

CORK COUNTY COUNCIL

Planning & Development Act 2000 – 2006

Schull Community Harbour Development Company Ltd.,
DJ Fitzgibbon & Company Ltd.,
No.2 Empress Place,
Summerhill,
Cork.

Planning Register No: 06/1375

Application by: Schull Community Harbour Development Company Ltd.

Of: DJ Fitzgibbon & Company Ltd., No.2 Empress Place, Summerhill, Cork

On: 17/07/2006, as amended on 06/09/2006, as amended on 11/10/2006, as amended on 07/12/2006, as amended on 18/12/2006, as amended on 12/01/2007.

For: At existing Schull Pier: Improvements to pier, including raising existing pier deck and seawall, relocating ice plant and providing new deck furniture; extension of pier; armoured breakwater; floating pontoons with 24 metres long access gangway from pier; At North Shore of harbour: An access road from R592; reclamation of land from foreshore with associated quay wall, public promenade, walkways, steps to foreshore, lighting and other deck furniture; Car park for 130 cars; 10m wide slipway; utility building; recycling area; boat store building; armoured breakwater; pontoon marina with 225 berths and service berth; boat servicing area and associated site works

At: Schull Harbour, Schull

Further to Notice dated the 12/03/2007 Cork County Council hereby conveys a grant of **PERMISSION** for the application described above subject to the conditions set out in the schedule (if any) attached to the said Notice dated 12/03/2007 of its intention to grant **PERMISSION**

Signed on behalf of Cork County Council

Planning Dept.,
Norton House,
Skibbereen,
Co. Cork.

DATE: 12/04/2007

NOTE FOR GUIDANCE OF DEVELOPERS

A grant of Planning Permission or Permission Consequent on the grant of Outline Permission does NOT of itself empower a person to carry out a development unless that person is otherwise legally entitled to do so. Unless otherwise stated or unless it is revoked a Permission or Permission Consequent on the Grant of Outline Permission is valid for a period of five years.

Any development which takes place prior to the payment of a financial contribution required by any of the conditions attached to a Permission or Permission Consequent on the grant of Outline Permission will be unauthorized until compliance with the condition or conditions.

Please note that there is an onus on developers to ensure that there is no danger to the public as a result of the proposed development.

Schull Community Harbour Development Company Ltd.,
DJ Fitzgibbon & Company Ltd.,
No.2 Empress Place,
Summerhill,
Cork.

13/04/2007

Re: *At existing Schull Pier: Improvements to pier, including raising existing pier deck and seawall, relocating ice plant and providing new deck furniture; extension of pier; armoured breakwater; floating pontoons with 24 metres long access gangway from pier; At North Shore of harbour: An access road from R592; reclamation of land from foreshore with associated quay wall, public promenade, walkways, steps to foreshore, lighting and other deck furniture; Car park for 130 cars; 10m wide slipway; utility building; recycling area; boat store building; armoured breakwater; pontoon marina with 225 berths and service berth; boat servicing area and associated site works*

At: *Schull Harbour, Schull*

Reg. No. 06/1375

A Chara,

I enclose grant of **PERMISSION** in connection with the above.

Your attention is drawn to Condition No's 40, 41 and 42 of the **PERMISSION**, which requires that before any work commences on the site, you pay financial contributions and/or a bond to the Council. Otherwise, the **PERMISSION** granted is of no effect.

It should be noted that the amount of the contribution is calculated in accordance with the Council's Development Contributions Scheme and will be increased at a rate of 8% per annum in the period between the date on which the value was calculated and the date of payment. Therefore any delay in payment of the contribution will result in an increase in the amount payable.

Please note that payment of development contributions by CASH or CREDIT CARD may only be made at the PAYMENTS OFFICE, COUNTY HALL. Payment by CHEQUE/BANK DRAFT etc. Will be accepted at the PLANNING DEPARTMENT, NORTON HOUSE, SKIBBEREEN.

Misc, le meas,

BERNADETTE COLLINS
STAFF OFFICER
PLANNING DEPARTMENT

CORK COUNTY COUNCIL

O.S. NO.

