



An
Bord
Pleanála

Inspector's Report PL04.247900

Development	One and a half storey convenience retail store unit incl. off-licence.
Location	Eastgate Retail and Business Park, Eastgate Village, Little Island
Planning Authority	Cork County Council.
Planning Authority Reg. Ref.	16/6651
Applicant(s)	Eastgate Development (Cork) Unlimited Company
Type of Application	Permission.
Planning Authority Decision	Grant.
Type of Appeal	Third Party
Appellant(s)	Brian O'Keefe
Observer(s)	None
Date of Site Inspection	29. 03.17
Inspector	Fiona Fair.

1.0 Site Location and Description

The appeal site (stated 0.674 ha) is located approximately 6km to the east of Cork City Centre, and approximately 1.5km to the east of the Jack Lynch Tunnel, within the Eastgate Retail Park at Little Island. The N25 is located to the north of the site and is the primary access to the overall Retail Park site.

Eastgate village is the designated neighbourhood centre for Little Island. The uses at the neighbourhood centre comprise Spar, Bank of Ireland, Beauticians, Pharmacy, offices and restaurants (incl. Costa and a fast food take-away). The Radisson Hotel and Spa is also located immediately adjacent to the Business Park.

The appeal site, which currently comprises a surface car park associated with the Eastgate Village neighbourhood centre, is located between the southern gable of the 'Spar' retail premises and the eastern gable of the retail store Harvey Norman. The Harvey Norman premises forms part of a linear group of large retail warehouse units which are occupied by retailers of furniture / computer / electrical / garden and household goods. The southern boundary of the site adjoins the Castlewood residential estate, separated by a 2m high block retaining wall and embankment and lined with tall tree screening. The site is bound to the east by the R623 and a dwelling house again separated by a 2m high solid block wall.

2.0 Proposed Development

2.1. Planning Permission sought for a convenience retail store consisting of:

- The construction of a 1 and part 2 storey convenience retail store (1474sq. m)
- Ancillary off licence,
- Modifications to the existing car park and internal access road;
- All ancillary signage,

- 20 number Bicycle spaces to the front / north of the building
- Car parking spaces to the east of the site
- Site development works.

It is submitted that the ground floor of the proposed store comprises 863 sq. m of net retail sales and 611 sq. m of warehouse, storage, staff and non-retail sales area. First floor comprises 145.06 sq. m of ancillary offices and staff facilities.

2.1.1. The application is accompanied with:

- A Retail Impact Assessment
- Planning Report
- Engineering Report
- Transport Assessment

3.0 Planning Authority Decision

3.1. Decision

Planning permission was granted subject to 26 number conditions:

Conditions of Note Include:

Condition 23. All mitigation measures contained in Section 6.6 of the Transport Assessment received by the Planning Authority on the 24/10/2016 shall be fully implemented by the applicant on the private road at Eastgate, before development works commence.

Condition 24. The developer shall pay a special contribution of €70000.00 to Cork County Council, for the provision of upgrade to Island Cross junction

Condition 26. The developer shall pay a supplementary contribution of €136816.68 to Cork County Council in respect of the Cobh/Midleton - Blarney Suburban Rail Project.

3.2. Planning Authority Reports

3.2.1. Planning Reports

Planning Report: The planning report supports the draft decision to grant planning permission. It considers having regard to the location of the site immediately adjacent to the neighbourhood centre of Eastgate, that subject to condition, the proposed development accords with the Development Plan and with the proper planning and sustainable development of the area.

3.2.2. Other Technical Reports

- Area Engineer: No objection subject to conditions.
- Environment Department: No objection subject to conditions.
- Traffic and Transportation: No objection subject to conditions.

3.3. Prescribed Bodies

- Irish Water: No objection
- An Taisce: Report received which submits that an evaluation is required, that demonstrates that all issues have been resolved which determine 15/4777 previously unsuitable.
- HSE / Environmental Health Officer: No Objection
- The file was referred to The Arts Council and Fáilte Ireland, no response forthcoming.

3.4. Third Party Observations

A number of letters of objection have been submitted issues raised are similar to those raised in the third party appeal summarised in detail below. Include concern

with respect to traffic hazard and congestion, loss of car parking, disruption to local businesses, proposal premature, no need – two existing convenience stores , concern of a further off-licence in the area, is not necessary and unviable in the area, timing of the TIA questionable carried out during summer months.

