



An
Bord
Pleanála

Inspector's Report

ABP-311872-21

Development	Change of use from education use to education, innovation and ancillary office use.
Location	Former Mercy Heights Secondary School, North Street, Skibbereen, Co Cork
Planning Authority	Cork County Council
Planning Authority Reg. Ref.	21581
Applicant(s)	Ludgate Operations Limited
Type of Application	Permission
Planning Authority Decision	Grant Permission
Type of Appeal	Third Party
Appellant(s)	Aidan O'Brien
Observer(s)	None
Date of Site Inspection	26 th May 2022
Inspector	Liam Bowe

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1.0 Site Location and Description

- 1.1. The 1.35 hectare site of the proposed development is located on the east side of North Street (R595 Regional Road) to the north of the town centre of Skibbereen in West Cork. It is an elevated site on which there are two buildings formerly used as a part of a post-primary school complex. The buildings are currently unoccupied and are in poor condition. There are associated hardstanding areas on the site in the form of a car parking area and a basketball court.
- 1.2. The site is bounded to west by the former Mercy Convent which also formed part of the same school complex as the appeal site. The three buildings on that site, which are protected structures, are all fire damaged. St. Patrick's Cathedral is further to the west and a small group of single storey assisted living units are located at the junction of a cul-de-sac road with the regional road. Norton House, Cork County Council buildings, is sited to the north of the road junction. The cul-de-sac road that provides access to the appeal site also provides vehicular access to the Council offices, to St. Joseph's National School, and has a footpath on its northern side.

2.0 Proposed Development

- 2.1. The proposed development comprises the change of use of the two existing buildings on the appeal site from education use to education, innovation and ancillary office use. The proposal also includes providing 47 no. car parking spaces and landscaping of the site at North Street, Skibbereen, County Cork.
- 2.2. The existing buildings have a stated floor area of 948.39m² and no increase in floor area is proposed. The buildings are single storey in design with ridge heights of 3.759m and 5.867m, respectively. All existing external finishes of plastered walls, some brickwork and painted wooden cladding on the walls are to be retained and some minor alterations are proposed to the main building in the form of additional access doors (7 no.) to the proposed offices and canteen. The internal floor layout will also remain as it is with re-purposing of rooms for modern office fit out. The existing eastern, southern and northern site boundaries are mature hedgerows and are to be retained in their entirety. The western site boundary is a 2m high palisade and is also to be retained.

3.0 Planning Authority Decision

3.1. Decision

By order dated 13th October 2021 Cork County Council issued notification of decision to Grant Permission for the proposed development subject to 15 No. standard conditions. Of note are the following conditions:

Condition No.2: The proposed premises shall be used solely for the use described on the application.

Condition No.4: The developer shall provide for full separation of storm water from the foul system.

Condition No.5: The developer shall install a new stormwater system on the local road, regional road, through the County Council car park and discharge to the River Ilen.

Condition No.6: Hard and soft landscaping scheme to be agreed in writing with the Planning Authority.

3.2. Planning Authority Reports

3.2.1. Planning Report

The report of the Planning Officer outlines the relevant planning policy under the Skibbereen Town Development Plan 2009-2015 (extended), notes the submission received and highlights the need for a landscaping scheme and separate foul and surface water sewers. The Planning Officer recommended a grant of permission consistent with the notification of decision which issued.

The Senior Executive Planner in a supplementary report outlined his consensus with the Planning Officer's assessment and recommended an additional 4 no. conditions to be attached to a grant of permission.

Appropriate Assessment Screening was carried out and concluded that there was no likely potential for significant effects to any Natura 2000 site.

3.2.2. Other Technical Reports

Area Engineer: The report dated 27th September 2021 raises concerns regarding the unused portion of the site and the separation of waste and surface water. A further information request for these items is recommended.

Roads Department: The report dated 12th October 2021 recommends two conditions regarding surface water disposal to be attached to a grant of permission.

Environment: No objection. Conditions recommended.

3.3. Prescribed Bodies

Irish Water: Executive Engineer of Wastewater Operations, Cork County Council on behalf of IW confirms that surface water from the proposed development will not be allowed to discharge into the foul sewer. A further information request for a revised site layout plan is recommended.

