolium* / Common Holly  
1+1, 30-50cm girth, bare root, no staking  
50 No *Sambucus nigra* / Common elder  
40-60cm height 1+1, bare root, no staking

|                                                                                                                                                                                                            |                                                                          |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------|
| <p>Notes: 1. All plants to be supplied in 100% bare root condition. 2. All plants to be supplied in 100% bare root condition. 3. All plants to be supplied in 100% bare root condition.</p>                |                                                                          |
| <p>Project: PROPOSED RECREATIONAL &amp; HABITAT DEVELOPMENT<br/>GARRANEDARRACH, WILTON.</p>                                                                                                                | <p>Client: O'BRIEN &amp; O'FLYNN LTD<br/>VCARS ROAD, TOOMER, CO. CK.</p> |
| <p>Mc Donogh, Lane &amp; Associates Ltd.<br/>Chartered Architects and Landscape Designers<br/>2 Main Street, Inishannon, County Cork<br/>Phone 021-4775174 Fax 021-4775174 Email info@mcdonoghlane.com</p> |                                                                          |

Landscape Masterplan PP 05/4050 (Section)

PROPOSED RESIDENTIAL  
DEVELOPMENT  
PLAN REG REF NO S/00/3131

Main Access Point  
From Proposed Adjacent  
Residential development

FOOTBALL FIELD

CHANGING & STC  
ROOMS

6 No Pinus sylvestris / Scots  
to rear of changing rooms

40 No Pinus Cotorta /  
Shore Pine  
fast growing conifer to  
screen adjacent  
Warehouse Building

REED BED

REED BED  
DETENTION BASIN

40 No Pinus Cotorta /  
Shore Pine  
fast growing conifer

UPVC Coated chainlink  
fencing with galvanneal ms  
posts  
R16 6002 ( Moss Green) to  
1100mm height surrounding  
Reed Bed Area

runoff piped north to  
WET WOODLAND AREA

SITE BOUNDARY

SITE BOUNDARY

# PROPOSED RECREATIONAL & HABITAT DEVELOPMENT GARRANEDARRAGH, WILTON, COUNTY CORK.

Landscape Masterplan PP 03/4050 (Section) submitted on 13/8/2003



**PHYSICALLY**

## CLAY BERMES AROUND DETENTION BASIN

EXISTING  
WETLAND  
AREA

## ASKETBALL HOOPS

1443  
RUNOFF  
OUTFALL

**WET WOODLAND  
VIA DETENTION BASIN**

**plum fasciculata / Columnar horizontal  
ing pitch & Courts**

36007

36005

PERCOLATION AREA

EXISTING ALDER  
REGENERATING WOODLAND  
WETWOODLAND

## PERIODICATION AREA

EXISTING ALDER  
REGENERATING WOODLAND  
WETWOODLAND

PERCOLATION RATE

**14 No. Quercus robur / Lowland Oak  
around parking area**

**CAR PARK**

125 NO. QUINCY ROAD / LOWELL, MA 01854  
to augment existing woodland.

UPVC Coated chainlink-fencing with galvalume metal posts.  
Rte-6027 to an Greenhouse  
T199mm of soil surrounding  
the Woodland Webster Area

PATH MAYBE EXTENDED  
INTRODUCING MAPS

**SITE BOUNDARY**

**WETLAND  
OFF SITE 1**

**CHANGING & STORE  
ROOMS**  
6 No. Pinus sylvestris / Scots Pine  
to rear of changing rooms

## VEHICULAR ACCESS TO PROPOSED PLAYING FIELD

SRA provides pedestrian link between Doughtycroft Industrial Estate & Shopping Centre @ Bishopdown Round

## PROPOSED RECREATIONAL FACILITIES

On this site provision is to be made for a full size football pitch together with a Basketball Practice ring and two Tennis Courts. Ancillary facilities are also proposed including a Car Parking Area and Changing Rooms to

#### 40010. Prunus dyeroides

U 100

—

100



1

125

122

handshape Plostxplan P P 03/4050 (Section) submitted on 13/8/2003



Planning Department

Cork City Council

City Hall

Anglesea Street

Cork

By Email: [planning@corkcity.ie](mailto:planning@corkcity.ie)

Re: Section 5 Declaration Request – Garranedarragh Sports Grounds

Dear Sir/Madam,

We write in connection with the above matter and refer to the detailed submission prepared and filed by our planning consultants, McCutcheon Halley, on behalf of the landowner, O'Brien & O'Flynn Ltd, dated 24 July 2025.