4.0 Planning History

4.1. PL 04.245102 (Reg. Ref. 15/4777)

Permission granted by CCC and subsequently refused by An Bord Pleanala (03/11/2015) for the amalgamation and change of use of 2no. retail warehouse units to provide 1no. convenience retail unit with provision for ancillary alcohol sales, storage and staff/admin facilities, plant, signage and all other ancillary development. At Unit Nos. 3-4 Eastgate Retail and Business Park, Castleview. Refused for the following reasons:

1. 'Having regard to the planning history of the site, to the extent of permitted retail development in the area, and to the location of the retail warehouse units within a block of retail warehouse units and at a remove from Eastgate Village, which is the designated Neighbourhood Centre for Little Island, it is considered that the proposed development would represent a level of convenience retailing that would not be appropriate to this neighbourhood, would be likely, by reason of its scale and location, to draw customers from areas outside Little Island and would thereby adversely affect the vitality and viability of existing and future retail development in other existing town and village centres within the wider catchment, including the settlements of Glounthaune, Carrigtwohill and Glanmire. The proposed development would, therefore, be contrary to the key policy objectives as set out in the Retail Planning Guidelines for Planning Authorities, issued by the Department of the Environment, Community and Local Government in April 2012, and would be contrary to the proper planning and sustainable development of the area'.

2. ...It is considered that the development, if permitted, would materially contravene conditions attached to an earlier permission and in particular condition no. 4 of

planning permission register reference no. S/97/2923 (An Bord Pleanála reference PL04.106226). It is considered that to permit the proposed development of convenience retailing within a designated retail warehousing development would set an undesirable precedent for other types of non-bulky retailing within an established retail warehouse park, contrary to the provisions of the Metropolitan Cork Joint Retail Study and the Cork County Development Plan 2014. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

- 4.2. **PL 04.204678 (PA Ref. S/03/3734):** Permission granted on appeal for six No. Retail Warehouse Units, two Mast Lights and Associated Site Works.
- 4.3. **PL.04.204595 (PA Ref. S/03/3723):** Permission refused for the construction of a discount format convenience store, dock leveller and associated works on the basis of non-compliance with policy and the impact on the viability and vitality of existing and future retail development at town, district and neighbourhood centres. The decision was upheld on appeal (20/02/2004).
- 4.4. **PL.04.204621 (PA Ref. S/03/3676):** A First Party Appeal against the decision to Refuse Permission for an External Garden Centre to an Anchor Warehouse at Unit 3 and other associated development works was withdrawn prior to determination by the Board.
- 4.5. **PA Ref. S/03/1055:** Permission Granted for a Drive Through Restaurant for MBCC Foods (Ireland) Ltd trading as KFC., associated illuminated signage lighting mast and site development works subject to sixteen conditions on May, 2003.
- 4.6. **PA. Ref. S/02/2877:** Permission granted for a Public House, Restaurant, 8 Retail Units, 12 Commercial / office units, storage yards and ancillary works at Castlevew, subject to twenty-six conditions on 21st August, 2002.
- 4.7. **PL.04.112555 (PA Ref. S/99/2470):** Permission refused on appeal for four retail warehouse units with outdoor storage areas for reasons of excessive provision of retail facilities, taken in conjunction with the shopping centre on the adjoining site,

taking into account the considerations specified in the General Policy Directive (Shopping) 1998. (S.I. 193 of 1998).

- 4.8. **PL.04.112561 (PA Ref. S/99/2469):** Permission refused on appeal for a Shopping Centre to include 11 shops, supermarket, staff offices, crèche, restaurant, car park and site development works for reasons including premature development pending the making of the Cork Area Strategic Plan, Material Contravention of the policies regarding Satellite Town development in East Cork taking account of the proximity to Midelton and adverse effect on the use of the N25 as a national road by traffic due to traffic movements associated with the development.
- 4.9. **PL.04.106226 (PA Ref. 97/2923):** Permission granted on appeal, for retail warehousing, office unit/commercial unit and permission refused for a shopping centre comprising a foodstore and sixteen shops. The reason for refusal for the shopping centre related to scale, remote location from catchment populations and excessive traffic generation via the Tunnel slip road off the Dunkettle Interchange.

5.0 Policy Context

5.1 Guidelines for Planning Authorities on Retail Planning (April 2012):

Section 4.4 'Sequential approach to the location of Retail Development' notes that where the location of a proposed retail development submitted on a planning application is not consistent with the policies and objectives of a development plan and/or relevant retail strategy to support the city and town centre, then that development proposal must be subject to the Sequential Approach and its policies and principles and any departure from these principles must be justified.

Section 4.9 sets out the requirements of Retail Impact Assessment and the criteria which should be addressed, excerpt attached as appendix to this report.

4.11.1: Large Convenience Stores:

Large convenience goods stores should be located in city or town centres or in district centres or on the edge of these centres and be of a size which accords with the general floorspace requirements set out in the development plan/retail strategy to

support and add variety and vitality to existing shopping areas and also to facilitate access by public transport for shoppers.

