



An
Bord
Pleanála

Inspector's Report ABP-305732-19

| | |
|-------------------------------------|---|
| Development | Commercial vehicle test centre |
| Location | Corrin and Ballyoran, Fermoy, County Cork |
| Planning Authority | Cork County Council |
| Planning Authority Reg. Ref. | 19/4370 |
| Applicant(s) | South Coast Logistics Ltd. T/A South Coast |
| Type of Application | Permission |
| Planning Authority Decision | Grant |
| Type of Appeal | Third Party |
| Appellant(s) | Garrett Verling (Castlelyons Developments) O'Donnell's Garage |
| Date of Site Inspection | 23 rd & 24 th January 2020 |
| Inspector | Kevin Moore |

1.0 Site Location and Description

1.1. The site of the proposed development is located in a rural area approximately 3km south-east of the town of Fermoy in County Cork and a short distance east of the M8 Dublin-Cork motorway. It is accessed off Regional Road R639 via Local Road L1516, which is located to the north of the site. A private access road from the local road serves the existing South Coast Logistic premises. The site comprises agricultural lands forward of the South Coast Logistic buildings and associated car park. The site is bounded to the north by the service road and agricultural lands, to the east by agricultural lands, to the south by the South Coast Logistic facility and to the west by the service road and beyond this by Veolia Fermoy, a waste management facility with frontage onto the regional road.

2.0 Proposed Development

- 2.1. The proposed development would comprise the construction of a commercial vehicle test centre facility and all associated ancillary site development works including access, drainage, provision of a septic tank and landscaping. The total gross floor area of the development would be 1,246.57 square metres and the facility would seek to service the CVRT needs of South Coast Logistics Ltd., which has approximately 75 vehicles and in excess of 250 trailers/tankers.
- 2.2. Details submitted with the application included a covering letter, a traffic and transport assessment, a visual impact assessment, engineering proposals on surface water design, a completed site characterisation assessment for the septic tank system, and an ecological assessment and screening for appropriate assessment.

3.0 Planning Authority Decision

3.1. Decision

On 26th September 2019, Cork County Council decided to grant permission for the proposed development subject to 20 conditions.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Planner noted the planning history at this location, the policy context, reports received, and third party submissions made. It was noted that the site is located in a Greenbelt and that the proposal related to the development of a greenfield site. It was further noted that the site is not in an area deemed to be of high landscape value but it was acknowledged that it is visible from multiple vantage points on the R639 and the local road. It was considered that, having regard to the provisions of Policy RCI 5-6 of the County Development Plan, the principle of facilitating an extension to the existing South Coast Logistics operation could be considered provided it is of an appropriate scale and it does not have a detrimental impact on the rural character of the Greenbelt. It was considered that there was a lack of detail pertaining to the nature and scale of the testing to be provided on the site and that clarification was also needed on the extent of cutting required to accommodate the development. It was noted that the application details indicate that the proposal would not give rise to additional traffic. Reference was made to a proposed oversupply of car and HGV parking provisions. A request for further information was recommended seeking clarification on the function of the operation, information on proposed cutting and filling on the site, and a reduction in parking.

The Senior Executive Planner offered further considerations on Green Belt policy, the scale and nature of the proposal, and traffic generation. He concurred with the Planner's recommendation to seek further information.

3.2.2. Other Technical Reports

The Environment Section had no objection to the grant of permission for the proposal subject to a schedule of conditions.

The Area Engineer submitted that the proposal would not be hugely visually intrusive and considered that the existing entrance was satisfactory once no vegetation effects the 90m sightline. It was noted that the entrance onto the local road is not within a 50kph zone but where the 80kph applies. Traffic volumes that would access and leave the site were not seen to be a problem. Reference was made to the nature of the proposed premises and how it seeks to comply with Greenbelt policy. It was submitted that the proposal was sized to cater for external fleet and not solely to

meet the applicant's needs. It was also submitted that there was no attempt to seek alternative sites at more suitable locations and that the applicant was taking advantage of agricultural land availability in the Greenbelt. It was acknowledged that a two-lane NCT centre was refused permission less than 2km south of the site (P.A. Ref. 15/6004) for similar planning concerns. It was stated that the proposal would contravene an objective of the Development Plan and would undermine the policy of locating suitable uses within the network of settlements. In conclusion, it was recommended that the applicant be given the opportunity to downscale the proposal to a maximum to a maximum two-bay facility and limiting activities on site to the applicant's fleet. A request for further information was recommended.

