



An  
Bord  
Pleanála

## Inspector's Report ABP 314117-22

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<b>Development</b>	Construction of an extension and alterations to hotel (Protected Structure) to provide 7 new bedrooms and an office and all associated site works
<b>Location</b>	West Cork Hotel, Ilenn Street, Skibbereen, Co. Cork
<b>Planning Authority</b>	Cork County Council
<b>Planning Authority Reg. Ref.</b>	21/903
<b>Applicant</b>	West Cork Hotel Ltd.
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Refuse permission
<b>Type of Appeal</b>	First Party v. Refusal
<b>Appellants</b>	West Cork Hotel Ltd.
<b>Observers</b>	None.
<b>Date of Site Inspection</b>	23 <sup>rd</sup> January 2023
<b>Inspector</b>	Mary Kennelly

## 1.0 Site Location and Description

- 1.1.1. The site is located on Ilen Street in Skibbereen Town Centre. It is located on the southern bank of the Ilen River, which flows through the town, adjacent to J.F. Kennedy Bridge. It is a large 4-storey period building dating from 1902, with an ornate façade and projecting veranda, which faces Ilen Street to the west. The hotel is a Protected Structure (RPS 151) and has been extended with modern extensions to the rear. The site is also situated within an Architectural Area. and the adjacent Kennedy Bridge, is also a Protected Structure.
- 1.1.2. The site, which has a stated area of 0.46 hectares, is bounded to the south and east by a car park and to the north by the river and a riverside boardwalk from Ilen Street to the carpark. The western boundary is with Ilen Street. Access to the hotel carpark can be gained by means of two separate narrow accessways leading northwards from a further laneway to the south. This laneway, which connects with Ilen Street to the south of the hotel, runs parallel to Bridge Street and serves the rear of a number of residential and commercial premises on Bridge Street.

## 2.0 Proposed Development

- 2.1.1. The proposed development is for the construction of extensions and alterations to the existing hotel to comprise 7 new bedrooms and a hotel office. The extensions and alterations are largely confined to the first and second floors and involve the expansion of some existing bedrooms as well as the provision of new bedrooms with ensembles. The additional bedrooms and office are located at first and second floor levels in the central section of the site, adjacent to the function room in the south-western corner. The proposed additions and alterations are mainly within the footprint of the existing hotel building and have a total GFA of 378sq.m.
- 2.1.2. The proposed development comprises the following principal works -

**North elevation (Ilen River)** – extension of a number of existing bedrooms at FF level northwards which will require elevational changes and the alteration of some existing windows to match the main fenestration pattern.

**East elevation (carpark)** – Two new windows at the NE end at FF level to match existing and the eastern elevation of the central extended block of new

bedrooms. The latter involves 3 new windows, a smooth rendered and painted wall with slate covered sloping roof at the southern end of the elevation.

**West elevation (front Ilen Street)** – the changes to this elevation are not part of the front façade but are set back c.19m from the street. They relate to the extension of the central block adjacent to the function room to provide two floors of new bedrooms (FF and SF levels).

**Southern elevation** - The alterations relate to the provision new bedrooms at first and second floor levels in the central part of the site. This relates to a recessed section of the southern elevation which currently hosts a number of external staircases and is visible from the carpark and the associated laneway.

- 2.1.3. Following a request for further information, amendments were made to some of the elevational changes and a new car parking layout with a swept path analysis for buses and refuse trucks was submitted on 30/05/22. In addition, a plan indicating an alternative additional parking area on the edge of town was submitted (30/05/22).

## 3.0 Planning Authority Decision

### 3.1. Decision

- 3.1.1. The P.A. decided to **refuse** planning permission for one reason:

The plans and particulars submitted do not provide for adequate off-road parking facilities to serve the proposed development in accordance with the car parking standards and requirements set out in the Cork County Development Plan 2014. The on-road parking and traffic movements likely to be generated by the development would interfere with the free flow of traffic and endanger public safety by reason of obstruction of road users and would materially contravene objective TM 4-1 of the Cork County Development Plan 2014 relating to the delivery of car parking spaces in line with car parking standards. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

