



An
Coimisiún
Pleanála

Inspector's Report ACP-323719-25

Development	Demolition of bin storage and construction of 4 residential units together with associated site works
Location	Copper Point, Skull (Townland), Schull, Co. Cork.
Planning Authority	West Cork County Council
Planning Authority Reg. Ref.	25109
Applicant	Richard Walsh
Type of Application	Permission
Planning Authority Decision	Grant permission
Type of Appeal	Third Party
Appellants	(1) Joan Tynan (2) Una Ryan (3) Marie McFarlane (4) Edward & Mary Murphy (5) Orla Finn and John Harpur
Observers	None

Date of Site Inspection

2nd December 2025

Inspector

Siobhan Carroll

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1.0 Site Location and Description

- 1.1. The appeal site, which has a stated area of 0.095 ha, is located within Copper Point Housing Estate. Copper Point Housing Estate is situated to the western side of the town of Schull, Co. Cork. It is situated approximately 250m from the town centre. It contains circa 55 no. dwellings comprising a mix of two-storey terraced and semi-detached properties. The estate is served by one vehicular access onto the town's main street the R592.
- 1.2. The site comprises a central area in the estate which is grassed and landscaped. There is a bin storage area on the site which serves the dwellings no's 49 to 55. The site also contains 5 no. existing car parking spaces which are situated immediately to the north of the bin storage area.
- 1.3. There is a communal car parking area immediately to the north of the site. The eastern side of the site addressed the estate road. A terrace of 3 no. properties no's 42-44 is located to the south of the site and the front of those dwellings address the site.

2.0 Proposed Development

- 2.1. Permission is sought for the demolition of bin storage and the construction of 4 no. residential units.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. Cork County Council decided to grant permission by Order dated 9th of September 2025.
- 3.1.2. Permission was granted subject to 17 no. conditions.

3.2. Planning Authority Reports

- 3.2.1. Planning Reports
- 3.2.2. Further information was sought in relation to the following;

1. The Planning Authority has concerns that the L-4406 and R592 junction is not visible when looking left and trying to exit the Copper Point estate onto the R592.

Given that the proposed development seeks permission for 4 no. additional dwellings within Copper Point, giving rise to additional traffic movements, you are required to provide proper sight of the L-4406/R592.

A proposal is required at the main Copper Point entrance to provide proper sight of the L-4406/R592 junction and emerging traffic from the L-4406 for drivers of vehicles exiting the Copper Point estate onto the R592.

- 3.2.3. Following the submission of a response to the further information provided by the applicant on the 2/7/2025 the Planning Authority sought clarification.
- 3.2.4. Following the submission of a response to the clarification further information provided by the applicant on the 13/8/2025 the Planning Authority were satisfied with the details submitted and a grant of permission was issued.
- 3.2.5. Other Technical Reports
- 3.2.6. Area Engineer: Report dated 28/4/2025 - Recommended a deferral of a decision and the seeking of further information in relation to the sightlines at the existing Copper Point estate entrance.
- 3.2.7. Area Engineer: Report dated 10/7/2025 - Clarification of further information sought in relation to the sightlines at the existing Copper Point estate entrance.
- 3.2.8. Area Engineer: Report dated 18/8/2025 - The site layout drawing has been revised outlining works required to improve sight for emerging traffic from the Copper point estate. The works will provide direct sight of the L-4406 and R592 junction. No objection subject to the attachment of conditions.
- 3.2.9. Environment section: Report dated 28/4/2025 - No objection subject to conditions.
- 3.2.10. Environment section: Report dated 30/7/2025 - No objection subject to conditions.
- 3.2.11. Environment section: Report dated 15/8/2025 - No objection subject to conditions.
- 3.2.12. Conditions

- 3.2.13. The grant of permission is subject to 17 no. conditions.
- 3.2.14. Condition no. 2 states – Prior to the commencement of any other development on the subject lands sight distances of 50.00m in both directions, at a point 2.40 metres back from the edge of the R-592 Regional road into the Copper Point Estate Road shall be provided in the centre of the vehicular entrance in accordance with Drawing Number 2417-CRO-X-XXX-DR-CE-0360 that was received by the Planning Authority on the 13th August 2025. This shall also provide a clear line of sight to a point 1.0 metre behind the L-4406 and the R-592 junction STOP line at a point 2.40 metres back from the edge of the public road to be provided from the centre of the vehicular entrance. Thereafter any vegetation or any structure shall not in perpetuity exceed 1.0 metre in height within the sight distance triangle.

Reason: In the interests of road safety.

- 3.2.15. The issues in relation to this condition are addressed under Section 7.6 of the report.

3.3. Prescribed Bodies

- 3.3.1. Inland Fisheries Ireland: Submission dated 2/4/2025 – It appears that it is proposed to ultimately dispose of effluent from the development to the public sewer. IFI would asks that Irish Water/Cork County Council signifies there is sufficient capacity in existence so that it does not (a) overload either hydraulically or organically existing treatment facilities (b) result in polluting matter entering waters or (c) cause or contribute to non-compliance with existing legislative requirements.

3.4. Third Party Observations

- 3.4.1. The Planning Authority received 6 no. submissions/observations in relation to the planning application. The issues raised are similar to those set out in the third party appeals.

4.0 Planning History

- 4.1.1. Reg. Ref. 23/7 & ABP 317903 – Permission was refused by the Planning Authority and granted on appeal for demolition of existing dwelling house and construction of 6

no. 2 storey, semi-detached dwellinghouses. This refers to a site within Copper Point to the east of the appeal site.

- 4.1.2. Reg. Ref. 21/235 – Permission was granted for construction of 2 no. two storey (3 bed) dwellings, 4 no. car parking spaces and all associated site works on lands where development was previously permitted under Planning Ref. Numbers 05/1839, 08/1110 and was extended under 13/426. This refers to a site within Copper Point to the southern end of the estate.
- 4.1.3. Reg. Ref. 13/426 – Permission was granted for construction of 2 no. dwellings, 4 no. car parking spaces and all associated site development works as part of the development permitted by Ref. No. 05/1839. This refers to a site within Copper Point to the southern end of the estate. This refers to a site within Copper Point to the southern end of the estate.
- 4.1.4. Reg. Ref. 08/1110 – Permission was granted for the construction of 2 no. dwellings, 4 no. car parking spaces and all associated site development works as part of the development permitted by Ref. No. 05/1839 at Skull Townland, Schull, Co. Cork. This refers to a site within Copper Point to the southern end of the estate.
- 4.1.5. Reg. Ref. 05/1839 – Permission was granted for demolition of 2 no. dwellinghouses and construction of 55 no. residential units to include 51 no. dwellinghouses and 4 no. duplex units, 2 no. serviced sites for dwellings, 1 no. creche, 1 no. medical centre, 3 no. retail units, car parking and associated site works. This refers to the parent permission of the scheme.

5.0 Policy Context

5.1. Project Ireland 2040 - National Planning Framework – First Revision – April 2025

- 5.1.1. The NPF includes a Chapter, No. 6 entitled 'People, Homes and Communities'. It sets out that place is intrinsic to achieving good quality of life.
- 5.1.2. National Policy Objective 7 seeks to “deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements and ensure compact and sequential patterns of growth.”

- 5.1.3. National Policy Objective 43 seeks “to prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.”
- 5.1.4. National Policy Objective 45 seeks to “increase residential density in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration, increased building height and more compact forms of development.”

