



Planning and Development Acts 2000 to 2018

Planning Authority: Cork County Council

Planning Register Reference Number: 18/05814

APPEAL by Lidl Ireland GmbH care of The Planning Partnership of The Coach House, Dundanion, Blackrock Road, Cork and by Allied Cork Taxi Council care of Paschal O'Regan of 2 Riverview Place, Glenbrook, County Cork and by Peter Collins care of Kieran J. Barry and Associates Limited of Cilldarragh House, Ferney Road, Carrigaline, County Cork against the decision made on the 3rd day of September, 2018 by Cork County Council to grant subject to conditions a permission to the said Lidl Ireland GmbH.

Proposed Development: Mixed-use development comprising the construction of a three-storey high mixed-use (residential, retail, office, and café/coffee shop/restaurant) building with ancillary facilities (totalling 1,351 square metres gross floor area), and the construction of a single level Licenced Discount Foodstore building with ancillary facilities (all totalling 2,251 square metres gross floor area and ranging in height equivalent from one to three storeys), all at a site of approximately 0.83 hectares. The construction of the proposed mixed-use building consists of: a café/coffee shop/restaurant unit (172 square metres) with external seating (56 square metres), retail office unit (230 square metres), office and apartment entrance lobbies with stairs and lifts, bicycle and bin storage, building signage, all at ground floor level (507 square metres gross floor area); office unit (212 square metres) and two

number two-bedroom apartments (92 square metres each) with private balconies, office and apartment access lobbies with stairs and lifts, all at first floor level (497 square metres gross floor area); and one number two-bedroom apartment (92 square metres) with private balcony, two number three-bedroom apartments (97 square metres each) with private balconies, private communal open space roof garden (105 square metres), apartment access lobby with stairs and lift, all at second floor level (347 square metres gross floor area). The construction of the proposed Licenced Discount Foodstore building (2,218 square metres gross floor area) consists of: a retail sales area with ancillary off-licence use and bakery (total net retail sales area of 1,413 square metres), entrance pod, public facilities (including lobby and toilets), staff facilities (including staff lobby, toilets, staff room/canteen area, shower and change room), operational office, meeting room, storage (including cold storage), plant room, IT room, storage and delivery area; signage consisting of three number building mounted externally illuminated corporate signs, three number wall mounted externally illuminated poster panel display boards, one number freestanding externally illuminated information display board, and one number finger post sign; one number trolley bay covered structure (33 square metres gross floor area). The proposed overall site development includes: a total of 98 number surface car parking spaces (5 number disabled, 10 number parent and child, 7 number dedicated for apartments and 83 number regular), 33 number bicycle parking spaces and 10 number motorcycle spaces; primary vehicular and pedestrian access via a new site entrance from the Carrigaline Road with a secondary pedestrian access only via a new dedicated pedestrian site entrance from Churchyard Lane, boundary treatments, hard and soft landscaping services (including one number below ground attenuation tank and rooftop photovoltaic solar panel arrays on the mixed-use and the Licensed Discount Foodstore buildings) and all other ancillary and associated site development works above and below ground level, at Barry's Field, Carrigaline Road and Churchyard Lane, Douglas, County 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

It is considered that the proposed development, by reason of its design, scale and massing, would be visually dominant and out of character with the pattern of existing development in the Church Street Architectural Conservation Area and would be visually obtrusive within the Douglas Village streetscape. The proposed development would be contrary to Objective HE 4-5, as set out in the current Cork County Development Plan which seeks to conserve and enhance the special character of the Architectural Conservation Area which objective is considered reasonable. The proposed development would, therefore, adversely affect an Architectural Conservation Area. Furthermore, the proposed development by reason of its layout and design would prejudice the delivery of a key objective of the zoning provision Objective SE-T-03 to develop the overall site in an integrated manner and would prejudice the development potential of adjoining lands to the north. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Paul Hyde

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

Dated this day of 2019.