Local Centre or Neighbourhood Centre:

Comprise a small group of shops, typically comprising newsagent, small supermarket/general grocery store, sub-post office and other small shops of a local nature serving a small, localised catchment population.

5.2. On the 26th April, 2013, Cork City and Cork County Council published the Draft Metropolitan Cork Joint Retail Strategy, 2013. John Spain Associates were commissioned in August 2012 by Cork City Council and Cork County Council to prepare a joint retail study for Metropolitan Cork and the draft Retail Strategy notes that 'the strategy is based upon the findings of the retail study' and 'will replace the existing 2008 Cork Strategic Retail Study'. The Board will note that there is no reference to Little Island / Eastgate Village in the Draft Strategy.

5.3. **Metropolitan Cork Joint Retail Strategy 2015-**

Table 2: Retail Hierarchy identifies Little Island as a Level 4 'Neighbourhood Centres and Large Village Centres'.

Table 1 of the MCJRS: 'Existing Retail Floorspace (sq. m net) states that existing convenience floorspace within Little Island amounts to 1167sqm with 8917sqm of bulky household goods floorspace and 162 sq. m comparison.

Level 4: Neighbourhood Centres and Large Village Centres is of relevance:

Section 4.9 states: 'Neighbourhood centres and larger villages provide important top up and day to day shopping and retail service requirements. They are typically characterised by an appropriately scaled convenience offer and ancillary retail services and serve a small localised catchment population.

Policy 6: Neighbourhood Centres and Large Village Centres

'To support, promote and protect Neighbourhood Centres and Large Village Centres which play an important role in the local shopping role for residents and provide a range of Metropolitan Cork Joint Retail Strategy essential day to day services and

facilities. The opportunity for development of new neighbourhood centres will be identified in Development Plans or Local Area Plans as appropriate including where significant additional population growth is planned or where gaps in existing provision are identified'.

5.4. **Metropolitan Cork Joint Retail Study 2013:**

The MCJRS states that existing convenience floorspace within Little Island amounts to 1167sqm with 8917sqm of bulky household goods floorspace. Little Island is at Level 4 in the retail Hierarchy – Neighbourhood centres and large village centres. These centres provide important top up and day to day shopping retail service requirements. They are typically characterised by an appropriately scaled convenience offer and ancillary retail services and serve a small catchment population. It is an objective to promote and protect Neighbourhood centres and large Village centres which play an important role in the local shopping role for residents and provide a range of essential day to day services and facilities.

Section 5.4.16 relates specifically to Little Island, which has been designated as a Neighbourhood Centre: East Gate Village is a neighbourhood centre serving Little Island. This centre is situated in a light industrial/commercial area and adjacent to Eastgate Retail Park. A relatively small amount of retail floorspace is provided in Eastgate Village. There is 162sqm of comparison goods and 396sqm of convenience floorspace which includes a Spar store. Reference is also made to Eastgate Retail Park under S.5.4.20 and S.4.21, which notes that there are 11 number units within the Park, comprising 16533sqm of retail warehouse floorspace with only 5115sqm occupied.

Level 4: Neighbourhood Centres and Large Villages:

Level 4 in the retail hierarchy consists of neighbourhood centres and large villages within the Metropolitan area. These centres function to provide important top up and day to day shopping and retail service requirements. Neighbourhood Centres play an

important role in serving the needs of those without access to a car, particularly the elderly. They are typically characterised by limited and small scale convenience offer and other ancillary retail services. Such developments typically serve a localised catchment area of approximately 10 minutes walking distance.

The Study outlines that 53% of convenience goods floorspace should be directed into the Metropolitan Area, excluding Cork City and Suburbs. This is not broken into more specific target areas but reference is made to population projections, the nature and quantum of floorspace currently provided in such centres as well as extant permissions.

The Planning Authorities should facilitate small scale expansion of existing neighbourhood centres where the uses and scale of development proposed is consistent with a neighbourhood centre. The Planning Authorities should prevent change of use of local shops to non-retail use by including suitable policies in the development plan.

The Planning Authorities may need to consider the designation of new neighbourhood centres or expanding existing neighbourhood centres during the preparation of the new Development Plans where significant additional population growth is planned.

5.5. Development Plan

5.6. Cork County Council Development Plan, 2014

The subject development site is located within the 'County Metropolitan Cork Strategic Planning Area of County Cork' where the following policy objectives are of relevance, copies attached as appendix to this report:

Objective CS 4-1

Objective TCR 4-1

Retail Hierarchy set out in Table 7.1. - Little island is not named in this table but the 8th tier in Table 7.1 is considered relevant as follows:

Type: Neighbourhood Centres and Large Villages centres

Location: Unnamed

General Retail Function and Policy:

‘Neighbourhood centres and large villages provide important top up and day to day shopping and retail service requirements. Typically, characterised by an appropriately scaled convenience offer and ancillary retail services and serve a small, localised catchment population.

