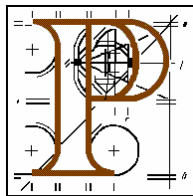


# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2011

**Cork City**

**Planning Register Reference Number: T.P. 11/34947**

An Bord Pleanála Reference Number: PL 28.241794

**APPEAL** by Melbourne Management Company Limited care of McCutcheon Mulcahy of 6 Joyce House, Barrack Square, Ballincollig, County Cork against the decision made on the 30<sup>th</sup> day of November, 2011 by Cork City to refuse permission.

**PROPOSED DEVELOPMENT:** Provision of a new local retail centre at Block B, Melbourne Business Park, Model Farm Road, Cork, to include modification and change of use of eight number business/enterprise/light-industrial units (permitted under planning register reference number 04/28971), to provide one number convenience retail unit (with ancillary alcohol sales) and four number retail service units, and all associated ancillary development works including car parking, storage, signage, landscaping and an extension to the existing bin store to form an additional bin and plant enclosure.

## **DECISION**

**REFUSE permission for the above proposed development based on the reasons and considerations set out below.**

## **MATTERS CONSIDERED**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

## **REASONS AND CONSIDERATIONS**

The proposed development is located in an area zoned Business and Technology in the Cork City Development Plan, 2009, the objective of which is to provide for high technology related office based industry and general offices over 400 square metres in area. Having regard to the policies and objectives of the Cork City Development Plan, 2009, where retail and retail services are not permitted in principle nor open for consideration in this zoning and the nature of the proposed development, for retail development, it is considered that the proposed development would constitute a material contravention of the development plan. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board considered that there were no conflicting objectives in the development plan in relation to the provision of a local centre on this site and therefore, it was not open to the Board to apply section 37(2) (b) (ii) of the Planning and Development Act, 2000, to grant permission.

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**Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.**

**Dated this            day of            2013.**