

An
Coimisiún
Pleanála

**Commission Order
PL-500753-CK-26**

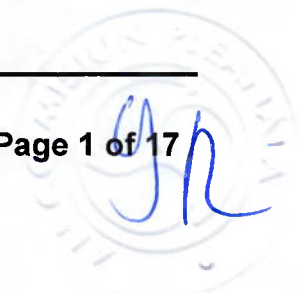
Planning and Development Act 2000, as amended

Planning Authority: Cork County Council

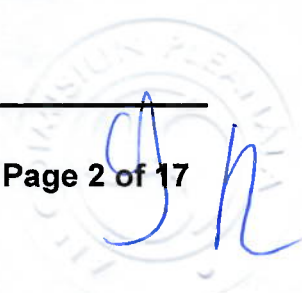
Planning Register Reference Number: 24/05931

Appeal by Alan O'Connor and by Lidl Ireland GmbH against the decision made on the 12th day of January, 2026 by Cork County Council to grant, subject to conditions, a permission to the said Lidl Ireland GmbH in accordance with plans and particulars lodged with the said Council.

Proposed Development: Construction of a new Licenced Discount Foodstore with ancillary infrastructure and associated site development works (all totalling 2,958 square metres gross floor space and ranging in height equivalent from three to four storeys). The development of the proposed Licenced Discount Foodstore (2,834 square metres gross floor space ranging from single storey, part first floor and part second floor) will consist of a retail sales area with ancillary off-licence use and bakery (total net retail floor space of 1,646 square metres), entrance pod, public facilities (including lobby and toilets), manager's office, delivery area and storage (including cold storage and deposit return scheme facilities), all at ground floor, including lift and



stairwell to staff facilities at first floor; staff facilities (including welfare lobbies, toilets, cloak/change rooms, staff canteen and meeting room), IT room, lift and stairwell (192 square metres) at first floor, including stairwell to second floor lift machine room and screen open plant deck area; enclosed stairwell and lift machine room (27 square metres) and screened open plant deck area at second floor; rooftop photovoltaic solar panel array totalling 612 square metres, corporate signage consisting of three number building mounted corporate internally illuminated signs, two number wall mounted externally illuminated billboards, one number externally illuminated poster display board, and two number free standing internally illuminated flagpole sign at vehicle entrance and public plaza area; and 85 number surface parking spaces (six number disabled, four number parent and child, two number EV charging, 63 number regular car parking and 10 number motorcycle), and 28 number bicycle spaces. Boundary treatments, hard and soft landscaping (including public plaza at the junction of Castl lake Avenue and Cork Road (L3678) and dedicated pedestrian permeability routes linking to lands to the north), services (including diversion of existing foul water pipe, site drainage accommodation works and underground surface water attenuation storage), external covered trolley bay (69.7 square metres gross floor space), ESB substation (24.5 square metres gross floor space), and all other ancillary infrastructure and associated site development works above and below ground level. Primary vehicular and pedestrian access to the proposed Licenced Discount Foodstore will be provided via a new site entrance from Castl lake Avenue, and secondary pedestrian access will be provided via the proposed public plaza at the junction of Castl lake Avenue and Cork Road (L3678), all at site of approximately 1.2499 hectares in the townland of Carrigtohill, at the corner of Castl lake Avenue and Cork Road (L3678), Carrigtohill, County Cork, as amended by the further public notices received by the planning authority on the 7th day of November, 2025 which include



amendments to the site development application boundary resulting in a reduced site area now comprising a total of 0.9908 hectares only.

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.

Reasons and Considerations

Having regard to the provisions of the Cork County Development Plan 2022-2028, the Town Centre/Neighbourhood Centre zoning objective for these lands and the specific objective CT-T-02 that applies to the site in Volume 4 South Cork of the County Development Plan, to the location of the site within the town centre of Carrigtwohill and to the existing pattern of development in the vicinity of the site, and to the nature of the appeals submitted to An Coimisiún Pleanála, it is considered that, subject to compliance with the conditions set out below, the proposed development would provide an acceptable mix of uses at this location, would not detract from the character and amenity of the area, and would be acceptable in terms of pedestrian and vehicular safety. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Appropriate Assessment: Stage 1:

The Commission considered the documents submitted with the application, and all the other relevant submissions on file, and carried out an Appropriate Assessment screening exercise in relation to the potential effects of the proposed development on designated European sites. The Commission agreed with the screening assessment and conclusion carried out in the Inspector's Report that Cork Harbour Special Protection Area (Site Code 004030) and Great Island Channel Special Area of Conservation (Site Code 001058) are the only European Sites in respect of which the proposed development has the potential to have a significant effect in view of the Conservation Objectives for the sites and that Stage 2 Appropriate Assessment is, therefore, required.

Appropriate Assessment: Stage 2:

The Commission considered the Natura Impact Statement and all other relevant submissions including expert submissions received and carried out an Appropriate Assessment of the implications of the proposed development on Cork Harbour Special Protection Area (Site Code 004030) and Great Island Channel Special Area of Conservation (Site Code 001058), in view of the sites' conservation objectives. The Commission considered that the information before it was sufficient to undertake a complete assessment of all aspects of the proposed development in relation to the conservation objectives of the sites using the best available scientific knowledge in the field.

