



Planning and Development Acts 2000 to 2022

Planning Authority: Cork County Council

Planning Register Reference Number: 215966

APPEAL by Helen and Mary O'Regan and Leo Keohane care of John MacCarthy and Partners of 16 Mary Street, Cork, and by Lidl Ireland GmbH care of The Planning Partnership of The Coach House, Dundanion, Blackrock Road, Cork against the decision made on the 4th day of October, 2022 by Cork County Council to grant, subject to conditions, a permission to Lidl Ireland GmbH in accordance with the plans and particulars lodged with the said Council.

Proposed Development: The development to total 2,540.42 square metres gross floor space will consist of: the demolition of the existing Lidl Licenced Discount Foodstore (1,768 square metres gross floor space with 1,334 square metres net retail sales area), removing/closing of the existing entrance to the Lidl Foodstore at the R612 Crosshaven Road Roundabout, and the construction of a public town car park facility to comprise the following: 212 number surface car parking spaces (eight number disabled and 204 number regular) and 20 number bicycle parking spaces; site lighting and new electricity substation (32.71 square metres); primary vehicular and pedestrian access to the proposed public car park will be via an enhanced access/new access from the R612 Strand Road; secondary vehicular and

pedestrian access to the proposed public car park will be via a controlled road access link to a proposed replacement Licenced Discount Foodstore; and dedicated pedestrian access from the R612 Crosshaven Road Roundabout will further enhance pedestrian permeability through the site. The construction upgrade/widening of approximately 200 metre section of the R612 Crosshaven Road and Road Roundabout to comprise the following: upgrade/widening along the Southern side of the existing R612 Crosshaven Road carriage way to include a new dedicated pedestrian footpath; upgrading of R612 Crosshaven Road Roundabout; and public road lighting along both sides of the upgraded/widened section of the R612 Corasshaven Road. Removing of the existing entrance at R612 Crosshaven Road to council yard/circus field and the construction of the proposed replacement mono-pitched Licenced Discount Foodstore (2,475 square metres gross floor space) to comprise the following: a retail sales area with ancillary off-licence use and bakery (total net sales area of 1,670 square metres), entrance pod, public facilities (including lobby and toilets), staff facilities (including lobbies, operations office, meeting room, staff room, showers and toilets), storage (including cold storage), IT room, plant room, plant deck, delivery area and external plant compound; rooftop photovoltaic solar panel array totalling 800 square metres, corporate signage consisting of two number building mounted corporate internally illuminated sign, one number free standing internally illuminated flag pole sign at new access road from the R612 Crosshaven Road, three number wall mounted externally illuminated poster panel display boards and one number free standing external illuminated poster display board, covered trolley bay and 10 number bicycle parking spaces area (49.6 square metres); 139 number surface car parking spaces (eight number disabled, seven number parent and child, two number EV charging and 122 number regular) and seven number motorcycle parking spaces; site lighting and new electricity substation (32.71 square metres); primary vehicular and pedestrian access to the proposed replacement Licenced Discount Foodstore will be via a new access road with public lighting from the R612 Crosshaven Road and entrance; secondary vehicular and pedestrian access to the proposed replacement Licenced Discount Foodstore

will be via a controlled road access link to the new public town car park facility. The overall site construction also consists of raising of site levels, boundary treatments, hard and soft parkland landscaping with dedicated landscaped pedestrian access routes to further enhance pedestrian permeability through the site, services (including two number below ground attenuation tanks) and all other ancillary infrastructure and associated site development works above and below ground level, all at the existing Carrigaline Lidl Licenced Discount Foodstore and Council Yard/Circus Field, Kilnaglery, R612, Crosshaven Road and roundabout, Carrigaline, County Cork.

Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

Reasons and Considerations

Having regard to section 4 of the Flood Risk Assessment submitted with the application, and to the projected extent of post development flood zones as a result of the proposed development, the Board does not consider that the proposal has been subject to an appropriate Flood Risk Assessment that would accord with Objective WM 11-17: Development in Flood Risk Areas of the Cork County Development Plan 2022-2028, or satisfy criterion number two of the Justification Test for development management set out in section 5.15 of the 'Guidelines for Planning Authorities on the Planning System and Flood Risk Management' (2009). Specifically, it has not been satisfactorily demonstrated that the proposed development would not increase flood risk elsewhere or reduce overall flood risk. A grant of permission would therefore be contrary to the development plan for the area and the aforementioned guidelines, and would, therefore be contrary to the proper planning and sustainable development of the area. Furthermore, having regard to the forgoing, the Board could not be satisfied beyond a reasonable scientific

doubt that the proposed development would not adversely affect the Cork Harbour Special Protection Area (Site Code 004030) and was therefore precluded from granting permission.




Tom Rabbette

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this 25th day of APRIL 2024.