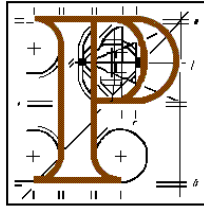


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2014

Cork County

Planning Register Reference Number: 14/06405

An Bord Pleanála Reference Number: PL 04.244445

APPEAL by Applegreen Service Areas Limited care of McGill Planning Limited of First Floor, 7 Fitzwilliam Street Upper, Dublin against the decision made on the 14th day of January, 2015 by Cork County Council to refuse permission.

PROPOSED DEVELOPMENT: Permission is sought for seven years. The proposed off-line motorway service area comprises of the following: A new vehicular access to/from the northbound interchange roundabout of Junction 13. A four-pump island car/van forecourt and a two-pump island HCV forecourt, both with canopy over. The height of each canopy is circa 8.059 metres and circa 6.9 metres respectively. Underground fuel storage tanks (total area circa 200 square metres), tanker delivery area, and associated pipe work. An amenities building (total gross floor area of circa 1410 square metres) comprising: a convenience shop (circa 100 square metres net sales area) and ancillary areas (circa 428 square metres) comprising store room, freezer, chiller, manager's office, comms room, staff toilets, staff changing area, staff tea station and cleaners room; five number eat-in/take-away cafes/restaurants (circa 267 square metres in total); public toilets (circa 123 square metres); seating/circulation area (circa 439 square metres); internal and external play areas (circa 102 square metres). Parking for 124 cars (including seven number disabled parking spaces), 20 HGVs, five coaches and seven motorcycles. Ancillary signage (both illuminated and non-illuminated) on the shop building, forecourt canopies and general fuel forecourts (total area of signage circa 24.9 square metres). Two number double sided totem ID/price point signs (circa 7.5 metres and circa 12 metres height respectively and circa 49 square metres total advertising area)

indicating site services. On-site wastewater treatment system, circa 3.0 kilometres 100 millimetres diameter rising main to connect to the public mains and circa 11,500 square metres willow plantation. Surface water attenuation tank (circa 1200 square metres). Retaining walls. Pumping stations. Surface water outfall to local stream to the north. All ancillary site development, landscaping and boundary treatment works, all on a site of circa 12 hectares at Junction 13 on the M8 Motorway located at Gortnahown, Kiltrislane, Cloonlough and Brigown townlands, Mitchelstown, County Cork.

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

Having regard to

- (a) the large-scale commercial nature of the proposed development incorporating storage of fuels and providing an effluent discharge regime dependent on a willow bed system, and
- (b) the location of the proposed development within the source protection zone of what is at present the source of the Mitchelstown South Water Supply Scheme,

and notwithstanding the proposal to provide an alternative source of drinking water to the town of Mitchelstown, the Board is not satisfied that the proposed development would not give rise to an unacceptable risk of pollution to groundwater resources. Furthermore, the Board considered that the proposal is premature pending the upgrading of the Mitchelstown Public Waste Water Treatment Plant which plant is at present operating at capacity. The proposed development would not, therefore, be in accordance with the proper planning and sustainable development of the area.

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

Dated this day of 2015.