In completing the assessment, the Commission considered, in particular, the following:

- (a) the likely direct and indirect impacts arising from the proposed development both individually or in combination with other plans or projects,

- (b) the mitigation measures which are included as part of the current proposal, and
- (c) the conservation objectives for the European Sites.

In completing the Appropriate Assessment, the Commission accepted and adopted the Appropriate Assessment carried out in the Inspector's report in respect of the potential effects of the proposed development on the aforementioned European Sites, having regard to the sites' conservation objectives.

In overall conclusion, the Commission was satisfied that the proposed development, by itself or in combination with other plans or projects, would not adversely affect the integrity of the European Sites in view of their conservation objectives. This conclusion is based on a complete assessment of all aspects of the proposed project and there is no reasonable scientific doubt as to the absence of adverse effects.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application and as amended by the further plans and particulars submitted on the 8th day of September 2025, 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. The mitigation measures contained in the Natura Impact Statement (NIS) submitted to the planning authority on the 8th day of September 2025, shall be implemented.

Reason: To protect the integrity of European Sites.

3. Prior to the commencement of any works on the site, revised plans and particulars detailing the original redline boundary as lodged on the 14th day of October 2025 shall be submitted to the planning authority.

Reason: In the interest of clarity.

4. The construction of the three metres wide pedestrian/cycleway to the east of the development as submitted on the site masterplan and site layout plan shall be included as part of the development to allow future connection to adjoining land to the north. This shall include the connection to the footpath along the L-3678/Cork Road to the south. Details to be agreed in writing with the planning authority prior to construction and carried out at the sole expense of the developer.

Reason: In the interests of sustainable travel and orderly development.

5. Prior to commencement of development, the developer shall confirm compatibility between the layout proposed and the approved Urban Regeneration Development Fund (URDF) proposals in this area. The developer shall prepare a single drawing showing both the approved URDF Part 8 works and the subject development in layout and relevant cross sections. These shall be submitted to the planning authority for written agreement before works commence.

Reason: In the interests of clarity.

6. Details of the materials, colours and textures of all the external finishes to the proposed development shall be as submitted with the application, unless otherwise agreed in writing with the planning authority prior to commencement of development. In default of agreement the matters in dispute shall be referred to An Coimisiún Pleanála for determination.

Reason: In the interest of visual amenity.

7. Public lighting shall be provided in accordance with a scheme, which shall include lighting along pedestrian routes, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development/installation of lighting. Such lighting shall be provided prior to the making available for occupation of any unit.

Reason: In the interests of amenity and public safety.

8. No advertisement or advertisement structure other than those shown on the drawings submitted with the application shall be erected or displayed on buildings 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.

Reason: In the interest of visual amenity.

9. 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 interests of public health.

10. The developer shall enter into water and wastewater connection agreements with Uisce Éireann, prior to commencement of development.

Reason: In the interest of public health.

11. Final design details in respect of surface level visitor / short-term bicycle parking, shall be submitted to and agreed in writing with the planning authority prior to the commencement of development on the site. Details to be agreed shall include the proportion and location of cycle parking spaces to be provided as covered spaces and the design of parking structures.

Reason: To ensure that a satisfactory quality of bicycle parking is available to encourage sustainable travel patterns.

12. The road access width shall be reduced to six metres, with no more than four metres radii and incorporating surface treatment such as tomato red/natural stone. Details shall be agreed in writing with the planning authority prior to construction. Pedestrian and cycle priority to be maintained along the route throughout the construction phase.

Reason: In the interests of road safety and orderly development.

13. A revised layout shall be submitted providing pedestrian access into the development from the North at the main entrance. The access shall form part of the revised Road Safety Audit and measures to address issues raised shall be submitted to, and agreed in writing with, the planning authority prior to commencement of construction.

Reason: In the interests of road safety and orderly development.

14. The final amended design layout shall be subject to an independent Stage 1/2 Road Safety Audit and recommendations incorporated, as appropriate, and submitted to the planning authority for written agreement prior to commencing works.

Reason: In the interests of road safety and orderly development.

15. A post construction Stage 3 Road Safety Audit of the works affecting the public road shall be carried out following construction. Recommended measures shall be implemented, as appropriate, at the sole expense of the developer.

Reason: In the interests of road safety and orderly development.

16. Prior to the opening of the development, a Mobility Management Strategy shall be submitted to and agreed in writing with the planning authority. This shall provide for incentives to encourage the use of public transport, cycling, walking and carpooling by occupants / staff employed in the development and to reduce and regulate the extent of parking. The mobility strategy shall be prepared and implemented by the management company for all units within the development.

Reason: In the interest of encouraging the use of sustainable modes of transport.

17. (a) A plan containing details for the management of waste (and, in particular, recyclable materials) for the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials and for the ongoing operation of these facilities shall be submitted to, and agreed in writing with, the planning authority not later than six months from the date of commencement of the development. Thereafter, the waste shall be managed in accordance with the agreed plan.
- (b) This plan shall provide for screened bin stores, the locations and designs of which shall be included in the details to be submitted.