Wilton United AFC is a community-based, volunteer-led football club. In 2024, we entered into a long-term lease over the sports and recreational facility at Garranedarragh, which had fallen into dereliction over a ten-year period. Since taking occupation, our club has invested significant time and over €100,000 in bringing the facility back to a safe and useable condition.

As a club catering to hundreds of underage and adult members, we have strict legal obligations in respect of:

- Child welfare under FAI and Sport Ireland safeguarding standards.
- Insurance, which does not cover general public use of the facility.
- Health and safety, which obliges us to control and monitor access to the grounds.

We wish to confirm that all works undertaken by the club:

- Are either not “development” within the meaning of the Planning and Development Act 2000 (as amended), or
- Are properly exempted development, as detailed in the planning submission.

There is no public right of way or legal obligation on the club to permit uncontrolled access to these lands. Further, we have been advised that no condition of Planning Permissions 00/3131 / PL04.130788 or 03/4050 requires access to the N40 or any pedestrian route from the Garrane Darra estate. Indeed, the breach in the boundary fence previously used as an informal shortcut presents serious safety risks and has now been appropriately secured.

As part of a permission granted under 24/43524 for a residential development on the adjoining lands to the west, O'Brien and O'Flynn intend to construct a connection to the footpath which runs alongside the N40. This will provide a proper, authorised connection between Garranedarragh/Eagle Valley and the N40 footpath. We trust that this is to your clients satisfaction and resolves this issue.

We trust that the enclosed planning submission addresses all relevant matters and confirms our compliance with planning law. Please do not hesitate to contact us if you require any further clarification.

Yours faithfully,

John Leonard

Chairperson

Wilton United AFC

*Basketball practice Court*





# WILTON UNITED PARK

## NOTICE

Effective Monday May 6th  
This entrance will be closed to the public

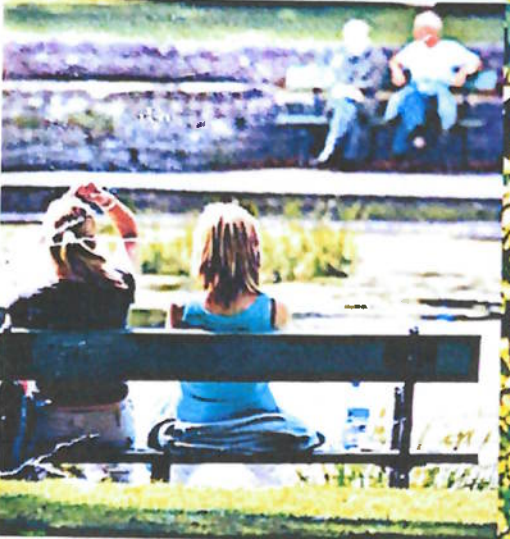
Wilton United AFC committee  
[www.wiltonunitedfc.ie](http://www.wiltonunitedfc.ie)  
Contact No. 086 855 3048