Objective: TCR 49:

Section 7.7 of the Plan deals with Future Retail in the Metropolitan Area

Convenience Distribution – Metropolitan Area

7.7.3 In relation to Convenience floorspace within the Metropolitan Area the distribution will be in accordance with planned population growth.

7.7.5 No significant expansion in Mahon is envisaged over the lifetime of the strategy. In addition to the existing centres, the strategy supports the upgrading of neighbourhood centres at Ballyvolane and Holyhill to District Centres.

Table 7.2 of the Plan provides details for Floorspace – Proposed distribution of 2022 quantum for Metropolitan Area, table attached as appendix to this report.

Objective TCR 7-1 deals with Metropolitan Retail – 2022 Quantum Distribution, see excerpt from the CDP attached as appendix to this report.

Chapter 10 of the Plan deals with transport and mobility and identifies the need to improve the public bus services and the area of Little Island is identified as an area where it is hoped to improve the frequency of service to every 15 minutes.

5.7. **Blarney Electoral Area Local Area Plan 2011**

Little Island is identified as a Major Employment Centre as opposed to a Main Settlement. Section 2.2.24 of the LAP deals with ‘Employment & Economy Activity’ in the plan area while Section 4.2.4 deals with Economy & Employment relating to Little Island.

The LAP notes, at Section 2.2.28. 'In relation to retail provision within the electoral area, the plan confirms the role of designated town centres as the primary locations for retail development. In Blarney, this area is largely within the Stoneview masterplan Area. Retail development in the existing town centre will be limited to small scale developments that cater for its niche retail sector. A new town centre will be provided as part of the SDZ process setting out the development of Monard that will cater for the convenience and comparison retail needs of its population'.

'4.2.3. In relation to future population growth, neither the Cork County Development Plan 2009 nor the CASP Update 2008 envisaged any significant population increase in Little Island. While the Local Area Plan, will not provide for additional growth, there is a need to ensure that the amenity and quality of life experienced by the residents will not be compromised by development of Little Island as a strategic employment centre'.

In terms of future growth, the LAP provides, at section 4.2.7:

'Given its proximity to Cork City and the existing mixed character of employment development that is located there, it is considered that its potential will be best achieved by continuing to provide for mixed employment development. While some locations in close proximity to the rail station may be suitable for higher density office uses, more areas less well located in relation to public transport will be best suited to lower density manufacturing, storage and distribution/logistic uses'.

There is no reference to convenience retail within the Little Island development boundary in the LAP.

5.8. Draft Cobh Municipal District Plan 2016

The site is once again zoned as existing built-up area. Paragraph 3.7.40 entitled 'Retail' notes that "It will be important to support high occupancy rates in retail warehousing units and encourage enhancement of the established neighbourhood centre at Eastgate."

6.0 The Appeal

6.1. Grounds of Appeal by Brian O’Keeffe

Appropriateness of the Development

- This is the third attempt by the applicant to secure permission for a discount food store in Eastgate
- The proposed development is contrary to the previous refusal of permissions, in particular PL04.245102 refused by the Board for two reasons.
- Scale of the development is inappropriate; it will serve more than just day to day shopping needs
- Concerns raised by the Inspector in respect of PL04.245102, with regard to scale of the convenience store and catchment area is ignored.
- Concern with regard to impact upon vitality and viability of the larger settlements
- Proposal is contrary to reason for refusal in the case of PL04.204595
- Two further attempts to secure permission for an inappropriate level of convenience floorspace. Incl. PI04.112561 (99/2469) and PL04.106226 (97/2923) both of which were refused by the Board on the basis of scale, remote location from catchment populations and excessive traffic generation.

Planning History/ Precedent

- In view of planning history it is unclear how CCC could have granted planning permission.
- Little Island remains a Level 4 Neighbourhood Centre in the Cork Retail Hierarchy
- Proposal contrary to national and local policy for Neighbourhood Centre
- Recent decision Ref. PL28.244860 where the Board refused permission for a NC is of relevance.

