

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

**Cork City**

**Planning Register Reference Number: T.P. 13/35575**

An Bord Pleanála Reference Number: PL 28.244860

**APPEAL** by National Road Authority of Saint Martin's House, Waterloo Road, Dublin against the decision made on the 24<sup>th</sup> day of October, 2013 by Cork City Council to grant subject to conditions a permission to McCarthy Development (Cork) Limited care of McCutcheon Halley Walsh of 6 Joyce House, Barrack Square, Ballincollig, County Cork.

**PROPOSED DEVELOPMENT:** Construction of a two-storey neighbourhood centre with a gross floor area of 2,269 square metres consisting of a discount retail store including off licence with a net retail area of 1,125 square metres, two number retail/retail service units of 151 square metres and three number 1<sup>st</sup> floor office units (94 square metres, 89 square metres and 92 square metres). The proposed development includes 110 number car parking spaces, vehicular access and all associated signage, landscaping and site development works at Jacob's Island, Ballinure, 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**

1. Notwithstanding the zoning objective afforded to the subject site in the current Cork City Council Development Plan as ZO 9 Neighbourhood Centre, where it is the stated objective to 'protect, provide for and/or improve the retail function of neighbourhood centres and provide a focus for local services', the Board is concerned that the Mahon Local Area Plan, 2014 does not support the location of a discount store on Jacobs Island, and that the Avenue De Rennes location is the preferred location for the delivery of a neighbourhood centre with an anchor convenience store. The Board is not satisfied that, if permitted, the development would not result in a retail destination in its own right, beyond the retail needs of the local population. Having regard to the above, together with the pattern of existing and permitted development in the vicinity of the site, and the traffic constraints on the access to Jacob's Island/Mahon Point at the Mahon Junction on the N40 Cork South Ring Road, it is considered that the proposed scale of commercial floor space and in particular the retail content is in excess of that required to serve local needs given the population of Jacob's Island and will result in the majority of custom being car-borne, from outside Jacob's Island. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The Cork City Development Plan 2015-2021 has a strategic objective (Objective 5.1(h)) to protect the capacity, efficiency and safety of national roads and associated junctions. It is recognised that there are currently capacity constraints at the N40 Mahon Junction. It is considered that retail provision of the scale proposed should be, in general, located so as to minimise car dependence and, more specifically, to avoid reliance on Mahon Junction, a component of the strategic, national road infrastructure, for access. It is further considered that the proposed development would have an adverse effect on traffic congestion and would, therefore, endanger public safety by reason of traffic hazard.

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

**Dated this            day of            2016.**