Child Welfare and  
Safeguarding



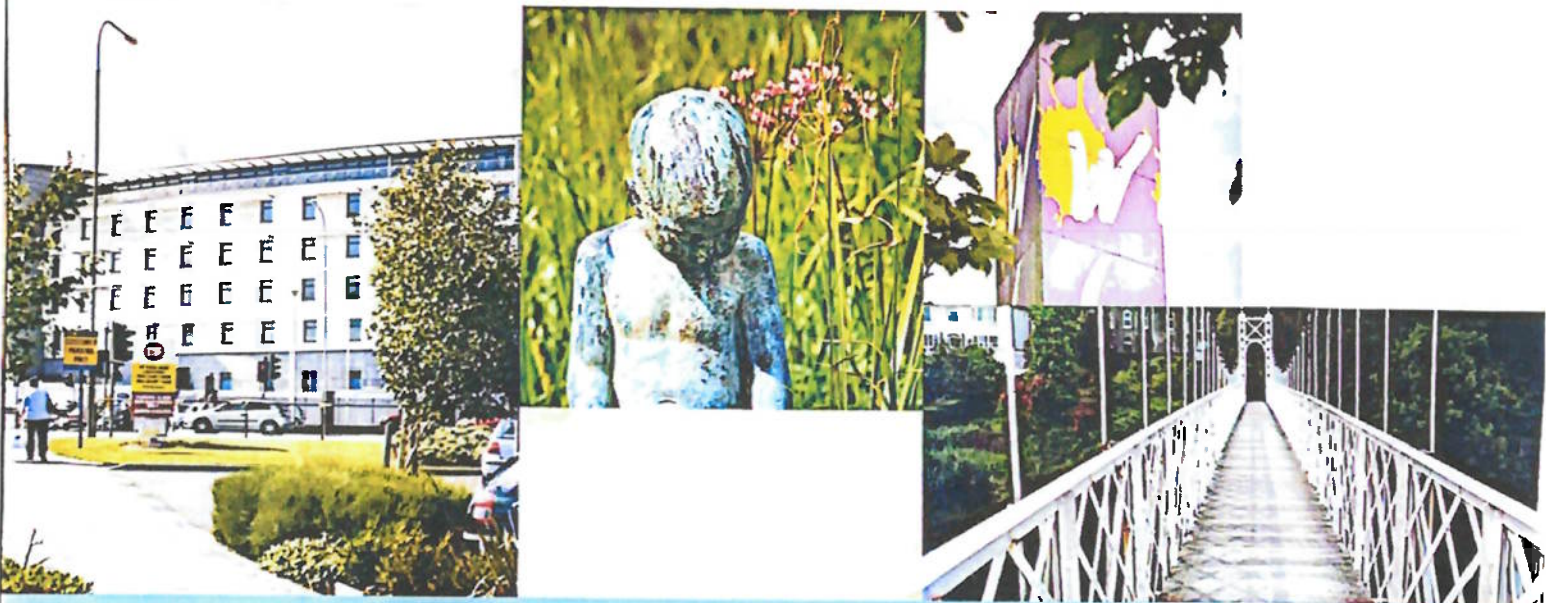




GARRANE DARRA  
WILTON - CORK



Wilton is long-established as the most convenient, suburban location in Cork city. It has matured as the hub of academic, medical and retail excellence, balanced with full provision for a culture of sport, art and the gateway to the beautiful West.



A unique mark in this popular area is this gem Garrane Darra. A secluded courtyard designed with a tasteful combination of houses, duplexes and apartments, Garrane Darra offers you the opportunity to live in this leafy neighbourhood and comfortably lead the lifestyle you deserve!

Garrane Darra is located just off Sarsfield Road in Wilton and is being developed over a 12 acre site. 7 $\frac{1}{2}$  acres have been earmarked to surround the housing with just under 1 acre of gardens within the internal courtyard. Another 4 $\frac{1}{2}$  acres has been given over to a brand new recreation area which will comprise of a football field, basketball court, tennis courts and newly built changing rooms. This area will be open to the public but residents of Garrane Darra will enjoy unrivalled accessibility and a fantastic atmosphere of open space.



|                                                                                                                 |                                                                                                   |                                                                                      |
|-----------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|
|  A2 Maple House<br>Holly House |  T2 CORNER HOUSE |  D2 |
|  A1 Hazel House                |  D1              |  T2 |





New Fencing/Gate inside the main entrance to the Sports and Recreation Area in the Dorquoye Industrial Estate





New Fencing in Grey





Photo taken prior to the fencing being installed (2022)



The path from the dressing rooms led straight to the parking area.