5.2. Section 28 Ministerial Guidelines

- 5.2.1. The following is a list of section 28 Ministerial Guidelines considered of relevance to the proposed development. Specific policies and objectives are referenced within the assessment where appropriate.
- Sustainable Residential Development and Compact Settlements – Guidelines for Planning Authorities (2024)
 - ‘Design Manual for Urban Roads and Streets’ (DMURS) (2019)
 - ‘The Planning System and Flood Risk Management’ (including the associated ‘Technical Appendices’) (2009)
 - ‘Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities’ (2023)
 - Urban Development and Building Heights – Guidelines for Planning Authorities (2018)
 - NPF Implementation: Housing Growth Requirements – Guidelines for Planning Authorities (2025)

5.3. Cork County Development Plan 2022-2028

- 5.3.1. Volume Five refers to West Cork and Section 2.11 refers to Schull.
- 5.3.2. Under the provisions of the Plan as indicated on the zoning Map of Schull the appeal site is zoned Existing Residential/Mixed Residential and Other Uses.
- 5.3.3. Volume One refers to Main Policy Material

- 5.3.4. Chapter 2 refers to Core Strategy
- 5.3.5. CS 2-7: Network of Settlements – County Towns (Schull) - To provide a better balance of development between each town and its rural hinterland and fulfil their role as economic and employment centres providing for the needs of their extensive rural hinterlands, so that they can become the location of choice for most people especially those with an urban employment focus.
- 5.3.6. Chapter 4 refers to Housing
- 5.3.7. Section 4.8.12 refers to Medium Density ‘B’ - An increased minimum threshold is recommended from 12 to 20 units /ha in this category and the maximum threshold from 25 to 35 units /ha which will overlap with the Medium A category. This revised density range of 20-35 units/ha would not generally be applicable in the larger settlements >5,000 population other than for limited site specific reasons relating to sites with topography/ heritage constraints or where there is a specific market requirement. This revised Medium B density category would be generally applicable to suburban and greenfield sites of the smaller towns with a population <5000, providing for a tiered density structure and a mix of residential typologies.
- 5.3.8. County Development Plan Objective HOU 4-7: Housing Density on Residentially Zoned Land. In relation to Medium B – Min Net Density of 20 and Max Net Density of 35 are specified.
- Normally applicable to lands in the suburban/greenfield lands of the smaller towns <5,000 population and key villages as part of sequential development.
 - In larger towns with a population of >5,000 or planner to grow <5,000 population, may be applicable in a limited instance (outside Metropolitan Cork) for edge of centre sites and sensitive sites with difficult topography, heritage constraints to allow for a broader typology within the urban envelop.
- 5.3.9. Table 4.1 – Settlement Density Location Guide
- 5.3.10. Schull is categorised as - Smaller Towns (<1,500) & Key Villages (>1,500) where Medium B (20-35 units/ha) is generally applicable for future development on edge of centre sites.
- 5.3.11. Chapter 14 refers to Green Infrastructure and Recreation

- 5.3.12. Section 14.5.15 refers to Private Open Space - In accordance with the Sustainable Residential Development in Urban Areas Guidelines 2009 all houses (terraced, semi-detached and detached) should have an area of private open space. However, this may not be practical in all developments for example apartment complexes and duplex style apartments. In those cases in particular, a high standard of public open space must be provided.
- 5.3.13. Alternatively, in developments where significant private open space is provided, the quantity and quality of same will be a consideration in determining the amount of public open space to be provided.
- 5.3.14. County Development Plan Objective GI 14-6: Public/Private Open Space Provision
- a) Public Open Space within Residential Development shall be provided in accordance with the standards contained in Cork County Council's Interim Recreation & Amenity Policy (2019) and any successor policy, the "Guidelines on Sustainable Residential Development in Urban Areas" and "Making Places : a design guide for residential estate development. Cork County Council Planning Guidance and Standards Series Number 2".
 - b) Promote the provision of high quality, accessible and suitably proportioned areas of public open space and promote linking of new open spaces with existing spaces to form a green infrastructure network.
 - c) Apply the standards for private open space provision contained in the Guidelines on Sustainable Residential Development in Urban Areas and the Urban Design Manual (DoEHLG 2009) and Cork County Council's Design Guidelines for Residential Estate Development. With regard to apartment developments, the guidelines on Sustainable Urban Housing: Design Standards for New Apartments will apply.
- 5.3.15. Chapter 18 refers to Zoning and Land Use
- 5.3.16. Section 18.3.3 – Existing Residential/Mixed Residential and Other Uses (ER).
- 5.3.17. The objective for this zoning is to conserve and enhance the quality and character of established residential communities and protect their amenities. Infill developments, extensions, and the refurbishment of existing dwellings will be considered where they are appropriate to the character and pattern of development in the area and do

not significantly affect the amenities of surrounding properties. The strengthening of community facilities and local services will be facilitated subject to the design, scale, and use of the building or development being appropriate for its location.

- 5.3.18. The Plan recognises that lands defined as Existing Residential/Mixed Residential and Other Uses may contain residential development of varied densities ranging from high density historic terraces to more modern lower density housing schemes. The Plan generally supports proposals for increased densities within this category to optimise the development of lands within the built envelope of a settlement subject to compliance with appropriate design/amenity standards and protecting the residential amenity of the area and normal sustainable planning considerations.
- 5.3.19. County Development Plan Objective ZU 18-9: The scale of new residential and mixed residential developments within the Existing Residential/Mixed Residential and Other Uses within the settlement network should normally respect the pattern and grain of existing urban development in the surrounding area. Overall increased densities are encouraged within the settlement network and in particular, within high quality transport corridors, sites adjoining Town Centres Zonings and in Special Policy Areas identified in the Development Plan unless otherwise specified, subject to compliance with appropriate design/amenity standards and protecting the residential amenity of the area.
- 5.3.20. Appropriate Uses in Existing Residential/Mixed Residential and Other Uses Areas - Residential development, residential care, sheltered housing, specialised housing, small scale retail, local centres/neighbourhood centres, small scale commercial, community facilities, childcare facilities, education facilities, places of worship, civic uses, small scale offices, local medical /healthcare services, marine facilities, sports facilities, recreation and amenity facilities, bed and breakfast/guesthouses/hotels.

5.4. Natural Heritage Designations

- 5.4.1. Roaringwater Bay and Islands SAC (Site Code 000101) is situated 454m to the east of the appeal site.

5.5. EIA Screening

- 5.5.1. The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 and Form 2 in Appendices of this report). Having regard to the characteristics and location of the proposed development and the types and characteristics of potential impacts, it is considered that there is no real likelihood of significant effects on the environment. The proposed development, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required.

6.0 The Appeal

6.1. Grounds of Appeal

Third party appeals were received by An Coimisiún Pleanála from (1) Joan Tynan (2) Una Ryan (3) Marie McFarlane (4) Edward & Mary Murphy (5) Orla Finn and John Harpur. The issues raised are as follows:

(1) Joan Tynan

- The close proximity of the proposed dwellings to the appellants property would have an overbearing impact. The proposed development would result in a loss of privacy and devaluation of property.
- The proposed development would result in overlooking.
- Concern is expressed that the proposed development would be located on an existing amenity area and that a location which is used for play would be lost.

(2) Una Ryan

- The appellant's property is no. 43 Copper Point which they state will be impacted by the proposed development.
- The site is a small green area located to the front of the appellant's home. The area is used for children to play on including the appellant's grandchildren.

- Concern is expressed in relation to the noise and disturbance which would occur during the construction works.
- The proposed development would generate additional traffic and car parking.

(3) Marie McFarlane

- The appellant considers that the proposed development would have a negative impact on the residential and visual amenities of the area.
- The modification of the estate entrances would result in the removal of the ditch and landscaping which would have a negative visual impact.
- It is stated that Schull is a rural village which has no requirement for additional houses.

