

---

**Planning and Development Act 2000, as amended**

**Planning Authority: Cork County Council**

**Planning Register Reference Number: 255372**

**Application for Leave to Appeal** against the decision of the planning authority by Jason and Svetlana Ryan having an interest in land adjoining the land in respect of which Cork County Council decided on the 18<sup>th</sup> day of February 2026 to grant, subject to conditions, a permission to Catholic Education an Irish Schools Trust (Ceist).

**Proposed Development:** Planning permission for the development of an educational campus, extending the existing Colaiste na Toirbhirte and including a new building for the relocated Gaelscoil Droichead na Banndan from north of the N71 onto the site immediately south of an Colaiste Na Toirbhirte. Permission for: (1) the construction of a part two-storey and part three-storey post-primary school building comprising internal classrooms (16 number), specialist teaching rooms, offices, special education needs base, double-height multi-purpose room and ancillary accommodation on and accessed at the lower ground floor and ground floor levels,

- (2) a two-storey primary school comprising of 12 classrooms with two classroom SEN base, to accommodate the existing Gaelscoil, including learning, administration and ancillary spaces and a general purpose hall,
- (3) outdoor play areas and ballcourts with perimeter fencing, site lighting, an amphitheatre overlooking one of the ball courts, external heat pumps and LPG tanks enclosure, and a new ESB substation,
- (4) site works, including alteration of two number existing vehicular entrances to L2032 Cloghmacsimon public road, a new pedestrian site entrance, set-back from N71 Bandon relief road, the relocation of existing onsite surface carparking and the provision of additional car parking spaces, roadworks, canopied bicycle parking, alterations to existing boundary walls, new fencing, drainage and surface water attenuation works, landscaping, site lighting, signage and all associated site works,
- (5) the demolition of existing four number ballcourts, a water storage tank, 810 square metres of temporary prefabricated building, and ancillary hardstanding and landscaping,
- (6) minor alterations to the existing school building and construction of two number linking canopies,
- (7) ESB cable diversion,
- all at the site immediately south of and at Coláiste na Toirbhirte, Ard Aoibhinn, Cloghmacsimon, Bandon, County Cork.

## **Decision**

**REFUSE leave to appeal under section 37 (6) of the Planning and Development Act, 2000, as amended, based on the reasons and considerations set out below.**

## Reasons and Considerations

Under section 37(6) of the Planning and Development Act 2000, as amended, the Commission may, within 4 weeks from the receipt of the application, grant the applicants leave to appeal where the applicants show that:

- (i) the development, in respect of which a decision to grant permission has been made, will differ materially from the development as set out in the application for permission, by reason of conditions imposed by the planning authority to which the grant is subject, and
- (ii) that the imposition of such conditions will materially affect the applicant's enjoyment of the land or reduce the value of the land.

In considering the request for leave to appeal, the Commission had regard to the conditions attached to the grant of planning permission by the planning authority and the documentation submitted by the applicant seeking leave to appeal. The Commission considered that it has not been shown that the development in respect of which a decision to grant permission has been made, will differ materially from the development as set out in the application for permission, by reason of conditions imposed by the planning authority to which the grant is subject.

The Commission considered that the imposition by the planning authority of Condition 1, requiring the proposed development to be carried out in accordance with the plans and particulars lodged with the planning authority on the 9<sup>th</sup> day of July 2025, as amended by way of further information received on the 18<sup>th</sup> day of December 2025, and the 29<sup>th</sup> day of January 2026, and unsolicited further information received on the 28<sup>th</sup> day of July 2025 and the 8<sup>th</sup> day of August 2025, save where amended by the terms and conditions of the permission granted, did not materially change the proposed development and did not result in the development

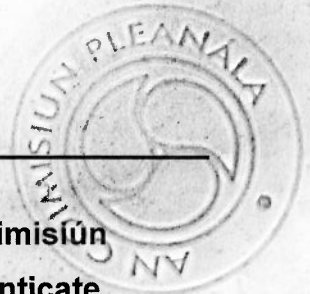
being materially different from the development in respect of which permission was sought.

Consequently, the Commission considered that the applicants do not meet the criteria for leave to appeal, as set out under section 37(6) of the Planning and Development Act 2000, as amended, and on this basis, the Commission decided to refuse the appeal.



**MaryRose McGovern**

**Planning Commissioner of An Coimisiún  
Pleanála duly authorised to authenticate  
the seal of the Commission.**



Dated this *7<sup>th</sup>* day of *April* 2026