3.3. Prescribed Bodies

Irish Water had no objection to the proposal.

Inland Fisheries Ireland had no objection to the proposal subject to the proposed works taking due cognisance of IFI guidelines for construction works in and adjacent to watercourses.

Transport Infrastructure Ireland requested the planning authority to abide by official policy in relation to development affecting national roads.

3.4. Third Party Observations

A submission was received from Liam O'Mahoney raising concerns relating to impact on the greenbelt, traffic impacts, and non-compliance of access provisions.

Submissions were received from O'Donnell's Garage and Castlelyons Development and the grounds of the appeals reflect the principal planning concerns raised.

A request for further information was issued by the planning authority on 11th April 2019 and a response from the applicant was received on 31st May 2019.

Following this submission, the reports to the planning authority were as follows:

The Area Engineer expressed concern that the applicant had submitted that the proposal is not envisaged to be open for other commercial operators for testing purposes and noted the difficulties of controlling the operation into the future. The

proposal was considered excessive in scale and it was felt that it should be scaled back to a two-bay test facility. A schedule of conditions was set out in the event permission was to be granted.

The Archaeologist noted the site contains a Recorded Monument (a Holy Well) and submitted that the development needed to be redesigned to facilitate the preservation in situ of the well. It was recommended that an archaeological impact assessment be undertaken by the applicant.

The Planner considered that the applicant should be requested to provide further justification for a four-bay facility and to contact the Archaeologist in relation to the scale and position of the proposal relative to its proximity to a Recorded Monument.

The A/Senior Planner concurred with the Planner's recommendation.

A request for clarification was made by the planning authority on 21st June 2019 and a response to this was received on 30th August 2019.

Following this submission, the reports to the planning authority were as follows:

The Archaeologist noted the response and consultation with the applicant. It was submitted that discussions had taken place with the Area Planner to attach conditions if permission is granted.

The Planner acknowledged the response and considered the provision of a four-bay facility was acceptable, as was the buffer around the Holy Well. A grant of permission, subject to a schedule of permission, was recommended.

4.0 Planning History

The Planner's report references planning history in the vicinity of the site. There are no planning decisions relating directly to the appeal site.

5.0 Policy Context

5.1. Cork County Development Plan 2014

Economic Development

Objectives include:

EE 2-1: Overall Strategy for Economic Development

Support the national economic development strategy by creating conditions that will attract sustainable economic investment as the priority in the Cork Gateway, Mallow Hub and the other principal locations identified for employment and economic development in this plan.

EE 4-4: Industry

Promote the development of industry in appropriate locations through the Local Area Plans with:

- Good access for heavy goods vehicles to the National Road network without the need to travel for long distance through urban areas;
- Access to public transport and facilities for walking and cycling; and
- Generally low environmental sensitivity.

Prioritise the provision of infrastructure to support the development of those areas identified.

Protect existing industrial development from other inappropriate development in nearby locations where this would adversely affect the industrial operation or its sustainable future development.

Protect areas of industrial development from other inappropriate development, such as residential or 'enterprise' development and retailing.

Identify a sufficient supply of land which is suitable for distribution industry development and which allows for safe and efficient access to the local and National road network in compliance with NRA guidance.

Greenbelt

The site is located within the greenbelt for Fermoy Town.