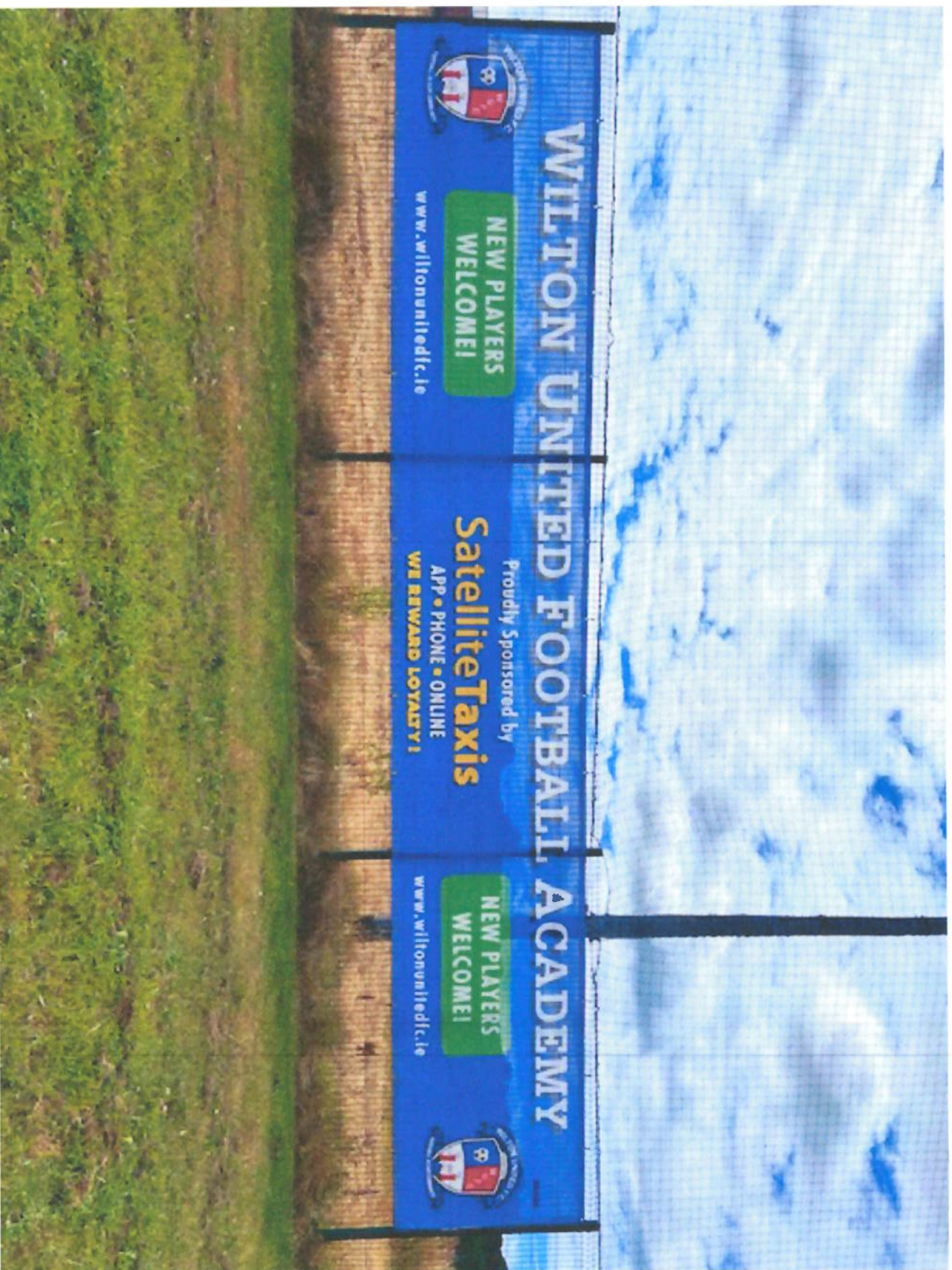


Photo taken prior to fencings being installed (2022)