TII: No observations to make.

3.4. Third Party Observations

A submission was received from Concerned Parents, C/O Aidan O'Brien, Killinga, Leap, Skibbereen, Co. Cork. The issues raised include the potential for increased volumes of traffic, saturation of North Street and Cork Road, the absence of a TIA, potential for increased car parking on the site, and need for clarity in development description.

4.0 Planning History

4.1. Appeal site:

R308328 (P.A. Ref. No.19821) – Permission granted by Cork County Council for a change of use from educational to office space in the main building and for the construction of an extension to the ancillary building to accommodate STEM (Science, Education, Technology and Maths) education, and to carry out alterations and extensions to the former main educational building and ancillary building that will include (i) the erection of a covered walkway linking the aforesaid buildings (ii) alterations to the exterior of main and ancillary buildings including external cladding and fenestration (iii) the erection of an extension to the ancillary building (iv) the

provision of on-site car parking with five electric charging stations (v) the erection of a covered bicycle shelter (vi) related landscape works including a recreational area and on-site solar panel array (vii) signage and (viii) all associated site works (application withdrawn at appeal stage).

D/43/20 – Section 5 declaration issued by Cork County Council stating that the proposed use of the former secondary school building as an education and training hub with provision on site for parking of 40 cars would not be a material change of use and would, therefore, constitute exempted development.

4.2. **Adjacent site:**

P.A. Ref. No. 0657057 - Permission granted for the construction of a two-screen cinema, retail unit, restaurant, community facility, offices, 67 apartments and multi-level parking facilities.

P.A. Ref. No. 0757052 – Amendments to the above permission were granted.

P.A. Ref. No. 1257004 – Extension of duration of Planning Permissions 06/57057 and 07/57052 was granted.

R308329 (P.A. Ref. No. 19565) – Permission granted for change of use and renovation of convent chapel for use as commercial facilities and permission for change of use and renovation for use as 7 apartments and change of use of former School to 4 office units. Construction of an apartment block comprising of 52 apartments and the construction of 6 terraced houses.

5.0 **Policy Context**

I draw the Board's attention to the adoption of the Cork County Development Plan on 25th April 2022, which came into effect as the statutory plan for the county on 6th June 2022.

5.1. **Cork County Development Plan 2022-2028**

- 5.1.1. Skibbereen is identified as an important service county town in the West Cork Municipal District. As a growth/development centre, it performs an important employment, service, and social function for an extensive rural hinterland. The Plan recognises the need to provide a better balance of development in Skibbereen and

its hinterland so that the town can maximize its potential to attract new investment in employment, services, and public transport.

5.1.2. The Plan aims to enhance, encourage, and facilitate additional employment opportunities over the plan period and supports the development of Skibbereen as:

- A main settlement and key economic and service provider to a large rural hinterland.
- A centre of electronic and digital commerce with the appropriate telecommunications and broadband infrastructure.
- An attractive tourism centre, particularly regarding untapped tourism potential.
- A centre capable of attracting and accommodating new service industry to the town.

5.1.3. The site is within an area which is designated as a 'Special Policy Area'. Under Objective SK-X-01 of the Plan, it is Council policy to:

“Support the redevelopment of this site for a variety of mixed uses (which could include community, residential, appropriately scaled employment, or tourism related uses) involving the re-use of the existing buildings and preservation of the prominent setting of this site. The form and layout of any development should make a positive contribution to the townscape and visual amenities of the town.

Seek the coordinated development of this site and adjoining lands for a variety of uses as part of an overall plan which should have specific regard to the following:

- Development of this site should be coordinated with the development of adjoining lands.
- The site is suitable for a variety of uses including mixed uses involving the re-use of the existing buildings, having regard to the architectural character, and setting of protected structures and other buildings.
- Any development on this site should have regard to the topography and sensitivity of this prominent steeply sloping and elevated site which contributes to the visual setting of the town. Development should avoid the more elevated steeply sloping visually prominent parts of the site.

