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**Planning and Development Acts 2000 to 2018**

**Planning Authority: Cork County Council**

**Planning Register Reference Number: 18/05442**

**Appeal** by Sylvester Rabbitte of Mabestown, The Ward, Ashbourne, County Meath against the decision made on the 16<sup>th</sup> day of August, 2018 by Cork County Council to grant subject to conditions a permission to Insomnia Coffee Company care of The Building Consultancy, 14 Whitefriars, Peter Row, Dublin in accordance with plans and particulars lodged with the said Council:

**Proposed Development:**

Change of use of permitted off-licence use to coffee shop use with ancillary take-away facility, the erection of a shop front fascia signage, external lighting and all associated site works at Unit 1, Market Square, William O'Brien Street, Mallow, 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 nature of the proposed development, its location within an established town centre area and retail core area, the zoning and stated provision of the current Mallow Town Development Plan and the planning history of the site, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of property in the vicinity, would be acceptable in terms of traffic safety and convenience 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 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. No advertisement or advertisement structure (other than those shown on the drawings submitted with the application) shall be erected or displayed on the building (or within the curtilage of the site) in such a manner as to be visible from outside the building, unless authorised by a further grant of planning permission.

**Reason:** In the interest of visual amenity and to protect the character of the architectural conservation area.

3. No awnings, canopies, cctv, projecting signs or roller shutters shall be erected or displayed on the building, unless authorised by a further grant of planning permission.

**Reason:** In the interest of visual amenity and to protect the character of the architectural conservation 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.**