(4) Edward & Mary Murphy

- Copper Point estate was constructed more than 15 years ago. The subject site has evolved as an open space. It is used primarily as a children's play area. It is located centrally within the estate and is easily accessible. There is no alternative such space within Copper Point.
- The proposed development would negatively impact the residential and visual amenities of the area.
- The proposed private open space to each dwelling comprises three separate strips of planted area to the south of the dwelling. The spaces are not considered practical for the future residents. The entrance courtyard design comprises an area of 5.7m x 4m bounded by two side walls of 5.77m high and between two-storey buildings and they would be in shadow for at least one third of the day. The proposed private open space includes a roof terrace accessed from the first floor living area. They are located to the north of the properties adjacent to the communal car parking area. It is considered that those areas would not have privacy and would require further screening. Therefore, concern is expressed in relation to the design and quality of private open space proposed to serve the dwellings.

- The proposed dwellings would address the existing dwellings no's 42-44. There would be a separation distance of 14.5m. The front of the proposed dwellings features large ground and first floor windows which would overlook the existing properties.
- The justification for the proposed development is that the original permission on the site Reg. Ref. 05/1839 included four houses in this location. This appears to be the justification on which Cork County Council have based their decision to grant permission. Such a 'previous permitted' argument has no basis in the context of a permission which was granted over twenty years ago.
- It is highlighted that the proposed dwellings are significantly larger than those originally permitted. The originally permitted dwellings were two-bedroom detached units with open space separating them. The current proposal is a terrace of three-bedroom units which presents a monolithic form towards the car parking area to the north. The proposed dwellings are larger in footprint and the design entails the previous car parking area to be sub-divided into two blocks, with half of the provision being remotely located from the entrance doors of the proposed dwellings.
- The report of the Planning Officer does not refer to the six additional houses within the Copper Point development which were initially refused by Cork County Council under Reg. Ref. 23/7 and subsequently granted permission by An Bord Pleanála under ABP 317903-23. The combination of these six houses and the four proposed under the current application will result in the loss of open space within Copper Point.
- The appellant highlights that while the Council had refused permission for the scheme of six dwellings under Reg. Ref. 23/7 it has granted permission of the proposed scheme of four dwellings under Reg. Ref. 25/109. They question the change in relation to the assessment of infill development within the estate.
- In relation to the design of the scheme the appellant considers that the placement and context of the scheme would render it incongruous. It is submitted that it would present as a 'jarring monolithic' block. It is

considered that the design is oversized for the site and would be located too close to the existing dwellings to the south. It is considered that the proposed scheme would not enhance the streetscape and connectivity.

- It is noted that some houses within the existing Copper Point development remain unsold and largely permanently unoccupied apart from short-term letting. They therefore question the requirement for further properties.

(5) Orla Finn and John Harpur

- The appellants' property is no. 42 Copper Point which they state will be impacted by the proposed development.
- The site is an existing green area located directly across from the appellants' home. The area is used daily by children in the estate to play on. The development of the area would result in the loss of this essential amenity.
- It is considered that the proposed development would appear cramped and represent overdevelopment of the site. It is considered that the proposed development would cause significant noise and disturbance during the construction phase.
- Concern is expressed that the proposed development would result in a devaluation of property.
- It is submitted that the proposal would cause overshadowing of their property and reduce natural light.
- It is considered that the design of the scheme is out of character with the existing estate.
- Concern is expressed in relation to additional traffic and car parking which would be generated.
- The proposal would result in the loss of a further green space within Copper Point. It is noted that a further 57 no. houses are proposed to the rear of Copper Point.

6.2. Applicant Response

A response to the 5 no. third party appeals was received from Walsh Group on behalf of the applicant Mr. Richard Walsh. The issues raised are as follows:

- The submitted response refers to the 5 no. third party appeals lodged by the following residents of Copper Point. (1) Joan Tynan (2) Una Ryan (3) Marie McFarlane (4) Edward & Mary Murphy (5) Orla Finn and John Harpur.
- The grounds of appeal refer to the following main issues (i) site history (ii) loss of open space (iii) impacts on residential amenity (iv) density and overdevelopment (v) design (vi) various assertions regarding need, vacancy and the Copper Point development strategy and (vii) claims that the development is contrary to the proper planning and sustainable development of the area.
- The planning history on the site is set out in the appeal response. Under Reg. Ref. 00/6882 & PL04.131157 permission was granted by the planning authority for the development 10 houses, car park and demolition of house to construct access road (phase 1). Skull, Schull, Co. Cork. Permission was refused on appeal. Under Reg. Ref. 05/1839 permission was granted for the demolition of 2 no. dwellinghouses and construction of 55 no. residential units to include 51 no. dwellinghouses and 4 no. duplex units, 2 no. serviced sites for dwellings, 1 no. creche, 1 no. medical centre, 3 no. retail units, car parking and associated site works.
- Under Reg. Ref. 21/235 permission was granted for the construction of 2 no. two storey (3 bed) dwellings, 4 no. car parking spaces and all associated site works on lands where development was previously permitted under Planning Ref. Numbers 05/1839, 08/1110 and was extended under Reg. Ref. 13/426 on site no's 25 & 26. Under Reg. Ref. 23/7 & ABP 317903-23 permission was refused by the planning authority and granted on appeal for the demolition of existing dwelling house and construction of 6 no. 2 storey, semi-detached dwellinghouses, and all associated site works.
- The subject site is zoned residential. It is identified on the Council's Residential Zoned Land Tax Map and has the benefit of an expired planning

permission for 4 no. dwellings. It is considered that the proposed residential use is entirely appropriate on residentially zoned and serviced land. It is considered that the proposed development fully accords with the proper planning and sustainable development of the area.

- Regarding the matter of the loss of open space, the site is not now or was ever intended to be designated public open space. Coppers Point is already well served by two substantial and well maintained, open space areas to the south and south-east of the appeal site.
- In relation to impacts that may arise during the construction stage they will be subject to a Construction and Environmental Management Plan. It is not envisaged that the proposed houses will have any significant negative impacts on residential amenity by virtue of overlooking, overshadowing, loss of parking or traffic over and above what was previously designed and permitted as part of the original Coppers Point development.
- Regarding the matters of excessive density and site overdevelopment the site comprises zoned and serviced residential land located within short walking distance of all services and facilities in Schull town centre. The density of the development on the appeal site and the Copper Point development fully accords with national and local planning policy provisions and fully accords with the proper planning and sustainable development of the area.
- In relation to the design of the scheme the Copper Point development was designed by Kiosk Architects. It has been constructed and delivered to a very high standard. The proposed 4 no. infill houses have been designed by O'Mahony Pike Architects who have regard to the history of the site, the existing layout and the palette of materials used in Copper Point in their design.
- Regarding the issue of the requirement for the proposed dwellings, it is highlighted that the country is enduring a housing crisis. The subject lands are zoned for residential development and after years of delay are now fully serviced. There is undoubtedly an urgent need for housing on these lands.

- The appellant rejects the observers concerns in relation to vacancy within Copper Point. It is highlighted to the Commission that of the 47 completed units 20 are owned by Cork County Council and are managed as part of the social/affordable housing stock. The remaining 21 units are privately owned and either permanently occupied by their owner or occupied by a private rental tenant on leases. It is stated that there are at most 12 units that might be considered dual homes with the occupant spending significant time periods in their two homes. Due to the quality of the environment and lifestyle considerations available in Schull the question as to which dwelling comprises the primary or the second home has become blurred in this dual home scenario. It is stated that 41 of the 47 houses of the existing houses are in permanent occupancy with 6 functioning as regularly occupied dual homes. Therefore, vacancy is clearly not significant issue at Copper Point.
- The applicant's development strategy is to secure consent on all infill sites and to construct the associated houses in one go. This should minimise disruption to Copper Point residents and those in the vicinity of the development.
- It is considered that the proposed construction of 4 no. infill houses fully accords with the proper planning and sustainable development of the area.

