

An  
Bord  
Pleanála

**Board Direction**  
**BD-016519-24**  
**ABP-316228-23**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 07/06/2024.

The Board decided to grant permission, for the following reasons and considerations, and subject to the following conditions.

### **Reasons and Considerations**

Having regard to the ZO 05 zoning provision of the Cork City Development Plan 2022- 2028, the site's planning history, the pattern of development in the area and to the nature and scale of the development proposed, it is considered that subject the compliance with the conditions as set out below, the proposed development would not seriously injure the visual or residential amenities of the area, would respect the character and pattern of development in the area and would make a positive contribution to the streetscape. The proposed development would therefore be in accordance with the proper planning and sustainable development of the area.


In deciding not to accept the Inspector's recommendation to refuse permission, the Board, having regard to the totality of documentation on file, considered that the existing authorised use of 40/41 Grand Parade has not been definitively established. Given the specific works which are the subject of this appeal, namely the creation of a new opening in the internal party wall between both properties at ground floor, signage and minor elevational changes to no. 42 Grand Parade, and that a change of use has not been proposed as part of the application, the Board considered a grant of permission was appropriate, noting that this does not confer any authorisation regarding use of said properties.

## Conditions

1.	<p>The development shall be carried out in accordance with the plans and particulars lodged with the application, as amended by additional information submitted on 13<sup>th</sup> day of February 2023, 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>a) Prior to commencement of development, details, finishes, location, size and type of the proposed new front door shall be agreed in writing with the planning authority.</p> <p>b) All glazing of the ground floor façade shall be fully transparent and shall be maintained as such.</p> <p>c) No additional signs, symbols, name plates or advertisements associated with the proposed development shall be erected on the premises or in the vicinity of the site without a prior grant of permission.</p> <p>d) All signage shall be removed upon the cessation of operation of the business.</p> <p><b>Reason:</b> In the interest of proper planning</p>
3.	<p>A plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials and for the ongoing operation of these</p>

	<p>facilities shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the waste shall be managed in accordance with the agreed plan.</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>
4.	<p>Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours 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

  
 Martina Hennessy

Date: 07/06/2024