## **Planning Authority Reports**

### **3.2. Planning Reports**

- 3.2.1. The Area Planner's report (23/02/22) notes the contents of the technical reports and reports from the prescribed bodies summarised below, as well as the issues raised in the third-party objection. It was noted that the site was zoned Town Centre (2014 CDP), and that the West Cork Hotel is a Protected Structure on a riverside location on the River Ilan. The zoning objective was noted as being to retain and enhance the retail use within the retail core and to provide for residential, commercial, office, cultural and other uses appropriate to the centre of a developing town. It was noted that the site was within a flood risk area (Zones A and B) and that a FRA had been submitted, but there were no outstanding concerns regarding flooding issues. There is an extensive planning history on the site, which was summarised.
- 3.2.2. It was further noted that there are approx. 54 car parking bays in the car park to the rear. However, it was considered that the proposal, which attracted a need for additional spaces, did not comply with the parking standards set out in the Skibbereen LAP, which were higher than the parking standards in the CDP (2014). It was stated that these standards had been reduced to encourage and support town centre development. Notwithstanding this, previous permissions on the site had been granted subject to development contributions to address the shortfall in on-site parking and it was considered that this matter should be addressed in a FI request. The comments of the Area Engineer (summarised below) were also noted and incorporated into the FI request.
- 3.2.3. Deferral was recommended by the AP, and confirmed by the SEP, on the basis of the need for FI in relation to the parking shortfall, outstanding payments on development contributions, a lack of information on refuse storage and collection and concerns regarding the design of the proposal on the listed status of the protected structure.

### **FI Request (24/02/22) – Response received 30/05/22**

- 3.2.4. **Item 1 – Parking shortfall** – response included a revised parking layout with 49 car parking spaces, demarked pedestrian routes, disabled parking and provision for bus set-down and truck deliveries (including a swept path analysis). In order to address

the shortfall, it was proposed to provide a new carpark (in lieu) on lands within 400m of the town centre, which would provide an additional 56 parking spaces for the town. The P.A. was generally satisfied with the revised layout but considered that the proposals to address the shortfall were inadequate. The alternative parking arrangement was not considered to be a viable option as it would be 800m from the hotel site and outside of the application boundary. The revised layout would also reduce the number of spaces available further from 54 to 49 and given that the requirements relating to previous permissions for extensions to the hotel had generated a requirement for up to 100 spaces, which had not been accommodated on the site, it was considered that permission should be refused on these grounds.

**Item 2 – Bin storage** – response included demarcation of bin storage and refuse collection. P. A. was satisfied with this.

**Item 3 – Outstanding development contributions** – Response sought to address this by means of the alternative car park at a remove from the hotel, which was deemed to be unsatisfactory.

**Item 4 – Revised design** – response included a revised design which was considered satisfactory by the P.A.

**Item 5 – Function room** – response clarified that this had been permitted in the 1970s and has been used and licensed as such since then.

3.2.5. **Refusal was recommended** on grounds that reflected the concerns outlined above regarding parking shortfall together with the significant development contributions which remain outstanding, and the inadequate measures to address same.

### 3.3. **Other Technical Reports**

3.3.1. **Area Engineer's report (15/2/22)** – Reference was made to planning history and the parking requirements that had arisen as a result of these previous extensions to the hotel. There was general dissatisfaction that the previous requirements had not been addressed either by means of providing additional parking on the site or by paying all of the parking contributions that remain outstanding. The parking layout was also considered to be unsatisfactory, especially regarding disabled bays and access for buses and refuse collection. Deferral recommended.

- 3.3.2. Following receipt of FI, the **second Area Engineer's Report (22/06/22)** was generally satisfied with the revised layout and access arrangements, but remained dissatisfied with the failure to address the parking deficit. Refusal recommended.
- 3.3.3. **Estates Engineer (19/01/22)** - Reference was made to the recent planning permissions for extensions and alterations to the hotel and the issues relating to parking. The Flood Risk Assessment was considered in detail, and it was concluded that the proposed development is quite minor in nature and would not have any impact on flood risk within the town. The recently completed Skibbereen Flood Defence Scheme was also referenced, which includes tidal embankments along the Ilen River and provide flood protection to a 200-year return period, and a flood level of 4.045m OD. No objections were raised.
- 3.3.4. **Conservation Officer (22/2/22)** – It was noted that the Protected Structure had been much modified in the past. Notwithstanding this, it was considered that some further amendments to the design on the western elevation would be required due to the potential impact on the streetscape. Revised submission considered to be satisfactory (22/06/22).