Need

- Little Islands status is as a Strategic Employment Centre for large scale developments, in line with policy EE 4- 1 of the CCDP 2014.
- Scale of development conflicts with the status of Little Island as a Level 4 Neighbourhood Centre with an appropriate scaled convenience offer serving a small localised population of approx. 10 minutes walking distance.
- Queries the credibility of the RIA and population projections included.
- Little Island is already well served by a Neighbourhood Centre (NC) at Eastgate relative to population size.
- The addition of 863 sq. m of net convenience retail floorspace as proposed is over 100 sq. m in excess of the 1500 sq. m net floorspace cap for NC's envisaged by the national Retail Planning Guidelines 2012 and the Retail Strategy of the CCDP 2014.
- The applicant relies on Table 7.1 of the CCDP 2014 and paragraph 9.3.7 of the Metropolitan Cork Joint Retail Study 2013 which states that modest convenience stores may also be appropriate in large industrial / employment zones where they anchor a neighbourhood centre serving the daily shopping needs of workers and employees.
- There is an existing anchor store at the Little Island Neighbourhood Centre and a supporting Centra located in the vicinity.
- The planning authority area planner has raised concerns regarding the scale of the convenience store proposed in a report dated 14th December 2016
- No evidence to support leakage and overtrading
- The proposed development will draw from the catchments of higher order settlements in the vicinity, these being the smaller metropolitan towns of Glanmire and Carrigtwohill, where Glanmire is already served by an Aldi, a Lidl and a Supervalu store and Carrigtwohill which is served by an Aldi and a Centra store. It will also draw from a key village of Glounthane.

- The applicant relies on down playing the sales turnover of existing stores in the Little Island NC and inflating the catchment to justify the proposed development

Adverse Impact Upon Little Island

- The proposed development will impact upon vitality and viability of the existing NC and lead to closure of existing units.
- Reason no. one of the refusal under PL04.245102 has not been addressed
- Development is premature pending the preparation of a Land Use Plan and Transportation Study as required by objective LI-GO-05 of the Draft Cobh Municipal District LAP 2016.
- Concern with respect to traffic congestion, concerns of traffic congestion is acknowledged by the Senior Engineer Traffic and Transport in his report of 14th December 2016
- Proposal would exacerbate an already untenable situation in particular pm peak period.
- The application of a special contribution will not resolve the significant traffic congestion that will arise since it will only fund 20% of the estimated costs.
- Loss of car parking spaces is inappropriate
- Easy of car parking is important to the success of the centre and its existing tenants.
- Customers of Little Island would be required to park at some remove from the Centre.
- Creation of a traffic hazard at peak times and less spaces located close to the Centre.

6.2. Planning Authority Response

None received

6.3. First Party Response

A First Party Response was received from McCutcheon Halley Planning Consultants on behalf of the applicants, summarised as follows:

Principle / Appropriateness

- Site context – Little Island is not a typical settlement as its primary land use and strategic objectives are related to strategic employment.
- The location of the proposed convenience retail unit has been amended so that it now forms part of the designated neighbourhood centre in Eastgate and no longer involves a change of use of retail warehouse units.
- It will function as part of the neighbourhood centre
- The quantum of retail floorspace proposed, has been significantly scaled back
- The catchment for the revised proposal is limited to the residents and (a small proportion of the) workforce of Little Island only.
- The scale of the proposed development is appropriate to the convenience needs of a tightly defined and very conservative catchment area. Its scale is not such that it would attract shoppers from a wider catchment area, or impact any existing retailing facilities in more densely populated settlements in the wider environs.
- The proposed floorspace is commensurate with the 2016 residential and workforce population of 1,415 and 7,810 respectively (with over 1,000 businesses).
- Retail Impact Assessment is robust, it assumes Little Island as a strategic employment centre, including a conservative retail catchment and population and retail spend

Land Use and Transportation Study for Little Island

- Tender documents have been issued to bring the upgrade of Island Cross (signalisation) to detailed design in the coming months.

Car Parking

- There is an over provision of car parking in the area

Compliance with planning policy

- Fully compliant with Cork County Planning and Retail Policies, in particular meeting the retail needs of the 'neighbourhood centre' designation for Eastgate / Little Island and the objectives to address existing vacancy in established retailing locations
- The 2014 County Development Plan and retail strategy designates Eastgate as the neighbourhood centre for Little Island –
- PL04.204595 was based on 2003 planning policy – therefore irrelevant

Response accompanied with:

- A Report by ARUP, dated 13 December 2016, submitted as unsolicited additional information to Cork County Council, sets out a detail of Eastgate Retail Park Parking Allocation
- Retail Impact Assessment carried out by McCutcheon Halley Planning Consultants, dated Sept 2016.

7.0 Assessment

I consider the key issues in determining this appeal are as follows:

- **Background and Principle of the Proposed Development**
- **Retail Impact**
- **Road Safety Issues**
- **Appropriate Assessment (AA)**

7.1. Background and Principle of the Proposed Development

- 7.1.1. The subject site, is located within the development boundaries of Little Island within the established Eastgate Retail Park. As stated in documentation on file Little Island is not a traditional settlement in terms of retail but the recently developed Eastgate Village, adjoining to the north of the subject site, is identified as a Neighbourhood Centre. There are pockets of residential development in Little Island, but it is clear

that the area is identified as a principle location within the employment hierarchy. It is identified as a strategic employment area with over 1000 businesses, a working population of 6,324 in 2011 and a strong targeted employment growth.

