

CORK COUNTY COUNCIL
PLANNING & DEVELOPMENT ACTS 2000 - 2010
NOTIFICATION OF DECISION TO GRANT Permission

Reference No. in Planning Register **16/07137**

Lidl Ireland GmbH
C/O Wessel Vosloo
The Planning Partnership
The Coach House
Dundanion
Blackrock Road, Cork

In pursuance of the powers conferred upon them by the above mentioned Act and for the reason set out in the First Schedule hereto, the Council of the County of Cork has by Order dated **31/07/2017** decided to **GRANT Permission** for the development of land namely:

Development comprising the construction of a Licenced Discount Foodstore with ancillary infrastructure and associated site development works (all totalling 2,871 sq m Gross Floor Area and ranging in height equivalent from 1 to 2 storeys), at a site of approximately 0.83 hectares. The construction of the proposed new Licenced Discount Foodstore comprises of: A retail sales area with ancillary off-licence use and bakery (total Net Retail Sales Area of 1,690 sq m), entrance pod, public facilities (incl. lobby and toilets), staff facilities (incl. lobby and operational office), storage (incl. cold storage), stairs and lift to first floor, plant room and delivery area, all at ground floor level (totalling 2,506 sq m ground floor Gross Floor Area); Staff welfare (incl. toilets, change rooms and showers), roof terrace, staff room, IT room, store room, office, internal plant area, stairs, and lift from ground floor, all at first floor level (totalling 332 sq m first floor Gross Floor Area); Corporate signage consisting of 2 no. building mounted corporate internally illuminated signs, 1 no. free standing internally illuminated totem pole sign at entrance, 1 no. directional finger post sign, 3 no. wall mounted externally illuminated poster panel display boards, and 1 no. building mounted externally illuminated information display boards; 1 no. trolley bay covered structure (33 sq m Gross Floor Area); 110 no. surface car parking spaces (6 no. disabled, 12 no. parent and child, and 92 no. regular); 12 no. motorcycle and 29 no. bicycle parking spaces; Primary vehicular and pedestrian access to the proposed new Licenced Discount Foodstore development will be provided via a new site entrance from the Carrigaline Road; Secondary pedestrian access to the proposed new Licenced Discount Foodstore development will be provided via a new dedicated pedestrian site entrance from the Churchyard Lane; and Boundary treatments, hard and soft landscaping, services (including 1 no. below ground attenuation tank) and all other ancillary and associated site development works above and below ground level.

At: Barry's Field, Carrigaline Road and Churchyard Lane, Douglas Co. Cork

In accordance with the plans and particulars submitted by the applicant

On: 15/12/2016, as amended on 06/07/2017

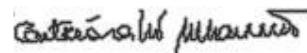
And subject to the conditions (37no.) set out in Column 1 of the Second Schedule attached hereto. The reasons for the imposition of the said conditions are set out in Column 2 of the schedule.

An appeal against a decision of the Planning Authority may be made to An Bord Pleanála by any authorised person before the EXPIRATION of the period of **FOUR WEEKS**

beginning on the day of the giving (i.e. Date of Order) of the decision of the Planning Authority. (SEE NOTES ATTACHED)

If there is no appeal against the said decision, a grant of Permission in accordance with the decision will be issued after the expiration of the period within which an appeal may be made to An Bord Pleanala. It should be noted that until a grant of Permission has been issued the development in question is NOT AUTHORISED.

Signed on behalf of the said Council



Caitriona Ni Mhainnín
A/Senior Executive Officer
Date: 31/07/2017

SEE NOTES ATTACHED

Please note that pursuant to S.34(3) of the Act, the Planning Authority has had regard to submissions or observations received in accordance with these Regulations.

In accordance with Article 20, site notice shall be removed on receipt of this notification.

