

An
Coimisiún
Pleanála

Direction
ABP-321929-25

The submissions on this file and the Inspector's report were considered at a meeting held on 09/07/2026.

The Commission decided, as set out in the following Order, that:-

WHEREAS a question has arisen as to whether the change of use of a retail shop to a patisserie shop at No. 42A Saint Patrick's Street, Cork, is or is not development and, if so, whether the development constitutes exempt development or does not constitute exempt development, and whether works to provide for an internal fit-out as a patisserie shop is or is not development and, if so, whether the development constitutes exempt development or does not constitute exempt development.

AND WHEREAS Krispy Kreme Ireland Limited care of Hughes Planning and Development Consultants of 85 Merrion Square, Dublin requested a declaration on the said question from Cork City Council, and the said Council issued a declaration on the 24th day of January 2025 stating that the said matter is development and is not exempted development.

AND WHEREAS Krispy Kreme Ireland Limited care of Hughes Planning and Development Consultants referred the declaration for review to An Bord Pleanála on the 20th day of February 2025.

AND WHEREAS An Coimisiún Pleanála, in considering this referral, had regard particularly to –

- (a) Sections 2(1), 3(1), 4 (1)(h), 4 (4) and 82 (1) of the Planning & Development Act 2000, as amended,
- (b) Article 5(1) of the Planning & Development Regulations, 2001, as amended,
- (c) Part 4 of Schedule 2 to the Planning & Development Regulations, 2001, as amended,
- (d) the planning history of the site and authorised use as a shop,
- (e) the nature of the use being for the sale of goods (excluding hot beverages) which are produced off site, for sale on site and consumption off site,

AND WHEREAS An Coimisiún Pleanála has concluded that:

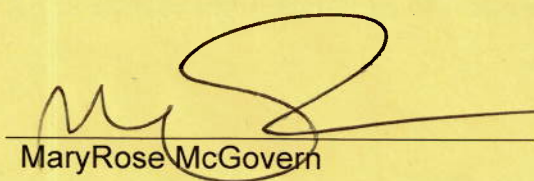
- (a) The change of use of a retail shop to a patisserie shop is not development, as the nature of the use has not materially changed.
- (b) The works to provide for an internal fit-out, as a patisserie shop, is development and is exempt development as the works are internal, have no external impact, and do not affect the character of Oliver Plunkett Street Architectural Conservation Area.

NOW THEREFORE An Coimisiún Pleanála, in exercise of the powers conferred on it by Section 5 (3)(a) of the 2000 Act, hereby decides that the change of use of a retail shop to a patisserie shop at Number 42A Saint Patrick's Street, Cork, is not development and the works to provide for an internal fit-out, as a patisserie shop, is development and is exempted development,

Planning

Commissioner:

Date: 09/07/2026



MaryRose McGovern