6.3. Planning Authority Response

- None received

7.0 Assessment

Having examined the application details and all other documents on file, including all of the submissions received in relation to the appeal, the reports of the local authority, and having inspected the site, and having regard to the relevant local/regional/national policies and guidance, I consider that the substantive issues in this appeal to be considered is as follows:

- Principle of development
- Density

- Loss of open space
- Design
- Residential amenity
- Access, traffic and car parking
- Requirement for housing
- Foul drainage

7.1. Principle of Development

- 7.1.1. The subject site is zoned Existing Residential/Mixed Residential. As detailed in section 18.3.3 of volume 1 of the Cork County Development Plan 2022 – 2028, the objective for this zoning is to conserve and enhance the quality and character of established residential communities and protect their amenities. Infill developments, extensions, and the refurbishment of existing dwellings will be considered where they are appropriate to the character and pattern of development in the area and do not significantly affect the amenities of surrounding properties. The strengthening of community facilities and local services will be facilitated subject to the design, scale, and use of the building or development being appropriate for its location. It is further set out under this section of the development plan that it is generally supportive of proposals for increased densities within this category to optimise the development of lands within the built envelope of a settlement subject to compliance with appropriate design/amenity standards and protecting the residential amenity of the area and normal sustainable planning considerations. As set out under County Development Plan Objective ZU 18-9: which refers to Existing Residential/Mixed Residential and Other Uses a list of appropriate land uses is provided which includes residential.
- 7.1.2. Therefore, the proposed development is considered in accordance with the zoning objective and should be assessed on its merits.

7.2. Density

- 7.2.1. The site has a stated area of 0.095 ha and comprises a central area in the estate which is grassed and landscaped. The grounds of appeal raised concern at the density of development proposed and stated that the proposal would represent

overdevelopment of the site. In response to these concerns the first party stated that the density of the development on the appeal site and the Copper Point development fully accords with national and local planning policy provisions and fully accords with the proper planning and sustainable development of the area.

- 7.2.2. In relation to the matter of density, I note the guidance of the 'Sustainable Residential Development & Compact Settlements Guidelines (2024)'. The subject site is categorised as being a Rural Towns and Villages (<1,500 population). It is a policy and objective of these Guidelines that development in rural towns and villages is tailored to the scale, form and character of the settlement and the capacity of services and that the density of development at such locations should respond in a positive way to the established context. There is no prescriptive density set out in the Guidelines for Rural Towns and Villages (<1,500 population).
- 7.2.3. As set out in Table 4.1 of Cork County Development Plan 2022-2028 which refers to Settlement Density Location Guide, Schull is categorised as a Smaller Town (<1,500) where Medium B density of (20-35 units/ha) is generally applicable for future development on edge of centre sites. County Development Plan Objective HOU 4-7: Housing Density on Residentially Zoned Land – Medium B states that the minimum net density on these lands is 20 units/ha with the maximum net density being 35 units/ha.
- 7.2.4. The net density of the proposed development of 4 no. dwellings on the 0.095 ha site would be equivalent to 44.4 units per hectare. Therefore, the net density of the proposed development would exceed the maximum net density of 35 units/ha as set out in Table 4.1 of the Development Plan and County Development Plan Objective HOU 4-7: Housing Density on Residentially Zoned Land.
- 7.2.5. In relation to the matter of density of the proposed development the report of the Senior Executive Planner dated 24/4/2025 stated that there were no objections to the density of development proposed on the site in the context of pattern of development in the vicinity within Copper Point.
- 7.2.6. I am of the opinion that the site context and the infill nature of the site is a key consideration when assessing the density. The existing density of development in the Copper Point Estate is circa 24 units per hectare on the overall 2.28 hectare site. The density of development within the Copper Point Estate including the permitted 6

no. dwellings granted under Reg. Ref. 23/7 & ABP 317903-23 and the 4 no. dwellings proposed under the current application Reg. Ref. 25/109 would be equivalent to 28.5 no. units per hectare.

- 7.2.7. Accordingly, while the density of the proposed development on the appeal site would exceed the maximum net density of 35 units/ha as set out in Table 4.1 of the Development Plan and County Development Plan Objective HOU 4-7: Housing Density on Residentially Zoned Land, I do not consider that the proposed development would represent a material contravention of the Development Plan having regard to the infill nature of the subject site and on the basis that the density of the overall development within the Copper Point Estate including the existing dwellings, permitted development and 4 no. proposed dwellings would be equivalent to 28.5 no. units per hectare. Accordingly, this would align with the requirements of County Development Plan Objective HOU 4-7: Housing Density on Residentially Zoned Land and Table 4.1 of the Development Plan which refers to Settlement Density Location Guide.

7.3. Loss of open space

- 7.3.1. The grounds of appeal refer to the issue of loss of open space within the Copper Point Estate. The appeals state that the site which is grassed is currently used as public open space and specifically as an area where children play.
- 7.3.2. In response to the first party stated that the site is not now or was ever intended to be designated public open space. They highlighted that Copper Point is well served by two substantial and well maintained open space areas to the south and south-east of the appeal site.
- 7.3.3. The report of the Senior Executive Planner dated 24/4/2025 addressed the matter. It stated that under Reg. Ref. 05/1839 4 no. dwellings were previously permitted on the site, however they were not constructed prior to the expiration of the permission in 2013. It was also highlighted in the report that the site did not form part of the public open space within Copper Point, as permitted under Reg. Ref. 05/1839. The Site Layout Plan – Drawing No: 43/04–101 as permitted under Reg. Ref. 05/1839 indicates the public open space areas within the scheme to the northern side of the site and also to the south-eastern side of the site.

- 7.3.4. On the basis that the parent permission referring to the Copper Point did not include the subject site as part of the designated public open space to serve the scheme and that under the permission 4 no. dwellings were previously permitted on the site, I would concur with the assessment of the Planning Authority that while the site is grassed it does not form part of the permitted area of public open space within Copper Point and therefore the proposed infill development would be acceptable.

7.4. Design

- 7.4.1. The design of the proposed scheme is raised in the appeals. Specifically, the grounds of appeal refer to the design of the proposed dwellings relative to the existing properties and the also the provision of private amenity space proposed to serve the units. It is submitted in the grounds of appeal that the development would appear incongruous and that it would present as a 'jarring monolithic' block.
- 7.4.2. In response to the matter the first party stated that the Copper Point development was designed by Kiosk Architects and that it has been constructed to a very high standard. The first party highlighted that proposed development comprising 4 no. infill houses was designed by O'Mahony Pike Architects and that their design had full regard to the history of the site, the existing layout and the palette of materials used in Copper Point.
- 7.4.3. Having visited the site and reviewed the submitted plans including the Sections and Elevations Drawing No: 23021A-OMP-ZZ-ZZ-DR-A-3000, I would not agree with the assertion of the appellants that the proposed development would have an incongruous appearance.
- 7.4.4. The infill nature of the appeal site means any development should fully respect the character and context of the area. The proposed building heights, roof profiles and fenestration reflect the design and character of the existing dwellings. The proposed dwellings are of a comparable design and scale to the existing dwellings in Copper Point. The proposed external finishes as detailed in the Design Statement submitted with the application will include slate roofs and the palette of materials will reflect those of the existing dwellings in Copper Point.
- 7.4.5. In relation to the appearance of the proposed development when viewed from the north, while I would note that it would present as a single block with a frontage length

of circa 40m at ground floor level the design provides separation between each first floor of the proposed dwellings where the terraces are proposed. I consider that this design approach reduces the massing of the proposal and that it is visually acceptable on that basis.