#### 3.4. **Prescribed Bodies**

- 3.4.1. **Inland Fisheries Ireland (17/01/22)** It was noted that it is proposed to dispose of effluent to the public sewer and IFI sought confirmation that there is sufficient capacity so as not to overload the existing treatment facilities, either hydraulically or organically. In addition, it was requested that a condition be attached to any permission preventing any interference with, bridging, draining or culverting of any watercourse, its banks or bankside vegetation to facilitate the development without the prior approval of IFI. In addition, it was requested that all site works be required to be carried out without the escape of polluting matter.

#### 3.5. **Third Party Observations**

A single third-party objection received by the planning authority is on file for the Board's information. The main points have been summarised within the Area Planner's Report. In brief, the main issues related to traffic safety, lack of onsite parking, concerns regarding storage and collection of food waste, impact on privacy,

overlooking, noise and nuisance from air conditioning units and the alleged unauthorised use of a building as a function room.

## 4.0 Planning History

- 4.1.1. **PL76.229161 (08/5700)** – permission granted in 2008 (and subsequently extended until 25/03/14) for alterations and extensions to the hotel comprising a single-storey bar extension, new hotel entrance, first and second floor extension to accommodate 19 new bedrooms, including new lift and stairwell, ancillary works including a new vehicular entrance from Ilen Street, demolition of outbuildings and rearrangement of the car park. Permission was refused for conversion of part of the railway bridge for bar/restaurant use.

*It is noted that the permission granted by the Board was subject to a financial contribution condition (unspecified) under the General Development Contribution Scheme. The Area Planner's report (for the current application under appeal) noted that "as part of this permission, a financial contribution of €293,840 was levied in respect of a deficiency in on-site car parking facilities (based on 100 spaces @ €3,673 less 20% (€734.6) = €293,840).*

- 4.1.2. **PL76.240995 (12/5701)** – Retention permission granted for an external emergency fire escape in December 2012.
- 4.1.3. **PL04.244958 (15/00143)** - planning permission granted for the retention of works carried out on a phased basis including
1. Revised entrance foyer and associated works on the northern side of the site.
  2. Extension of the bar area on the northern elevation at two number locations.
  3. Change of use and extension of a store room for use as a dining room.
  4. The extension of two number bedrooms at first floor level at the north-eastern corner of the plan.
  5. Provision of a lift, associated lobby space and plant room on the northern elevation.
  6. Retention of all associated changes to external elevations and all associated site development works.

7. Provision of cold rooms on the southern elevation.
8. Alterations and addition of a door and side light in lieu of window at ground floor level on southern elevation.
9. Permission for a Traffic Management Scheme which allows for the provision of a one-way system within the site with entrance from Ilen /Bridge Street and egress on the southern boundary of the site and associated alteration of car parking layouts including soft landscaping.

*The Inspector's report indicated that at that time the number of existing spaces was approx. 60, that the previous permission had identified a shortfall of 100 spaces, and that the parking deficiency in respect of the application under consideration was calculated at 38 spaces with reference to the Skibbereen LAP and 17.5 spaces with reference to the Cork CDP 2014. It is further noted that the P.a. had attached a special contribution condition, but the Board applied a general financial contribution (No. 5).*

## 5.0 Policy Context

### 5.1. National Planning Framework 2018

The NPF seeks to focus growth in cities, towns and villages with an overall aim of achieving higher densities than have been achieved to date. The Framework also seeks to enhance people's experience of living and working in and visiting urban places through actions and policies to make these places more attractive and 'liveable' (4.1). There is considerable emphasis on achieving sustainable and compact growth, particularly in urban areas, including seeking to reverse the decline in rural towns (Chapters 2 and 4).

**NPO 4** - Ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being.

**NPO 13** - In urban areas, planning and related standards, including in particular building height and car parking will be based on performance criteria that seek to achieve well-designed high quality outcomes in order to achieve targeted growth. These standards will be subject to a range of tolerance that enables alternative



solutions to be proposed to achieve stated outcomes, provided public safety is not compromised and the environment is suitably protected.

**NP Objective 16** - Target the reversal of rural decline in the core of small towns and villages through sustainable targeted measures that address vacant premises and deliver sustainable reuse and regeneration outcomes.

seeks to support the proportionate growth of and appropriately designed development in the public realm, the provision of amenities, the acquisition of sites and the provision of services.

**NP Objective 27** seeks to ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments, and integrating physical activity facilities for all ages.

