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**Planning and Development Acts 2000 to 2017**

**Planning Authority: Cork County Council**

**Planning Register Reference Number: 17/6507**

**APPEAL** by Fun Junction (Fermoy) Limited care of CLC and Associates, Acord Business Centre, Blackrock, County Cork against the decision made on the 21<sup>st</sup> day of November, 2017 by Cork County Council to refuse permission to the said Fun Junction (Fermoy) Limited.

**Proposed Development**

Change of use of existing ground floor retail unit to amusement arcade  
Corrin Court, Cork Road/Duntahane Road Junction, Duntahane, Fermoy, Co. Cork.

**Decision**

**REFUSE** permission for the above proposed development in accordance with 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. The proposed development would be located within a neighbourhood centre sited within an established residential area and in close proximity to a range of schools serving the local community in the town of Fermoy. The site is zoned 'Commercial' in the current Fermoy Development Plan where shopping, commercial, residential and community development that integrates within the existing character of the town is promoted. It is considered that the proposed amusement centre use would be incompatible with the range of neighbourhood commercial uses appropriate to this residential area by virtue of the nature of the use itself and the potential negative impacts on the local community by way of facilitating such a use within a residential area and the nuisance that would result. The proposed development would, thereby, constitute a use which would not satisfactorily integrate with the existing character of the area, would conflict with the zoning provisions for this area, and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The plans and particulars submitted do not provide for adequate off road parking facilities to serve the development. The proposed use is not local in nature, is not intended primarily for use by the local population and is a use that would attract clientele from a wider geographical area. Accordingly, it is considered that the on-road parking and traffic movements likely to be generated by the proposed development would interfere with the free flow of traffic and endanger public safety by reason of obstruction of road users. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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**Paul Hyde**

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

**Dated this            day of            2018.**