Objectives include:

RCI 5-5: Active Uses of Greenbelt Lands

Facilitate active uses of the Metropolitan Greenbelt generally and to encourage proposals which would involve the development of parks, countryside walks or other recreational uses within the Greenbelt. Any built development associated with such

uses should not compromise the specific function and character of the greenbelt in the particular area.

RCI 5-8: Greenbelts around Settlements

- a)** Retain the identity of towns, to prevent sprawl, and to ensure a distinction in character between built up areas and the open countryside by maintaining a Greenbelt around all individual towns.
- b)** Reserve generally for use as agriculture, open space or recreation uses those lands that lie in the immediate surroundings of towns. Where Natura 2000 sites occur within Greenbelts, these shall be reserved for uses compatible with their nature conservation designation.
- c)** Prevent linear roadside frontage development on the roads leading out of towns and villages.
- d)** The local area plans will define the extent of individual Greenbelts around the ring and county towns and any of the larger villages where this approach is considered appropriate. They will also establish appropriate objectives for the Greenbelts generally reserving land for agriculture, open space or recreation uses.

Landscape

The site lies within an area designated 'High Landscape Value' that is seen to be a landscape character type of high landscape sensitivity.

Objectives include:

GI 6-1: Landscape

- a)** Protect the visual and scenic amenities of County Cork's built and natural environment.
- b)** Landscape issues will be an important factor in all landuse proposals, ensuring that a proactive view of development is undertaken while maintaining respect for the environment and heritage generally in line with the principle of sustainability.
- c)** Ensure that new development meets high standards of siting and design.
- d)** Protect skylines and ridgelines from development.
- e)** Discourage proposals necessitating the removal of extensive amounts of trees, hedgerows and historic walls or other distinctive boundary treatments.

Transport

Objectives include:

TM 3-1: National Road Network

...

e) Prevent the undermining of the strategic transport function of national roads and to protect the capacity of the interchanges in the County from locally generated traffic.

TM 3-2: Regional & Local Roads

a) Recognise the strategic role played by Regional Roads within the County and, together with Local Roads, to enhance their carrying capacity and safety profile in line with demand ...

5.2. **Fermoy Municipal District Local Area Plan 2017**

The site lies outside of the Fermoy Development Plan boundary and outside of the lands contained within the boundary of the environs of Fermoy.

Fermoy is designated a 'Main Town'. The Plan for the town's environs notes that provision is made for a strong supply of employment land, with good access to the M8 within the town, zoning approximately 61 hectares of land for employment uses. It is noted that land has been zoned for business use to the north of the town, while to the south of the town lands are available for industrial use. It is further noted that land is also zoned to the east of the M8 to facilitate expansion of an existing enterprise. The expansion of distribution uses at appropriate locations is encouraged and is facilitated, in particular in a location designated I-03 on the edge of the town at the southern extremity of the environs.

5.3. **Appropriate Assessment**

The proposed development is not on, in or near any European site. It would not have any direct impact by way of loss or fragmentation of habitats within any European site. The nearest European site is the Blackwater River (Cork/Waterford) SAC (Site

Code: 002170) the nearest part of which is in the town of Fermoy, some 3km from the proposed site. The Features of Interest for this site are the following:

Estuaries

Mudflats and sandflats not covered by seawater at low tide

Perennial vegetation of stony banks

Salicornia and other annuals colonising mud and sand

Atlantic salt meadows (*Glauco-Puccinellietalia maritima*)

Mediterranean salt meadows (*Juncetalia maritimi*)

Water courses of plain to montane levels with the *Ranunculion fluitantis* and *Callitriche-Batrachion* vegetation

Old sessile oak woods with *Ilex* and *Blechnum* in the British Isles

Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior* (*Alno-Padion*, *Alnion incanae*, *Salicion albae*)

Margaritifera margaritifera (Freshwater Pearl Mussel)

Austropotamobius pallipes (White-clawed Crayfish)

Petromyzon marinus (Sea Lamprey)

Lampetra planeri (Brook Lamprey)

Lampetra fluviatilis (River Lamprey)

Alosa fallax fallax (Twaite Shad)

Salmo salar (Salmon)

Lutra lutra (Otter)

Trichomanes speciosum (Killarney Fern)

The proposed development would allow for discharges to the Shanowennadrimina Stream, which has surface water connectivity with the SAC via the Bride River. I submit to the Board that the potential for discharges having an indirect effect on the

habitats and protected species of the SAC is not a viable proposition given the separation distance between the stream and the SAC, the nature of the connectivity, and the nature of the discharges that would arise. I concur with the conclusions drawn by the applicant in its screening for appropriate assessment.