CK 139, 148

ORDER NO: WCP/ 07/10391

SUBJECT: Application Reg. Ref. No. 06/1375

for: At existing Schull Pier: Improvements to pier, including raising existing pier deck and seawall, relocating ice plant and providing new deck furniture; extension of pier; armoured breakwater; floating pontoons with 24 metres long access gangway from pier; At North Shore of harbour: An access road from R592; reclamation of land from foreshore with associated quay wall, public promenade, walkways, steps to foreshore, lighting and other deck furniture; Car park for 130 cars; 10m wide slipway; utility building; recycling area; boat store building; armoured breakwater; pontoon marina with 225 berths and service berth; boat servicing area and associated site works.

at: Schull Harbour
Schull

ORDER: **CONDITIONAL PERMISSION** is hereby GRANTED subject to the provision of Subsection 11 of Section 34 of the Planning and Development Acts, 2000 - 2006 for the reason set out in the First Schedule attached hereto.

to: Schull Community Harbour Development Company Ltd.

of: DJ Fitzgibbon & Company Ltd
No.2 Empress Place
Summerhill
Cork

for: At existing Schull Pier: Improvements to pier, including raising existing pier deck and seawall, relocating ice plant and providing new deck furniture; extension of pier; armoured breakwater; floating pontoons with 24 metres long access gangway from pier; At North Shore of harbour: An access road from R592; reclamation of land from foreshore with associated quay wall, public promenade, walkways, steps to foreshore, lighting and other deck furniture; Car park for 130 cars; 10m wide

slipway; utility building; recycling area; boat store building; armoured breakwater; pontoon marina with 225 berths and service berth; boat servicing area and associated site works.

at: Schull Harbour, Schull

in accordance with plans and particulars lodged by the applicant on 17/07/2006, as amended on 06/09/2006, as amended on 11/10/2006, as amended on 07/12/2006, as amended on 18/12/2006, as amended on 12/01/2007 and subject to the conditions (43 no.) set out in the Second Schedule attached hereto.

The **PERMISSION** is to be granted subject to the conditions provided no appeal is made to An Bord Pleanála within the statutory time for the making of such appeals.

SIGNED:

ASST. COUNTY MANAGER

Dated this 8th day of March, 2007

FIRST SCHEDULE

Planning Ref. No. 06/1375

It is considered that, subject to compliance with the conditions set out in the Second Schedule, the proposed development would not seriously injure the amenities of the area, and would be in accordance with the proper planning and sustainable development of the area.

CORK COUNTY COUNCIL
PLANNING & DEVELOPMENT ACTS 2000 - 2006
NOTIFICATION OF DECISION TO GRANT PERMISSION
(with conditions)

Reference No. in Planning Register
REG NO. 06/1375

Schull Community Harbour Development Company Ltd.
C/oDJ Fitzgibbon & Company Ltd
No.2 Empress Place
Summerhill
Cork

In pursuance of the powers conferred upon them by the above mentioned Act and for the reason set out in the First Schedule hereto, the Council of the County of Cork has by Order dated 08/03/2007

decided to GRANT PERMISSION for the development of land namely;

At existing Schull Pier: Improvements to pier, including raising existing pier deck and seawall, relocating ice plant and providing new deck furniture; extension of pier; armoured breakwater; floating pontoons with 24 metres long access gangway from pier; At North Shore of harbour: An access road from R592; reclamation of land from foreshore with associated quay wall, public promenade, walkways, steps to foreshore, lighting and other deck furniture; Car park for 130 cars; 10m wide slipway; utility building; recycling area; boat store building; armoured breakwater; pontoon marina with 225 berths and service berth; boat servicing area and associated site works

At: Schull Harbour, Schull

In accordance with the plans and particulars submitted by the applicant

On: 17/07/2006, as amended on 06/09/2006, as amended on 11/10/2006, as amended on 07/12/2006, as amended on 18/12/2006, as amended on 12/01/2007.

And subject to the conditions (43 No.) set out in Column 1 of the Second Schedule attached hereto. The reasons for the imposition of the said conditions are set out in Column 2 of the schedule.

An appeal against a decision of the Planning Authority may be made to An Bord Pleanála by any authorised person before the EXPIRATION of the period of FOUR WEEKS beginning on the day of the giving (i.e. Date of Order) of the decision of the Planning Authority. (SEE NOTES ATTACHED)

If there is no appeal against the said decision, a grant of PERMISSION in accordance with the decision will be issued after the expiration of the period within which an appeal may be made to An Bord Pleanála. It should be noted that until a grant of PERMISSION has been issued the development in question is NOT AUTHORISED.

Signed on behalf of the said Council

Planning Department
Norton House
Skibbereen
Co. Cork.

