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**Planning and Development Acts 2000 to 2018**

**Planning Authority: Cork County Council**

**Planning Register Reference Number: 18/7173**

**Appeal** by Neptune Basketball Club care of Coakley O'Neill Town Planning Limited of NSC Campus, Mahon, Cork against the decision made on the 4<sup>th</sup> day of February, 2019 by Cork County Council to grant subject to conditions a permission to Sunbeam Bingo Limited care of Tony Bamford Planning of Airport Hub, Furry Park, Swords Road, Santry, Dublin in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** The sub-division of the existing retail unit (existing gross area 970 square metres gross floor area) located on the east side of the existing Lidl store, into two units (Unit 1 and Unit 2). Unit 1 would remain in retail use and have a gross floor area of 396 square metres. Unit 2 will have a gross floor area of 540 square metres and would be used as a Bingo Hall. As well as elevational adjustments to create a new point of public access to the Unit 2, the development includes new signage above the proposed access to Unit 2 on the north elevation of the property. Additional signage is also proposed on the southern elevation of the property to advertise the uses in both Units 1 and 2. All other associated works. The Retail Unit, Lidl Neighbourhood Centre, Ballyhooly Road, Ballyvolane, 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 mix of uses and the pattern of development in the vicinity and to the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not materially contravene the current town centre/neighbourhood centre zoning provisions for the site, as set out in the Cobh Municipal District Local Area Plan 2017, would not seriously injure the amenities of the area or of property in the vicinity and would not give rise to a traffic hazard or to traffic congestion. The proposed development 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 change of use of the permitted bingo hall shall take place without a further grant of planning permission.

**Reason:** In the interest of orderly development and to protect the amenities of the area.

3. The hours of operation of the bingo club shall be between 1800 and 2300 hours from Mondays to Fridays inclusive, and between 1200 and 2300 hours on Saturdays and Sundays.

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

4. Prior to the operation of the bingo hall a management plan for the dispersal of patrons at closing times shall be submitted to, and agreed in writing with, the planning authority.

**Reason:** In the interest of orderly development and to protect the amenities of property in the vicinity.

5. Amplified music or other specific entertainment noise emissions from the bingo hall shall not exceed the background noise level by more than 3 dB(A) during the period 0800 to 2200 hours and by more than 1 dB(A) at any other time, when measured at any external position adjoining an occupied dwelling in the vicinity. The background noise level shall be taken as L90 and the specific noise shall be measured at LAeqT.

**Reason:** In order to protect the amenities of property in the vicinity.

6. Details of signage for the proposed units shall be submitted to, and agreed in writing with, the planning authority prior to commencement of the proposed use.

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

7. All patrons arriving/leaving the permitted bingo hall by private bus transport shall enter and alight within the allocated parking area within the site. There shall be no loading or drop-off on the public road. A revised site plan with the proposed loading/drop-off point delineated thereon shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of public safety.

8. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

**Reason:** In the interest of public health.

9. A plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials shall be submitted to, and agreed in writing with, the planning authority prior to commencement of the proposed use. Thereafter, the waste shall be managed in accordance with the agreed plan.

**Reason:** To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment.

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**Maria FitzGerald**  
**Member of An Bord Pleanála**  
**duly authorised to authenticate**  
**the seal of the Board.**

**Dated this            day of            2019.**