- Provision of a detailed landscaping and open space scheme for the entire site.
- Proposals for the construction of the Gortnaclohy proposed relief road (objective SK-U-02) to the north of the site and for adequate access arrangements to this road.
- A comprehensive study of the existing surface water drainage within the site and adjoining lands.
- Preparation of detailed proposals to address the surface water drainage of the site and adjoining lands.
- The implementation of phasing proposals within the overall site to ensure the coordinated development of the site.
- Preparation of a Traffic Management Plan which includes provision of sustainable transport options.
- Any proposal for development on this site should be subject to an agreed access strategy to include provision for the Gortnaclohy Relief Road (U-02).”

5.1.4. The lands to the east of the site run to the Community School and the Gortnaclohy Relief Road, which is partially completed and which it is an objective (SK-U-02) of the Plan to protect two indicative line options.

5.1.5. Section 8.11 Remote Working

Objective EC 8-5 Smart Working/Remote Working

- a) Recognise and promote the need for remote working throughout the County, either from home or from a designated hub/co-working space, which offers employees flexible work arrangements and contributes to a lower carbon output through the associated reduction in commuting.
- b) New designated working hubs/co-working spaces should generally be located within the settlement network, preferably on Town/Village Centre Sites and encourage the reuse of existing vacant buildings within town/village centres for such purposes.

5.1.6. Section 12.24 Parking Standards

- 1 space per 17m² + 10% of staff parking for visitors.
- 5% of car parking spaces provided should be set aside for disabled car parking in non-residential developments.

5.2. Natural Heritage Designations

The appeal site is not located within any designated European sites. The closest Natura 2000 site are Castletownsend SAC (site code: 001547) and Roaringwater Bay and Islands SAC (site code:000101), which are located approximately 6.2m to the southeast and 9km to the southwest, respectively.

5.3. EIA Screening

The proposed change of use is not a class of development for which EIA is required.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. The grounds of appeal are submitted by Aidan O'Brien, Killinga, Leap, Co. Cork. The main points made can be summarised as follows:

- Contends that there is a significant 'grey area' regarding the disclosure of likely vehicular road traffic volumes that may be generated by the proposed development.
- Request that the number of car parking spaces provided with this development be clarified as the drawings indicate a potential of 80 spaces.
- Contends that the uncontrolled nature of junctions of the R595 and local roads L9800-0 and L9801-0 is posing a high risk.
- States that the relocation of the three secondary schools to the site of Skibbereen Community College has reduced traffic congestion but expresses concern about returning to similar conditions.

- Notes the efforts made by Cork County Council to address road safety issues in this area and welcomes condition no.6 that was attached to grant of permission issued by An Bord Pleanála under ABP-308329-20.
- Concerned that the permission issued under ABP-308329-20 and relying on road safety measures to be carried out under that permission would be unsound.
- Questions the possibility of the appeal site being connected to the 'North Eastern Relief Road' when the road is developed and contends that this may maximise the development potential of the appeal site.
- Request that a grant of permission includes a condition providing for improvements to the access road (L9801-0).

6.2. Applicant Response

6.2.1. McCutcheon Halley Planning Consultants responded to the appeal on behalf of the First Party. The main points made can be summarised as follows:

- Contends that the section 5 declaration issued by Cork County Council under Ref. No. D/43/20 establishes a benchmark for the Board's assessment of this appeal.
- Notes that the appellant is satisfied by conditions attached to the permission issued under Ref. No. 19881 requiring the upgrading of the L9801-0 and its junction with the R595.
- Highlights that Condition no.6 attached to the permission issued under Ref. No. 19881 only required the developer to apply DMURS standards to road works within their site boundary.
- Contends that there is no basis for the appellant's allegation that there would be a significant increase in vehicular traffic likely to arise from the proposed development as Condition No.8 limits the car parking on-site to 47 no. spaces.
- Contends that the issues raised in the appeal have been addressed in the Inspector's Report under ABP-308329-20 where the existing deficiencies in

the public road network were considered matters for the local authority to address.

