

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Cork County

Planning Register Reference Number: 16/04687

An Bord Pleanála Reference Number: PL 04.246743

APPEAL by Obtean Investments Limited of 6-7 Main Street, Macroom, County Cork against the decision made on the 20th day of May, 2016 by Cork County Council to grant subject to conditions a permission to Lidl Ireland GmbH care of The Planning Partnership of via Fulcrum Unit 10A, South Ring Business Park, Kinsale Road Roundabout, Kinsale Road, Cork in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Development comprising the demolition of one number disused hardware store building (totalling 2,801 square metres gross floor area) currently benefitting from permission for convenience food (1,598 square metres with 911 square metres net retail sales area), DIY hardware (860 square metres), and Agri (200 square metres) uses along with ancillary areas (143 square metres), as permitted under Cork County Council planning register reference number 12/54012 and An Bord Pleanála appeal reference number: PL 69.241495, the construction of a new mono-pitched licensed discount foodstore with ancillary infrastructure and associated site development works (all totalling 2,478 square metres gross floor area and ranging in height equivalent from one to two storeys) at the location of the demolished building; the demolition of single storey, flat roofed extension (115 square metres) to the front of the existing Lidl licenced discount foodstore (1,675 square metres gross floor area), provision of three number windows within the existing east elevation and provision of four number windows within the existing west elevation, and the change of use of the building from a licenced discount foodstore to a shop (use as defined within Article 5 (1) of the Planning and Development Regulations 2001-2015) with a net retail sales area of 1,288 square metres; all at site of approximately 1.64 hectares

(comprising Macroom Lidl licensed discount foodstore and the disused Macroom 4Home Superstore) at the Mart Site, off Fitzgerald Street, Fair Green, Macroom, County Cork. The construction of the proposed new licensed discount foodstore at the location of the demolished building comprises: a retail sales area with ancillary off-licence use and bakery (total net retail sales area of 1,420 square metres), entrance pod, public facilities (including lobby and toilets), staff facilities (including lobby and toilets), operational office, storage (including cold storage), stairs to first floor, plant room and delivery area, all at ground floor level (totalling 2,244 square metres ground floor gross floor area); staff welfare (including toilets, change rooms and staff canteen area), roof terrace, office, IT room, store room and stairs from ground floor, all at first floor level (totalling 201 square metres first floor gross floor area); corporate signage consisting of two number building mounted corporate internally illuminated signs, one number free standing internally illuminated totem pole sign at entrance, three number wall mounted externally illuminated poster panel display boards, one number wall mounted externally illuminated information display board, one number finger post sign; one number trolley bay covered structure (33 square metres gross floor area); 132 number surface car parking spaces (eight number disabled, 15 number parent and child and 109 number regular); 14 number motorcycle and 30 number bicycle parking spaces; primary vehicular and pedestrian access to the proposed new licensed discount foodstore development will be via a new site entrance from the existing east-west internal link road which bisects the overall application site; delivery vehicle access to the proposed new licensed discount foodstore development will be maintained via the existing service access located at the north west corner of the application site; pedestrian access to the proposed development will be further enhanced via a dedicated pedestrian entrance from the existing east-west internal link road which bisects the overall application site and boundary treatments, hard and soft landscaping, services (including one number below ground attenuation tank) and all other ancillary and associated site development works above and below ground level.

DECISION

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions 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 the existing and permitted uses on the site and the nature and scale of the proposed development, the planning history and the zoning of the site together with the existing pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with the objectives of the Cork County Development Plan and the zoning provisions for the site as set out in the Macroom Town Development Plan, would be in accordance with the provisions of the Retail Planning Guidelines for Planning Authorities issued by the Department of the Environment, Community and Local Government in April 2012, and would not adversely impact upon the vitality and viability of the town centre or on existing retail centre development in the area. The proposed development would, therefore, in accordance with the proper planning and sustainable development of the area.

CONDITIONS

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Prior to commencement of development, details of the materials, colours and textures of all the external finishes to the proposed development shall be submitted to, and agreed in writing with, the planning authority. Where it is considered necessary, the developer shall erect on-site samples for agreement with the planning authority.

Reason: In the interest of visual amenity and urban design.

3. No subdivision of any unit shall take place without a prior grant of planning permission.

Reason: To control the layout and scale of the development in the interest of protecting the vitality and viability of the town centre.

4. The proposed signage shall be in accordance with the following requirements:
 - (a) The three number poster panel signs proposed on the eastern elevation of the proposed new convenience foodstore as delineated on drawing number D1506-04-P06 shall be omitted,
 - (b) Details of any illuminated lighting to be attached to the elevation of the buildings shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development,
 - (c) no external security shutters shall be erected on any of the commercial premises unless authorised by a further grant of planning permission. Details of all internal shutters shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.
 - (d) No adhesive material shall be affixed to the windows or the shopfronts.

Reason: In the interest of visual amenity.

5. Notwithstanding the provisions of the Planning and Development Regulations 2001, or any statutory provision amending or replacing them, no advertisement signs (including any signs installed to be visible through the windows), advertisement structures, banners, canopies, flags, or other projecting elements shall be displayed or erected on the buildings or within the curtilage of the site, unless authorised by a further grant of planning permission.

Reason: To protect the visual amenities of the area.

6. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

7. The proposed hours of operation of the two units shall be agreed in writing with the planning authority prior to occupation of the units.

Reason: To protect the amenities of the area.

8. Details of an uncontrolled courtesy crossing point between the existing and proposed stores shall be submitted to the planning authority for written agreement prior to commencement of development.

Reason: In the interest of pedestrian safety.

9. The proposed bicycle stand shall be covered and shall comply with the recommendations of the National Transport Authority National Cycle Manual.

Reason: In the interest of cyclist safety and convenience.

10. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the “Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government in July, 2006. The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Region in which the site is situated.

Reason: In the interest of sustainable waste management.

11. A comprehensive boundary treatment and landscaping scheme shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The scheme shall include the following-

- (a) details of all proposed hard surface finishes including samples of the proposed paving/slabs materials for footpaths, kerbing and road surfaces within the development,

- (b) proposed locations of trees and other landscape planting in the development including details of the proposed species and setting,
- (c) details of proposed street furniture including bollards, lighting, fixtures and seating, and
- (d) details of proposed boundary treatment at the perimeter of the site including heights, materials and finishes.

The boundary treatment and landscaping shall be carried out in accordance with the agreed scheme.

Reason: In the interest of visual amenity.

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

Dated this day of 2016.