FIRST SCHEDULE

Planning Ref. No. 16/07137

Having regard to the established pattern of development within the vicinity of the site and to its location within a town centre, it is considered that subject to compliance with the conditions set out in the Second Schedule attached herein, the proposed development would not seriously injure the amenities of adjoining property or of the area and would be in accordance with the proper planning and sustainable development of the area

SECOND SCHEDULE

No.	Condition	Reason
1	The proposed development shall be carried out in accordance with plans and particulars lodged with the Planning Authority on the 15/12/16, as further detailed on the 06/07/17, save where amended by the terms and conditions herein.	In the interests of clarity.
2	The design, finish and use of materials shall be strictly in accordance with the details submitted on the 15/12/16, unless otherwise agreed in writing with the Planning Authority.	To ensure satisfactory architectural standards in the interests of visual amenity.
3	Finished floor level of the proposed structure shall be in accordance with the details lodged submitted on the 15/12/16 and the 06/07/17, unless otherwise agreed in writing with the Planning Authority.	In the interests of visual amenity.
4	Prior to commencement of development final details of the form, height and finish of the proposed stone wall on the eastern site boundary and final details of the form and design of the proposed pedestrian entrance (including an extended elevation drawing) shall be submitted to and agreed in writing with the Planning Authority.	In the interests of orderly development and visual amenity.
5	Permanent bollards shall be erected to the satisfaction of the Planning Authority at the pedestrian access point on the western site boundary. Final details of same shall be submitted to and agreed in writing with the Planning Authority prior to the commencement of development.	In the interests of orderly development.
6	Bicycle parking spaces shall be provided within the site in accordance with the details submitted on the 06/07/17.	To ensure that adequate bicycle parking provision is available to serve the proposed development, in the interests of sustainable transportation.
7	Final details and drawings of all proposed external signage and associated lighting shall be submitted to and agreed in writing with the Planning Authority prior to the commencement of development. This shall include for the following: - location of all proposed signage. Signage shall be kept to a minimum and totem poles shall not be permitted. - corporate branding shall be adjusted in order to enhance the quality of the ACA.	In the interests of orderly development and visual amenity.

	<ul style="list-style-type: none"> - material specifications of all proposed signage and lighting shall be submitted. - no internally illuminated signage shall be permitted. - drawings at a scale of 1: 20 shall be submitted. 	
8	Other than signage proposals agreed in writing with the Planning Authority in connection with condition no. 7, notwithstanding the exempted development provisions of the Planning and Development Regulations (2001, as amended), no further signs, symbols, emblems, nameplates or other advertising devices shall be erected or displayed externally on the site/structures, save without the prior grant of a planning permission.	In the interests of road safety and to safeguard the visual amenities of the area.
9	Other than lighting proposals agreed in writing with the Planning Authority in connection with condition no. 7, notwithstanding the exempted development provisions of the Planning and Development Regulations (2001, as amended), no further external lighting shall be erected or displayed externally on the site/structures, save without the prior grant of a planning permission.	In the interests of orderly development.
10	Notwithstanding the exempted development provisions of the Planning and Development Regulations (2001, as amended), no further external plant/ventilation systems/extractor fans/apparatus shall be erected on the site/structures, save without the prior grant of a planning permission.	In the interests of orderly development and residential amenity.
11	<p>The site shall be landscaped in accordance with the scheme submitted on the 06/07/17 unless otherwise agreed in writing with the Planning Authority, save where amended by the conditions herein. Prior to the commencement of development final details of the proposed landscaping along the western site boundary identifying location and species selection appropriate to the area to ensure all year round screening between the graveyard and the development shall be submitted to and agreed in writing with the Planning Authority.</p> <p>All planting shall be carried out within the first planting season following commencement of the development.</p>	In the interests of visual amenity.
12	All planting shall comply with the	In the interests of visual amenity.