- 7.4.6. Overall, in terms of the visual impact of the proposed scheme on the surrounding area I consider that the development has been designed well to integrate with the surrounding development.

Private open space provision

- 7.4.7. The grounds of appeal raised the matter of the private open space provision. County Development Plan Objective GI 14-6 refers to Public/Private Open Space Provision. Part (c) refers to private open space its advises that the standards for private open space provision contained in the Guidelines on Sustainable Residential Development in Urban Areas and the Urban Design Manual (DoEHLG 2009) and Cork County Council's Design Guidelines for Residential Estate Development apply.
- 7.4.8. In relation to the Guidelines on Sustainable Residential Development in Urban Areas and the Urban Design Manual (DoEHLG 2009) I note that these documents do not specify a quantum of private amenity space to be provide in respect of dwellings. Section 7.8 of the Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities (2009) refers to Private and communal open space, it advises that all houses (terraced, semi-detached and detached) should have an area of private open space behind the building line. It states the area of such private space will be influenced by the separation between buildings and plot widths and that smaller patio-type rear gardens may be acceptable in more innovative layouts where communal open space in the form of a courtyard is also available.
- 7.4.9. In relation to the provisions of the Cork County Council's Design Guidelines for Residential Estate Development (May 2011) this provides guidance in respect of private open space. The section referring to Garden size states that all houses should have a rear private garden area. For 3-bedroom houses and larger, the minimum size is 60sq m, which is stated as being sufficient to accommodate most household activities and at the same time adequate to offer visual delight, receive some sunshine and encourage plant growth.

- 7.4.10. The private open space provision for each of the 4 no. dwellings is as follows. The dwelling to the western end of the terrace house type H3AL is a three bedroom dwelling. A 17.3sq m roof terrace is proposed along with a garden to the side of the property which has an area of approximately 50sq m. Therefore, the total private open space provide would be 67sq m. However, the area comprises a roof terrace and a side garden which would not be in line with the specification of the private amenity space to be provided behind the building line as set out in Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities (2009) and also the with the specification contained in Cork County Council's Design Guidelines for Residential Estate Development (May 2011) which requires that all houses should have a rear private garden area.
- 7.4.11. The two proposed dwellings within the centre of the terrace are house type HA. They are three-bedroom dwellings with a roof terrace of 16.8sq m and a courtyard of 23.2sq m. Therefore, the total private open space provide for each dwelling would be 40sq m. The areas comprise a roof terrace and a courtyard to front of the properties which would not be in line with the specification of the private amenity space to be provided behind the building line as set out in Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities (2009) and also the with the specification contained in Cork County Council's Design Guidelines for Residential Estate Development (May 2011) which requires that all houses should have a rear private garden area. Furthermore, the quantum of private amenity space would be less than the specified 60sq of rear garden which is set out in Cork County Council's Design Guidelines for Residential Estate Development (May 2011).
- 7.4.12. The dwelling to the eastern end of the terrace house type H3AR is a three-bedroom dwelling. A 16.8sq m roof terrace is proposed along with a courtyard of 23.2sq m. Therefore, the total private open space provide would be 40sq m. The areas comprise a roof terrace and a courtyard to front of the properties which would not be in line with the specification of the private amenity space to be provided behind the building line as set out in Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities (2009) and also the with the specification contained in Cork County Council's Design Guidelines for Residential Estate Development (May 2011) which requires that all houses should have a rear private garden area. Furthermore, the quantum of private amenity space would be less than

the specified 60sq of rear garden which is set out in Cork County Council's Design Guidelines for Residential Estate Development (May 2011).

- 7.4.13. The report of the Senior Executive Planner dated 24/4/2025 in relation to the provision of private amenity space within the scheme stated that private amenity space provisions meet with the minimum requirements (in 3 of the 4 units and exceed minimum standards for the 4th unit), as specified in SPPR 2 of the Sustainable Residential Development and Compact Settlements Guidelines.
- 7.4.14. Regarding the provisions of the Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities (2024), SPPR 2 refers to Minimum Private Open Space Standards for Houses. It states that it is a specific planning policy requirement of these Guidelines that proposals for new houses meet the following minimum private open space standards: 1 bed house - 20sq m, 2 bed house - 30sq m, 3 bed house - 40sq m and 4 bed + house - 50sq m. It is further stated under SPPR 2 that in all cases, the obligation will be on the project proposer to demonstrate to the satisfaction of the planning authority or An Coimisiún Pleanála that residents will enjoy a high standard of amenity.
- 7.4.15. In relation to the quantum of private open space proposed to serve each of the 4 no. dwellings I would concur with the assessment of the planning officer that three of the units meet with the minimum requirement and one of the units exceeds the minimum requirement. Regarding the standard of amenity the proposed areas would provide, the grounds of appeal raised concern in relation to the level of privacy provided and shadowing in the proposed courtyards. I would note the roof terraces are all of a usable size and could accommodate outdoor furniture and that adequate privacy is provided in their design. In relation to the proposed courtyards, I would note that while they are to the front of the properties they are all of a usable size and could accommodate outdoor furniture, storage of bicycles and the drying of clothes. I consider that adequate privacy is provided in their design. In relation to the issue of shadowing in the courtyards while I would note that shadowing would occur due to the height of the surrounding walls having regard to the fact that all dwellings have a roof terraces, I am satisfied that residents would have sufficient access to light within the private open spaces.

- 7.4.16. Returning the matter of the private open space having regard to the provisions of the Cork County Development Plan 2022-2028. On the basis that the proposed private amenity space provision is not in accordance with the specific requirements in terms of configuration as set out in Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities (2009) and in terms of quantum and configuration as set out in Cork County Council’s Design Guidelines for Residential Estate Development (May 2011) which are cited as documents which apply under County Development Plan Objective GI 14-6 which refers to Public/Private Open Space Provision, and specifically part (c) which refers to private open space I would conclude that the private amenity space provision proposed in this scheme is a material contravention of this County Development Plan Objective.
- 7.4.17. Having regard to the provisions of the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024) and specifically SPPR 2 which sets out that the minimum private open space standard for a 3 bed house is 40sq m and that fact that the proposed dwellings all achieve this quantum of private amenity space, and that all the proposed areas will provide a high standard of residential amenity, I therefore consider that there is a clear rationale statutory basis to recommend a material contravention of the development plan.
- 7.4.18. Under Section 28 of the Planning and Development Act 2000, (as amended) it is set out that the Commission and planning authorities are obliged to comply with Specific Planning Policy Requirements (SPPRs), even where the SPPR is inconsistent with the Development Plan. Accordingly, the private amenity space standards set out under SPPR 2 of the Sustainable Residential Development and Compact Settlements Guidelines must be applied instead of the provisions of the Development Plan.
- 7.4.19. Accordingly, I would conclude that a material contravention arises, and I recommend that the Commission invoke their power under section 37(2)(a) of the Planning and Development Act, 2000 (as amended) to grant permission for the proposed development.

7.5. Residential amenity

- 7.5.1. The grounds of appeal raised the matter of impact on residential amenity in terms of overshadowing/loss of daylight, overlooking/loss of privacy and overbearing. The appeals referred to the separation distance between the proposed dwellings and the adjacent dwellings to the south no's 42-44 Copper Point. It was submitted in the appeal that the privacy and amenity of adjoining properties will be seriously injured due to the proposed developments proximity to neighbouring properties. Concern was raised in relation to noise and disturbance which would occur during the construction phase should permission be granted for the proposed development.