- 7.1.2. The site is located within an area zoned as 'Existing Built Up Area', as per the 2011 Blarney Electoral Area Local Area Plan and in the current Draft Cobh Municipal District Plan 2016. The 2014 County Development Plan (CDP) identifies Little Island as one of the County's critical economic and employment locations, designating it as a 'Strategic Employment Area' for large scale employment / commercial development (objective EE-4-1). In the Metropolitan Cork Joint Retail Study (MCJRS), Little Island is designated as a 'Level 4' 'neighbourhood centre' in the retail hierarchy for Metropolitan Cork.
- 7.1.3. The planning policy pertaining to the subject site has not been materially or otherwise amended, since the recent application under PL04.245102, see planning history section 4.0 of this report above. Cognisance is had to policy amendments prior to the 2008 County Development Plan and associated planning history.
- 7.1.4. It was deemed by the Planning Inspector in the case of PL04.245102 that the identification of Eastgate Village as a neighbourhood centre serving Little Island did not support the proposed development in that case. Permission was refused (overturned) on a site c. 250m to the west of the subject site for the amalgamation of two retail warehouse units and change of use into a convenience retail unit by An Bord Pleanala (decision dated 03/11/2015).
- 7.1.5. **In Refusal Reason one:** The scale of retailing was deemed excessive for this location and likely to affect the vitality and viability of retail development in nearby towns, thereby contrary to the Retail Planning Guidelines. The location of the retail warehouse at a remove from Eastgate Village was also considered inappropriate.
- 7.1.6. **In Refusal Reason Two:** It was considered that the development, if permitted, would materially contravene a governing permission for the site for retail warehouse use.
- 7.1.7. As the subject application involves the construction of a new standalone unit rather than a change of use of any of the existing retail warehouse units the second reason for refusal is no longer relevant.

- 7.1.8. Permission is now sought for the construction of a standard design discount convenience store. The gross floor area of which is stated as 1474 m² with a net sales area of 863 m², reduced in scale from that proposed by way of PL04.245102. Indicated in the RIA submitted with that application to have a gross floor area of 1,919m², and a net convenience retail floor area of 1,268m². The location has also been amended so that it now is located directly adjoining the designated 'neighbourhood centre' in Eastgate Village. It is submitted by the first party that the catchment for the development is limited to the residents and workforce of Little Island, only, as per the RIA submitted with the proposal, therefore, the first reason for refusal by the Board (PL04.245102) has been overcome. I intend to assess retail impact in further detail in the succeeding section of this report.
- 7.1.9. With regard to compliance with policy, in particular regard being had to the Cork County Council Development Plan 2014, The Blarney Electoral Area LAP 2011, the Draft Cobh Municipal District Plan 2016 and the Metropolitan Cork Joint Retail Strategy 2015 and the Metropolitan Cork Joint Retail Study (CMCJRS) 2013. The Board should note that Little Island is at Level 4 in the retail Hierarchy – Neighbourhood centres and large village centres.
- 7.1.10. The MCJRS 2013 sets out that Level 4 Neighbourhood Centres are typically characterised by an appropriately scaled convenience offer and ancillary retail services and serve a small catchment population. It is an objective to promote and protect Neighbourhood centres and large Village centres which play an important role in local shopping needs of residents and provide a range of essential day to day services and facilities.
- 7.1.11. The Guidelines for Planning Authorities on Retail Planning (April 2012) sets out that large convenience goods stores should be located in city or town centres or in district centres or on the edge of these centres and be of a size which accords with the general floorspace requirements set out in the development plan/retail strategy to support and add variety and vitality to existing shopping areas and also to facilitate access by public transport for shoppers. I consider the proposal for a convenience store 1474 sq. m in scale within Little Island is contrary to the foregoing guidelines. The proposed development is not plan led, none of the policy documents provide for additional or note a deficiency of convenience floor space in Little Island.

