



An
Bord
Pleanála

Inspector's Report ABP-308329-20

Development

Change of use and renovation of former convent chapel to commercial facilities, change of use of former convent to 7 apartments, demolition of existing boiler room, change of use of former school to 4 office units, construction of an apartment block containing 52 apartments, construction of 6 two-storey terraced houses, and retention and alteration of existing car park.

Location

Sisters of Mercy Convent, Gortnacloy, North Street, Skibbereen, County Cork

Planning Authority

Cork County Council

Planning Authority Reg. Ref.

19/565

Applicant(s)

Remcoll 3 Ltd.

Type of Application

Permission

Planning Authority Decision

Grant

Type of Appeal

First & Third Party

Appellant(s)

Remcoll 3 Ltd.

Aidan O'Brien

Observer(s)

Ludgate Operations Ltd.

Jerry Donovan

Date of Site Inspection

9th March, 2021

Inspector

Kevin Moore

1.0 Site Location and Description

- 1.1. The 0.916 hectare site of the proposed development is located on the east side of North Street (Regional Road No. R595) to the north of the town centre of Skibbereen in West Cork. It is an elevated site on which there are three protected structures – a two-storey former convent building, an attached chapel, and a detached two-storey former school. The convent and chapel were substantially fire damaged in recent times. The school building is currently unoccupied and is falling into a state of disrepair. There are two reinforced concrete structures to the front of the convent and chapel which are associated with an earlier development which has been abandoned.
- 1.2. The site is bounded to the south by St. Patrick’s Cathedral, to the north a small group of single-storey assisted living units at the junction of a cul-de-sac road with the regional road, to the west by North Street and by the former St. Fachtna’s De La Salle College and single-storey house on the opposite side of the street, and to the east by the former Mercy Heights Secondary School property which is now vacant. Norton House, Cork County Council buildings, is sited to the north of the road junction. The cul-de-sac road flanks the northern side of the site and has a footpath on its northern side. It provides vehicular access to the site, to the Council offices, to St. Joseph’s National School, and properties to the rear.

2.0 Proposed Development

- 2.1. The proposed development would comprise:
 1. The change of use, renovation and alteration of the former convent chapel (Protected Structure – RPS085) for use as commercial facilities, to include multipurpose room, ‘hot desks’, the installation of first floor office pods and ancillary facilities, and a community room;
 2. The change of use, renovation and alteration of the former Mercy convent (Protected Structure – RPS086) for use as 7 apartments (two 1 bedroom, two 2 bedroom and three 3 bedroom units), community space, management office, and ancillary facilities;

3. The demolition of a single storey glass boiler room abutting the south elevation of the former convent;
4. The change of use, renovation and alteration of the former Mercy Heights School (Protected Structure – RPS087) for four office units with ancillary facilities.
5. Construction of a four storey apartment block located to south-east of the site consisting of 52 apartments (41 two bedroom and 11 one bedroom units);
6. Construction of 6 two-storey, two bedroom terraced houses to the west of the site adjacent to North Street;
7. Retention, alteration and completion of the partially complete 4-level underground car park (Planning Refs. 06/57052 & 07/57052) to provide car parking and associated access podium at ground level to the north of the site; and
8. Ancillary services including hardstanding, lighting, parking, landscaping areas, erection of signage to the northern boundary, a refuse compound, and connection to public services.

The proposed development would seek to retain 1763 square metres of existing floor space, with the gross floor space of the proposed works being 9,853 square metres in area. The development would be served by public water and sewerage services. A total of 73 parking spaces would be provided to serve the development.

- 2.2. Details submitted with the application included a letter from the landowner consenting to the making of the application, a Part V compliance letter, an architectural heritage report, a bat and bird assessment, an architectural design report, and a transport assessment.

3.0 Planning Authority Decision

3.1. Decision

On 14th September 2020, Cork County Council decided to grant permission for the proposed development subject to 60 conditions. Condition 4 was as follows:

“Prior to the commencement of development, revised drawings shall be submitted for the written agreement of the planning authority to include the following:

The omission of the top 2 no. floors on the most southern side of Apartment Block B which is located directly behind St. Patrick’s Church. This will necessitate the removal of 8 no. apartments in total including apartment no’s 209, 210, 211 and 212 and no’s 309, 310, 311 and 312. The revised building shall be reduced and staggered to eliminate the visual impact on the protected structure.”

The reason given for this condition was: *“In the interest of visual amenity and protecting the curtilage of the protected structures.”*

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Planner noted development plan provisions, the site’s planning history, third party submissions, and reports received. The site’s zoning provisions, the development’s density, proximity to the town centre, and compliance with design standards. The proposal was seen to be generally acceptable in principle, meets the mixed use zoning criteria on the site, and is in line with current guidelines on sustainable urban housing. A request for further information was recommended based upon the reports received as well as on phasing of the development and housing mix.

The Senior Executive Planner concurred with the Planner’s recommendation.

3.2.2. Other Technical Reports

The Estates Report noted the shortfall in car parking spaces to meet development plan requirements but considered that allowance could be made for dual use and the ‘parking credit’ associated with the existing buildings on the site. Reference was made to shortfalls in the applicant’s transport assessment. A request for further information was recommended relating to road improvements, lighting, sightlines, a construction management plan, shared surfaces, refuse provisions, alternative surface water drainage arrangements, drainage arrangements for the underground car park, maintenance arrangements, and construction phasing.

The Environment Report requested further information relating to construction and operational waste management, inclusive of adequate access.

The Area Engineer recommended a request for further information relating to improvements to the local road, surface water, and clarity on the mobility management plan with regard to parking.

The Fire Officer recommended a grant of permission subject to two conditions.

The Heritage Report considered the development would not have any significant effect on any European sites. A request for further information was recommended seeking a mitigation plan detailing how mitigation measures within the Bat and Bird Assessment has been or will be implemented as part of the scheme.