## 5.2. **Cork County Development Plan 2022**

- 5.2.1. **Chapter 12** addresses **Transport and Mobility** issues. **Section 12.6 – Transport Demand Management** highlights the importance of ‘Liveable towns’, a key concept of which is to facilitate the ability to walk and access most of the populations’ everyday needs within an attractive 10-minute walk or cycle of their home (12.6.1). There is a strong emphasis on promotion of active travel particularly in respect of facilitating walking and cycling.
- 5.2.2. **Section 12.12.7 – 15 - Car Parking** seeks to ensure adequate and appropriate parking provision in town centres but also seeks to balance car parking provision so that it aligns with and supports compact growth and sustainable transport. It is noted that as transport policy reduces the use of the private car and achieves modal shift to sustainable forms of travel, car parking requirements will reduce accordingly, and car parking provision must be carefully managed so as not to allow an overprovision which could undermine measures to achieve modal shift. It is further stated that “Reduced availability of car parking forms part of a range of tools to promote modal shift”. (12.12.8).
- 5.2.3. At **12.12.13** it is stated -

Given the requirement to deliver 30% of all new urban development on infill/brownfield sites within the built footprint of existing settlements, and in order to encourage and incentivise those wishing to invest in and develop town/village centre locations, the County Council will not normally seek the provision of on-site parking or a monetary contribution in lieu of car parking where the development involves the re-use/refurbishment of an existing occupied or vacant building, any change of use, or where small scale infill developments (including residential) are proposed within the town centre or village centre. The Council will monitor town centre parking provision to ensure that on-street parking does not negatively impact the placemaking and sustainable mobility aims of this County Development Plan. If deficiencies in specific areas arise the Council will seek to address them through the development management process and by the provision of adequate off-street public parking.

- 5.2.4. **Objective TM 12-9: Parking** - seeks to secure the appropriate delivery of car parking and bicycle spaces and facilities in line with the Standards set out in Section 12.24

**Objective TM 12-9 (a)** – All non-residential development proposals will be subject to maximum parking standards as a limitation to restrict parking provision to achieve greater modal shift.

- 5.2.5. **Skibbereen** is identified as an important service, employment, retail and tourism centre within the **West Cork Municipal District** of the Cork County Development Plan 2022. As a growth centre, it performs an important employment, service, community and social function for an extensive rural hinterland. The CDP recognises the need to provide a better balance of development in Skibbereen, so that it can maximise the potential to attract new investment in employment, services and public transport. Located on the N71 West Cork to South Kerry Corridor, it also has strategic intra-regional connectivity and acts as a ‘hub’ and centre for tourist activities for a wide region.
- 5.2.6. **Section 2.8.42-47 Tourism** states that the Plan recognises that there is potential to further enhance the tourism product of the town. This section highlights the attractions within the town and the surrounding area. Reference is made, *inter alia*, to the historic buildings and heritage features around the town, to the designation of

the town as a cycling hub by Failte Ireland and to the 'Ilen River Blue Way' (which is a water activity trail from Skibbereen to Baltimore). It is also acknowledged that there are opportunities within the town centre to further improve the tourism product in relation to the provision of restaurants and cafes and a need has been identified for an additional hotel in the town that would offer a full range of facilities, the preferred location for which is the town centre.

- 5.2.7. **Section 2.8.52-56 Town Centre and Retail** – states that the vision for the town centre is to make it a more attractive location to live, recreate and carry on business with the potential for environmental improvements such as pedestrianisation, streetscape improvements and mechanisms to prioritise the movement of pedestrians/cyclists over traffic.
- 5.2.8. **The Urban Design section (2.8.11-15)** emphasises the need to reduce the dominance of cars to make streets more appropriate as living spaces and an integral part of the community. It is stated that while certain levels of traffic for access and serviceability should be accommodated, increasing pressures for parking and the movement of large vehicles at the expense of other road users has reduced the vitality and attractiveness of many areas.
- 5.2.9. The **Movement section (2.8.57-66)** seeks to reduce traffic congestion in the town centre and create an integrated and environmentally sound transport system that provides for a range of improvements including ease of access to the town, a reduction of the need to travel, modal shift and optimum use of the existing infrastructure. Skibbereen is noted as functioning as a major Bus Distribution Centre.