- 7.1.12. The CDP sets out that the day to day shopping needs of workforce populations will be taken into consideration in assessing the appropriate scale for future retail developments in major employment centres subject to the other policies and objectives set out in the plan. It is not appropriate to over provide in such locations in order to draw customers in from other areas where it could impact adversely on the vitality and viability of existing town centres and to undermine the retail hierarchy.
- 7.1.13. Given the definition of neighbourhood centre in the Retail Strategy and to the quantum of convenience retailing provided within Eastgate Village and Little Island (the MCJRS sets out that there is 1,165 sq. m net existing retail floorspace 396 sq. m. of which is convenience floorspace, includes a Spar store) I am of the opinion that in principle the scale of the proposed development is not in accordance with policy.
- 7.1.14. Little Island is identified as a Major Employment Centre as opposed to a Main Settlement, policy confirms the role of designated town centres as the primary locations for retail development. In relation to future population growth, neither the Cork County Development Plan 2014 nor the CASP Update 2008 envisaged any significant population increase in Little Island. There is no reference to convenience retail within the Little Island development boundary in the LAP.
- 7.1.15. Regard being had to guidelines and policy, I consider that the scale of development proposed is inappropriate as it would serve more than just day to day shopping needs and would therefore represent a level of convenience retailing that would not be appropriate to this neighbourhood. The proposed development would, therefore, be contrary to the key policy objectives as set out in the Retail Planning Guidelines for Planning Authorities, issued by the Department of the Environment, Community and Local Government in April 2012, and would be contrary to the proper planning and sustainable development of the area.

7.2. Retail Impact

- 7.2.1. Regard being had to refusal reason number one of the previous application it remains a key issue to determine the appropriateness of the proposed scale and location of the convenience unit and whether or not it would impact on the vitality and viability of retail development in other centres within the catchment.

7.2.2. An RIA has been submitted with the application which sets out a case for the proposed development on the basis of the site being located within a designated employment centre. Having regard to the previous refusal by An Bord Pleanála on foot of PL04.245102 the retail impact assessment has assumed a much tighter catchment area to include only the Little Island population. It is contended the reduced scale of the retail unit coupled with Little Island catchment area, only, justifies the proposal. The RIA states that 'taking account of growth rate envisaged by CASP it is projected that the residential population of the catchment will be 1,415 in 2016 and 1,445 in 2022'. Based upon LAP projections 'it is estimated the number of people working in Little Island in 2016 is approx. 7,810 with a projected growth to 9,000 by 2020'. The RIA submits that 'based upon recent reports that Little island has already exceeded the 2020 projection and that there is close to 16,000 employees in Little island'.

7.2.3. The quantitative assessment assumes an estimated turnover of €5.6 million assuming a sales density of €6,500/m. sq. per annum (based upon 2016 figures). It is estimated that €2.5million of this is currently served by the existing convenience shops in the area with a surplus of expenditure of €9.5 million. It is estimated that the workforce spend will be 20% of average per capita, this figure was previously accepted by both the planning authority and An Bord Pleanála. A breakdown is also provided detailing resident only expenditure. This is estimated to be €5.7m with only 40% of this being met within the Little Island Catchment Area. The RIA states that this is leading to a level of overtrading in the catchment and also leakage to other retail centres. The Board should note the assessment by the p.a. that the RIA does not include any data to back up the claim regarding overtrading or leakage and ultimately I have concerns that the floorspace proposed is appropriate having regard to the quantum and location of floorspace required in the centre, given the resident population.

7.2.4. Again, as in the recent case of PL04.245102, no sequential test has been carried out. The first party relies upon the reduction in floor space and relocation of the convenience floorspace closer to the neighbourhood centre to justify its omission. However, regard being had to section 4.4 'sequential approach to the location of retail development' of the Guidelines for Planning Authorities Retail Planning, 2012, I

am of the opinion given there are no clear policies and objectives in the Development Plan and Retail Strategy to support additional convenience floor space, at the subject site, then it should have been subject to the sequential approach.

- 7.2.5. The net convenience floor area proposed is 863 sq. m, which, while some 404 sq. m of a reduction from that proposed on foot of PL04.245102, is more than double the existing convenience floor area of Eastgate Village. I consider that the scale of the floorspace proposed having regard to the quantum and location of floorspace required in Eastgate Village is critical in terms of assessing compliance with policy.
- 7.2.6. The first party argues that given the size of the workforce population the provision of a 'medium' sized convenience store is justified. It is noted that a store of the size proposed would allow for the weekly shopping trips of the existing population as well as allowing for shared trips for the workforce population by providing better convenience shopping close to their place of employment. In relation to this, firstly as indicated in the RPG it is not the intention of a neighbourhood centre to provide a place for the local population to carry out their weekly shop but, rather as a location to carry out 'top-up shopping'. The function of a neighbourhood centre is to provide everyday services for the local population whilst ensuring that they do not impact on the more strategic settlements further up the retail hierarchy. Secondly, in terms of the workforce population, whilst it is acknowledged that the RIA submitted indicates that there may be room for further convenience floor space to serve the needs of the workforce (present and planned) I too in agreement with the p.a. have concerns that the scale of floor area proposed may go beyond this need. As pointed out by the p.a. a consumer survey on convenience shopping habits contained in the MCJRS survey indicates that just 0.2% (0.4% in Metropolitan Area) of those surveyed carry out their food and grocery shopping at stores close to where they work in contrast to 52.2% who shop close to where they live.
- 7.2.7. Overall it is my opinion that the proposal does not overcome the first reason for refusal of PL04.245102 in that, it is still considered that the proposed development would represent a level of convenience retailing that would not be appropriate to this neighbourhood, would be likely, by reason of its scale and location, to draw