The Council Architect sought redesign in relation to the six houses fronting North Street and the apartment block, details to protect the rear stone wall and on interventions in the chapel, an architectural impact assessment, the retention of interior/exterior fabric of existing buildings, relocation of the car park access, reduction in the height of retaining walls, details of ventilation shafts to the car park, redesign of the front stepped access, site utilities details, and details of sequencing of works.

The Conservation Architect sought further information in relation to additional documentation relating to surveying, building conditions, recording, mitigation, a method statement, etc., as well as revised proposals relating to the former school, the former convent and chapel, focusing on the retention, removal and conservation of features of significance. Revisions were also requested on the proposed houses fronting onto North Street and the apartment block and to provide details on the stone wall along the south-east boundary and the presence of burial grounds on the site.

3.3. Prescribed Bodies

Inland Fisheries Ireland had no objection subject to Irish Water signifying there is sufficient capacity so that the existing effluent treatment facilities are not overloaded or that polluting matter entering waters would not result.

The Environmental Health Officer of the HSE set out requirements relating to pest control, noise, dust emissions, traffic management, waste, and refuse facilities.

Irish Water requested further information in relation to revisions to surface water provisions.

Transport Infrastructure Ireland submitted that the Authority would rely on the planning authority to abide by official policy in relation to development affecting national roads.

3.4. Third Party Observations

A submission from Donal Martin raised health and safety concerns relating to the existing site and the need to protect the existing heritage structures.

Kate Mann raised concerns about the traffic impact on pedestrians and cyclists, the lack of water harvesting, and failure to use alternative energy sources.

Aidan O'Brien raised concerns about the traffic impact and the need to account for the needs of national school children.

- 3.5. A request for further information was issued by the planning authority on 23rd October 2019. A request for an extension of time was sought by the applicant and obtained. A response to the further information was submitted on 15th July 2020. This included a Supplementary Architectural Heritage Impact Statement, a Landscape Report, a Construction and Waste Management Plan, a Waste Management Plan, an Outdoor Lighting Report, a Junction Design Report, and a Road Safety Audit. Revisions included the redesign of the terraced houses along North Street, the omission of four apartments in the new apartment block and the provision of greater separation between the block and adjoining blocks, and the redesign of the façade of Block D. A request for public notices was sought and revised public notices were submitted to the planning authority on 18th August, 2020.

- 3.6. Following this submission the reports to the planning authority were as follows:

- Irish Water had no objection to the proposal.
- The Environment Section considered the further information to be acceptable and no objection to the granting of permission subject to conditions.
- The Ecologist recommended that clarification be sought in relation to lighting affecting bats and birds and the submission of a revised CEMP to take into account measures proposed relating to bats and birds.
- The Roads Engineer submitted the further information did not satisfactorily address road widths and pedestrian connectivity, did not provide consent from OPW relating to the surface water outfall to the Ilen River, and did not address the limited availability of public car parking to meet the deficit that would arise. It was concluded that the development should not proceed due to public safety concerns resulting from traffic generated and pedestrian movements and the limitations arising to address the requirements for the local road and the junction with the R595.
- The Architect set out considered deficiencies with the proposal. It was recommended that permission be refused because it represented unsustainable development and it would have a negative bearing and would set an undesirable precedent.
- The Estates Report considered the proposed localised road improvement works to be inadequate, when additional road width is required over the entire local road and a two-lane exit onto the R595 is needed. Inadequacies relating to pedestrian connectivity were also highlighted. A refusal of permission was recommended.
- The Conservation Officer considered that Blocks D and E could be the subject of some revisions but that Block B required significant revisions that were not possible at this stage of the application. A refusal of permission was recommended due to the scale, height, mass and design of Block B affecting the character of the protected structures at this location.
- The Area Engineer sought clarification relating to the footpath provision along the local road, the alignment of the storm water pipeline, and impact of parking beyond the site.

- The Health Service Executive set out requirements to be met in relation to pest control, noise, air emissions, traffic management, waste, construction management, refuse, and open space.
- Transport Infrastructure Ireland submitted that its position remained as set out in its previous letter.
- The Planner noted the further information response and the reports received. Concerns were raised about the predominance of two bedroom units in the scheme. It was considered that the applicant had failed to address traffic and heritage concerns. A refusal of permission was recommended for two reasons relating to traffic hazard and Block B detracting from the character and setting of protected structures.
- The Senior Executive Planner concurred with the recommendation of the Planner.
- The Estates Report set out a schedule of conditions that should be attached to any grant of planning permission.
- The Traffic and Transport Section submitted that the traffic issues relate to set-down on North Street, footway provisions, the two vehicular accesses into the site, the internal junction, intensification of traffic volumes during school peak periods, and potential overspill parking in the area. Mitigation measures to address the impacts were set out. There was no objection subject to a schedule of conditions being attached with the grant of permission.

3.7. Following these reports, the following was submitted:

- The Conservation Officer referenced verbal discussions with the planning team and considered the concerns raised on design could be dealt with by way of conditions with a grant of permission. A schedule of conditions was recommended.
- The Director of Services, Planning & Development, referred to the planning application along with another application, P.A. Ref. 19/821, forming part of 'Opportunity Site 4 – Secondary Schools' as set out in the Skibbereen Town Development Plan. Reference was made to Objective TC1-3 of the Plan for such sites to be developed in an integrated manner. It was noted that the

Council owns the lands immediately adjoining North Street which are critical to necessary upgrade works to unlock the potential of the Opportunity Site. The grounds of the neighbouring Norton House and car park were seen to be able to contribute to pedestrian and cycle connectivity. The Council's plans to provide pedestrian connectivity to a strategic car parking solution at the Marsh that had been subject to a Part 8 were also noted. It was stated that he was satisfied that the applicants of the two planning applications (i.e. the current application and an application for development immediately to the east) and the planning authority could arrive at an integrated road safety and sustainable transport solution to address the limitations on North Street. Reference was made to the approach taken by the Board in ABP-300543-18 whereby a Section 47 agreement was relied upon by way of condition to permit the planning authority and applicant to work through a solution that can be subject to legal agreement.

