



An  
Bord  
Pleanála

**Board Direction**  
**BD-011733-23**  
**ABP-312701-22**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 02/02/2023.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

### **Reasons and Considerations**

Having regard to the site's land use zoning objective (ZO 01 Sustainable Residential Neighbourhoods), the nature and scale of the proposed development and the wider provisions of the Cork City Development Plan 2022-2028 including Section 11.185 (Cafés/Restaurants), it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of the area, would be acceptable in terms of traffic safety and would align with the relevant provisions of the development plan including those outlined. The proposed development would, therefore, be in accordance with the proper planning

## Conditions

1.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application as amended by the further plans and particulars submitted on 19<sup>th</sup> day of November 2021 to the Local Authority, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.</p> <p><b>Reason:</b> In the interest of clarity.</p>
2.	<p>The café/deli shall be operated independently and shall not be jointly operated with the adjoining public house.</p> <p><b>Reason:</b> In the interest of clarity.</p>
3.	<p>PA Condition 3 and reason.</p>
4.	<p>(a) The sound from any loudspeaker announcements, music or other material projected in or from the ground floor premises shall be controlled so as to ensure the sound is not audible in adjoining premises or at two metres from the frontage.</p> <p>(b) No speaker announcements, amplified music or other audible material shall be played or broadcast in the outdoor seating area.</p> <p><b>Reason:</b> In the interest of environmental amenity.</p>
5.	<p>Prior to the commencement of development, details of the materials, colours and textures of all external finishes, including signage details, shall be submitted to and agreed in writing by the Planning Authority.</p> <p><b>Reason:</b> In the interests of orderly development and the visual amenities of the area.</p>

6.	<p>Drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.</p> <p><b>Reason:</b> In the interest of public health.</p>
7.	<p>A plan containing details for the management and safe disposal of all waste (and, in particular, recyclable materials) within the proposed development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials, and for the ongoing operation of these facilities, shall be prepared by the local authority prior to commencement of development and shall be placed on the file and retained as part of the public record.</p> <p><b>Reason:</b> To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment.</p>
8.	<p>The applicant or developer shall enter into water connection agreement(s) with Irish Water prior to the commencement of this development.</p> <p><b>Reason:</b> In the interest of orderly development.</p>
9.	<p>Site development and building works shall be carried out only between the hours of 0700 to 1800 Mondays to Fridays inclusive, 0800 to 1400 on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.</p> <p><b>Reason:</b> In order to safeguard the residential amenities of property in the vicinity.</p>

Board Member

*Patricia Calleary*  
 \_\_\_\_\_  
 Patricia Calleary

Date: 02/02/2023