It is reasonable to conclude that on the basis of the information on the file, which I consider adequate in order to issue a screening determination, that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on any designated European Site and a Stage 2 Appropriate Assessment and submission of a NIS is not therefore required.

5.4. Environmental Impact Assessment

Having regard to the nature, size and location of the proposed development, there is no real likelihood of significant effects on the environment that would warrant environmental impact assessment. No EIAR is required.

6.0 The Appeal

6.1. Grounds of Appeal by Castlelyons Developments

The grounds of the appeal may be synthesised as follows

- The proposed development would be within the Fermoy Green Belt. It would be a substantial industrial building, on a site that is prominent on a hill, and would have a detrimental impact on the area's rural character and the visual amenity of the Green Belt. Screening will not protect the visual amenity of the area.
- The argument allowing development to encroach on the Green Belt because there is an existing business use is not accepted. At some stage there is a requirement to stop. It is noted that the Area Engineer referred to the application having not attempted to seek other alternative sites.
- Reference is made to a number of traffic accidents that have occurred in the vicinity of the site, to the volumes of traffic on the adjoining roads, and the traffic concerns arising.

- The applicant continues to use an entrance that was previously required to be closed up on traffic safety grounds.
- The concerns of the Area Engineer in relation to the excessive scale of the proposal and the potential for use by other commercial operators were cited and agreed with.
- The existing facility is not remote from Mitchelstown and, bearing in mind South Coast has satellite facilities in Dublin port, Cork port and Galway, they cannot claim to be remote from commercial testing facilities.

6.2. Grounds of Appeal by O'Donnell's Garage

The grounds of the appeal may be summarised as follows

- The proposal is located within the Fermoy Town Greenbelt. There is no planning policy support for the development of an entirely new commercial use within the greenbelt.
- The nature and scale of the proposal, involving a substantial commercial development, demonstrates that this development is incompatible with the rural greenbelt location.
- The proposed development contravenes Development Plan policies relating to the location of commercial uses and the control of development in greenbelt locations. The proposal is a new use to the area and is located on a new green field.
- It is queried whether the existing use of the site by the applicant is operating within the terms of its planning permission by facilitating third party commercial operators and hence whether it is an authorised use.
- The nature and scale of the development is not justified and is incompatible with the established and intended pattern of development in this unserved rural location. The scale, relative to the size of the applicant's fleet and the relevant statutory testing requirements, cannot be reconciled.
- There is no reason why the proposed test centre could not be located on a zoned site in Fermoy.

- The proposal involves excessive intervention in the topography of the site and, coupled with its scale and design, will result in a negative visual impact on the surrounding area. The site is elevated and visually exposed.
- The planning authority's imposition of a condition restricting the use of the development to the applicant is not an appropriate response to addressing issues of policy, scale and impact.

6.3. Applicant Response

The applicant's response to the appeals may be summarised as follows:

- The sole purpose of the proposed development is to reduce the applicant's dependency and need to travel to remote CVRT testing centres. At present, it is necessary to travel to CVRT centres in Mitchelstown, Mallow and Carriogtwohill. The proposed facility will be solely to serve the needs of the applicant.
- The proposed development is fully in accordance with the objectives of Cork County Development Plan. Reference is made to Objectives RCI 5-6 and RCI 5-8 and to the Council's planning reports.
- The proposal will not have a negative visual impact on the surrounding area. It would be in a well-established light industrial/commercial area where there is a significant clustering of large industrial buildings and is not an agricultural area. Reference is made to the design and landscaping proposed.
- The scale of the facility is not excessive and is fully compatible with the established pattern of development in the area. The size of the proposed facility is generated by the number of vehicles and the frequency of tests required. A four-bay facility is required as a dedicated lane is required for each different test which is to be carried out. Justification for each lane is provided.
- The proposal will not give rise to any adverse traffic impacts. Only the applicant's existing fleet will use the surrounding roads. The existing issue was permitted by the Council and there are no safety issues with it.