- The Senior Planner submitted that it is a key objective of the planning authority to bring the neglected opportunity site and surrounding environs back into use. The proposal was seen to be a proactive plan to redevelop the regeneration site. It was considered that the design could be amended by condition to address the Architect's and Conservation Officer concerns. The reports of the Traffic and Transport Section and the Director of Services were noted. A grant of permission was recommended.
- The Area Engineer set out a schedule of conditions.
- The Planner submitted that, having regard to the reports of the Director of Services, and the Senior Planner, it was recommended that permission be granted subject to a schedule of conditions.

Further third party submissions were received. Skibbereen Geriatric Society Limited raised concern about the impact on adjoining assisted living units from Blocks D and E, construction traffic, and the new junction layout. Aidan O'Brien raised pedestrian safety concerns and considered the proposal should be refused on road safety grounds.

4.0 Planning History

P.A. Ref. 06/57057

Permission was granted for the construction of a two screen cinema, retail unit, restaurant, community facility, offices, 67 apartments and multi-level parking facilities.

P.A. 07/57052

Amendments to the above permission were granted.

P.A. 12/57004

Extension of duration of Planning Permissions 06/57057 and 07/57052 was granted.

5.0 Policy Context

5.1. Skibbereen Town Development Plan 2009-2015

Zoning

The site is zoned 'Mixed Use'. This zoning provision seeks to accommodate residential, commercial, office, cultural and other uses appropriate to the centre of a developing town. Potential retail use is strictly controlled.

Urban Renewal and Regeneration

The site of the proposed development is in an area designated the 'Civic/Cultural Quarter'. It is considered that this Quarter may have further significant development potential if the three secondary schools amalgamate and relocate as proposed. An 'Opportunity Site' for this Quarter is identified.

The site of the proposed development forms part of the designated 'Opportunity Site 4 – Secondary Schools'. It is stated that this comprises St. Fachtna's De La Salle, Rossa College and the Convent of Mercy Secondary Schools which are clustered in the same general area. It is considered that such sites could be further utilised for educational purposes by the neighbouring primary schools which may need to expand as population in the town grows or alternatively if it can be demonstrated that the buildings are no longer required for educational or community purposes and that the primary schools in the vicinity do not need to expand, then such sites/buildings

may be appropriate for other mixed uses provided that an element of educational/community/civic use is maintained.

Objectives for urban renewal and regeneration include:

- TC2** Promote and facilitate the development of the 5 no. opportunity sites identified in the different Quarters throughout the town centre through the preparation of details site development briefs where appropriate.
- TC6** Promote and encourage the reuse and redevelopment of existing vacant and derelict properties and to update the Derelict Sites Register.

Policies include:

TC1 Opportunity Sites

- TC1-1** The 5 no. opportunity sites identified in this Plan shall be developed for their specific uses prior to other alternative edge of centre or out of centre sites. Other alternative sites shall not be developed unless it can be comprehensively demonstrated that the opportunity sites are either unsuitable or unavailable for development purposes during the lifetime of the Plan.
- TC1-2** The opportunity sites shall be developed in consultation with Skibbereen Town Council and in strict accordance with detailed site development briefs and flood risk management requirements as set out under Policy WU4 where relevant.
- TC1-3** The opportunity sites shall be developed in an integrated and holistic manner. Where such sites fall into multiple ownership and it is proposed to partially develop a site, it will be necessary to demonstrate that the proposed development has regard to the future development potential of the remainder of the site such that future development is not compromised.

TC3 Derelict and Vacant Buildings

- TC3-1** The rehabilitation, restoration and re-use of existing under-utilised sites in the town centre, mixed use and commercial zoning areas shall be encouraged in preference to the development of greenfield sites in the edge of centre or out of centre locations.
- TC3-2** The provisions of the Derelict Sites Act 1990 shall be utilised by the Council to encourage the refurbishment of derelict properties.

Architectural Heritage

Record of Protected Structures

The site contains three protected structures:

RPS No. 085 – The Convent Chapel

RPS No. 086 – Mercy Heights School

RPS No. 087 – Mercy Convent

The following are also protected structures:

- The adjoining structure to the south – St. Patrick’s Cathedral (RPS No. 084),
- The structure to the north of the junction of the local road and regional road – Court House (RPS No. 088), and
- The structure on the opposite side of the regional road – The Palace (RPS No. 020).

Architectural Conservation Areas

The town centre of Skibbereen is designated an Architectural Conservation Area (ACA). The site of the proposed development is located within this ACA.

Objectives include:

TM1: Preserve and enhance the character of the town centre by protecting historical/architectural buildings, groups of buildings, the existing street pattern, plot size and scale while encouraging appropriate development in the town.

Policies include:

TM1 Protected Structures

TM1-1 Structures entered onto the Record of Protected Structures or listed to be entered onto the Record of Protected Structures shall be protected and their reuse/conservation/restoration and appropriate use encouraged.

TM1-2 Proposals for development involving alterations or additions to a protected structure or its setting shall be encouraged where those works

- (a) Enhance the special character of the structure; and/or

- (b) Complement and reflect the design and character of contiguous buildings and the surrounding area; and/or
- (c) Features of architectural or historic interest and the historic form and structural integrity of the structure are retained.

TM1-3 Proposals for development of protected structures shall be encouraged where those proposals;

- (a) Contribute to the continued maintenance and repair of the structure; and/or
- (b) Maintain existing usage or provide a new use compatible with the character of the structure or its setting.

TM1-4 Development proposals on sites contiguous with a protected structure shall only be permitted where it can be clearly demonstrated that the development has no adverse impacts on the character or integrity of the protected structure, or views to and from it.