- Contends that conditions imposed by the Planning Authority in relation to surface water disposal and de-exempting development are unreasonable and unnecessary, respectively, and requests that that the Board, in its *de novo* assessment of the development proposal, consider amending or deleting these conditions.
- Contends that the surface water sewer should be provided by Remcoll (developer on the adjacent site) or by the local authority through funding under the general development contribution scheme.
- Contends that development contributions should only be applied to areas within the buildings where a change of use is proposed from education to office.

6.3. Planning Authority Response

The Planning Authority has stated that the references to IW and TII relate to a previous report and their submissions made under Ref. No. 19821 (withdrawn), which was for a similar development.

7.0 Assessment

I consider that the main issues in the assessment of this appeal are as follows:

- Principle of development
- Traffic safety and parking
- Other issues
- Appropriate Assessment

7.1. Principle of development

- 7.1.1. The appeal site is part of an overall area / site at this location in Skibbereen town where it is an objective (SK-X-01 Special Policy Area) within the Cork County Development Plan 2022-2028 to support the redevelopment of the site for a variety

of mixed uses (which could include community, residential, appropriately scaled employment, or tourism related uses) involving the re-use of the existing buildings and the preservation of the prominent setting of the site. In accordance with this policy, I am satisfied that the site is suitable for a variety of uses including mixed uses involving the re-use of the existing buildings.

- 7.1.2. Further to this, Objective EC 8-5 (Smart Working/Remote Working) in the County Development Plan recognises and promotes the need for remote working throughout the County, either from home or from a designated hub/co-working space. This offers employees flexible work arrangements and contributes to a lower carbon output through the associated reduction in commuting. This objective states that 'new designated working hubs/co-working spaces should generally be located within the settlement network, preferably on Town/Village Centre Sites and encourage the reuse of existing vacant buildings within town/village centres for such purposes'.
- 7.1.3. I note the service provided by the First Party at its building on Townsend Street in the town centre and also note the contents of the previous application on the site outlining their role in facilitating job creation and partnering with local primary and secondary schools to have digital and STEM subjects at the core of the school syllabus.
- 7.1.4. On the basis of the above, I consider the appeal site to be a suitable location for a co-working space and ideally located to provide a service with/to the local schools for the development of digital and STEM skills. I, therefore, consider the principle of changing the use on the appeal site from solely educational to education, innovation and office use to be acceptable and in accordance with the objectives of the County Development Plan.

7.2. Traffic safety and parking

- 7.2.1. The Third Party is concerned about road safety in this area of Skibbereen town in close proximity to three primary schools and that relying on road safety measures to improve the access to the appeal site and the junction of the L9801-0 and the R595 to be carried out under the permission issued under ABP-308329-20 would be unsound. Consequently, he requests that a grant of permission includes a condition

providing for improvements to the access road (L9801-0) per the condition attached to the permission issued under ABP-308329-20.

7.2.2. For clarity, this condition states:

“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.”

7.2.3. The First Party contends that the issues raised in the appeal have been addressed in the Inspector’s Report under ABP-308329-20 where the existing deficiencies in the public road network were considered matters for the local authority to address. The First Party also contends that condition no.6 attached to the permission issued under Ref. No. 19881 only required the developer to apply DMURS standards to road works within their site boundary.

7.2.4. The proposed development seeks to access a narrow local road (L98091-0) per the previous post-primary school use on the site. The appeal site is within the town centre of Skibbereen. It has two existing school buildings on it. This local road also serves the offices of Cork County Council, a primary school, and the convent site that is proposed to be redeveloped.

7.2.5. On the issue of roads, the previous Inspector considered per the appeal on the adjacent site to the west (R308329 refers) that the applicant could not physically deliver on the junction improvements as this area was outside of the site edged red / land ownership. I consider the issues relating to the local road, access to the school, and pedestrian movement are existing ongoing problems and the upgrading of this public road and its junction with the regional road to improve safety is the responsibility of the local authority.

7.2.6. In relation to car parking provision on the site and associated vehicular traffic, the First Party contends that there is a significant ‘grey area’ regarding the disclosure of likely vehicular road traffic volumes that may be generated by the proposed

development, and he requests that the number of car parking spaces provided with this development be clarified as the drawings indicate a potential of 80 spaces.