	<p>specifications of the landscaping scheme agreed, shall be maintained by the developer and if any plant should die it shall be replaced within the next planting season.</p>	
13	<p>All specific tree protective proposals as outlined in accordance with the details submitted on the 06/07/17 shall be implemented in full to the satisfaction of the Planning Authority. All existing trees/hedgerow on the western site boundary shall be unaltered during construction works and retained thereafter. The tree protection measures shall be installed prior to the commencement of any other works onsite. No materials or machinery shall have access to the tree protection zones.</p>	<p>In the interests of visual amenity.</p>
14	<p>All bat mitigation measures cited in the bat report submitted on the 06/07/17 shall be implemented in full to the satisfaction of the Planning Authority.</p>	<p>To protect Annex IV species.</p>
15	<p>The applicant shall fully implement all Japanese Knotweed control measures as outlined in the submitted John Butler Landscaping & Building Services report dated April 2017, prior to any other ground works commencing. Contaminated areas of the development shall be clearly identified and access controlled.</p> <p>Contaminated topsoil of 1m depth shall be removed to an onsite lined bunded area for further treatment according to the above report. Excavated subsoil from contaminated areas, shall be excavated to a depth of 3m, and buried on-site in a sealed cell of at least 2m depth, lined with a root barrier with a minimum 50 year guarantee. (Subject to the Planning Authority's agreement, if burial is at 5m, a root barrier is not required).</p> <p>The developer shall under no circumstances remove or transport Japanese Knotweed from the site unless authorised in writing by the Planning Authority to do so. No other works shall be carried out on site until the Planning Authority is satisfied that this has been dealt with adequately.</p> <p>A competent person shall be designated for the duration of the development works as responsible</p>	<p>In the interests of orderly development.</p>

	for overseeing these control measures, and on completion of works, shall sign off that all proposed measures have been completed.	
16	<p>prior to commencement of development, or, at the discretion of the Planning Authority, within such further period or periods of time as it may nominate in writing, a method statement for the management of the construction phase shall be submitted to and agreed in writing to the Planning Authority.</p> <p>Development shall be carried out in accordance with the agreed details which shall provide, inter alia for:-</p> <p>(a) wheelwash arrangements to be provided on the site and retained and used for the duration of the development; (b) location of the materials compound and site huts; (c) site security fencing; (d) methodology for the use and control of any site piling proposed on site during construction; (e) access arrangements to be used by construction traffic visiting the site; (f) adequate on-site car parking facilities for site workers and traffic associated with the development during the course of construction; (g) details of any site security lighting proposed (which will not negatively impact on adjoining dwellings), and (h) delivery of materials shall be organised so that deliveries are minimised at the morning or evening periods of peak flow.</p>	In the interests of residential amenity, traffic safety and orderly development.
17	Footpath at entrance shall be dishd to the satisfaction of the Planning Authority.	To ensure satisfactory access to the site.
18	Footpath shall be re-instated at developer's expense to the satisfaction of the Council's Area Engineer.	In the interests of safety.
19	Vegetation or any structure shall not exceed 1m in height within the sight distance triangle. Entrance Kerblines and Stop Line shall be laid to maximise sightlines, details to be agreed prior to commencement of construction.	To provide proper sight distance for emerging traffic in the interests of road safety.
20	Area between road and new wall/fence shall be set level with the adjoining carriageway and surfaced to the satisfaction of the Planning Authority.	In the interests of road safety.
21	Before first use of the proposed development, or, at the discretion of the Planning Authority, within such	In the interests of road safety.