TM2 Architectural Conservation Areas

TM2-1 Proposals involving re-use, change of use, new build and extension of buildings and structures in ACAs shall only be permitted where it can be clearly demonstrated that development will

- (a) Reflect and respect the scale, massing, proportions, design and materials of existing structures and reflect the character of the area and its streetscape; and
- (b) Retain important exterior architectural features that contribute to the character and appearance of the ACA; and
- (c) Where it is not possible to retain the existing features, make use of natural local materials.

Employment, Enterprise and Economic Development

Policies include:

EC3 Promotion of Quality Work Environment

EC3-1 It is the policy of the Council to promote a good quality working environment with access to local services and facilities, through the good spatial

distribution of employment around the town within easy reach of transport services and residential.

Infrastructure

Surface Water Drainage

The Plan states that surface water has not been considered as an inhibiting factor to development within the town.

5.2. Appropriate Assessment

The site of the proposed development is located close to the centre of the serviced town of Skibbereen. European sites are remote from this town. Having regard to the nature, scale, and location of the proposed development, the serviced nature of the development, the nature of the receiving environment, and the separation distance to the nearest European sites, it is concluded that no Appropriate Assessment issues arise as the proposed development would not be likely to have a significant effect individually or in combination with other plans or projects on a European site.

5.3. EIA Screening

Having regard to the nature, size and location of the proposed development, there is no real likelihood of significant effects on the environment. The submission of an EIAR is not required.

6.0 The Appeals

6.1. Grounds of Appeal from Remcoll 3 Ltd.

The appeal is against the attachment of Condition 4 with the planning authority's decision. The grounds of the appeal may be synthesised as follows:

- Since the grant of planning permission, a major fire has caused serious damage to Block C. Costs associated with the historic buildings are likely to increase dramatically. The loss of the units required by Condition 4 will render the project economically unviable.

- The applicant's response to the planning authority's further information request reduced the number of apartments in Block B to 48, achieving a greater separation between Block A and Block B and decreasing the overall length of Block B. The planning authority is now requesting an additional 8 units be removed from the southern side of Block B, a reduction of 23% of the initially proposed units.
- The visual impact of the southern units on the Cathedral is already minimal due to a 23.5m minimum separation distance. The apartments appear very much in the background of the cathedral.
- The cathedral is in an elevated position. Its dominance could only be hindered by the construction of an adjacent development to the north or south of it.
- The overall height of Block B at 12.225m is comparable to the development previously granted under Planning Permission 07/57052. It is approximately 2.83m above the ridge of the cathedral in the foreground. When the separation distance and sloped nature of the site are considered the apartments will not have a detrimental visual impact. There is no justification for the removal of two full floors of accommodation.

6.2. Grounds of Appeal from Aidan O'Brien

The grounds of appeal may be summarised as follows:

- There are concerns regarding road safety in the immediate locality of the proposal and the likely negative impact the development would have on road safety on the R595, particularly with regard to pedestrians and cyclists, the majority of whom are in the primary school age.
- Many of the appellant's initial concerns have been addressed by the conditions imposed as part of the grant of planning permission. However, the application, along with the adjacent application P.A. 19/00821, with expected significant traffic flow, still causes particular road safety concern for the section of the R595 between its junction with L9800-0 and L9801-0 where children attending three local schools diverge and converge on their way to

and from school. Peak hour can be chaotic. The uncontrolled nature of both junctions is posing high risk.

- The proposed signalisation of the junction of the R595 and the L9801-0, without a similar and linked signalisation of the L9800-0 junction, would be a retrograde step. A holistic transport study on this section of the R595 needs to be done and pedestrian and cyclist movements need to be made a priority.
- Provisions of the West Cork Municipal District Local Area Plan as they relate to Skibbereen Environs are noted.
- The number of parking spaces required by the development needs to be clarified/controlled. A legal agreement relating to modal split should be drawn up between the developer and the Council, providing for occupation of a percentage of apartments by non-motorised transport owning occupants. A parking strategy for the wider area needs to be developed.
- Traffic count numbers presented in the application are unlikely to be representative of peak hour conditions in winter months.
- The Council's proposals to address road safety on the L9801-0 are noted.
- The proposal does not meet with the requirements of sustainable development from a road safety perspective.
- The proposal would result in excessive congestion in the locality of the R595 and further impact on air quality and the environmental health of pedestrians and cyclists.

The appellant concludes by submitting that it is hoped that the application can be granted planning permission subject to additional conditions relating to road safety being attached. Reference is made to a holistic study of the R595, including junction analysis of both the L9800-0 and L9801-0 junctions, a road safety audit, and coordinated signalisation of both junctions, with costs apportioned appropriately. Potential introduction of a 30kph speed limit is also referred to. It is further submitted that a legal agreement should be made to guarantee the mobility management plan provides for an appropriate percentage of apartment occupancies to be non-car owners.

6.3. Applicant Response

I have no record of any response from the applicant to the third party appeal.

6.4. Planning Authority Response

The planning authority's response to the third party appeal is as follows:

- The Senior Planner notes the adjacent planning application P.A. 19/821 had been withdrawn and any future application would have to be considered on its own merits. Reference is made to existing pedestrian provisions in the vicinity and to the proposed additional provisions contained in the application. Details of how the application and planning conditions have addressed the additional requirements set out in the third party appeal are set out.

The planning authority's response to the first party appeal is as follows:

- The Conservation Officer stated she had nothing further to add.
- The Senior Executive Planner asked the Board to support the planning authority's decision to ensure redevelopment of the brownfield site and for the conservation and reuse of the protected structures on the site. It is submitted that the planning authority sought to be proactive in facilitating the site's redevelopment while addressing key design and conservation challenges and providing for a solution to access and traffic safety issues.

6.5. Observations

The observation from Ludgate Operations Ltd. may be synthesised as follows:

- The purpose of the observation is to ask the Board to ensure that the conditions attached to any permission granted to the applicant do not establish a precedent which would undermine the viability of future development proposals on the observer's site (i.e. the lands associated with Planning Application P.A. 19/821).
- The need for the road and traffic improvements sought by the planning authority and the third party appellant are questioned, as well as whether they

are consistent with DMURS. The Council's General Development Contribution Scheme makes provision for any road and drainage infrastructure required to support the implementation of the objectives of the Skibbereen Town Plan and the works should be the responsibility of the planning authority.

