



Planning and Development Acts 2000 to 2018

Planning Authority: Cork County Council

Planning Register Reference Number: 18/04930

Application for Leave to Appeal against the decision of the planning authority by Edmund McCarthy of Fairyhill, Garraveasoge, Kanturk, County Cork, having an interest in land adjoining the land in respect of which Cork County Council decided on the 27th day of September, 2018 to grant subject to conditions a permission to P. Twohig and Sons Limited care of Meitheal Design Partners of 15 Father Matthew Quay, Cork.

Proposed Development: (1) Construction of a two-storey flat roof extension of 345 square metres to the rear of the existing SuperValu store to provide a new entrance foyer at ground level, and staff training facilities and meeting rooms at first floor level, and (2) re-arrangement of the existing public and private car park, including ancillary site works, and landscaping necessary to complete the development at SuperValu, Strand Street, Kanturk, County Cork.

Decision

GRANT leave to appeal under section 37 (6) of the Planning and Development Act, 2000, as amended, 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

Having regard to the submissions and documents received in connection with the application for leave to appeal and the conditions set out in the planning authority's decision, it is considered that it has been shown that -

- (i) the development, in respect of which a decision to grant permission has been made, will differ materially from the development as set out in the application for permission by reason of condition number 1 imposed by the planning authority (which conditioned the development to be in accordance with revised drawings received following a request for further information), and

- (ii) the imposition of condition number 1, by virtue of the implications for access to third party lands arising from the revised parking layout serving the supermarket in question, will materially affect the applicant's enjoyment of the land adjoining the land in respect of which it has been decided to grant permission or reduce the value of the land.

Conall Boland

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

Dated this day of 2018.