

Planning and Development Acts 2000, as amended

Planning Authority: Cork City Council

Application for permission under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016, as amended, in accordance with plans and particulars, lodged with An Coimisiún Pleanála on the 1st day of February 2022 and reactivated on the 2nd day of July 2024 by Cloghroe Development Limited care of HW Planning of 5 Joyce House, Barrack Square, Ballincollig, County Cork.

Proposed Development comprises of the following:

The construction of a mixed-use residential and retail development and all ancillary site development works, including the demolition of two number existing agricultural structures. The proposed residential development comprises the construction of 198 number residential units, two-storey creche, two-storey café building, Electricity Supply Board substations, and single storey retail food store.

The proposed development provides for 117 number dwelling houses consisting of:

- Five number four-bedroom detached houses;
- 44 number four-bedroom semi-detached houses;
- Eight number four-bedroom townhouses;
- 14 number three-bedroom semi-detached houses;
- 24 number three-bedroom townhouses, and
- 22 number two-bedroom townhouses.

The proposed development includes 81 number apartment and duplex units consisting of:

- Two number three-bedroom;

- 35 number two-bedroom, and
- 44 number one-bedroom units.

79 number of the proposed apartment and duplex units will be provided in six number three-storey apartment buildings with ancillary communal areas and bicycle parking facilities. Two number apartment units will be provided at first floor level of a proposed café building to the south of the site.

The proposed retail development consists of a single storey retail food store with a net sales area of 1,315 square metres which includes the sale of alcohol for consumption off premises, totem sign and ancillary building signage, servicing areas, surface car park and bicycle parking facilities.

The proposed development includes a proposed two-storey café building with café on ground floor and two number apartments at first floor level.

Access to the proposed development will be via two number entrances from the R617 Road, one which will serve the proposed residential development and one to serve the proposed retail development. A separate pedestrian entrance is to be provided from the existing cul-de-sac to the north-east of the site.

The proposed development makes provision for the upgrade of the R617 Road, including the installation of footpath and bicycle infrastructure, signalised pedestrian crossing and the relocation of the existing public bus stop to the west of the R617 Road.

Ancillary site development works include flood defence works, public realm upgrades, amenity walks, public open spaces, an urban plaza to the east of the proposed retail unit and the undergrounding of existing overhead lines all located at Coolflush, Cloghroe, Tower, County Cork.

Decision

Refuse permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations set out below.

Reasons and Considerations

In coming to its decision, the Commission had regard to the following:

1. The proposed provision of retail at this location would be contrary to the provisions of the Retail Planning Guidelines for Planning Authorities (2012) which require that the provision of retail floorspace be 'plan-led'. It is considered that the proposed development of a retail food store with a net sales area of 1,315 square metres, which includes the sale of alcohol for consumption off premises, totem sign and ancillary building signage, servicing areas, surface car park and associated site infrastructure at this location would not comply with the plan led approach as set out in the Guidelines, nor would it comply with the sequential approach which are required by the Guidelines to justify medium to large scale retail development in out-of-centre locations. The Commission is of the view, therefore, that the proposed development would contravene the Retail Planning Guidelines for Planning Authorities (2012), which are guidelines under section 28 of the Planning and Development Act 2000, as amended, and would therefore be contrary to the proper planning and sustainable development of the area.
2. Objective 7.27 'Strategic Retail Objectives' of the Cork City Development Plan 2022-2028 seek to support and implement the Retail Hierarchy in defining the role of retail centres. Section 10.293 of the Development Plan sets out that Tower does not require additional retail floorspace during the Development Plan period. The Commission notes that the settlement of Tower is not listed within the Retail Hierarchy, as set out in Section 7.86 of the Development Plan, and neither is the site identified as a 'Neighbourhood/Local Centre or Village Centre'. As such, the nature and scale element of the proposed development would serve to undermine the Retail Strategy as set out in the Development Plan, and would likely have an adverse impact on the vitality and viability on the nearby settlements of Blarney and Ballincollig (identified as a Level 3 – Small Urban Town Centre and a Level 2 – Larger Urban Town Centre within the Retail Hierarchy, respectively). The Commission is of the view, therefore, that the proposed development would represent a material contravention of Objective 7.27 (Strategic Retail Objectives) of the Cork City

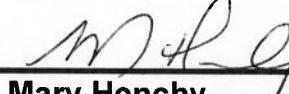
Development Plan 2022-2028 and would, therefore, be inconsistent with the proper planning and sustainable development of the area.

3. Objective 11.2 Dwelling Size Mix and Table 11.9 of the Cork City Development Plan 2022-2028 set out clear unit mix requirements to be adhered to except in exceptional circumstances where justification is provided. The Commission is not satisfied that the proposed development meets the housing mix requirements as set out in the Development Plan and notes that insufficient justification for the proposed mix has been submitted with the application. Furthermore, the application is not supported by a 'Statement of Housing Mix', as required by Objective P01 of the Cork City and County Joint Housing Strategy and Housing Need Demand Assessment (HDNA) 2022-2028, of the Supporting Studies accompanying the adopted Cork City Development Plan 2022-2028, noting that Objective 3.6 'Housing Mix' of the Development Plan seeks to implement the provisions of the Joint Housing Strategy and Housing Need Demand Assessment as far as they relate to Cork City. The proposed development would, therefore, materially contravene the Cork City Development Plan 2022-2028 in relation to the provision of unit mix requirements, and would, therefore, be inconsistent with the proper planning and sustainable development of the area.

4. The proposed density of 35 dwellings per hectare (dph) is below the minimum density of 40 dwellings per hectare for an Outer Suburb such as Tower, as set out in Table 11.2 of the Cork City Development Plan 2022-2028. The proposed density is also below the minimum density in the density range of 50 dwellings per hectare to 150 dwellings per hectare for a 'Metropolitan Town (>1,500 population) – Centre and Urban Neighbourhood', as defined in table 3.3 of the Sustainable Residential Development and Compact Settlement Guidelines (2024). The proposed development, therefore, is considered to materially contravene the policy of the Cork City Development Plan 2022-2028, as relates to residential density, and is contrary to guidance as relates to compact development as set out in the Residential Development and

Compact Settlement Guidelines (2024) and would, therefore, be inconsistent with the proper planning and sustainable development of the area.

5. Objective 10.73 (Tower Education) of the Cork City Development Plan 2022-2028 states that all future planning applications for multiple housing units in Tower will be examined in the context of the current and future capacity of Cloghroe National School. In addition, Section 10.294 of the Development Plan states that the current and future capacity of this school will be a determining factor in the number and phasing of all future housing developments. The Commission notes that no information in relation to the future demand on, or the existing capacity of, Cloghroe National School has been submitted with the application, and the requirements of the Development Plan are such that such information is required in order to determine planning applications for multiple housing units such as the one proposed. It is considered that the proposal would materially contravene Objective 10.73 of the Cork City Development Plan 2022-2028 and would, therefore, be inconsistent with the proper planning and sustainable development of the area.



Mary Henchy

Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.

Dated this 9th day of February 2026.