- In relation to conditions attached by the planning authority, Section 34(4)(a) of the Planning and Development Act does not provide for the imposition of conditions which require the applicant to carry out works on third party property which is outside the control of the applicant at the time the condition is imposed and which is not expedient for the development proposed. Conditions imposed under Section 34(4)(m) must relate to works which are carried out within the application site or in the public domain and cannot apply to third party property. Also, any bilateral agreement with the local authority must be on the basis that the applicant will be reimbursed for the costs of any works in excess of the immediate need of the proposed development.
- There appears to be no basis in law for the planning authority to impose the full cost of public road improvement works on just two developers or to arbitrarily decide that the costs should be apportioned between those developers on a 50:50 basis. Regarding Condition 58 of the decision, Section 47 agreements can only be enforced in regard to land in which the developer has an interest and cannot apply to works on third party property or the public domain. While there are provisions for a tripartite agreement under Section 47(2), the third party must be a prescribed body.
- The infrastructural conditions fail to comply with Section 3.7 of the Development Management Guidelines.
- The proposal is more than ten times the scale of the observer's project and with a significant increase in the amount of run-off. There is no factual basis for the assumption that both proposals would have similar impacts from traffic or surface water viewpoints. In the event that it was permissible to allocate responsibility for offsite infrastructural improvements, the ratio should be 90:10 rather than 50:50.

The observer also raises concerns relating to surface water drainage improvements relating to its proposed development.

The observation from Jerry Donovan raised concerns relating to part of the site being within the ownership of the observer and no consent being given for the making of the application. This relates to part of the proposed terrace of dwellings fronting onto North Street. It is further submitted that traffic congestion, parking concerns, heritage and ecological impacts, and design and layout issues have not been fully or successfully resolved, having regard to the planning authority's reports recommending refusal and the application on adjoining land being withdrawn. Reference was made to the required legal agreement being inappropriate and to the extensive conditions considerably altering the original proposal.

7.0 Assessment

7.1. Introduction

- 7.1.1. I consider the principal planning issues relate to how the proposed development meets with development plan provisions, the impact on protected structures, and the traffic impact.

7.2. The Development in the Context of Development Plan Provisions

- 7.2.1. The proposed development requires to be considered against the provisions of the Skibbereen Town Development Plan.
- 7.2.2. I first note that the appeal site is zoned 'Mixed Use'. This zoning provision seeks to accommodate residential, commercial, office, cultural and other uses appropriate to the centre of a developing town. The nature and extent of the proposed development is wholly in keeping with this zoning provision.
- 7.2.3. I acknowledge that the site contains buildings of architectural, historical and cultural significance for the town of Skibbereen, namely a convent, associated church, and a school, each of which are protected structures. The convent and church have very

recently been subject to extensive fire damage and the school is falling into a state of disrepair. This is a key site demanding urban renewal and regeneration of the important established structures thereon.

7.2.4. The site is in an area designated the 'Civic/Cultural Quarter' in the town's development plan and it forms part of an 'Opportunity Site' (Opportunity Site 4 – Secondary Schools) which has been identified for this Civic/Cultural Quarter. The Plan notes that St. Fachtna's De La Salle, Rossa College and the Convent of Mercy Secondary School (i.e. the school on the appeal site) could be further utilised for educational purposes or, if they are no longer required for educational or community purposes and the primary schools in the vicinity do not need to expand, they could be appropriate for other mixed uses provided that an element of educational/community/civic use is maintained. I note that there has been no concern raised about the need to use the appeal site for the expansion of existing educational facilities in this area. I further note that the uses proposed are wholly in keeping with the zoning provisions for the site. I also acknowledge that the planning authority is satisfied with the range of uses proposed for the site and that these uses are not incompatible with the desired range of uses for this 'Opportunity Site'. I submit to the Board that the proposed development is in keeping with the following objectives of the Plan:

- To promote and facilitate the development of the opportunity sites identified in the different Quarters throughout the town centre (TC2);
- To promote and encourage the reuse and redevelopment of existing vacant and derelict properties (TC6).

Furthermore, the proposal is in keeping with Policy TC1 of the Plan, being development proposed close to the town centre before out of centre development is promoted and being development which understands the context of the 'Opportunity Site' and its overall future development.

7.2.5. As well as substantially contributing to the realisation of what is intended for the 'Opportunity Site', a most significant contribution the proposed development will make is to regenerate important derelict and vacant buildings close to the town centre and along an important approach road into this centre. To that end, the

proposal is in keeping with Plan Policy TC3, which seeks to rehabilitate, restore and re-use existing under-utilised sites in the town centre, where mixed use and commercial zoning areas are to be encouraged in preference to the development of greenfield sites in the edge of centre or out of centre locations.

7.2.6. In addition to the important contribution the proposed development would make to regeneration and urban renewal, the contribution it will make to the restoration and reuse of buildings of significant architectural heritage cannot be under-stated. As has already been referenced, this site contains three protected structures – the convent chapel ((RPS No. 085), the Mercy Heights School (RPS No. 086), and the Mercy Convent (RPS No. 087). There are several other protected structures in the immediate vicinity, including St. Patrick’s Cathedral (RPS No. 084) to the south, Norton House, i.e. Court House (RPS No. 088) to the north, and the Palace (RPS No. 020) on the opposite side of the regional road. Furthermore, the town centre of Skibbereen is designated an Architectural Conservation Area (ACA) and the site of the proposed development is located within this ACA.