customers from areas outside Little Island and would thereby adversely affect the vitality and viability of existing and future retail development in other existing town and village centres within the wider catchment, including the settlements of Glounthaune, Carrigtwohill and Glanmire, designated Level 3 centres in the Retail Hierarchy.

- 7.2.8. The proposed development would, therefore, be contrary to the retail hierarchy for metropolitan Cork as set out in the Retail Strategy and to the key policy objectives as set out in the Retail Planning Guidelines for Planning Authorities, issued by the Department of the Environment, Community and Local Government in April 2012, and would therefore be contrary to the proper planning and sustainable development of the area.

7.3. Road Safety Issues

- 7.3.1. Third party concern has been raised with respect to traffic congestion and loss of car parking serving the existing retail park.
- 7.3.2. Little Island experiences traffic congestion at peak times as a result of commuting to and from the various places of employment in the settlement. A Traffic Assessment was carried out by ARUP, dated October 2016, and has been submitted with the proposed development.
- 7.3.3. I note the Traffic and Transportation Report which sets out that the impact of the development traffic in the a.m. peak period can be considered not to be significant. The p.m. peak period impact can be considered to be significant, however, the scale of the impact at 1 to 2% is a scale of impact that can be mitigated. The Council has plans to upgrade 7 junctions within Little island, with one having been upgraded to date.
- 7.3.4. The road engineers of Cork County Council have indicated no objection to the proposal subject to condition. I note conditions 23, 24 and 26 of Reg. Ref. 16/6651, notification of decision to grant planning permission in the subject case which requires, respectively, mitigation measures contained in the TIA to be carried out, the developer to pay a special contribution of €70000.00 to Cork County Council towards the provision of upgrade to Island Cross Junction and a supplementary contribution of €136816.68 in respect of Cobh / Midleton – Blarney Suburban Rail Project.

- 7.3.5. Traffic congestion was not considered an issue of concern or given as a reason for refusal in the case of PL04.245102
- 7.3.6. Regard being had to the nature of the 'existing built up area' I am satisfied that subject to mitigation, the proposed development would not give rise to significant traffic impact on the road network.
- 7.3.7. In terms of onsite car parking, I note that the convenience unit proposed is located on an existing surface car park which currently serves the retail / commercial park. The proposed development would result in the loss of 94 car parking spaces, however the remaining parking provision of 1,177 is still over the recommended quantity of 1,057 based on the current Cork County Development Plan parking standards.
- 7.3.8. The first party argues that there is currently an over – provision of car parking in Eastgate and the use of the appeal site as a convenience retail unit is a much more appropriate use of space within a designated neighbourhood centre area.
- 7.3.9. From observations made during my site visit I would not disagree that surplus car parking is available. I consider the proposal is acceptable from a car parking point of view.

8.0 Appropriate Assessment

- 8.1. Having regard to the nature and scale of the proposed development, the availability of public services, the nature of the receiving environment, and the proximity of the lands in question to the nearest European site, it is my opinion that no appropriate assessment issues arise and that the proposed development would not be likely to have a significant effect, either individually or in combination with other plans or projects, on any Natura 2000 site.

9.0 Recommendation

- 9.1.1. I recommend that the decision of the planning authority be overturned and planning permission be Refused to the proposed development.

10.0 Reasons and Considerations

1. Having regard to the planning history of the site, to the extent of permitted retail development in the area, and to the designation of Eastgate Village as a Level 4 Neighbourhood Centre for Little Island, it is considered that the proposed development would represent a level of convenience retailing that would not be appropriate to this neighbourhood, would be likely, by reason of its scale and location, to draw customers from areas outside Little Island and would thereby adversely affect the vitality and viability of existing and future retail development in other existing town and village centres within the wider catchment, including the settlements of Glounthaune, Carrigtwohill and Glanmire. The proposed development would, therefore, be contrary to the key policy objectives as set out in the Retail Planning Guidelines for Planning Authorities, issued by the Department of the Environment, Community and Local Government in April 2012, and would be contrary to the proper planning and sustainable development of the area.

Fiona Fair

Planning Inspector

03.05.2017