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**Planning and Development Acts 2000 to 2018**

**Planning Authority: Cork County Council**

**Planning Register Reference Number: 17/06592**

**Appeal** by Sinéad Curtin and others care of Number 4 Bishopsgate, Watergrasshill, County Cork against the decision made on the 13<sup>th</sup> day of February, 2018 by Cork County Council to grant subject to conditions permission to Ross's Centra Watergrasshill care of Tandem Project Management Limited of Building 1000, Second Floor, Citygate, Mahon, Cork in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Alterations to shop front which will include removal of shop front sign board and installation of new one, modifications to window and door locations (replacing existing entrance doors with windows and adding one window), as well as the installation of new corporate signage on the northeast gable wall. It will also include new single storey extensions to the side (entrance lobby), and rear (storage and staff facilities with an external canopy) and construction of new car park and boundary wall to the northeast of the building with all associated site works. The application also includes internal alterations incorporating new seated café area, relocation of existing deli and semi-scratch bakery at Ross's Centra, Bishops Island, Watergrasshill, County Cork.

## **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 location of the site within the 'Existing Built Up Area' of Watergrasshill, the established pattern of development on the site and in the vicinity, and the scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable in terms of traffic safety, residential and visual amenity. The proposed development would, therefore, be 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, as amended by the further plans and particulars submitted on the 17<sup>th</sup> day of January, 2018, 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. Water supply and drainage arrangements, including the attenuation and 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.

3. All necessary measures shall be taken by the contractor, including the provision of wheel wash facilities, to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works.

**Reason:** To protect the amenities of the area.

4. No deliveries shall be taken at or dispatched from the premises before 0700 hours.

**Reason:** To protect the residential amenities of property in the vicinity of the site.

5. (a) The construction of the development shall be managed in accordance with a Construction Environmental Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including noise management measures.
- (b) Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0900 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

**Reason:** In the interests of public safety and residential amenity

6. No additional development shall take place above roof parapet level, including lift motor enclosures, air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennas or equipment, unless authorised by a further grant of planning permission.

**Reason:** To protect the residential amenities of property in the vicinity and the visual amenities of the area.

7. (a) No advertisement or advertisement structure other than those shown on the drawings submitted with the application shall be erected or displayed on the building or within the curtilage of the site in such a manner as to be visible from outside the building, unless authorised by a further grant of planning permission.
- (b) No awnings, canopies, illuminated signs or projecting signs or other signs shall be erected on the premises without a prior grant of planning permission,
- (c) External roller shutter shall not be erected, any internal shutter shall be only of the perforated type, coloured to match the shop front colour.

**Reason:** In the interest of visual amenity and to maintain the retail character at street level.

8. No music or other amplified sound shall be broadcast externally from the premises.

**Reason:** To protect the amenities of the area.

9. Ten number bicycle parking spaces shall be provided within the site. The layout and demarcation of these spaces shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** To ensure that adequate bicycle parking provision is available to serve the proposed development, in the interest of sustainable transportation.

10. Prior to the commencement of any development, the developer shall submit details for the written agreement of the planning authority, for a two metre high, solid block wall, capped and dashed on both sides to be constructed along the northern party boundary with Bishopsgate.

**Reason:** To protect residential amenity.

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. This scheme shall include the following:-

- (a) details of all proposed hard surface finishes, including samples of 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 proposed species and settings,
- (c) details of proposed street furniture, including bollards and lighting fixtures, and
- (d) details of proposed boundary treatments 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.

12. The developer shall control odour emissions from the premises in accordance with measures including extract duct details which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development

**Reason:** In the interest of clarity.

13. All external lighting of the proposed development shall be cowled and directed away from the public roadway and from surrounding residential dwellings. Specific details of all lighting locations and type shall be submitted for the written agreement of the planning authority prior to commencement of development.

**Reason:** In the interests of public safety and visual amenity.

14. Litter in the vicinity of the premises shall be controlled in accordance with a scheme of litter control which shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. This scheme shall include the provision of litter bins and refuse storage facilities.

**Reason:** In the interest of visual amenity.

15. 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.

16. (a) No deliveries shall be loaded/unloaded on the adjacent public roads.
- (b) Vehicles shall not be permitted to reverse onto or off the public road, sufficient space shall be provided within the site to allow for all vehicles, including deliveries, to drive in and out of the site.

**Reason:** In the interest of public safety.

17. The car park entrance and associated works including raised table on the R639 shall be constructed as per details supplied within this application. All works at the entrance shall be carried out prior to the commencement of any extension works on the site, to the satisfaction of the planning authority.

**Reason:** In the interests of public and traffic safety.

18. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to the commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

**Reason:** It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

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

**Dated this            day of            2018.**