6.4. **Planning Authority Response**

I have no record of any response by the planning authority to the third party appeals.

6.5. **Further Responses**

Castlelyons Development made a submission supporting the appeal by O'Donnell's Garage.

7.0 **Assessment**

7.1. Introduction

7.1.1 I consider the principal planning issues relating to the appeal are the development in the context of Development Plan provisions, the scale of the proposed development, the landscape and visual impact of the proposal, and the traffic impact.

7.2. The Proposed Development in the Context of Development Plan Provisions

Greenbelt

7.2.1 The proposed development would be located within the greenbelt associated with the town of Fermoy. I note the provisions of Cork County Development Plan that relate to this location. The specific objective applicable to this location is Objective RCI 5-8. I note that both the planning authority and the applicant have made significant references to Objective RCI 5-5 of the Plan in support of the proposed development. Reliance on this objective is completely misplaced and one cannot reasonably lend any weight to this objective when considering this proposal. It is very clear from the County Development Plan that there is a schedule of objectives that expressly apply to the Metropolitan Cork Greenbelt. One of these is Objective RCI 5-5. This objective directly relates to facilitating active uses of the Metropolitan Greenbelt. This does not extend to Fermoy in the same way as it does not extend to Clonakilty or any other town remote from Metropolitan Cork.

7.2.2 The proposed development is, thus, required to be assessed against the provisions of Objective RCI 5-8 to determine how it complies with the requirements applying to the Fermoy Town Greenbelt. There are four provisions relating to this objective. My considerations on these are as follows:

- There is a requirement to retain the identity of Fermoy Town, to prevent sprawl, and to ensure there is a distinction in character between the built up areas of the town and the open countryside by maintaining a Greenbelt around all around this town. It is very clear that the proposal seeks to significantly intensify the established commercial/industrial operation in this greenbelt. This would contribute substantially to the dilution of the town's greenbelt. In my opinion, it would unquestionably be used as a precedent to encourage even more erosion of the greenbelt south of Fermoy as industry would continue to seek expansion in this rural area adjoining the M8 motorway based upon permitted developments.
- Clearly the proposed development undermines the intent to reserve the greenbelt generally for use as agriculture, open space or recreation uses in the immediate surroundings of Fermoy. It would be an incompatible use.
- While it would not increase linear roadside frontage development on the roads leading out of the town, it is even more destructive to the greenbelt as it seeks to reinforce and significantly expand an incompatible land use remote and isolated from the town.
- The final provision of RCI 5-8 refers to the local area plan defining the extent of the individual Greenbelt around the town and establishing appropriate objectives for the Greenbelt generally reserving land for agriculture, open space or recreation uses. Comment will be made on this below. It is evident, however, that the development of industrial/commercial activities in an isolated location remote from the serviced town of Fermoy runs contrary to any understanding of what constitutes sustainable development, notably in the context of the promotion of such a town for economic activity and the avoidance of leakage to unserved rural areas.

Fermoy Environs

7.2.3 The proposed site lies outside of the Fermoy Development Plan boundary and outside of the lands contained within the boundary of the environs of Fermoy. It is some 3km south-east of the town adjoining a regional road and in the immediate vicinity of the M8 motorway. The town of Fermoy is designated one of the county's 'Main Towns'. There is a Plan for the town's environs with particularly relevant provisions when considering the current proposal. This Plan notes that provision is made for a strong supply of employment land, with good access to the M8 within the town. Approximately 61 hectares of land is zoned in the environs for employment uses. Land has been zoned for business use to the north of the town and lands are zoned to the south of the town for industrial use. Land is also zoned to the east of the M8 within the environs. The expansion of distribution uses at appropriate locations is encouraged and is facilitated. One relevant location is designated FY-I-03 on the edge of the town at the southern extremity of the environs.