### 5.3. **Natural Heritage Designations**

There are four European Sites in the vicinity of the site. These are -

- Castletownshend SAC (Site Code 001547) approx. 6km to the southeast.
- Roaringwater Bay and Islands SAC (Site code 000101), approx. 9km to the southwest.
- Sheeps Head to Toe Head SPA (Site code 004156), approx. 6km to the south.

- Lough Hyne Nature Reserve and Environs SAC (Site code 000097), approx. 7km to the southwest.

## 6.0 The Appeal

### 6.1. Grounds of Appeal

6.1.1. This is a first party appeal against the decision by the planning authority to refuse planning permission. The grounds of appeal can be summarised as follows:

- **P.A. decision made under the incorrect County Development Plan (2014)**

The reason for refusal referred specifically to non-compliance with the car parking standards of the Cork County Development Plan 2014 and that it would materially contravene TM 4-1 of that Plan. However, the decision was made on the 24<sup>th</sup> June 2022, which was after the date that the 2014 Plan ceased to have effect. The new Plan was adopted by elected members on the 25<sup>th</sup> April 2022 and came into effect on the 6<sup>th</sup> of June 2022. In addition, the new County Development Plan replaced the 8 Municipal District Local Area Plans and the 9 Town Development Plans, including the Skibbereen Town Development Plan 2009. Under section 34(2)(a)(i) of the 2000 Planning and Development Act (as amended), when making a decision in respect of a planning application, the P.A. is restricted to considering the proper planning and sustainable development of the area, regard being had to the provisions of the relevant development plan, which in this case is the Cork County Development Plan 2022-2028. It is submitted that the policies and objectives in relation to car parking differ in the new Plan and these should have formed the basis of the P.A. decision.

- **The car parking standards in the 2022 Plan are based on ‘maximum standards’** – Objective TM 12-9(a) seeks that all non-residential development proposals will be subject to maximum parking standards as a limitation to restrict parking provision in order to achieve modal shift. Table 12.6 indicates that the maximum standard for hotels is 1 space per room, 1 space per 3 staff on duty and public space as per the bars and restaurant standard. Footnote 3 to Table 12.6 excludes development located in town centres. This relates to

development involving re-use/refurbishment of an existing occupied or vacant building, any change of use or where small-scale infill developments are proposed. It is submitted that the site is located within the area zoned Town Centre (SK-T-01) and that Footnote 3 therefore applies. It is further pointed out that Section 12.12.13 of Chapter 12, Volume 1 of the CDP, it is stated that the P.SA. will not normally seek the provision of on-site parking on small scale infill developments in town centre locations in order to encourage and incentivise such town centre development. It is submitted that the decision to refuse runs counter to the objectives of the 2022CDP to reduce and minimise car parking and to incentivise development on infill town centre sites.

- **Provision of additional car parking on an infill site within the curtilage of a Protected Structure is unnecessary and inappropriate** – It is stated that the proposed development, which relates to a Protected Structure in an ACA, is very modest in scale and would introduce only 7 new bedrooms, which would bring the total number of bedrooms in the hotel to 57. Given that the site already has 54 parking spaces, it is considered that it is already close to the maximum parking standard set out in the CDP. In these circumstances, it is submitted that there is no justification for a refusal. It was pointed out that in response to the RFI, which had sought that the application would address the ‘shortage in car parking requirements’, a revised layout showing 49 parking spaces was submitted and also proposed an additional car park off-site. These revised proposals were deemed to be unacceptable to the P.A. it is submitted that the applicant should never have been requested to provide additional parking given the modest scale of the development, its Protected Structure status, its town centre location and the availability of an existing parking provision of 54 spaces.
- **CDP 2022 identifies need for additional hotel accommodation in the town** – Section 2.8.47 of the CDP (Skibbereen) identifies the need for an additional hotel in the town, which should ideally be located in the town centre. The decision to refuse permission in this instance undermines the objective to provide for an additional hotel in the centre of Skibbereen.
- **Positive development** - The hotel extension would make a positive contribution to tourist accommodation in the town, would not result in a traffic

hazard or have any negative impacts on the amenities of the area and will provide much needed hotel accommodation on an infill site within the designated town centre of Skibbereen.

## **6.2. Planning Authority Response**

The P.A. has not responded to the grounds of appeal.