Location: Northern fence of the Sports and Recreation Area



900cm X 150cm



Location: Northern Fence of the Sport and Recreation Area



295cm X 150 cm



Location: Northern Face of the Sports and  
Recreation Area



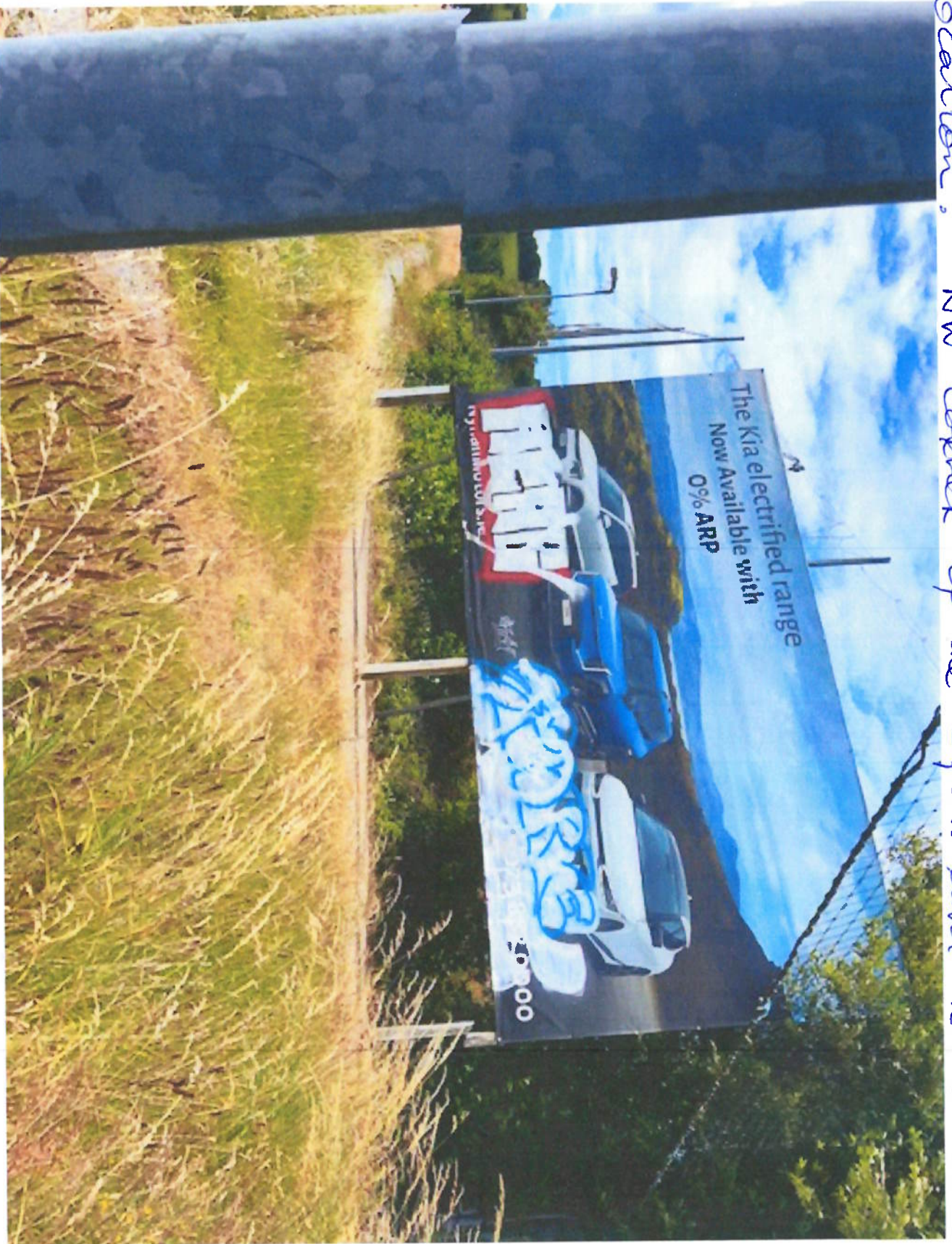
245 cm  
X  
150 cm  
X  
(115 cm)

Location: Access gate from the residential section of  
Gerrard Park to the Sports and Recreation Area  
Sign erected on 6 May 2025