7.2.4 It is my submission to the Board that allowing further industrial/commercial development on the appeal site is contrary to any reasonable understanding of what constitutes 'planned', sustainable development. The development of Fermoy and its environs has been and is being planned for. The commercial, industrial and economic development and expansion of the town and its environs has been and is being planned for and public investment has been made to service this development and expansion. Just because the applicant is located at present in a remote rural location, distinctly distant from the town and in an unserved area that is not sited within a designated or planned for industrial, commercial or business zone, does not merit allowing a significant expansion of its operations. One cannot logically, in my opinion, determine that the development of the new facility, resulting in the expansion of the operations of the existing premises, is orderly, sustainable development that is in the best interest of the development of the town of Fermoy or the protection of its greenbelt. A development of this nature requires to be provided

in the serviced environs of Fermoy if the applicant seeks to have its vehicles tested closer to its existing premises.

7.3. The Scale of the Proposed Development

7.3.1 I note the various submissions that have been made relating to the scale of the proposed development. The applicant has explained the need for four lanes while the appellants have sought to demonstrate the proposal is oversized when regard is had to the size of the applicant's fleet and the statutory testing requirements in place. I do not purport to have any expansive knowledge on the requirements relating to commercial vehicle testing both in terms of statutory testing requirements and the space-related requirements necessary to facilitate adequate testing within a new testing centre.

7.3.2 With due regard to this issue, I must continue to impress that the principal planning consideration is the siting of such a facility and this must take precedence. The need for two, three or four lanes for testing is very much a secondary issue. Whether the proposed structure is the size proposed in the application or is halved in size, it does not alleviate any of the substantial planning considerations of principal concern that have been referred to earlier.

7.3.3 While not focusing on the size of the proposed facility *per se*, I must express some apprehension on the functioning of this facility into the future when the applicant has submitted in its further information response: "*It is not envisaged that the facility would be open to other commercial vehicle operators for testing purposes*". This is disconcerting. Once constructed, one would not anticipate that it would lie idle in the immediate vicinity of the M8 motorway when not required for the applicant's fleet. Even if one was to restrict the use of the facility to the applicant or operator of the facility it is easy to anticipate an application to alter this restriction could arise and it is clear that this would be difficult to restrict to the land itself in this instance. This heavily trafficked rural area is not the location for a commercial vehicle test centre.

7.3.4 I note that South Coast Logistics Ltd. has satellite facilities near Cork Port, Dublin Port and in Galway. There is no understanding of how the applicant's fleet operates out of such satellite facilities and the accessibility to established test centres for

those parts of the fleet operating out of these other facilities. The necessity for fleet operating out of these areas travelling to the remote site of the proposed facility for testing could not reasonably be viewed as sustainable.

7.3.5 Finally, I note the Area Engineer's comments in relation to the scale of the proposal. Concern was raised about the operations and future intentions of 'Specto', the facility adjoining the applicant's existing premises, if the proposed development was to proceed. It is noted from the covering letter with the planning application that the applicant submitted that 'Specto' is a separate business entity to service the fleet needs of South Coast, carrying out routine servicing and maintenance. Its future operation as part of the overall operations in light of the development of the proposed test centre is unknown. The Area Engineer also was concerned about the proposal being open for other commercial operators for testing purposes and continued to maintain that the proposed development is excessive in scale in a greenbelt. These are pertinent considerations and add to concerns relating to the proposed scale and intended operations of the overall premises at this location.