## **7.0 Planning Assessment**

7.1.1. It is considered that the main issues arising from the appeal:

- Principle of development
- Adequacy of parking
- Environmental Impact Assessment
- Appropriate Assessment

### **7.2. Principle of development**

7.2.1. The first party appellant has pointed out that the decision of the planning authority to refuse permission for the proposed development is dated the 24<sup>th</sup> June 2022, which is subsequent to the date that the new Cork County Development Plan (2022-2028) came into effect, which was on the 6<sup>th</sup> June 2022. However, the reason for refusal had relied specifically on the policy objectives and parking standards contained in the 2014 CDP, which no longer had effect. I would agree that the new Plan came into effect on the 6<sup>th</sup> of June 2022, which was after the lodgement of the planning application with the P.A. (23/12/21), but before the P.A. decision was made (24/06/22). The First Party appellant has also pointed out that the policies and objectives set out in the 2014 CDP differ from those in the recently adopted Plan, particularly in respect of encouragement and facilitation of active travel and the less restrictive approach to car parking standards as part of the overall approach to achieving compact growth and sustainable development.

7.2.2. I would agree that the Plan that was in force at the time of the P.A. decision was the current Cork County Development Plan 2022-2028, which has superseded all

previous County/Town Development Plans and Local Area Plans. Thus, it is the 2022 County Development Plan to which the Board must have regard in the determination of the application and appeal before it.

- 7.2.3. I would also agree that the approach to parking standards has changed in the new Development Plan in that the overarching objectives of creating liveable and attractive towns with a strong emphasis on active travel has resulted in new transport policies which seek to reduce the use of the private car and to achieve modal shift to more sustainable forms of travel. It is acknowledged in the Plan (Chapter 12 section 12.12.7/8) that this will effectively mean that a less restrictive approach to parking standards, together with careful management of parking provision, will be required in order to incentivise this modal shift and that “reduced availability of car parking forms part of a range of tools to promote modal shift”. Thus, new non-residential development proposals are subject to ‘maximum parking standards’ (TM 12-9(a)).
- 7.2.4. This change in policy is consistent with other policy objectives in the new Development Plan and in National and Regional policy to secure compact growth and sustainable development, as summarised in Section 5.0 of my report. In particular, the need to prioritise the development of infill and brownfield sites, especially those located in town centres, is central to the achievement of the broader objectives of creating vibrant, safe and attractive town centres where walking and cycling are prioritised over the use of the private car. Thus, restricting the availability of car parking spaces in a centrally located developed site which is accessible by means of other modes of travel, is in accordance with the broader objectives for town centre development. This is reflected in section 12.12.13 of the CDP which specifically states that the provision of on-site parking in small scale infill sites in town centre locations will not be sought in order to encourage such town centre developments.
- 7.2.5. The planning history of the site reflects the planning policy and parking standards that have been in place in the past, which it is considered have less relevance today. The planning permission granted in 2008 (PL76.229161) had identified a significant parking deficit of 100 parking spaces, which was to be addressed by means of a financial contribution. This permission related to a single-storey bar extension and the addition of 19 bedrooms, which brought the total to 50 bedrooms. The condition attached by the Board related to a financial contribution under the General

Development Contribution Scheme (GDSCS), and was unspecified. In administering this, the P.A. required a payment of €293,840 in lieu of the 100 car parking spaces identified as being the shortfall. The P.A. has stated that this contribution remains outstanding.

- 7.2.6. The 2015 permission granted by the Board (PL04.244958) again attached a general financial contribution, (not a special contribution condition as per the P.A. decision). In the report associated with this decision, it was acknowledged that the parking standards had changed, with the Skibbereen Town Plan requiring 38 further spaces and the more recently adopted 2014 Cork CDP requiring 17.5 spaces. There were no new additional bedrooms and the additional parking spaces were required for the alterations and extension of existing bar areas, bedrooms and storage areas. This was again dealt with by the P.A. by requiring the payment of a financial contribution to address the parking shortfall, which it is understood remains outstanding.
- 7.2.7. In the current application/appeal, the developer has sought to address the previous and current parking shortfalls by the provision of a new car park on the edge of the town centre, which would be 800m from the site. This has been offered in lieu of paying the outstanding financial contributions as well as addressing the additional shortfall of spaces for the 7 new bedrooms that are being proposed. The P.A. considered this to be unacceptable due to the distance from the site and potential enforceability issues. The first party grounds of appeal agree that it is not an ideal solution but considers that the request to address the shortfall should not have been made in the first place.
- 7.2.8. The financial contributions that have been levied are compliance matters relating to previous grants of planning permission and are therefore enforcement matters between the developer and the planning authority. This is outside the remit of the Board. I would agree, however, that the proposed alternative car park is too remote and that the proposal is unlikely to be a viable option to address the issues raised in the current application/appeal.
- 7.2.9. In terms of the principle of development, it is considered that the shortfall in parking associated with 7 additional bedrooms should be seen in the context of the overall development which is small in scale and relates to the improvement and enhancement of tourist accommodation in a central and highly accessible location,