Overshadowing/loss of daylight

- 7.5.2. The issue of potential overshadowing and loss of daylight is raised in the grounds of appeal with reference to the dwellings located to the south. The existing properties to the south of the site no's 42-44 Copper Point comprise a terrace of 3 no. two-storey dwellings. The front of those dwellings addresses the appeal site. The proposed dwellings are two-storey with a ridge height of between 8.1m and 8.7m. As detailed on the submitted Sections and Elevations Drawing No: 23021A-OMP-ZZ-ZZ-DR-A-3000 there is a difference in the height of dwellings based on the topography of the site. The ground level rises to the west and ridge height of the proposed dwelling to the western side of the site is 8.1m with the proposed dwelling to the eastern side of the site having a ridge height of 8.7m. The separation distance provided between the proposed dwellings and the properties no's 42-44 Copper Point is 15m at the closest point. Accordingly, having regard to the two-storey nature of the proposed dwellings and the separation distance proposed, I am satisfied that the proposed development would not give rise to any undue overshadowing or loss of daylight of the neighbouring properties to the south.

Overlooking/loss of privacy and overbearing

- 7.5.3. The issue of potential overlooking, loss of privacy and overbearing is raised in the grounds of appeal with reference to the dwellings located to the south. As detailed above the proposed dwellings are two-storey and the dwellings would be setback a minimum of 15m from the front of the dwellings no's 42-44 Copper Point. The proposed dwellings are orientated north-south with the front of the dwellings addressing the south. Therefore, I would note that the matter of the separation

distance between opposing rear first floor windows does not arise and that the front of the appellants' properties directly address the public domain to the north.

Nonetheless, I note that satisfactory separation distance is provided between the front of the existing and proposed dwellings.

- 7.5.4. Having reviewed the proposed site layout of the scheme relative to the existing surrounding properties, I consider having regard to the proposed siting of the new dwellings, the relative separation distances to the existing dwellings to the south and design of the proposed dwellings that it would not result in any undue overlooking of the neighbouring residential properties or overbearing impacts.

Impacts during construction phase

- 7.5.5. The grounds of appeal raised concerns in relation to impacts arising during the construction phase specifically that construction would generate noise and cause general disruption to the area. In response to the matter the first party stated that impacts that may arise during the construction stage will be subject to a Construction and Environmental Management Plan.
- 7.5.6. Condition no. 11 attached by the Planning Authority specified that the details of hours of working during construction of the development, including the hours of use of any noisy equipment to be used, and of a scheme for noise and dust control during construction shall be submitted to and agreed with the Planning Authority prior to commencement of development. I note that the wording of the condition did not specify that a Construction and Environmental Management Plan be submitted for agreement.
- 7.5.7. In order to ensure that the proposed construction works are carried out in a manner which would result in the least amount of disturbance to existing residents I would recommend should the Commission decide to grant permission that a condition be attached requiring the submission of a detailed Construction Environmental Management Plan (CEMP) for the written agreement of the planning authority. Furthermore, in order to ensure that the amenities of existing residents are protected during the construction phase, I would recommend should the Commission decide to grant permission that a condition be attached specifying that the hours of construction shall be between 7am to 7pm Mon-Fri and 7am to 2pm Saturday. Accordingly, subject to the attachment of these conditions I consider that matters

concerning noise impact and disturbance arising during construction will be satisfactorily addressed.

7.6. Access, traffic and car parking

- 7.6.1. The proposal entails the development of 4 no. dwellings within the Copper Point Estate. The grounds of appeal have raised concern regarding the additional vehicular traffic the scheme would generate. The issue of car parking was also raised in relation to its revised design and layout. It is stated in an appeal that the proposed development entails the previous car parking area being sub-divided into two blocks, with half of the provision being remotely located from the entrance doors of the proposed dwellings.
- 7.6.2. The appeal site includes 5 no. existing car parking spaces which are situated immediately to the north of the bin storage area and adjacent to the existing communal parking area. The parking provision is illustrated on the Proposed Site Plan Drawing No: 23021A-OMP-00-SP-DR-A-1000. Four parking spaces in a parallel bay are proposed to the front of the dwellings. The new bin store is proposed to the north of the dwellings, and 4 no. car parking spaces are proposed to the east of the bin store where the 5 no. existing car parking spaces are located. The overall provision is 8 no. spaces which is in line with the requirement for 2 no. car parking spaces per dwelling unit as set out in Table 12.6: Car Parking Requirements for New Developments. Furthermore, in relation to the parking provision, the report of the Senior Executive Planner dated 24/4/2025 stated that the parking provisions are adequate to serve the development with the units to avail of parallel parking and the shared parking area to the north.
- 7.6.3. In relation to the existing vehicular access serving Copper Point estate, the planning authority sought further information. The Planning Authority had concerns that the L-4406 and R592 junction was not visible when looking left and trying to exit the Copper Point estate onto the R592. The applicant was required to provide proper sight of the L-4406/R592 junction and emerging traffic from the L-4406 for drivers of vehicles exiting the Copper Point estate onto the R592.
- 7.6.4. As detailed on the revised plans submitted in response to the further information request, it is proposed to take down the existing stone wall ditch within the blue

sightline and reinstate it to the south of blue sightline. As illustrated on the drawing this provides 34m sightline from a point setback 2.4m from the STOP line at Copper Point to a point 1m behind the STOP line on the L-4406. It is also indicated on the plans that the existing hedge within the visibility splay will be reduced to and maintained at a height not exceeding 1.0m above the adjacent road level and that sightlines are to be provided and maintained free of obstruction in accordance with the requirements of the Local Authority and in compliance with DMURS. In relation to the location of the vehicular access serving Copper Point estate while I note that it is outside the site boundary of the subject application I further note as detailed in the report of the Senior Executive Planner dated 4/9/2025 all the works relating to the removal and reinstatement of the stone ditch will take place within the landownership of the applicant. Accordingly, I am satisfied that the works can feasibly be carried out. Should the Commission decide to grant permission for the proposed development I would recommend the attachment of a condition specifying that the sightline to the west at the existing entrance be provided in accordance with the revised plans submitted in response to the further information request.

- 7.6.5. Regarding the level of traffic which the scheme would generate once built and occupied, the proposal is a small-scale infill residential scheme of 4 no. dwellings with 8 no. car parking spaces proposed, therefore having regard to the scale of the scheme it will generate a relatively low level of new traffic onto the existing local network. The Area Engineer raised no concerns in relation to the level of traffic that the proposal would generate, and I note their report dated 18th of August 2025 which confirmed that following the submission of a response to further information that there were no objections to the proposal subject to the attachment of conditions.

7.7. Requirement for housing

- 7.7.1. The matter of the requirement for additional housing within Copper Point is raised in the grounds of appeal. It is stated in that some houses within the Copper Point development remain unsold and largely permanently unoccupied apart from short-term letting.
- 7.7.2. The first party in their response disputed the level of vacancy raised by the appellants. They highlight to the Commission that of the 47 completed units 20 are

owned by Cork County Council and are managed as part of the social/affordable housing stock. The remaining 21 units are privately owned and either permanently occupied by their owner or occupied by a private rental tenant on leases. It is stated in the response that there are at most 12 units that might be considered dual homes with the occupant spending significant time periods in their two homes. The first party acknowledged that due to the quality of the environment and lifestyle considerations available in Schull that a number of dwellings comprise primary and secondary homes and that there is also a has blurring in this dual home scenario based on changes in work practices etc. The first party confirm that 41 of the 47 houses of the existing houses are in permanent occupancy with 6 functioning as regularly occupied dual homes.