	further period or periods of time as it may nominate in writing, car parking as described herein, shall be provided to the satisfaction of the Planning Authority.	
22	All car parking bays shall be clearly demarcated with a material to be agreed with the Planning Authority.	In the interests of orderly development and public safety.
23	Existing roadside drainage arrangements shall be preserved to the satisfaction of the Planning Authority.	To preserve proper roadside drainage and to prevent the flooding of the public road.
24	Existing road drainage shall not be obstructed and any the new entrance shall be designed and constructed to ensure the uninterrupted flow of road surface run-off.	To maintain proper roadside drainage and to prevent the flooding of the public road.
25	Storm attenuation measures shall be incorporated into the proposed storm water system. Fully detailed storm water attenuation proposals shall be submitted and agreed with the Planning Authority before any development commences, or, at the discretion of the Planning Authority, within such further period or periods of time as it may nominate in writing. These proposals shall include detailed, site specific design, layout and section drawings and construction details, as well as detailed proposals for the operation, maintenance and silt management of the system.	To prevent flooding.
26	Full details of the proposed stormwater sewers shall be submitted and agreed in writing with the Planning Authority before any development commences, or, at the discretion of the Planning Authority, within such further period or periods of time as it may nominate in writing.	To prevent flooding and in the interests of orderly development.
27	Surface water shall not be permitted to enter the foul sewer.	To prevent overloading of the foul sewer.
28	The developer shall consult with the County Council in regard to any proposed off site disposal of excavated soil or other construction and demolition waste and shall submit details of proposed disposal sites prior to commencement of construction activities on site. This plan shall inter alia, include the information recommended in sections 3.2, 3.3, 3.4 of the document titled "Best Practise Guidelines on the preparation of Waste Management Plans for Construction and Development projects" published by the	In the interests of orderly development and to prevent unauthorised dumping.

	<p>Department of Environment, Heritage, and Local Government in September 2004. Recyclable materials will be segregated and made available for recovery where possible.</p>	
29	<p>Fats, oil and grease (FOG) interceptor/removal equipment shall be installed on the foul discharge pipe from the food preparation and utensil washing area of the development prior to entry to the site's foul drainage network. Foul domestic sewerage shall not discharge via FOG removal equipment.</p> <p>Passive grease traps must be designed, installed, operated and maintained in accordance with EN 1825:2004 (Parts 1 & 2.) Or Grease removal units (GRUs) must be designed in accordance with Standard PDI-G101 – Testing and Rating Procedure for Grease Interceptors.</p> <p>This grease trap shall be serviced in accordance with manufacturers' recommendations. Service records shall be maintained for inspection by the Planning Authority. Solid matter such as food wastes (cooked or uncooked, plate scrapings) oil of any kind, glass or packaging shall not be disposed of via foul drain.</p> <p>Waste oils shall be stored in a secure bunded area. Oil storage areas shall be bunded, either locally or remotely, to a volume of 110% of the largest tank within each individual bunded area. Waste oil shall be removed by appropriately permitted contractor only, and waste removal records shall be maintained for inspection by the Planning Authority</p> <p>The use of under sink food macerators/food grinders for processing and discharging waste food to the drainage system is prohibited.</p>	<p>In the interests of orderly development and to prevent blockages in the sewer.</p>
30	<p>An odour abatement system shall be installed in the exhaust duct from any food preparation areas and kitchen area of the development. Emissions from any extract shall be controlled such that no odour or dust nuisance is caused to adjoining properties. Best available techniques will be used in the avoidance,</p>	<p>In the interests of orderly development, and to minimise risk of odour nuisance</p>

	<p>minimisation, and abatement of all atmospheric emissions from the development.</p> <p>All flue openings shall be a minimum 1m above eaves levels, and not less than 1 m above the top of any opening skylight, opening window or within 2.3 m of any wall ventilator. Final exhaust velocity shall not be less than 15 m/s at all times of operation.</p> <p>Within 2 months of the development being brought into commercial use, an odour assessment by a competent person, shall be submitted to the planning authority detailing the effectiveness of the odour management system.</p>	
31	<p>Surface water drainage shall be discharged via full retention Class 1 hydrocarbon interceptor and grit trap to (IS EN 858) prior to discharge to the surface water drain as per application. An inspection chamber with sump to be provided between hydrocarbon interceptor and discharge point. The inspection sump shall be of a minimum size of 500mm by 500mm and 400mm deep and shall be of watertight construction. A high level alarm shall be fitted to the oil storage chamber of the hydrocarbon interceptor. The interceptor and sump shall be installed and operated to the satisfaction of the Planning Authority.</p>	To prevent water pollution.
32	<p>Noise levels emanating from the proposed development when measured at the site boundaries shall not exceed 55 dBa (15 minute Leq) between 08.00 hours and 20.00 hours, Monday to Saturday inclusive, and shall not exceed 45 dBa (15 minute Leq) at any other time. Measurements shall be made in accordance with I.S.O. Recommendations R.1996/1 "Acoustics - Description and Measurement of Environmental Noise, Part 1: Basic quantities and procedures".</p> <p>If the noise contains a discrete, continuous note (whine, hiss, screech, hum, etc.), or if there are distinct impulses in the noise (bangs, clicks, clatters or thumps), or if the noise is irregular enough in character to attract attention, a penalty of +5 dBA shall be applied to the measured noise level and this increased level shall be used in assessing</p>	To safeguard the amenities of the area