and its contribution to the achievement of the overarching objectives for the town as set out in the current Development Plan. The proposal relates to a long-established hotel in a prime town centre location on the banks of the River Ilan. This Protected Structure is an attractive iconic building in a prominent location which has been modified on a number of occasions, resulting in alterations to the appearance of the building. The proposed changes would help to moderate some of these changes and improve the overall appearance of the PS, as well as enhancing the quality of the hotel accommodation. There is an identified need for a hotel in the centre of town (2.8.47) offering good quality accommodation in order to advance the tourism related objectives for Skibbereen.

7.2.10. In light of the foregoing, it is considered that this site is one where a more flexible approach to parking standards could reasonably be applied on the basis of the overall policy objectives to upgrade the town centre development as an attractive and liveable place, to promote active travel and reduce the dominance of the car in such town centre locations and to enhance the tourism attractiveness of Skibbereen.

### 7.3. Adequacy of car parking

7.3.1. The parking standards are set out in Table 12.6 (section 12.24) of the current Cork CDP (2022). The following standards are relevant -

Hotels & Guesthouses (excluding public areas)	1 space per Room +1 space per 3 staff on duty + public spaces such as bars and restaurants as per the standards of this table
Public houses (including hotel bars)	1 space per 8 (net sq.m)
Restaurants, cafes, take-aways	1 space per 5 (net sq.m)

7.3.2. The following footnotes to Table 12.6 are also considered to be relevant –

2. *A reduced car parking provision may be acceptable where the planning authority are satisfied that good public transport links are already available or planned and/or a Transport Mobility Plan for the development demonstrates*

*that a high percentage of modal shift in favour of the sustainable modes will be achieved through the development.*

3. *These requirements do not apply to development located in Town Centres as identified in this plan where the development involves the re-use/refurbishment of an existing occupied or vacant building, any change of use or where small-scale infill developments (including residential) are proposed.*

Other footnotes relate to matters such as the incorporation of disabled parking, parent and child parking, motorcycle parking and electric vehicle charging.

- 7.3.3. Given that the current application/appeal relates to alterations and additions to a long-established hotel with a previous planning history where parking deficits have been addressed by means of conditions, it is considered that it would be in order to confine the assessment of the adequacy of car parking in this instance to the proposal currently before the Board. As summarised in section 2.0 of my report above, the proposed development principally relates to the addition of 7 no. bedrooms to the hotel accommodation, bringing the total number of bedrooms from 50 to 57. The other works proposed relate to the slight enlargement of some of the existing bedrooms to accommodate en-suites, associated changes to external facades, and some alterations to windows to bring them into line with the established fenestration pattern.
- 7.3.4. It is considered, therefore, that the element of the proposed development which attracts the need for additional parking is the provision of 7 new bedrooms in the central portion of the site. This represents a requirement for 7 additional parking spaces. Under the new CDP, this is a maximum. It should be noted that the proposed bedrooms would not displace any of the existing parking spaces as it would be located within the footprint of the existing development. Notwithstanding this, in response to a Further Information Request, the applicant submitted a revised parking layout (30/05/22) which has reduced the total number of spaces from 54 to 49, but has included disabled parking, EV charging points, a bus set down and a swept path drawing.
- 7.3.5. The site is, relatively speaking, very well served by a surface level car park at the rear, which provides approx. 54 parking spaces at present (49 spaces as revised). As stated previously, it is an established town centre site in a highly accessible

location and the development proposed is of a very modest scale and involves the refurbishment and enhancement of an existing use. It is considered, therefore, that reductions in parking requirements would be justified having regard to Footnotes 2 and 3 cited above. Given that levies have already been applied to the parking deficit associated with the hotel use, it is considered that additional levies in lieu of parking are not warranted in this instance, notwithstanding the outstanding status of said levies. This is a matter for the planning authority to pursue separately.