7.7.3. In relation to the issue of housing requirement, I would note the recently issued Section 28 Guidelines, NPF Implementation: Housing Growth Requirements – Guidelines for Planning Authorities (2025). The guidelines specifically require all Planning Authorities to revise and vary development plans in respect of the policies and objectives contained in the guidelines having regard to the urgency of the housing crisis. The guidelines were issued in response to the National Planning Framework – First Revision issued in April 2025 which updated housing growth requirements.

7.7.4. Accordingly, the current context is that there is growth in housing requirements at a national level. Furthermore, I note the response from the first party in relation to the occupancy and usage of the existing dwellings at Copper Point which sets out that the majority of houses are in use as primary residents.

7.8. Foul drainage

7.8.1. The submission from Inland Fisheries Ireland dated 2/4/2025 referring to the application raised the matter of whether there was sufficient capacity in the public foul sewer to accommodate the additional loading the proposed development would generate. The Planning Authority in their assessment of the proposal as detailed in the report of the Senior Executive Planner dated 24/4/2025 stated that Copper Point housing estate is fully serviced including foul drainage. The Uisce Éireann wastewater treatment capacity register published in August 2025 indicates that the

Schull wastewater treatment plant has spare capacity available. Accordingly based on information from the treatment capacity register there is sufficient capacity to accommodate the loading which would be generated by the proposed development.

8.0 AA Screening

- 8.1.1. I have considered the proposed development in light of the requirements S177U of the Planning and Development Act 2000, as amended.
- 8.1.2. The subject site is located approximately 5.5km, from Roaringwater Bay and Islands SAC (Site Code 000101).
- 8.1.3. The proposed development comprises the demolition of a bin storage and construction of 4 no. residential units together with associated site works on a 0.095 hectare site, located on serviced lands within the town of Schull.
- 8.1.4. No nature conservation concerns were raised in the planning appeals in relation to species of qualifying interest within the Natura 2000 site in relative proximity to the appeal site.
- 8.1.5. No streams/watercourses are identified on site.
- 8.1.6. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any European site. The reason for this conclusion is as follows:
- The nature of the development proposed which are located on serviced lands
 - The distance to the nearest European sites, and the absence of any hydrological or other pathways
 - Taking into account the screening report by the Planning Authority
- 8.1.7. I conclude on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects.
- 8.1.8. Likely significant effects are excluded and therefore Appropriate Assessment (stage 2) under Section 177V of the Planning and Development Act 2000, as amended, is not required.

9.0 Water Framework Directive

- 9.1.1. The proposed development has been subject to a screening for Water Framework Directive Assessment (refer to Appendix 3 of this report).
- 9.1.2. The subject site is located Copper Point, Schull Co. Cork. It is within an existing housing estate containing circa 55 no. dwellings situated to the western side of the town of Schull and approximately 250m from the town centre.
- 9.1.3. The Schull River_010 is situated circa 80m to the north. Roaring Water Bay (IE_SW_140_0000) Coastal waterbody is located 437m to the east of the site. The Skibbereen-Clonakilty (IE_SW_G_085) groundwater body underlies the site.
- 9.1.4. The proposed development comprises the demolition of bin storage and the construction of 4 no. residential units. It is proposed to connect to Uisce Éireann mains wastewater and water supply infrastructure.
- 9.1.5. No water deterioration concerns were raised in the appeal.
- 9.1.6. I have assessed the proposed demolition of bin storage and construction of 4 no. residential units together with associated site works.
- 9.1.7. I have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.
- 9.1.8. The reason for this conclusion is as follows:
- The nature and scale of the development
 - The project uses standard construction / pollution control methods, materials and equipment.
 - A surface water management system including SuDS features is also proposed.

Conclusion

- 9.1.9. I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

10.0 Recommendation

- 10.1.1. I recommend that a grant of planning permission be issued.

11.0 Reasons and Considerations

- 11.1.1. Having regard to the design and layout of the proposed scheme it is considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with the Existing Residential/Mixed Residential and Other Uses zoning, constitute an acceptable density in this urban location, would not seriously injure the residential or visual amenities of the area, would be acceptable in terms of layout, urban design, and height and would be acceptable in terms of traffic, pedestrian safety and convenience. The proposed development would be in accordance with the relevant provisions of the Cork County Development Plan 2022-2028, save for the objective relating to private open space, County Development Plan Objective GI 14-6: Public/Private Open Space Provision and specifically part (c) which refers to private open space provision, which states that the standards for private open space provision contained in the Guidelines on Sustainable Residential Development in Urban Areas and the Urban Design Manual (DoEHLG 2009) and Cork County Council's Design Guidelines for Residential Estate Development apply, and where a material contravention can be considered to arise.

Nevertheless, having regard to the quality of the proposed scheme, to the relevant provisions of the Compact Settlement Guidelines 2024, including the consistency of the proposed development with the relevant Specific Planning Policy Requirements therein (SPPR 2), and noting the legislative obligation under Section 34 of the Planning and Development Act 2000, as amended, for both a planning authority and The Commission to apply SPPRs instead of the provisions of the development plan where the SPPRs differ from those provisions and having regard to the clear,

reasoned assessment of the overall scheme by the planning authority, it is considered that having regard to the provisions of 37(2)(a) of the Planning and Development Act 2000 (as amended), the proposed development would be in accordance with the proper planning and sustainable development of the area, and that a grant of permission is therefore warranted in this instance, notwithstanding the above. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

12.0 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 received by the planning authority on the 13th day of March 2025, the 3rd day of July 2025 and the 13th day of August 2025, 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. Prior to the commencement of any other development on the subject lands sight distances of 50.00m in both directions, at a point 2.40 metres back from the edge of the R-592 Regional road into the Copper Point Estate Road shall be provided in the centre of the vehicular entrance in accordance with Drawing Number 2417-CRO-X-XXX-DR-CE-0360 that was received by the Planning Authority on the 13th August 2025. This shall also provide a clear line of sight to a point 1.0 metre behind the L-4406 and the R-592 junction STOP line at a point 2.40 metres back from the edge of the public road to be provided from the centre of the vehicular entrance. Thereafter any vegetation or any structure shall not in perpetuity exceed 1.0 metre in height within the sight distance triangle.

Reason: In the interests of road safety.

3. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements, in writing where necessary, of the planning authority for such works and services.

Reason: In the interest of public health.

4. Prior to the commencement of development the developer shall enter into a Connection Agreements with Uisce Éireann (Irish Water) to provide for a service connections to the public water supply and/or wastewater collection network.

Reason: In the interest of public health and to ensure adequate water/wastewater facilities.

5. Details of the materials, colours and textures of all the external finishes to the proposed dwellings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity and to ensure an appropriate high standard of development.

6. Proposals for an estate/street name, house numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all estate and street signs, and house numbers, shall be provided in accordance with the agreed scheme. The proposed names shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. No advertisements/marketing signage relating to the names of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed names.

Reason: In the interest of urban legibility and to ensure the use of locally appropriate placenames for new residential areas.

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

Reason: In the interest of amenity and public safety.

8. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Friday 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.

9. All service cables associated with the proposed development such as electrical, telecommunications and communal television shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interests of visual and residential amenity.

10. Prior to the commencement of any works associated with the development hereby permitted, the developer shall submit a detailed Construction Environmental Management Plan (CEMP) for the written agreement of the planning authority. The CEMP shall incorporate details for the following: collection and disposal of construction waste, surface water run-off from the site, on-site road construction, and environmental management measures during construction including working hours, noise control, dust and vibration control and monitoring of such measures. A record of daily checks that the construction works are being undertaken in accordance with the CEMP shall be kept at the construction site office for inspection by the planning authority. The agreed CEMP shall be implemented in full in the carrying out of the development.

