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**Planning and Development Acts 2000 to 2018**

**Planning Authority: Cork County Council**

**Planning Register Reference Number: 18/00327**

**Appeal** by Drinagh Cooperative Limited care of McCutcheon Halley of 6 Joyce House, Barrack Square, Ballincollig, County Cork against the decision made on the 3<sup>rd</sup> day of August, 2018 by Cork County Council to grant subject to conditions permission to Ardmanagh Horizons Limited care of Yelland Architects Limited of The Tank House, Saint Patrick's Mills, Douglas, Cork in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Change of use from medical mobility equipment unit to dispensary and all associated site development works at Dromleigh South, Bantry, 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 provisions of the Cork County Development Plan 2014 and of the West Cork Municipal District Local Area Plan 2017, to the planning history on the site, to the nature and scale of the proposed development and to the existing pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would not adversely affect the vibrancy and vitality of Bantry Town Centre, would not seriously injure the amenities of the area, or of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area.

## Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, and by the further plans and particulars received by An Bord Pleanála on the 3<sup>rd</sup> day of October 2018, 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.

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

2. The development shall comply with the terms and conditions of planning register reference number 16/743 which governs the overall development of the lands of which the site forms part, except as may otherwise be required to comply with the conditions herein.

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

3. Notwithstanding the exempted development provisions of the Planning and Development Regulations 2001, and any statutory provision amending or replacing them, the unit shall be operated as a dispensary, as specified in the lodged documentation, unless otherwise authorised by a prior grant of planning permission.

**Reason:** In the interests of protecting the vitality and viability of the town centre.

4. The unit shall not be amalgamated with any other unit unless authorised by a prior grant of planning permission.

**Reason:** In the interests of protecting the vitality and viability of the town centre.

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

**Reason:** In the interest of visual amenity.

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**Paul Hyde**  
**Member of An Bord Pleanála**  
**duly authorised to authenticate**  
**the seal of the Board.**

**Dated this            day of            2019.**