Date: 12/03/2007

SEE NOTES ATTACHED

No	Condition	Reason
1	The proposed development shall be carried out in accordance with plans and particulars lodged with the Planning Authority on 17/07/2006, as amended by submission received on the 07/12/2006 save where amended by the conditions herein.	To clarify the documents to which this permission relates in the interests of the proper development of the site.
2	Permission is granted for a period of ten years from the date of the final grant of permission.	In the interests of clarity and to ensure completion of the proposed development within a reasonable time frame.
3	A full and detailed traffic management plan shall be agreed in writing with the Planning Authority prior to the commencement of any works on the site. Details shall include haul routes, phasing of the development and working timescales. The provision of a temporary roundabout facility towards the eastern entrance of the site and design and layout of the temporary junction at Colla road shall be agreed in writing with the planning authority, unless alternative arrangements are agreed in writing prior to the commencement of development.	In the interests of road safety and to minimise disruption during the construction phase.
4	All HGV movements to and from the site shall be restricted during the months of June, July and August, during the course of the entire development. All traffic movements involving large vehicles delivering or removing soil, concrete and /or other materials to and from the site shall be agreed specifically with the Planning Authority during these months.	In the interests of road safety and in order to minimise traffic disruption during the peak tourist season in the town.
5	Traffic control measures and restrictions on pedestrians shall be put in place where the pier road crosses the proposed temporary haul road and full details shall be submitted to and agreed in writing with the Planning	In the interests of road safety and to minimise disruption during the construction phase.

	Authority prior to the commencement of development.	
6	The proposed services/utility building shall be constructed in accordance with the plans and particulars lodged with the Planning Authority on 17/07/2006, and the 7/12/2006. All windows and doors shall be solid hardwood or powdered coated aluminium design unless otherwise agreed in writing with the Planning Authority.	In the interests of the proper development of the site.
7	Full details of all external materials to be used on the proposed utility building, including roof materials shall be submitted and agreed with the Planning Authority prior to the commencement of development. Full details including colour of the building shall be agreed in writing with the Planning Authority prior to the commencement of development.	In the interests of visual amenity and good design.
8	A revised site layout plan showing the access to the proposed public walkway along the northern breakwater shall be submitted to and agreed with the Planning Authority in writing before development commences. The submission shall include proposals for the extension of the promenade towards the east in order to provide an adequate link with the public walkway along the proposed breakwater.	In order to ensure public access and to maintain and develop a public walkway through open space along the shoreline.
9	All planting and landscaping shown on the landscaping layout plan for the site submitted on 17/07/2006, as amended by submission dated 07/12/2006 shall be carried out within 12 months of the completion of development.	In the interests of visual amenity.
10	All effluent including "pump -out" from vessels shall be conveyed to and disposed of via the existing Council treatment plant on the adjoining site.	In the interests of public health and protection of bathing waters.
11	All solid wastes arising on the site shall be recycled as far as possible. Materials exported from the site for	To safeguard the amenities of the area.

	<p>recovery, recycling or disposal shall be managed at an approved facility and in such a manner as is agreed with the Planning Authority. In any case no such wastes shall be stored on the site except within the confines of the buildings on site. Adequate on-site arrangements for the storage of recyclable materials prior to collection shall be made to the satisfaction of the Planning Authority.</p>	
12	<p>All operations on-site during the construction phase shall be carried out in such a manner as to ensure that no odour or dust nuisance occurs beyond the site boundary because of such operations.</p>	To safeguard the amenities of the area.
13	<p>Noise levels during the construction phase and thereafter, emanating from the proposed development when measured at the site boundaries shall not exceed 55 dBA (15 minute Leq) between 08.00 hours and 20.00 hours, Monday to Saturday inclusive, and shall not exceed 45 dBA (15 minute Leq) at any other time. Measurements shall be made in accordance with I.S.O. Recommendations R.1996/1 "Acoustics - Description and Measurement of Environmental Noise, Part 1: Basic quantities and procedures".</p> <p>At no time shall the noise generated onsite result in an increase in noise level of more than 10dBA above background level at the boundaries of adjoining premises. Background noise level shall be interpreted as the mean minimum sound level at the relevant place and time in the absence of noise from the premises the subject of the application.</p> <p>If the noise contains a discrete, continuous note (whine, hiss, screech, hum, etc.), or if there are distinct impulses in the noise (bangs, clicks, clatters or thumps), or if the noise is irregular enough in character to attract attention, a penalty of +5 dBA shall be applied to the measured noise level</p>	To safeguard the amenities of the area.