Reason: In the interest of residential amenities and public health and safety.

11. Prior to the commencement of development, the developer or any agent acting on its behalf, shall prepare a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness; these details shall be placed on the file and retained as part of the public record. The RWMP must be submitted to the planning authority for written agreement prior to the commencement of development.

All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

Reason: In the interest of proper planning and sustainable development.

12. 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, in particular, recyclable materials within each house plot shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the agreed waste facilities shall be maintained and 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.

13.

- (a) Prior to the commencement of the development as permitted, the applicant or any person with an interest in the land shall enter into an agreement with the planning authority (such agreement must specify the number and location of each house or duplex unit), pursuant to Section 47 of the Planning and Development Act 2000, that restricts all relevant residential units permitted, to first occupation by individual purchasers i.e. those not being a corporate entity, and/or by those eligible for the occupation of social and/or affordable housing, including cost rental housing.
- (b) An agreement pursuant to Section 47 shall be applicable for the period of duration of the planning permission, except where after not less than two years from the date of completion of each specified housing unit, it is demonstrated to the satisfaction of the planning authority that it has not been possible to transact each of the residential units for use by individual purchasers and/or to those eligible for the occupation of social and/or affordable housing, including cost rental housing.
- (c) The determination of the planning authority as required in (b) shall be subject to receipt by the planning and housing authority of satisfactory documentary evidence from the applicant or any person with an interest in the land regarding the sales and marketing of the specified housing units, in which case the planning authority shall confirm in writing to the applicant or any person with an interest in the land that the Section 47 agreement has been terminated and that the requirement of this planning condition has been discharged in respect of each specified housing unit.

Reason: To restrict new housing development to use by persons of a particular class or description in order to ensure an adequate choice and supply of housing, including affordable housing, in the common good.

14. Prior to commencement of development, the developer shall lodge with the planning authority a cash bond deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance until taken in charge by the local authority of roads, footpaths, watermains, drains, public 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 or maintenance 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 Coimisiún Pleanála.

Reason: To ensure the satisfactory completion and maintenance of the development until taken in charge.

15. 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 Coimisiún 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.

Siobhan Carroll
Planning Inspector

16th of January 2026

Form 1 – EIA Pre-Screening

Case Reference	ACP 323719-25
Proposed Development Summary	Demolition of bin storage and construction of 4 residential units together with associated site works.
Development Address	Copper Point, Skull (Townland), Schull, Co. Cork.
	In all cases check box /or leave blank
4. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	☒ Yes, it is a 'Project'. Proceed to Q2. ☐ No, No further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
☐ Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	Class 10(b)(i), Schedule 5 Part 2
☐ No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
☐ No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road	

development under Article 8 of the Roads Regulations, 1994. No Screening required.	
☐ Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	
☒ Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	Class 10(b)(i), Schedule 5 Part 2 EIA is mandatory for developments comprising over 500 dwelling units or urban development over 10 hectares in size or 2 hectares if the site is regarded as being within a business district. The proposal is significantly below this threshold being 4 no. dwellings and the site has an area of 0.095 hectares which is sub threshold.

4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes ☐	Screening Determination required (Complete Form 3)
No ☒	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____ Date: _____

Form 2 – EIA Preliminary Examination

Case Reference	ACP 323719-25
Proposed Development Summary	Demolition of bin storage and construction of 4 residential units together with associated site works.
Development Address	Copper Point, Skull (Townland), Schull, Co. Cork.
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	The development has a modest footprint, comes forward as a standalone project. It does not require the use of substantial natural resources or give rise to significant risk of pollution or nuisance. The development, by virtue of its type, does not pose a risk of major accident and/or disaster, or is vulnerable to climate change. It presents no risks to human health.
Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).	The development is removed from sensitive natural habitats, centres of population and designated sites and landscapes of identified significance in the County Development Plan. There are no protected species/habitats on site.
Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).	Having regard to the modest nature of the proposed development, its location removed from sensitive habitats/features, likely limited magnitude and spatial extent of effects, and absence of in combination effects, there is no potential for significant effects on the environmental factors listed in section 171A of the Act.
Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA

There is no real likelihood of significant effects on the environment.	EIA is not required.
There is significant and realistic doubt regarding the likelihood of significant effects on the environment.	Schedule 7A Information required to enable a Screening Determination to be carried out.
There is a real likelihood of significant effects on the environment.	EIAR required.

Inspector: _____ Date: _____

DP/ADP: _____ Date: _____

(only where Schedule 7A information or EIAR required)

Appendix 3 – Water Framework Directive Screening

WFD IMPACT ASSESSMENT STAGE 1: SCREENING

Step 1: Nature of the Project, the Site and Locality

An Coimisiún Pleanála ref. no.	323719-25	Townland, address	Copper Point, Skull (townland), Schull, Co. Cork.
Description of project	Demolition of bin storage and construction of 4 no. houses with associated works within the. It is proposed to connect to Uisce Éireann mains wastewater and water supply infrastructure.		
Brief site description, relevant to WFD Screening,	The site is located within an urban area at an elevation of approximately 50m contour. The soil type on site is deep well drained mineral soil (mainly acidic). The bedrock is ORS, sandstone, conglomerate & mudstone. The Schull River_010 (IE_SW_20E070850) is situated circa 80m to the north. Roaring Water Bay (IE_SW_140_0000) Coastal waterbody is located 437m to the east of the site. The Skibbereen-Clonakilty (IE_SW_20E070850) groundwater body underlies the site.		
Proposed surface water details	On site attenuation with discharge to surface water drainage network.		
Proposed water supply source & available capacity	Uisce Éireann mains water connection – no capacity issues		

Proposed wastewater treatment system & available capacity, other issues			Uisce Éireann mains wastewater connection– no capacity issues Connection to public mains. Foul water from the site will be treated at Schull Treatment Plant (WWTP) prior to discharge into Roaringwater Bay.			
Others?			No			
Step 2: Identification of relevant water bodies and Step 3: S-P-R connection						
Identified water body	Distance to (m)	Water body name(s) (code)	WFD Status	Risk of not achieving WFD Objective e.g.at risk, review, not at risk	Identified pressures on that water body	Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater)
River Waterbody	80m	Schull River_010 (IE_SW_20E070850)	Good	Under review	-	Not hydrologically connected to the watercourse.
Coastal Waterbody	437m	Roaringwater Bay (IE_SW_140_0000)	Good	Not at risk	-	Not hydrologically connected to Coastal waterbody

Groundwater Waterbody	Underlying Site	Skibbereen-Clonakility (IE_SW_G_085)	Good	Not at risk	-		Underlying GWB
Step 4: Detailed description of any component of the development or activity that may cause a risk of not achieving the WFD Objectives having regard to the S-P-R linkage.							
CONSTRUCTION PHASE							
No.	Component	Water body receptor (EPA Code)	Pathway (existing and new)	Potential for impact/ what is the possible impact	Screening Stage Mitigation Measure*	Residual Risk (yes/no) Detail	Determination** to proceed to Stage 2. Is there a risk to the water environment? (if 'screened' in or 'uncertain' proceed to Stage 2.
1.	Site clearance/Construction	Skibbereen-Clonakility (IE_SW_G_085)	Pathway exists	Siltation, pH (concrete), hydrocarbon spillages Deterioration of water quality	Standard construction practice	No	Screened out
OPERATIONAL PHASE							

2.	Discharges to Ground	Skibbereen- Clonakilty (IE_SW_G_08 5)	Pathway exists	Spillages Deterioration of water quality	SUDs features	No	Screened out
DECOMMISSIONING PHASE							
3.	NA	NA	NA	NA	NA	NA	NA