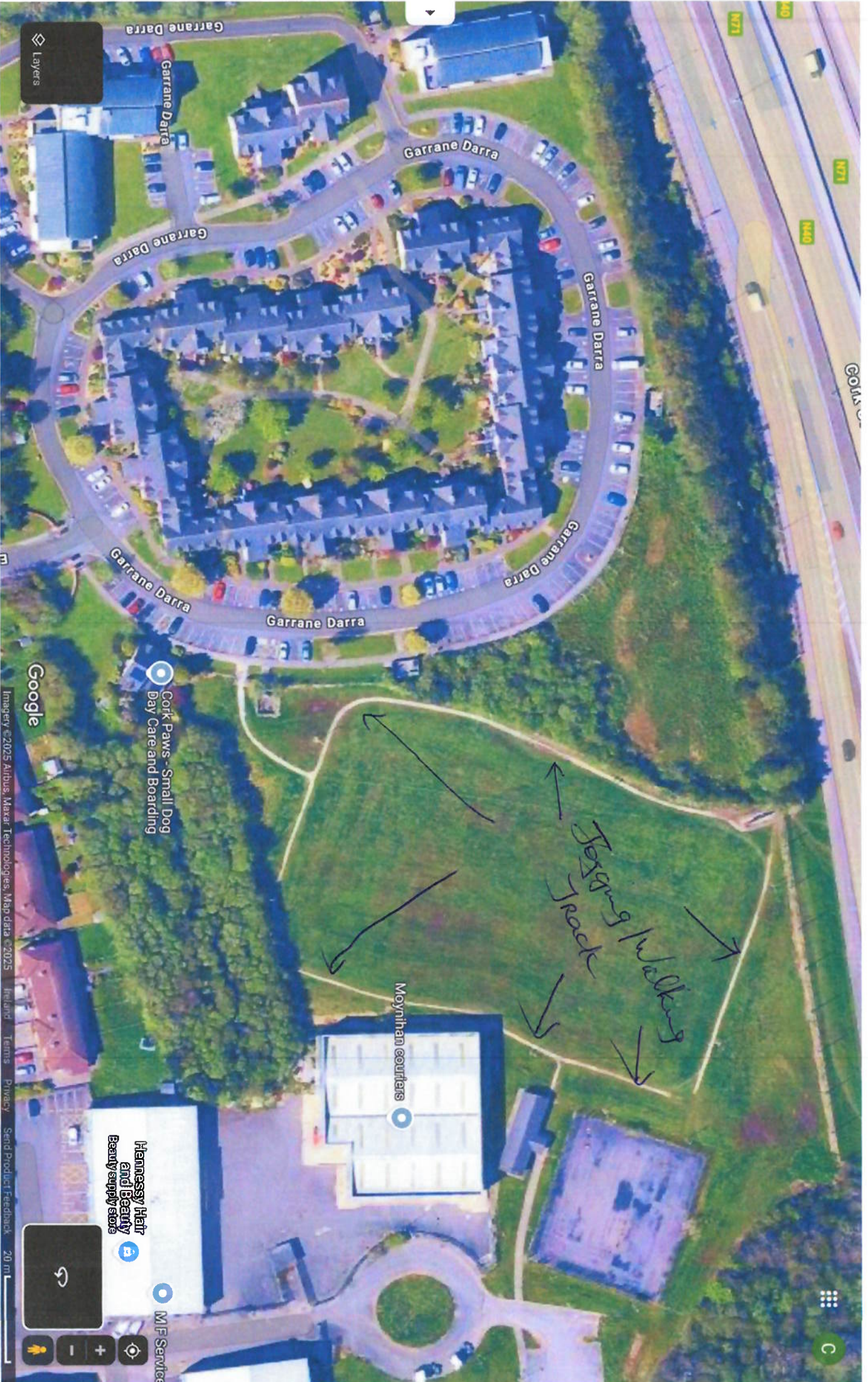




Billboard location: NW corner of the Sports and Recreation Area







Layers

Google

Cork Paws - Small Dog Day Care and Boarding

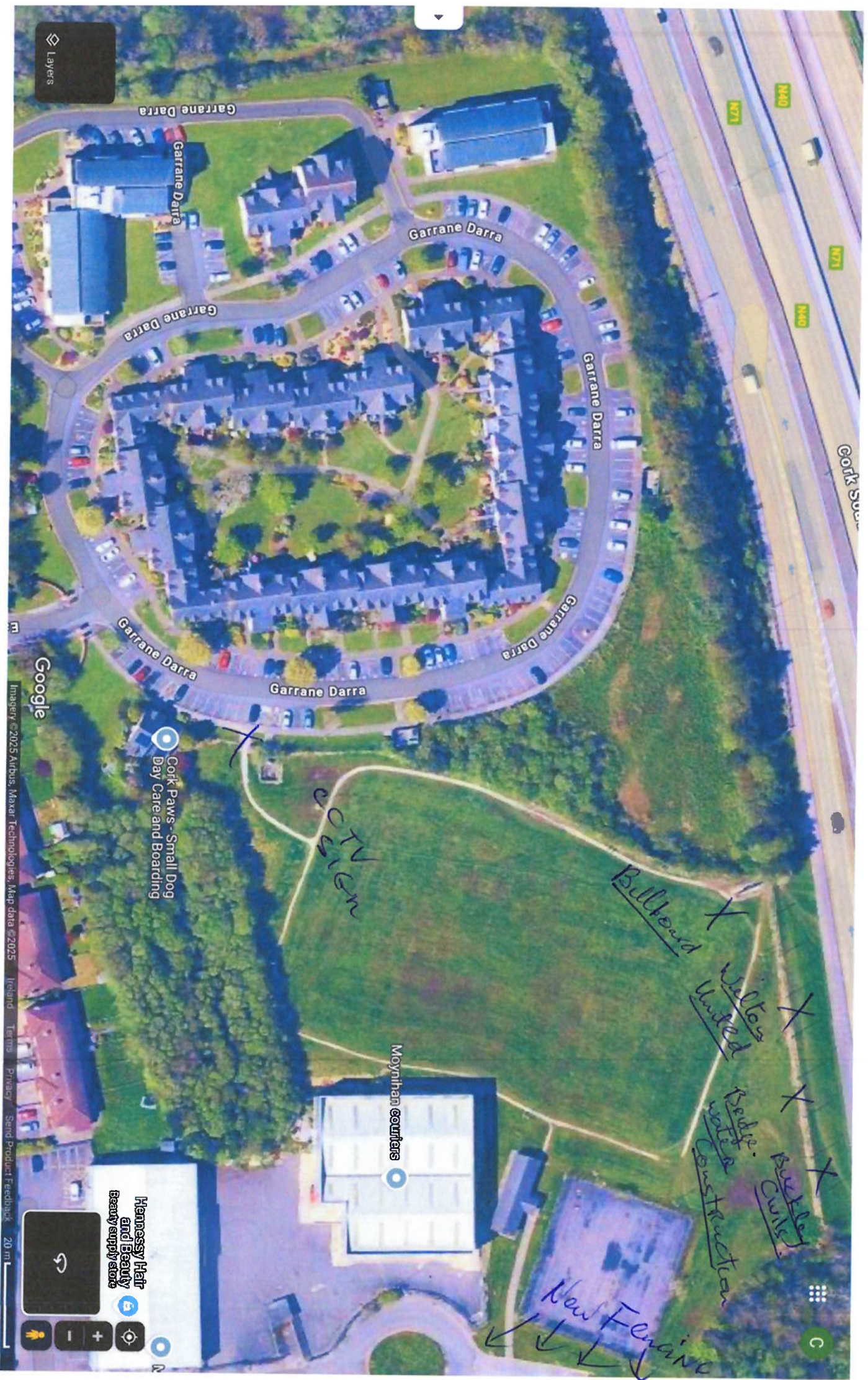
Moynihan courtyards

Hennessy Hair and Beauty Beauty supply store

M.F. Service

Imagery ©2025 Airbus, Maxar Technologies, Map data ©2025 Ireland Tennis Privacy Send Product Feedback 20 m





Layers

Garrane Darra

Garrane Darra

Garrane Darra

Garrane Darra

Garrane Darra

Garrane Darra

Garrane Darra

Cork Paws - Small Dog  
Day Care and Boarding

Google

Imagery ©2025 Airbus, Maxar Technologies, Map data ©2025

Ireland

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Hennesy Hair  
and Beauty  
Beauty supply store