	and this increased level shall be used in assessing compliance with the specified levels. (Ref. BS 4142 Section 7.2)	
14	Waste oil shall be stored in a tank in a waterproof bunded area and capacity of bund to be 110% of the tank size. The bunded area shall be fitted with a locking pentstock valve which shall be opened only to discharge storm water to the interceptor. The developer shall ensure that the valve is locked at all times. This oil shall be recycled to the satisfaction of the Planning Authority.	To provide safe storage of waste oil and to ensure that no water pollution occurs.
15	All over ground tanks and drums containing liquids other than water shall be contained in a waterproof bunded area of sufficient volume to hold 110% of the value of the largest tank within the bund. All valves on the tank shall be contained within the bunded area. Drum storage areas shall be bunded to a volume equal to 110% of the sum of the largest five drums likely to be stored therein. The bunded area shall be fitted with a penstock valve which shall be opened only to discharge storm water to the interceptor. The developer shall ensure that this valve is locked at all times. As and when any waste arises within the bunded area, arrangements shall be agreed with the Planning Authority as regards its safe disposal.	To provide safe storage of diesel and to ensure that no water pollution occurs.
16	The developer shall provide a minimum of 10 no. litter receptacles on site. The location shall be submitted and agreed with the Planning Authority.	To safeguard the amenities of the area and to maintain the site free of litter.
17	The car parking area shall not be used for the storage of materials or goods or parking of goods/heavy vehicles.	In the interests of orderly development.
18	Entrance recess between public road edge and entrance gate shall be set level with public road surface edge to the Planning Authority's satisfaction	In the interests of road safety.

	and shall not extend beyond road surface edge.	
19	Adequate provision shall be made to facilitate access to the proposed development by disabled persons. The minimum requirements to be provided shall be as set out in "Access for the Disabled - Minimum Design Criteria" published by the National Rehabilitation Board. Drawings showing compliance with this condition shall be submitted to and agreed with the Planning Authority prior to commencement of development.	To ensure satisfactory facilities for disabled persons.
20	Connection shall be made to the public sewer to the Council's satisfaction.	In the interests of orderly development and to ensure satisfactory permanent foul drainage arrangements to serve the development.
21	Foul sewage only shall be discharged to the public sewer.	To prevent overloading of the public sewer.
22	All toilets in the proposed development shall be dual-flush.	In the interests of proper water supply and public health.
23	Surface water shall not be permitted to enter the foul sewer.	To prevent overloading of the sewer.
24	Entrance shall be piped to the satisfaction of the Council's Area Engineer.	To maintain proper roadside drainage and to prevent the flooding of the public road.
25	Connection shall be made to public water supply to the satisfaction of the Council's Area Engineer.	To ensure satisfactory water supply to serve the development.
26	Water supply shall be metered to the Council's satisfaction.	In the interests of orderly development.
27	Any proposed advertisement/nameplate connected to the development shall be lit by static internal illumination only and intermittent illumination shall not be installed. All signage shall be agreed in writing with the Planning Authority prior to any installation.	To prevent distraction to road users in the interests of road safety.
28	Public lighting shall be installed to the E.S.B.'s specification. The design materials and location of each individual lighting unit shall be agreed	In the interests of public safety.

	in writing with the Planning Authority prior to installation.	
29	Approved childproof safety railings of a height, material and location to be agreed with the Planning Authority shall be provided along the foreshore and along the public walkway of the breakwater area. Details shall be submitted to and agreed in writing with the Planning Authority before development commences.	In the interests of safety.
30	All handrails, furniture and fixtures shall be suitable for exposure in a marine environment. The location and design of all fixtures shall be agreed in writing with the Planning Authority prior to installation.	In the interests of safety.
31	During construction the wheels of all trucks shall be washed prior to their exit from the site in a wheel wash facility. This shall be constructed, installed and operated in accordance with the detailed requirements of the Planning Authority for such works.	In the interests of maintaining the amenities of the area and traffic safety.
32	During construction the developer shall provide adequate off carriageway parking facilities within the curtilage of the site for all traffic associated with the proposed development, including delivery and service vehicles/trucks. There shall be no parking along the public road or footpath.	In the interests of traffic safety.
33	The developer shall consult with the County Council in regard to any proposed off site disposal of excavated soil or other construction and demolition waste and shall submit details of proposed disposal sites prior to commencement of construction and demolition activities on site.	In the interests of orderly development and to prevent unauthorised dumping.
34	The developer shall submit a mitigation workplan to be agreed with the Planning Authority and the National Parks and Wildlife Service prior to the commencement of works at	In order to safeguard the ecological value of the site.