7.4 Landscape and Visual Impact

7.4.1 I note that Figure 13.2 of Cork County Development Plan illustrates the 'High Value Landscapes' of County Cork. It is clear from this Figure that the site of the proposed development would fall within such a designated landscape at the northern end of the county. The landscape character type in which the site is located would be seen to be of high landscape sensitivity. Objective GI 6-1 of the Development Plan seeks to protect the visual and scenic amenities of the natural environment of the county, ensuring that new development meets high standards of siting and design, and protecting skylines and ridgelines from development.

7.4.2 It is clear that the proposal constitutes a significant footprint of new development on a green field site in an isolated rural area, within a greenbelt. This is a sensitive location, highly visible from the heavily trafficked public road network. The proposal would provide 1,246.57 square metres of floor area, in a building almost 9 metres in height that would be located at the northernmost (front) end of the site. This development would have a very significant footprint in itself. It would draw new commercial development closer to the public road network and would increase the

visual incongruity of such development within its rural context. It would, in addition, exacerbate the presence of industrial/commercial activities in this landscape by increasing the build-up of further land uses that are incompatible with those promoted within this greenbelt. It would have a distinctive visual presence in its own right due to its large scale, form and siting forward of established development.

7.4.3 Overall, it may reasonably be concluded that the proposed development would undermine the rural landscape character of this area which is promoted to be protected and it would have a visual presence that would add to the incongruity of industrial and commercial operations at this remote location, notwithstanding any attempt to landscape the perimeter of the site.

7.5 Traffic Impact

7.5.1 The site of the proposed development is unsuitable for a commercial vehicle test centre on traffic safety grounds whether intended to provide services solely for the testing of vehicles associated with South Coast Logistics or to be expanded for use by other commercial operators. The proposed site accesses a local road in a rural area within the maximum speed limit zone (80kph) for that road. The entrance is located approximately 80 metres east of the road's junction with Regional Road R639 and this junction lies only about 80 metres from the slip road off the M8 motorway (M8 Junction 15). This is a very heavily trafficked road network, with substantial access to and from the motorway and significant volumes of traffic using the R639 (the old Dublin-Cork Road) to access the towns and villages south of Fermoy. To be encouraging the provision of a facility that invites heavy goods vehicles, heavy commercial vehicles, tankers, etc. to this remote location will add to the traffic congestion at this location, will add to the volumes of heavy goods traffic at this location as the centre would become a destination test centre, and will increase traffic turning movements at and in the vicinity of heavily trafficked junctions. This destination test operation would become a focus facility generating substantial volumes of heavy goods vehicles even if it was restricted to the applicant's own operations. It would be a test centre for its fleet associated at Fermoy and most likely would be its test centre for its fleet derived from its satellite operations at Cork Port, Dublin Port and Galway. I cannot impress enough upon the Board the very

significant volumes of traffic that is experienced daily at this location at the regional road and on the approach to and exit from the motorway. It is not sustainable to be encouraging a facility of this nature at this location. It is contrary to protecting public safety on the road network to be adding this type of development in the immediate vicinity of such a heavily traffic section of the public road network.

7.5.2 In this context, I note the objectives set out in Cork County Development Plan as they relate to transportation. Objective TM 3-1 seeks the prevention of the undermining of the strategic transport function of national roads and to protect the capacity of the interchanges in the County from locally generated traffic. Allowing this proposed development to proceed, in such close proximity to a key interchange on the M8 motorway, would be completely contrary to this objective. Furthermore, Objective TM 3-2 of the Plan is one which seeks to recognise the strategic role played by Regional Roads within the County and which seeks to enhance their carrying capacity and safety profile in line with demand. I again impress upon the Board that the old Dublin-Cork Road is a very heavily trafficked road linking the motorway to towns and villages south of Fermoy. The development of a commercial test centre at this location would not in any way enhance the carrying capacity of this busy regional road.