7.2.7. The proposed development can be seen to be in keeping with the following objectives and policies:

- To preserve and enhance the character of the town centre by protecting historical/architectural buildings, groups of buildings, the existing street pattern, plot size and scale while encouraging appropriate development in the town (Objective TM1);
- To protect structures entered onto the Record of Protected Structures and to encourage their reuse/conservation/restoration and appropriate use (Policy TM1-1);
- To encourage proposals for development involving alterations or additions to a protected structure or its setting where those works enhance the special character of the structure, complement and reflect the design and character of contiguous buildings and the surrounding area, and/or retain features of architectural or historic interest and the historic form and structural integrity of the structure (Policy TM1-2); and

- To encourage proposals for development of protected structures where those proposals contribute to the continued maintenance and repair of the structure and/or maintain existing usage or provide a new use compatible with the character of the structure or its setting (Policy TM1-3);

7.2.8. I further note that it is Plan policy to permit development proposals on sites contiguous with a protected structure only where it can be clearly demonstrated that the development has no adverse impacts on the character or integrity of the protected structure, or views to and from it (Policy TM1-4). This issue will be addressed later in this assessment with regard to the impact on the neighbouring St. Patrick's Cathedral.

7.2.9. With regard to the impact of the proposed development within the designated ACA, It is my submission that the proposed development is wholly in keeping with Policy TM2 of the Plan. This proposal, involving re-use, change of use, and new build reflects and respects the scale, massing, proportions, design and materials of existing structures, as well as the character of the area and its streetscape. It critically retains important exterior architectural features that contribute to the character and appearance of the ACA.

7.2.10. I also note the nature and extent of the mixed-use development and the Plan provisions as they relate to economic development. The proposal provides a range of employment and community related uses as well as residential use. The scheme is innovative in terms of its provision of offices, 'hot desks', multi-purpose room, etc. within the established structures. I am satisfied that these are designed to a high standard and that the development would be in keeping with Policy EC3 of the Plan, promoting a good quality working environment with access to local services and facilities and being located on the edge of the town centre.

7.2.11. Finally, with regard to water infrastructure and the issues raised in the application to date, I note that the Plan states that surface water is not considered as an inhibiting factor to development within the town. This is not an issue which should undermine the developability of this site and the provision of enhanced surface water drainage

provisions should be readily attainable in consultation with the planning authority and Irish Water.

7.2.12. In conclusion, I am satisfied to determine that the proposed development is compatible with the relevant Development Plan provisions as they relate to this site.

7.3. Impact on Protected Structures

7.3.1. It is first observed that the proposed development will make a very valuable contribution to the protection of highly vulnerable protected structures. The conservation works proposed and the intended range of uses will reinvigorate the established buildings. I acknowledge that the challenge to deliver on this scheme has been greatly undermined by the recent fire within the convent and church building and that the ability to seek to replicate structures that have been irrevocably damaged may prove most difficult to achieve. Notwithstanding this, the developer's intent to proceed with this development will result in a necessary and significant urban renewal scheme at this important edge of town site which will seek to protect what remains of the structures on the Council's Record of Protected Structures.

7.3.2. I further note that the scheme provides for a terrace of houses along the road frontage of the site. This will greatly enhance the presentation of the urban renewal scheme. These houses are appropriately scaled and have been redesigned in the response to the planning authority's further information request to be compatible with adjoining residential development. They will improve the enclosure of the site and will give the site a street edge suited to its town centre location. The houses will pose no form of an intrusion on the protected structures within or in the vicinity of the site.

7.3.3. I note the planning authority's concerns relating to the proposed apartment building, Block B. This block was redesigned in response to the planning authority's request for further information. This redesign culminated in a loss of four apartments. Condition 4 of the planning authority's decision seeks a loss of a further 8 apartments. The Board will note that this four-storey block is sited behind the proposed houses fronting onto North Street, behind the existing convent and

associated church, and behind St. Patrick's Cathedral. It is also located behind the school building which fronts onto the local road. Furthermore, it backs onto a high embankment which forms the rear site boundary. In the context of visual impact, this block will present as part of the established complex of structures on this site when viewed from the public realm. In truth, much of this building will be masked when viewed from beyond the site. This is the context in which this proposed building needs to be understood. It would not be out of place in this edge of town centre location and would introduce a welcome residential component to this scheme. To suggest the block has been designed and then redesigned in a manner that addresses the existing protected structures on this site and that it somehow does not satisfactorily address the relationship with the protected structure beyond the westernmost edge of the site is not warranted in my opinion. The south-western end of this block will be set back in excess of 22 metres from the rear of the cathedral building. It will pose no threat to the viability and functioning of that structure. That section of the building being requested by the planning authority to be omitted and redesigned, in my opinion, results in unnecessary tinkering with a revised design which fits with its urban centre context and poses no threat to the setting of the cathedral, its prominence on the streetscape, and the overall integrity of the collection of protected structures at this location. The landscaping proposals and the 'breathing space' being afforded between blocks in this town centre location further enhance the valuable contribution of the regeneration scheme. I can see no merit in reducing further the scale of this block.

- 7.3.4. Overall, I am satisfied to conclude that the proposed development will enhance the context of established protected structures and can reasonably be seen to be compatible with Skibbereen Town Development Plan Policy TM1-4, whereby it has been clearly demonstrated that the development has no adverse impacts on the character or integrity of the protected structure contiguous to this site or to views to and from it. The submitted plans and sections ably demonstrate this.

7.4. Traffic Impact

- 7.4.1. From my observations, the approaches to addressing the traffic-related issues associated with this proposed development have been at best disjointed and have frequently been misplaced. The planning authority has sought to tie up the proposed scheme with a future development to the rear of this site, the nature and extent of which is now unknown, and with public road and transportation improvements which are the responsibility of the local authority as roads authority. It has also failed to focus on what is attainable by the applicant within the confines of the site to help with the delivery of road improvements. What further measures the developer can undertake beyond the confines of this site can only reasonably be in relation to the making of development contributions to the planning authority within the confines of its Development Contribution Scheme.
- 7.4.2. Having regard to the above, it is necessary to focus on what can be attained to improve on the traffic and transport environment that prevails at this location when dealing with this planning application. It is clear that the proposed development seeks to access a narrow local road. This is a local road which serves the offices of Cork County Council, a primary school, the appeal site which has itself accommodated a school and a convent, as well as lands to the rear of the appeal site. The appeal site is within the town centre of Skibbereen. It has extensive development on it. It has previously been subject to planning permission for a cinema, retail, apartments, and other developments. The proposed development would not generate additional high volumes of traffic relative to traffic generation in this town centre location. While its redevelopment and regeneration will bring with it some additional vehicular traffic, its established uses and its town centre context must not go unnoticed. The ability of the developer to physically improve upon the width and improved function of this road is limited to the frontage it has available. The applicant's abilities have been demonstrated in the plans submitted with the application and have altered in response to the planning authority's further information request. There is nothing much more the applicant can seek to achieve within the confines of this site.