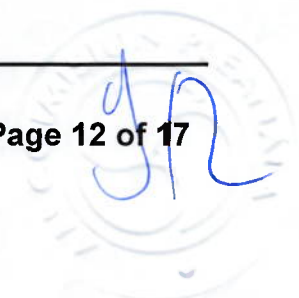
Reason: In the interest of public amenity, and to ensure the provision of adequate refuse storage.

18. The construction of the development shall be managed in accordance with a Construction and 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:
- (a) hours of construction;
 - (b) the location of the site and materials compounds including areas identified for the storage of construction refuse;
 - (c) the location of areas for construction site offices and staff facilities;
 - (d) details of site security fencing and hoardings;
 - (e) details of on-site car parking facilities for site workers during construction;
 - (f) details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site;
 - (g) measures to obviate queuing of construction traffic on the adjoining road network;
 - (h) measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;

- (i) alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works;
- (j) details of appropriate mitigation measures for noise, dust and vibration, and the location and frequency of monitoring of such levels;
- (k) the containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater; and
- (l) the means to ensure that surface water run-off is controlled such that no silt or other pollutants / contaminants enter local surface water sewers or drains.

A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be kept for inspection by the planning authority and measures to fully remediate the site in accordance with a Construction Stage Invasive Plant Species Management plan, in advance of the commencement of construction activities.

Reason: In the interests of amenities, public health and safety.



19. Noise levels emanating from the proposed development when measured at Noise Sensitive Locations shall not exceed
- (a) 55 dBA (30 minute LAR) between 0700 hours and 1900 hours,
 - (b) 50 dBA (30 minute LAR) between 1900 hours and 2300 hours and
 - (c) 45 dBA (15 minute Leq) between 2300 and 0700 hours.

Reason: To safeguard the amenities of the area and control noise emissions from the development.

20. A suitably qualified / experienced Ecologist shall be appointed in the role of Ecological Clerk of Works, who shall be responsible for the implementation, management and monitoring of the identified construction mitigation measures, and the Construction and Environmental Management Plan.

Reason: In the interests of amenities, public health and safety.

21. Prior to commencement of development, the developer shall prepare a Resource Waste Management Plan (RWMP) as set out in the Environmental Protection Agency's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021), including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness; these details shall be placed on file and retained as part of the public record. The RWMP shall be submitted to the planning

authority for written agreement prior to commencement of development. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

Reason: In the interest of sustainable waste management.

22. The developer shall submit to, and agree in writing with, the planning authority, the hours of operation of the development and times for delivery of goods to the site prior to the operation of the development.

Reason: In the interest of residential amenity.

23. The following requirements in terms of traffic, transportation and mobility shall be incorporated into the development and where required, revised plans and particulars demonstrating compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development:

- (a) The details and the extent of all road markings and signage requirements on surrounding roads, shall be submitted to the planning authority for approval prior to the commencement of development.
- (b) The roads and traffic arrangements serving the site (including signage) shall be in accordance with the detailed requirements of the planning authority for such works and shall be carried out at the developer's expense.

- (c) The internal road network serving the proposed development including turning bays, junctions, parking areas, footpaths, cycle paths and kerbs, pedestrian crossings and car parking bays shall comply with the requirements of the Design Manual for Roads and Streets and with any requirements of the planning authority for such road works.
- (d) The materials used on roads and footpaths shall comply with the detailed standards of the planning authority for such road works. In default of agreement on any of these requirements, the matter shall be referred to An Coimisiún Pleanála for determination.

Reason: In the interests of traffic, cyclist and pedestrian safety and sustainable travel.

- 24. All service cables associated with the proposed development (such as electrical and telecommunications) shall be located underground throughout the site.

Reason: In the interests of visual and residential amenity.

- 25. 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 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 Coimisiún 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.

26. The developer shall pay a financial contribution of €83,705.28 (eighty three thousand, seven hundred and five euro and 28 cents) to the planning authority as a special contribution under Section 48(2)(c) of the Planning and Development Act 2000, as amended, in respect of works proposed to be carried out, for the provision of for the provision towards the cost of the Interim Upgrade Advance Capacity Measures at Cobh Cross Junction (J3/N25), which benefits the proposed development. The amount of the contribution shall be €83,705.28. The contribution shall be paid prior to commencement of development or in such phased payments as may be agreed prior to the commencement of the development and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the terms of payment of this financial contribution shall be agreed in writing between the planning authority and the developer.

Reason: It is considered reasonable that the developer should contribute towards the specific exceptional costs which are incurred by the planning authority in respect of public services, which are not

covered in the Development Contribution Scheme or the Supplementary Development Contribution Scheme and which will benefit the proposed development.

27. The developer shall pay to the planning authority a financial contribution in respect of Cobh / Midleton – Blarney Suburban Rail Project in accordance with the terms of the Supplementary Development Contribution Scheme made by the planning authority under section 49 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to 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 Coimisiún 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 Supplementary Development Contribution Scheme made under section 49 of the Act be applied to the permission.



Tom Rabbette

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

Dated this 10th day of JUNE 2026