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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Cork County Council**

**Planning Register Reference Number: 21/00008**

**Appeal** by Gerard Connolly of 22 Main Street, Skibbereen, County Cork against the decision made on the 14<sup>th</sup> day of June, 2021 by Cork County Council to grant subject to conditions a permission to John J. Field care of Colman Cotter and Company Consulting Engineers of Sullane House, Great Island Enterprise Park, Ballincollig, County Cork in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** (i) Demolition of the rear extensions and the internal stairs of the existing O'Briens building (adjacent to Fields SuperValu) at 27 Main Street, (ii) construction of a new two-storey extension building with single storey to the rear which will be amalgamated into the existing SuperValu building with retail use at ground floor level and staff facilities and store use at first floor level, (iii) raise the ground and first floor levels of the existing O'Briens building (adjacent to Fields SuperValu) at 27 Main Street, (iv) increase the width of the existing entrance door to Fields SuperValu at 26 Main Street, (v) amalgamation of the front part of the existing Hickeys' Newsagents shop (a Protected Structure) into the existing café with two number opes to be formed in the separating wall at ground floor level and the

rear part of the existing Hickeys' Newsagents shop (a Protected Structure) into the supermarket for retail/off-licence use, (vi) revision of the configuration of the fire escape stairs at the rear of the existing Hickeys' Newsagents shop (a Protected Structure), (vii) widening of the existing fire escape door at the rear of the newsagents shop (a Protected Structure), (viii) construction of an external stepped fire escape walkway from the first floor staff facilities area to the first floor at the rear of the newsagents shop, (ix) carry out internal alterations at first floor level in the supermarket building (26 Main Street), (x) construction of a single storey extension on the south-western side of the rear of the existing building, (xi) construction of a single storey extension on the south-eastern side of the rear of the existing building, (xii) change of use of the existing bakery to home deliveries store on the south-western side of the rear of the existing building, and (xiii) construction of an enclosed external fire escape stairs from the first floor level on the south-eastern side of the rear of the existing building and all associated site works at Main Street, Skibbereen, County Cork.

## **Decision**

**GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.**

## **Matters Considered**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

## Reasons and Considerations

Having regard to the provisions of the Skibbereen Town Development Plan 2009-2015 and to the location of the site, it is considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with the provisions of the development plan, would be acceptable in terms of land use mix, scale, form and character, would not seriously injure the visual amenities of the area or the residential amenities of adjoining properties, and would represent an appropriate design response to the site's context within the town's Architectural Conservation Area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 19<sup>th</sup> day of May, 2021, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

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

2. Details of all external signage shall be submitted to and agreed in writing with the planning authority prior to commencement of development.

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

3. (a) During the operational phase of the proposed development, the noise level arising from the development, as measured at the nearest dwelling, shall not exceed:-
  - (i) An Leq,1h value of 55 dB(A) during the period 0800 to 2200 hours from Monday to Saturday inclusive.
  - (ii) An Leq,15 min value of 45 dB(A) at any other time. The noise at such time shall not contain a tonal component.
- (b) All sound measurement shall be carried out in accordance with ISO Recommendation 1996:2007: Acoustics - Description and Measurement of Environmental Noise.

**Reason:** To protect the amenities of property in the vicinity of the site.

4. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

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

5. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including noise management measures and traffic management measures.

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

6. Construction and demolition waste shall be managed in accordance with a construction and demolition waste management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Region in which the site is situated.

**Reason:** In the interest of sustainable waste management.

7. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

**Reason:** In order to safeguard the residential amenities of property in the vicinity.

8. A plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and recyclable materials shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the waste shall be managed in accordance with the agreed plan.

**Reason:** To provide for the appropriate management of waste and in particular recyclable materials, and in the interest of protecting the environment.

9. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to the commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

**Reason:** It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

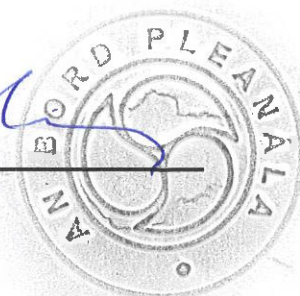


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**John Connolly**

**Member of An Bord Pleanála**

**duly authorised to authenticate  
the seal of the Board.**



Dated this 10<sup>th</sup> day of NOVEMBER 2021.