7.5.3 Further to the above, I note Transport Infrastructure Ireland's submission to the planning authority which requested that the planning authority abide by official policy in relation to development affecting national roads as outlined in the *Spatial Planning and National Roads Guidelines for Planning Authorities 2012*. Section 2.7 of the Guidelines refers to development at national road interchanges and junctions. The Guidelines expressly request that planning authorities exercise particular care in their assessment of development at or close to interchanges where such development could generate significant additional traffic with potential to impact on the national road. It is my submission to the Board that the development of a destination for a commercial vehicle test centre at this location, in close proximity to a very busy interchange on the M8 motorway, will provide a focus for significant additional traffic with potential to impact on the motorway junction at this location, impacting on its capacity and efficiency.

7.5.4 In conclusion, I submit to the Board that the proposed development constitutes a significant traffic hazard due to the nature of the proposed operation in a remote

location in close proximity to a heavily trafficked regional road and in close proximity to a key interchange on the M8 motorway. This proposal is neither in accordance with Cork County Development Plan transport objectives or National Roads Guidelines.

8.0 Recommendation

8.1. I acknowledge that the proposed development would have a notable landscape and visual impact and that the Board may consider these adverse impacts arising from the proposed development merit reference in any decision to refuse permission. I consider that the key planning issues are those relating to non-compliance with development plan policy and traffic. I, therefore, recommend that permission is refused for the following reasons and considerations.

9.0 Reasons and Considerations

1. The site of the proposed development is in a designated greenbelt south of the town of Fermoy in a remote rural location and beyond the designated environs of the town of Fermoy. It is an objective of Cork County Development Plan, relating to this greenbelt, to retain the identity of Fermoy, prevent sprawl, and ensure a distinction in character between its built up areas and the open countryside by maintaining the greenbelt and reserving it generally for use as agriculture, open space or recreation uses. Furthermore, the provisions of the Fermoy Municipal District Local Area Plan designate substantial lands within the settlement boundary of the environs of Fermoy for employment uses, with extensive lands zoned for business, industrial and distribution uses within the serviced environs of this designated 'Main Town'.

It is considered that the development of a commercial vehicle test centre at this location would constitute an incompatible use within the greenbelt, would significantly intensify commercial/industrial operations in this greenbelt, would contribute substantially to the erosion of the town's greenbelt, and would

constitute an undesirable precedent for development of this nature in the immediate vicinity. Furthermore, in light of the planned provisions for industrial and commercial uses within the serviced environs of Fermoy, it is considered that the proposed development would undermine the role of Fermoy as a designated 'Main Town' and its role in facilitating sustainable economic development. The proposed development would, therefore, be contrary to the objectives of Cork County Development, would undermine the orderly development of the town of Fermoy, and would, thus, be contrary to the proper planning and sustainable development of the area.

2. The proposed development would access a local road in close proximity to its junction with the heavily trafficked Regional Road R639 and in the immediate vicinity of a heavily trafficked M8 motorway interchange (Junction 15). The objectives of Cork County Development Plan include preventing the undermining of the strategic transport function of national roads and protecting the capacity of interchanges from locally generated traffic, as well as recognising the strategic role played by regional roads enhancing their carrying capacity and safety profile in line with demand. Furthermore, it is a provision of the *Spatial Planning and National Roads Guidelines for Planning Authorities 2012* that planning authorities are required to exercise particular care in their assessment of development at or close to interchanges where such development could generate significant additional traffic with potential to impact on the national road.

It is considered that the siting of the proposed commercial vehicle test centre would substantially add to the volumes of heavy commercial vehicles accessing the road network at this location, would significantly increase the traffic turning movements at heavily trafficked junctions in this section of the road network in the immediate vicinity of the M8 motorway, would adversely affect the carrying capacity and safety profile of the regional road, and would adversely affect the capacity and efficiency of the nearby M8 interchange. The proposed development would, therefore, constitute a significant traffic hazard, would conflict with the Development Plan objectives and the requirements of the

National Roads Guidelines, and would, thereby, be contrary to the proper planning and sustainable development of the area.

Kevin Moore
Senior Planning Inspector

10th February 2020