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**Planning and Development Acts 2000 to 2018**

**Planning Authority: Cork City Council**

**Planning Register Reference Number: 17/37654**

**APPEAL** by Colm O'Reilly care of HW Planning of 5 Joyce House, Barrack Square, Ballincollig, County Cork against the decision made on the 29<sup>th</sup> day of January, 2018 by Cork City Council to refuse permission.

**Proposed Development** Change of use of premises from tool and plant hire use to restaurant with takeaway facility at ground floor level together with permission to, (i) demolish existing single storey extension and construct new single storey extension at the rear and (ii) replace one number window with a single door to the front elevation at Dublin Street, Blackpool, Cork.

**Decision**

**REFUSE** permission for the above proposed development in accordance with the reasons and considerations 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**

1. Having regard to the number of fast food outlets existing in the immediate vicinity of the proposed development, and generally within the adjacent Blackpool District and Neighbourhood Centre, it is considered that the proposed development, which is located in an area zoned as Residential, Local Services and Institutional Uses in the Cork City Development Plan 2015–2021, where the objective is “to protect and provide for residential uses, local services, institutional uses and civic uses”, would be contrary to the objectives of the development plan. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Having regard to the extent of residential property in the immediate vicinity, it is considered that by reason of its location, nature and associated activity, the proposed development would result in excessive disturbance and would seriously injure the amenities and depreciate the value of residential property in the immediate vicinity of the site. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board, had regard to the drawings submitted and to the policies of Cork City Council, and considered that the application for a restaurant and takeaway would be inappropriate at this location, would seriously injure the amenities of the area, and would not be acceptable in terms of pedestrian and traffic safety, and that the proposed development, would, therefore, not be in accordance with the proper planning and sustainable development of the area.

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**Michelle Fagan**

**Member of An Bord Pleanála**

**duly authorised to authenticate  
the seal of the Board.**

**Dated this            day of            2018.**