	compliance with the specified levels. (Ref. BS 4142 Section 7.2)	
33	During demolition and construction the wheels of all trucks shall be washed prior to their exit from the site in a wheel wash facility. Details of the construction, installation and operation of this facility shall be agreed in writing with the Planning Authority prior to commencement of any development.	To safeguard the amenities of the area
34	Prior to the commencement of development the developer shall enter into a connection agreement with Irish Water in relation to the development.	In the interests of orderly development.
35	Before any development commences, or, at the discretion of the Planning Authority, within such further period or periods of time as it may nominate in writing, the developer shall provide, to the satisfaction of the Planning Authority, security in the amount of €5,000 to guarantee the satisfactory completion of tree and hedgerow planting and all other landscaping proposals for the site as required by Condition 11. The sum lodged pursuant to this condition shall be refunded only when it is certified by the Planning Authority that the planting and landscaping have been completed to its satisfaction.	To ensure the satisfactory completion of the development.
36	At least one month before commencing development or at the discretion of the Planning Authority within such further period or periods of time as it may nominate in writing, the developer shall pay a contribution of €138976.86 to Cork County Council in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority. The value of this contribution is calculated in accordance with the Council's Development Contributions Scheme on 01/01/2017, and shall be increased monthly at a rate of 8% per annum in the period between the date on which this value was calculated, and the date of payment.	It is considered appropriate that the developer should contribute towards the cost of public infrastructure and facilities benefiting development in the area of the Planning Authority, as provided for in the Council's Development Contributions Scheme, made in accordance with Section 48 of the 2000 Planning and Development Act, and that the level of contribution payable should increase at a rate which allows both for inflation and for phasing in of the target contribution rates, in the manner specified in that scheme.
37	At least one month before commencing development or at the discretion of the Planning Authority within such further period or periods of time as it may nominate in writing, the developer shall pay a special contribution of €263100.00 to Cork County Council, updated monthly in accordance with the	It is considered appropriate that the developer should contribute towards these specific exceptional costs, for works which will benefit the proposed development.

	<p>Consumer Price Index from the date of grant of permission to the date of payment, in respect of specific exceptional costs not covered in the Council's General Contributions Scheme, in respect of works proposed to be carried out, for the provision of upgrades to the Fingerpost roundabout, to address parking deficiencies, to provide a raised pedestrian crossing point and to upgrade the traffic island junction at Douglas East. The payment of the said contribution shall be subject to the following: : - (a) where the works in question— (i) are not commenced within 5 years of the date of payment of the contribution (or final instalment if paid by phased payment), (ii) have commenced but have not been completed within 7 years of the date of payment of the contribution (or final instalment if paid by phased payment), or (iii) where the Council has decided not to proceed with the proposed works or part thereof, the contribution shall, subject to paragraph (b) below, be refunded to the applicant together with any interest which may have accrued over the period while held by the Council. (b) Where under sub-paragraphs (ii) or (iii) of paragraph (a) above, any local authority has incurred expenditure within the required period in respect of a proportion of the works proposed to be carried out, any refund shall be in proportion to those proposed works which have not been carried out. (c) payment of interest at the prevailing interest rate payable by the Council's Treasurer on the Council's General Account on the contribution or any instalments thereof that have been paid, so long and in so far as it is or they are retained unexpended by the Council.</p>	
--	--	--