- 7.2.7. The First Party has demonstrated 47 no. car parking spaces on the site per the site layout plan (drawing no. PL15 refers) submitted to the Planning Authority on 20th August 2021. 5 no. of these spaces are designated for disabled car parking and a further 5 no. will facilitate electric charging of vehicles.
- 7.2.8. I note the Third Party's contention that an additional 80 no. spaces could be accommodated on the site in areas indicated on the site layout plan as 'asphalt car park' and 'existing gravel area'. I have examined the site layout plan submitted with the previous application on the site and note the proposed provision of 79 no. spaces under that proposal that is now indicated within the area marked 'existing gravel area' on the site layout plan under this current appeal. I, therefore, understand how the Third Party comes to this conclusion regarding parking and their consequent concerns. I also note that no provision is made for bicycle parking under this appeal whereas the First Party had demonstrated 20 no. sheltered bicycle spaces under planning application Ref. No. 19821.
- 7.2.9. There would be a requirement for the provision of 60 no. car parking spaces under the County Development Plan standards i.e., 1 space per 17m² + 10% of staff parking for visitors.¹ There are 75 no. of desk spaces provided within the two buildings per the proposed plans (drawing no. PL12 refers) submitted to the Planning Authority on 20th August 2021. I also note Room 2 designated as an events space on the plans. I consider the town centre location of the appeal site to be a significant positive factor in relation to accessibility and consequent reduced need for on-site car parking. However, I recommend to the Board to include a condition on a grant of permission requiring the provision of sheltered bicycle spaces in lieu of the shortfall in on-site car parking.
- 7.2.10. The First Party contends that there is no basis for the appellant's allegation that there would be a significant increase in vehicular traffic likely to arise from the proposed development as Condition No.8 limits the car parking on-site to 47 no. spaces. I agree with the First Party's contention in this regard and note Condition No.8 imposed by the Planning Authority limiting the number of car parking spaces

¹ 948m²/17m² = 55; 55 + 10% = 60 no. spaces

on-site to 47 no. spaces as per indicated on the site layout plan submitted with the planning application. I consider this a reasonable approach and I agree with the assertion of the Senior Executive Planner in his report dated 13th October 2021 that the provision of an additional 7 no. car parking spaces above the car parking level associated with the previous use on the site does not require the submission of a Traffic Impact Assessment. I recommend that the Board attach a similar condition to a grant of permission and that a condition requiring a mobility management plan, per the condition attached by the Planning Authority, to establish a modal split is also attached to a grant of permission by the Board.

7.2.11. In conclusion, I am satisfied that 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 are significant factors to be considered. In this instance, the developer is not in a position to widen the local road as the appeal site only has an access point from the road and no other frontage. Given that the site has existing buildings and has provided an educational land use which had previously generated much activity affecting the use of the public road network in the vicinity, I consider that the proposed change of use to education, innovation and ancillary office use would not have a significant detrimental effect on traffic safety in the area.

7.2.12. I note and agree with the Third Party's opinion regarding the possibility of the appeal site being connected to the 'North Eastern Relief Road' when the road is developed and his contention that this may maximise the development potential of the appeal site. However, the achievement of this would require detailed analysis by the Roads Design Section of Cork County Council and any such proposal would need to go through the appropriate public consultation and planning processes.

7.3. **Other issues**

Design and layout

7.3.1. The proposed development seeks to accommodate 75 no. workspaces within two former post-primary school buildings. The buildings were previously used as classrooms and a science lab, respectively.

- 7.3.2. Overall, the existing buildings appear to be structurally sound and, consequently, most of the works required are internal and fitting out the spaces to provide a working environment with modern office accommodation. There are additional external doors proposed on the main building. These include one on the front elevation, one on the side (southwestern) elevation and five on the rear elevation. I consider that six of these doors will be imperceptible changes to the elevations as they are proposed to be located where glazing is presently in place. A new double door will be fitted on the rear elevation to facilitate exit from a corridor, and I consider that this will be the only visible change to the buildings.
- 7.3.3. I consider that the reuse of these buildings would be positive from a visual amenity perspective, and I am satisfied that there will be no additional impact on the setting of the protected structures on the site to the west of the appeal site.