	<p>the site. The plan shall include all the commitments in relation to wildlife in Chapters 5, 6, 7, 8 and 9 of the EIS and any further recommendations made by the National Parks and Wildlife Service in relation to</p> <ul style="list-style-type: none"> • the protection of marine and terrestrial habitats, flora and fauna including measures relating to the control of sedimentation, control of pollutants and timing of works; • proactive measures including the integration of microhabitats into the pier and breakwater for marine micro organisms, development of signage, provision of educational materials and landscaping measures; <p>The workplan shall include method statements detailing how habitats, species and landscape features to be altered, removed, enhanced or to be provided shall be dealt with before, during and after the construction phase. It shall be demonstrated that mitigation proposals are integrated into project planning and construction timetables and plans to ensure that they can be successfully achieved. The workplan shall provide for appropriate monitoring and maintenance activities, including the need for specialist personnel where necessary. I am satisfied that no restriction with regard to the timing of works at the site is required.</p>	
35	<p>Monitoring of the construction phase shall be carried out by marine biologist to ensure that all mitigation measures contained in the EIS and recommend by the National Parks and Wildlife Service and contained within the mitigation plan are fully implemented.</p>	<p>In order to protect the ecological value of the site.</p>

36	No dust, mud or debris from the site shall be carried onto or deposited on the public road/footpath. Public roads and footpaths in the vicinity of the site shall be maintained in a tidy condition by the developer during the construction phase.	In the interests of maintaining the amenities of the area and traffic safety.
37	The developer shall clean any spillages on the public roads as the need arises or when requested to do so by the Planning Authority.	In the interests of traffic safety.
38	58 no berths shall be reserved as transient berthing facilities for visiting boats.	In the interests of providing accommodation for visiting boats.
39	All surface water from the main car park area discharging to the sea shall discharge via a grit trap and hydrocarbon interceptor. An inspection chamber with a sump, shall be constructed between the interceptor and the sewer/stream. The sump shall be a minimum size of 500mm square and 400mm deep. The interceptor and sump shall be installed and operated to the satisfaction of the Planning Authority.	In the interests of public health.
40	Before development commences, the developer shall lodge with the Planning Authority a sum of €20,000 Euro to guarantee the satisfactory completion of tree and shrub planting and all other landscaping proposals for the site as required by condition no.9. The sum lodged pursuant to this condition shall be refunded only when it is certified by the Council's Planning Officer that the planting and landscaping has been completed to the Council's satisfaction.	To ensure the satisfactory completion of landscaping works in the interests of visual amenity.
41	At least one month before commencing development, the developer shall pay a special contribution of €20,000 to Cork County Council, updated monthly in accordance with the Consumer Price Index from the date of grant of permission to the date of payment, in	It is considered appropriate that the developer should contribute towards these specific exceptional costs, for works which will benefit the proposed development

	<p>respect of specific exceptional costs not covered in the Council's General Contributions Scheme, in respect of works proposed to be carried out, for the provision of infrastructure. The payment of the said contribution shall be subject to the following:</p> <ul style="list-style-type: none"> (a) where the Council has decided not to proceed with the works in question, the return of the contribution (b) where the works in question are not commenced within 5 years of the date of payment of the contribution or final instalment thereof, or have not been completed within 7 years of that date, the return of such proportion of the contribution, as shall correspond to the proportion of the works not carried out within those periods (c) payment of interest at the prevailing interest rate payable by the Council's Treasurer on the Council's General Account on the contribution or any instalments thereof that have been paid, so long and in so far as it is or they are retained unexpended by the Council <p>No development shall take place until the monies have been paid to the Council.</p>	
42	<p>At least one month before commencing development, the developer shall pay a contribution of €123,970 to Cork County Council in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority. The value of this contribution is calculated in accordance with the</p>	<p>It is considered appropriate that the developer should contribute towards the cost of public infrastructure and facilities benefiting development in the area of the Planning Authority, as provided for in the Council's Development Contributions Scheme, made in accordance with section 48 of the 2000 Planning and Development</p>

	<p>Council's Development Contributions Scheme on (01/01/07), and shall be increased monthly at a rate of 8% per annum in the period between the date on which this value was calculated, and the date of payment. No development shall take place until the monies have been paid to the Council.</p>	<p>Act, and that the level of contribution payable should increase at a rate which allows both for inflation and for phasing in of the target contribution rates, in the manner specified in that Scheme.</p>
43	<p>Before commencement of development the developer shall provide, to the satisfaction of the Planning Authority, security for the provision and satisfactory completion, including maintenance until taken in charge at the discretion of that Authority, of roads, footpaths, sewers, watermain, road lighting, car parking, open spaces and other services required in connection with the development. The security shall be a Bond in a form and amount approved by the Planning Authority and provided by a Bank or Insurance Company acceptable to the Planning Authority.</p>	<p>To ensure that these parts of the development are constructed and completed to a satisfactory standard.</p>