7.4.3. It is essential to acknowledge that the frontage at the junction of the local road and the regional road does not form part of this site. The assisted living housing units are located there and the Council building is on the opposite side of the junction. Thus, the applicant cannot physically deliver on the junction improvements. It must also clearly be understood that the upgrading of this public road and its junction with the regional road is the responsibility of the local authority. It appears evident from third party submissions to the planning authority, the third party appeal, and the observations that the issues relating to the local road, access to the school, pedestrian movement, etc. are existing ongoing problems. These issues are not the result of a development which has not yet occurred on the appeal site. The provision of improvements for pedestrians, cyclists, school-going children, and car and other road users on the public road network is the duty of the local authority. As I have already submitted, the developer could reasonably make a financial contribution towards such improvements, which could take the form of a special contribution. However, such a contribution must be reasonable, balanced and proportionate. It is entirely disproportionate to be requiring the developer of the appeal site and the developer of lands at some future date to the rear of the site to pay for the total cost of works which are necessitated by the existing deficiency in the public road network which the local authority is required to address. I note further that the local authority occupies Norton House on the opposite side of the local road and provides access for a parking area to the rear onto this road. It too contributes to the traffic issues arising at this location. This road also serves an established national school which contributes substantially to traffic congestion and conflict among road users. I repeat again that the responsibility of the local authority to provide road and transportation improvements at this location cannot be avoided and the provision of any financial contribution by the developer of the appeal site must be proportionate.

7.4.4. I note that the planning authority has no special provisions within its Development Contribution Scheme relating to road improvement at this location. I further note that the planning authority has not sought to comprehensively detail the nature and extent and, importantly, the costings of road improvement works necessary at and in the vicinity of this site. In this context, it is only reasonable that this development, being subject to general development contributions, should only be subject to a proportionate and fair special development contribution following the preparation by

the planning authority of a detailed roads and transportation improvement scheme for this location, along with clear and comprehensive costings. I acknowledge that the Council's General Development Contribution Scheme already provides for contributions to roads infrastructure and traffic management. However, I accept that there is a necessity for improvements and that the proposed development is likely to contribute further to the traffic congestion issues that occur at this location. This is prefaced by repeating that this is a site designated for urban renewal and regeneration, is a brownfield town centre site, is a site with substantial existing structures that had previously accommodated a school and a convent, and is a site on which regeneration development clearly requires to be encouraged. Thus, any special development contribution must acknowledge these circumstances.

7.4.5. With regard to the general Development Contribution Scheme that may be applicable to this site, I note the provisions of the Council's Scheme which allow for very substantial reductions in contributions when there are works to protected structures. It is clear that the proposed development should avail of such reductions.

7.4.6. In conclusion on this issue, I submit to the Board that this is a site designated for urban renewal and regeneration. It is a site with established structures and has provided a range of land uses over time which have previously generated much activity affecting the use of the public road network in the vicinity. This proposed scheme can only deliver on works which will only partially affect necessary public road improvements. The responsibility is with the local authority to provide the principal public road improvement works, inclusive of any junction improvements which are beyond the control of the developer of this site. Meeting the needs of the third party appellant lies with the planning authority. A holistic study of the R595, junction analysis of the L9800-0 and L9801-0 junctions, a road safety audit, coordinated signalisation of junctions, introduction of a 30kph speed limit, etc. are the responsibility of the local authority not the applicant on this site. What the third party is seeking is what the planning authority should be undertaking as part of its road and transportation improvement works for this area of Skibbereen town centre. The responsibility does not lie with the developer in this instance. The provision by the developer of a special development contribution should, in my opinion, solely relate to a proportionate contribution to the junction improvements and to the

shortfall in on-site car parking to meet with development plan requirements. Indeed, the Board may consider, in light of the development's location within the town centre, that the proposed scheme provides adequate on-site parking and that a financial contribution is not warranted.

7.5. Storm Water Drainage

I note the applicant's proposals for storm water drainage and the further information response in particular. It is proposed to lay a new storm line from the proposed development which will be fed directly to the Ilen River through the car park adjacent to the town's library on North Street. This proposal was agreed with the Council's Area Engineer and it was discussed and agreed with the Office of Public Works. Drainage layout drawings have been provided. There will be no discharge of surface water into the public sewerage system. This is an appropriate response to deal with surface water disposal and the applicant's proposal to install the storm water system along the local road and the regional road as far as the Ilen River would be an important contribution to drainage infrastructure serving the designated 'Opportunity Site'.

7.6. Assessing the Development on its Own Merits

- 7.6.1. The proposed development appears as one that has not at all times been assessed on its own merits by the planning authority even though it presents as an independent urban regeneration scheme. This is ably demonstrated by the considerations given to the site to the rear of the appeal site and to roads and transportation issues which fall well beyond the scope and influence of this development. This proposed development should, in my opinion, be seen as making a valuable contribution to the regeneration and renewal of this pivotal brownfield, town centre site. This is a scheme that has been designed to address the needs and appropriate reuse of the protected structures, while at the same time introducing a compatible new residential block and some small-scale frontage housing appropriate for the streetscape and the town centre location.