Waste and surface water disposal

- 7.3.4. Conditions no.'s 4 and 5 attached to the grant of permission issued by the Planning Authority are relevant here. Condition no.4 requires a full separation of storm and foul sewers on the site with the storm sewer to be designed so as to be able to accommodate future stormwater flows likely to be generated within the applicants' holding. Condition no.5 requires the First Party to install a new storm line from the proposed development which will be fed directly to the River Ilen along the local road L9801 and regional road R595, and through the car park adjacent to the town's library on North Street.
- 7.3.5. The First Party contends that the conditions imposed by the Planning Authority in relation to surface water disposal are unreasonable and unnecessary, and requests that that the Board, in its *de novo* assessment of the development proposal, consider amending or deleting these conditions. It is also contended that the surface water sewer to be constructed to an outfall at the River Ilen should be provided by Remcoll (developer on site to the west) or by the local authority through funding under the general development contribution scheme.
- 7.3.6. From the information on file, condition no.5 reflects the agreement reached between the developer of the adjacent site and the Area Engineer, which was considered an appropriate response to deal with surface water disposal and would be an important contribution to drainage infrastructure serving that designated 'Opportunity Site'.

7.3.7. Following an appeal of the decision of Cork County Council to grant permission on the adjacent site, Condition no.8 attached to the grant of permission issued under ABP-308329-20 stated:

“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.”

7.3.8. The appeal site did not form part of the ‘Opportunity Site’ designated under the Skibbereen Town Development Plan 2009-2015 but, presently, the site is within a larger area which is designated as a ‘Special Policy Area’ under the Cork County Development Plan 2022-2028 with Objective SK-X-01 supporting the redevelopment of this site, the site to the west and substantial lands to the east. Part of this objective seeks the coordinated development of the appeal site and adjoining lands for a variety of uses as part of an overall plan which would entail a comprehensive study of the existing surface water drainage of the lands.

7.3.9. Although the First Party alludes to increased areas of permeability on the appeal site no specific proposals are demonstrated on the site layout plan or drawings. I consider that there is scope for increased permeability on-site with consequent reduction in surface water necessitating disposal from the site. I also consider that permeability / attenuation could be incorporated into a suitable landscaping plan for the site and a condition could attached to a grant of permission requiring this.

7.3.10. Overall, I agree with the contention of the First Party that no increase in loading from waste or surface water is proposed to the combined sewer from the proposed change of use. In fact, with increased areas of permeability on the site, I consider that there will be a reduction in the levels of surface water entering the combined sewer. Consequently, I consider it unreasonable to seek the First Party to carry out extensive works for the provision of an outfall from the site to the River Ilen. I consider that this outfall and associated surface water sewer network on the public road from the site should be designed as result of a comprehensive study of the existing surface water drainage of the lands contained within Objective SK-X-01, as stated in the County Development Plan.

- 7.3.11. An agreement may be required from Irish Water for the change of use on the site to discharge to the sewer network and a condition can be attached to a grant of permission in this regard. I advise that future development of the site would need to consider a more sustainable method of draining the site separately from the foul sewer if the full potential of this town centre site is to be realised. Any new method of drainage from the site should be considered in the context of a comprehensive study of surface water drainage of the overall lands at this location and a possible future link to / from the development of the Gortnaclohy Relief Road and the achievement of Objective SK-U-02.
- 7.3.12. In conclusion, I consider it appropriate, and recommend to the Board, to attach a similar condition regarding the attenuation and disposal of surface water.

De-exempting development

- 7.3.13. I note the First Party's concern in relation to condition no.2 attached to the grant of permission issued by the Planning Authority requiring any change to the permitted uses to acquire planning permission. I consider the proposal to retain educational use within parts of the two existing buildings to have significant merit given the proximity to the local primary schools and that a suitably worded condition to this effect may be more appropriate and reasonable.
- 7.3.14. The parts of the buildings on the appeal site to be retained as educational use are clearly annotated in the response to the appeal submitted on the 6th December 2021 by McCutcheon Halley Planning Consultants on behalf of the First Party. I, therefore, consider that the wording of a condition for these parts of the building to be retained as educational use would provide clarity and would be reasonable.

