



An
Bord
Pleanála

Board Direction
BD-007009-20
ABP-308204-20

The submissions on this file and the Inspector's report were considered at a Board meeting held on 24/11/2020.

The Board decided to grant permission, for the following reasons and considerations, and subject to the following conditions.

Reasons and Considerations

In coming to its decision, the Board has regard to the following:

- the objectives of the Cork County Development Plan 2014-19
- the Spatial Planning and National Roads Guidelines for Planning Authorities
- the planning history of the site,
- the submissions and observations received
- the decision of the Planning Authority
- the report of the Senior Planning Inspector

The Board considered that the proposed development, subject compliance with the condition below, would be acceptable in terms of pedestrian and traffic safety and would not seriously injure the vitality and viability of nearby settlements and would provide a positive alternative option for restaurant users at the Motorway Service Area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board concurred with the decision of the Planning Authority and did not accept or consider that the proposed development constituted a significant additional retail service for the established restaurant but rather provided an alternative option for placing orders at an existing restaurant without any significant increase in floor area. The Board did not accept that the proposed development would reinforce or expand the restaurant facility as a destination for local customers or undermine the vitality and viability of the settlements of Fermoy and Kilworth.

Furthermore, the Board did not accept that the proposed development would increase the attraction of local trips to the motorway service area. The Board was satisfied that the drive through function would not seriously injure the health and safety purpose of the facility or add to the number of local trips to the motorway service area via the motorway itself or attract additional trips along the regional road in the vicinity of the motorway junction.

The Board was satisfied that the proposed development would align with the Cork County Development Plan Objectives and the provisions of the Spatial Planning and National Roads Guidelines for Planning Authorities and would, therefore be in accordance with the proper planning and sustainable development of the area.

Conditions

- 1 Plans and partics.

Note: The Board decided not to impose a time limit on the application and considered that a temporary permission was unnecessary in this instance based on the information based in the submitted TTA.

Board Member

Date: 24/11/2020

Paul Hyde