- 7.6.2. This site contains a convent, a church and a school. It is physically contained as a planning unit and is wholly separate from adjoining properties. This development can function independently of other lands within the overall designated 'Opportunity Site' and has been designed to do so. I particularly note that the planning authority has not developed any overarching development strategy for this 'Opportunity Site' and the proposed development correctly seeks to function as an independent development in isolation of any other planning guidance by the planning authority.
- 7.6.3. This application is required to be assessed on its own merits and cannot reasonably be determined premised upon how it may or may not relate to and function with some unknown future developments on adjoining lands.

7.7. Site Ownership

- 7.7.1. I note the observation submitted on behalf of Jerry Donovan wherein it is submitted that part of the site is in the observer's ownership. There are no details in this observation which demonstrate the observer's ownership of part of the site. The Board will note the provisions of section 34(13) of the Planning and Development Act 2000 (as amended) where it stated that a person shall not be entitled solely by reason of a permission under section 34 to carry out any development.

8.0 **Recommendation**

- 8.1. I recommend that permission is granted in accordance with the following reasons, considerations and conditions.

9.0 **Reasons and Considerations**

Having regard to:

- the location of the site within Skibbereen town centre,
- the mixed-use zoning provision for the site as set out in the Skibbereen Town Development Plan,

- the proposed development's siting within a designated Architectural Conservation Area,
- the existence of three protected structures within the site and the need for renewal and reuse of these structures,
- the designation of this site as an 'Opportunity Site' for urban renewal and regeneration in the Town Development Plan,
- the policies and objectives of the Plan seeking to promote and facilitate the development of this 'Opportunity Site', to promote reuse and redevelopment of existing vacant and derelict properties, to preserve and enhance the character of the town centre by protecting historical/architectural buildings, to protect structures entered onto the Record of Protected Structures, and to encourage their reuse/conservation/restoration and appropriate use,
- the established pattern of development in the area,
- the nature and extent of the existing structures and uses associated with this site,
- the proposed access and site boundary treatment provisions, and
- the layout, scale, design of the proposed development and its separation distance from protected structures contiguous with 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 Skibbereen Town Development Plan, would be acceptable in terms of height, scale, form and design, would not seriously injure the visual amenities of the area, would not adversely impact on the setting of adjoining protected structures, would represent an appropriate design response to the site's context, and would be acceptable in terms of pedestrian, cyclist and traffic safety. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 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 15th day of July, 2020, 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 the materials, colours and textures of all the external finishes to the proposed development 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. No advertisement or advertisement structure, the exhibition or erection of which would otherwise constitute exempted development under the Planning and Development Regulations 2001, or any statutory provision amending or replacing them, shall be displayed or erected within the curtilage of the site unless authorised by a further grant of planning permission.

Reason: In the interest of visual amenity.

4. A comprehensive boundary treatment and landscaping scheme shall be submitted to and agreed in writing with the planning authority, prior to commencement of development. This scheme shall include the following:-

- (a) details of all proposed hard surface finishes, including samples of proposed paving slabs/materials for footpaths, kerbing and road surfaces within the development;
- (b) proposed locations of trees and other landscape planting in the development, including details of proposed species and settings;

- (c) details of proposed street furniture, including bollards, lighting fixtures and seating; and
- (d) details of proposed boundary treatments at the perimeter of the site, including heights, materials and finishes of perimeter walls.

The boundary treatment and landscaping shall be carried out in accordance with the agreed scheme.

Reason: In the interest of visual and residential amenity.

- 5. Details of any alterations to the road and pedestrian network serving the proposed development, including footpaths, kerbs and access road to the underground car park shall be in accordance with the construction standards of the planning authority for such works and design standards outlined in the Design Manual for Urban Roads and Streets. In default of agreement the matter(s) in dispute shall be referred to An Bord Pleanála for determination.

Reason: In the interest of amenity and of traffic and pedestrian safety.

- 6. Prior to the opening of the development, a Mobility Management Strategy shall be submitted to and agreed in writing with the planning authority. This shall provide for incentives to encourage the use of public transport, cycling, walking and car pooling by staff employed in the development and to reduce and regulate the extent of parking. The mobility strategy shall be prepared and implemented by the management company for all units within the development.

Reason: In the interest of encouraging the use of sustainable modes of transport.

- 7. 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.

8. The developer shall enter into water and/or wastewater connection agreement(s) with Irish Water prior to the commencement of development.

Reason: In the interest of public health.

9. Public lighting shall be provided in accordance with a scheme, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Such lighting shall be provided prior to the making available for occupation of the proposed development

Reason: In the interests of amenity and public safety.

10. 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 hours of working, noise management measures and traffic management measures.

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

11. Construction and demolition waste shall be managed in accordance with a construction waste and demolition 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.

12. Site development and building works shall be carried out only between the hours of 0800 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.

13. 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, in the interest of protecting the environment.

14. Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in relation to the provision of housing in accordance with the requirements of section 94(4) and section 96(2) and (3) (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate shall have been applied for and been granted under section 97 of the Act, as amended. Where such an agreement is not reached within eight weeks from the date of this order, the matter in dispute (other than a matter to which section 96(7) applies) may be referred by the planning authority or any other prospective party to the agreement to An Bord Pleanála for determination.

Reason: To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan of the area.

15. Prior to 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, open space and other services required in connection with the development, coupled with an agreement empowering the local 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 referred to An Bord Pleanála for determination.

Reason: To ensure the satisfactory completion of the development.

16. The developer shall pay to the planning authority a contribution in lieu of the deficiency in parking provision required in accordance with the provisions of Skibbereen Town Development Plan and for improvements to the junction of Local Road L-9801 and Regional Road R595 as a special contribution under section 48 (2)(c) of the Planning and Development Act 2000. This contribution shall be paid prior to commencement of development. The form and amount of the contribution shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

Reason: It is considered reasonable that the payment of a development contribution should be made in respect of the delivery of public parking and transportation management in the vicinity of the site.

17. 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.

Kevin Moore
Senior Planning Inspector

31st March 2021