- 7.3.6. It is considered that the revised parking layout (30/05/22) would deliver significant public benefits such as a safer layout with pedestrian priority movement within the car park, disabled parking, EV charging and a layout which facilitates deliveries and bus set down. These benefits would outweigh the loss of 5 parking spaces in my view. In conclusion, it is considered, therefore, that planning permission should be granted for the proposed development with the revised parking layout and that no additional parking levies should be applied.

#### **7.4. Environmental Impact Assessment**

- 7.4.1. Class 10(b)(vi) of Schedule 5 Part 2 of the Planning and Development Regulations 2001 (as amended) provides that mandatory EIA is required for Urban Developments where the site is located within a Business District and the site area is 2 hectares or over. The proposal is for the development of a site within an established Town Centre with a stated area of 0.46ha to provide an extension to an existing hotel. Accordingly, it is below the threshold and does not attract the need for a mandatory Environmental Impact Assessment.
- 7.4.2. Class 13 relates to a proposed extension to a development which has already been completed (whether or not the previous development had been subject to EIA). The development has not, as far as I am aware, been the subject of a previous EIA. It is noted that the proposed development would not bring the size of the overall development over the threshold for mandatory EIA (2 ha). Neither would it result in an increase in size of the existing development amounting to 25% as the state floor area of the hotel is 3,178sq.m and the proposed extension(s) are stated at 358sq.m, which represents approx. 11% of the GFA.
- 7.4.3. (See completed Form 2 on file). The site is located within the built-up area of an existing town and is approx. 6km distant from any European sites or other sites of

conservation interest. Having regard to the nature, size and location of the proposed development and to the criteria set out in Schedule 7 of the Regulations, I have concluded at preliminary examination stage, that there is no real likelihood of significant effects on the environment arising from the proposed development. Environmental Impact Assessment, therefore, is not required.

#### 7.5. **Appropriate Assessment - Screening**

The site does not lie within or immediately proximate to any designated European site. There are four European sites within 15km of the site as follows -

- Castletownshend SAC (Site Code 001547) approx. 6km to the southeast.
- Roaringwater Bay and Islands SAC (Site code 000101), approx. 9km to the southwest.
- Sheeps Head to Toe Head SPA (Site code 004156), approx. 6km to the south.
- Lough Hyne Nature Reserve and Environs SAC (Site code 000097), approx. 7km to the southwest.

7.5.1. The closest European sites are Castletownshend SAC and Sheep's Head to Toe Head SPA, which are located approx. 6km away. The Qualifying Interest for the SAC site is the Killarney Fern and for the SPA are the Peregrine Falcon and the Chough. There is no evidence of any hydrological link or other pathway to these European sites and they can be screened out. The distances between the site of the development and the remaining European sites are considered to be too great and there is no information indicating any hydrological link with any of these sites. Each of the European sites in the vicinity can therefore be screened out.

#### 8.0 **Recommendation**

Having regard to the foregoing I recommend that permission for the above-described development be **granted** for the following reasons and considerations.

## 9.0 Reasons and Considerations

Having regard to the policies and objectives as set out in the current Cork County Development Plan 2022-2028, which seek to promote active travel and to create a vibrant and safe liveable town centre which includes adequate provision for tourist facilities in Skibbereen, to the central and highly accessible location of the site, to the modest scale and nature of the proposed development and to the nature and character of the surrounding environment, it is considered that subject to compliance with the conditions set out below, the proposed development would be an acceptable form of development at this location, would be acceptable in terms of traffic safety and convenience and would not seriously injure the amenities of the area. 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 particular submitted on the 30<sup>th</sup> day of May 2022 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. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, and any statutory provision amending or replacing them, the use of the proposed development shall be restricted to use as accommodation as part of the existing hotel (as specified in the lodged documentation), unless otherwise authorised by a prior grant of planning permission.

**Reason:** In the interest of traffic safety and of protection of residential amenity.

3. 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.
  
5. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, noise management measures and off-site disposal of construction/demolition waste.  
**Reason:** In the interests of public safety and residential amenity.
  
6. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services. Details of drainage arrangements including SUDs measures shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.  
**Reason:** In the interest of public health.
  
7. 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 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.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

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**Mary Kennelly**  
**Senior Planning Inspector**  
**8<sup>th</sup> September, 2023**