Development Contributions

- 7.3.15. The Planning Authority applied development contributions for the entire floor areas of the two buildings. The First Party contends that development contributions should only be applied to areas within the buildings where a change of use is proposed from education to innovation / office. The details submitted as a response to this appeal on 6th December 2021 by McCutcheon Halley Planning Consultants on behalf of the First Party sufficiently clarifies the parts of the buildings on the appeal site to be retained as educational use. Consequently, the Planning Authority will be in a position to apply the requirements of their Development Contribution Scheme on the

areas where a change of use is only proposed, and appropriate levies can be applied to the proposed development on this basis. I recommend to the Board that the standard levy condition can be attached to a grant of permission to effect this.

7.4. Appropriate Assessment

- 7.4.1. Having regard to the nature and scale of the development proposed and to the nature of the receiving environment, an urban and fully serviced location remote from any European site and the absence of any direct or indirect pathway between the appeal site and any European site, no appropriate assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

8.0 Recommendation

I recommend that permission should be granted based on the following reasons and considerations and subject to the attached conditions.

9.0 Reasons and Considerations

Having regard to:

- the location of the site within Skibbereen town centre,
- objective SK-X-01 for the site as set out in the Cork County Development Plan 2022-2028,
- the policies and objectives of the Plan seeking to reuse vacant properties,
- the established pattern of development in the area,
- the nature and extent of the existing structures and uses associated with this site, and
- the layout, scale, design of the proposed development,

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 Cork County Development Plan 2022-2028, would not adversely impact on the setting of adjoining protected structures, 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.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, 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.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>The rooms within the buildings highlighted for education purposes per the details submitted to An Bord Pleanála on the 6th day of December 2021 shall be used solely for the purposes of education.</p> <p>Reason: In the interest of clarity.</p>
3.	<p>The car parking layout shall be in accordance with the site layout plan submitted to the Planning Authority on the 20th day of August 2021 providing 47 no. car parking spaces. Any additional spaces shall be subject to the written approval of the Planning Authority.</p> <p>Reason: In the interest of traffic safety.</p>
4.	<p>Prior to commencement of development on the site, the developer shall submit for the written agreement of the Planning Authority details of the provision of 20 no. sheltered bicycle spaces on the site.</p> <p>Reason: In the interest of encouraging the use of sustainable modes of transport.</p>
5.	<p>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,</p>

	<p>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.</p> <p>Reason: In the interest of encouraging the use of sustainable modes of transport.</p>
6.	<p>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.</p> <p>Reason: In the interest of public health.</p>
7.	<p>The developer shall enter into water and/or wastewater connection agreement(s) with Irish Water prior to the commencement of development, if required.</p> <p>Reason: In the interest of public health.</p>
8.	<p>The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the following:</p> <p>a) Contoured drawings to scale of not less than [1:500] showing –</p> <ul style="list-style-type: none"> i) a survey of all existing trees and hedging plants on the site, their variety, size, age and condition, together with proposals for their conservation or removal, and ii) any hard landscaping works, including car parking layout, enclosed areas, lighting and outdoor seating, specifying surfacing materials. <p>b) Specifications for mounding, levelling, cultivation and other operations associated with plant and grass establishment, and</p> <p>c) A timescale for implementation, which shall provide for the planting to be completed before the buildings are first made available for occupation.</p>

	<p>Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.</p> <p>Reason: In order to screen the development and assimilate it into the surrounding rural landscape, in the interest of visual amenity.</p>
9.	<p>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.</p> <p>Reason: In the interests of public safety and residential amenity.</p>
10.	<p>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.</p> <p>Reason: In the interest of sustainable waste management.</p>
11.	<p>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.</p> <p>Reason: In order to safeguard the residential amenities of property in the vicinity.</p>

12.	<p>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.</p> <p>Reason: To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment.</p>
13.	<p>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.</p> <p>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.</p>

Liam Bowe
Planning Inspector

18th July 2021