Moynihan courtiers

Bullbeard

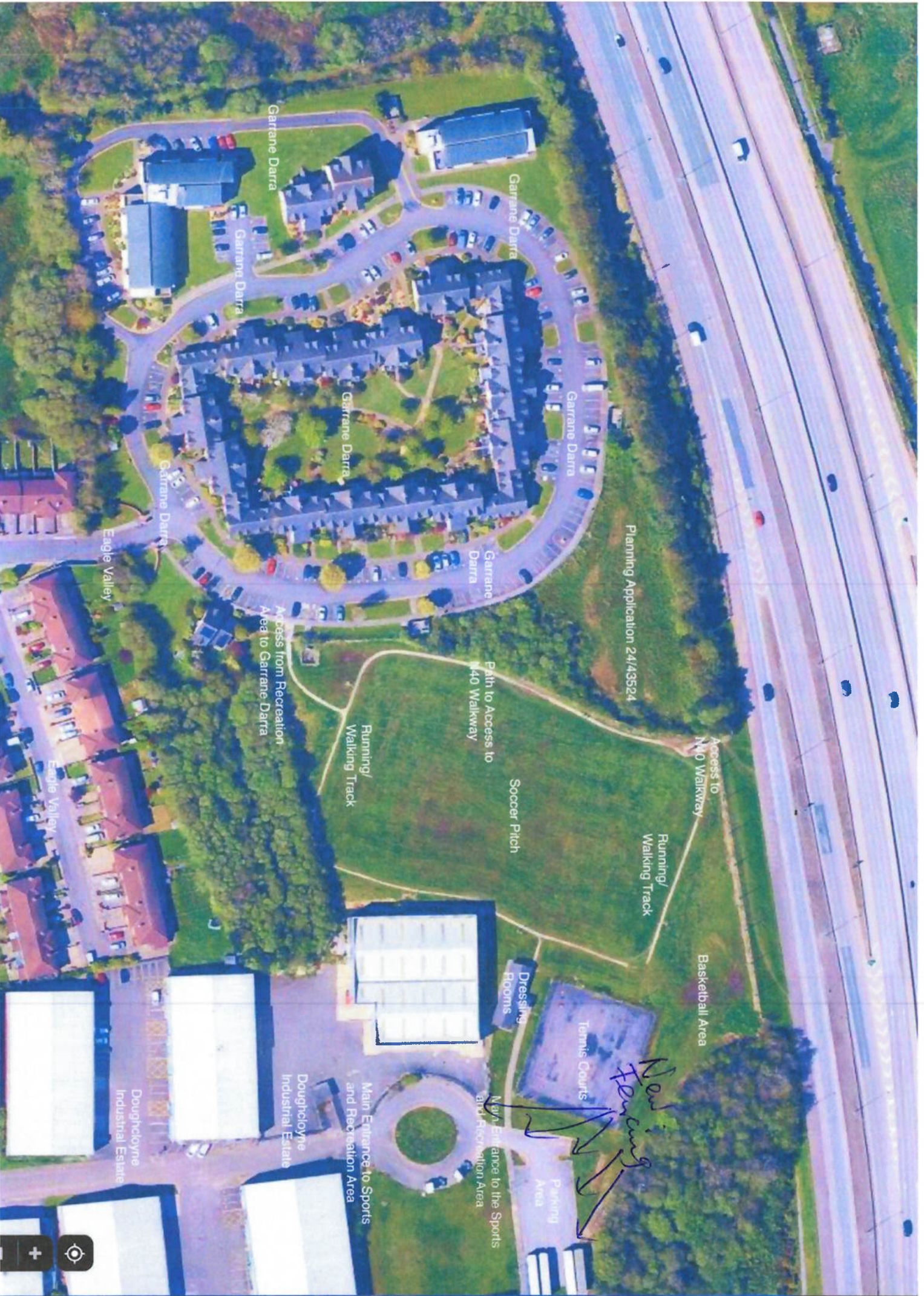
Walton  
United

Buckley  
New Fenian  
Construction

New Fenian

c. 1950s





Planning Application 24/43524

Access to M40 Walkway

Running/Walking Track

Basketball Area

Tennis Courts

Dressing Rooms

Main Entrance to the Sports and Recreation Area

Main Entrance to Sports and Recreation Area

Doughcloyne Industrial Estate

Soccer Pitch

Path to Access to M40 Walkway

Running/Walking Track

Access from Recreation Area to Garrane Darra

Eagle Valley

Eagle Valley

Doughcloyne Industrial Estate

New Fein



Access to the Sports and Recreation Area and the  
'jogging/walking/biking' track prior to 6<sup>th</sup> May 2025



Photos 2022



# Jogging / Walking / Biking Track





Path to the N40





Path to the N40





Toggling/Walking / Biking Track continues towards

Doughboyne Industrial Estate

