



An  
Bord  
Pleanála

**Board Order**  
**PL 04.249389**

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## **Planning and Development Acts 2000 to 2017**

**Planning Authority: Cork County Council**

**Planning Register Reference Number: 17/05918**

**Appeal** by Titanic Experience Cobh care of Gillian Joyce of 20 Casement Square, Cobh, County Cork against the decision made on the 18<sup>th</sup> day of September, 2017 by Cork County Council to grant subject to conditions a permission to Perks Promotions Limited care of CLC and Associates of Acorn Business Centre, Blackrock, Cork in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Permission for 1. Change of use of ground floor retail unit to amusement arcade with associated elevational changes and 2. Retention of the construction of a minor extension to rear of building at number 9 Pearse Square, Cobh, County Cork.

## **Decision**

**GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.**

## **Matters Considered**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

## **Reasons and Considerations**

Having regard to the zoning objectives of the Cobh Town Development Plan 2013 and to the nature of the proposed development and the development for which retention is sought, it is considered that, subject to compliance with the conditions set out below, the proposed development and the development for which retention is sought would not seriously injure the amenities of the area and would, therefore, be in accordance with the proper planning and sustainable development of the area.

## Conditions

1. The development shall be carried out, completed and retained in accordance with the plans and particulars lodged with the application, 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, completed and retained in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. This permission shall apply for a period of three years from the date of this order. The use of the building as an amusement arcade shall cease and the associated signage shall be removed unless, prior to the end of the period, planning permission shall have been granted for their retention for a further period.

**Reason:** To enable a review of the effect of the use on the amenities of the area.

3. Details of all external signage and finishes shall be submitted to, and agreed in writing with, the planning prior to commencement of development.

**Reason:** In the interest of protecting the amenities of the Architectural Conservation Area.

4. Opening hours of the hereby permitted use shall be confined to between 1000 hours and 2000 hours.

**Reason:** In order to limit the hours of operation and in the interest of protecting the amenities of adjoining properties.

5. The noise level from the proposed development during the operational phase shall not exceed 55 dB(A) rated sound level at the nearest noise sensitive location between 0800 and 2000 hours, Monday to Saturday inclusive, and shall not exceed 45 dB(A) at any other time. Procedures for the purpose of determining compliance with this limit shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** To protect the residential amenities of property in the vicinity of the site.

6. Notwithstanding the provisions of the Planning and Development Regulations, 2001, or any statutory provision amending or replacing them, no advertisement signs (including any signs installed to be visible through the windows), advertisement structures, banners, canopies, flags, or other projecting elements shall be displayed or erected on the buildings or within the curtilage of the site, unless authorised by a further grant of planning permission.

**Reason:** To protect the visual amenities of the area.

