



Planning and Development Acts 2000 to 2019

Planning Authority: Cork City Council

Planning Register Reference Number: R529/19

WHEREAS a question has arisen as to whether the uplift of Dunnes Stores convenience sales floor area from 2,574 square metres to 3,000 square metres net, by extending into the shops ground floor textile stockroom, including associated internal shop works at Douglas Court Shopping Centre, Douglas, County Cork is or is not development or is or is not exempted development:

AND WHEREAS Better Value Unlimited Company of 46-50 South Great Georges Street, Dublin requested a declaration on this question from Cork City Council and the Council issued a declaration on the 20th day of August, 2019, stating that the matter was development and was not exempted development:

AND WHEREAS Better Value Unlimited Company referred the declaration for review to An Bord Pleanála on the 12th day of September, 2019:

AND WHEREAS An Bord Pleanála, in considering this referral, had regard particularly to –

- (a) section 2(1), 3(1), and 4(1)(h) of the Planning and Development Act, 2000, as amended,
- (b) articles 6(1) and 9(1) of the Planning and Development Regulations, 2001, as amended,
- (c) Schedule 2 to those Regulations,
- (d) the planning history of the site, and
- (e) the report of the Inspector:

AND WHEREAS An Bord Pleanála has concluded that the uplift of Dunnes Stores convenience sales floor area from 2,574 square metres to 3,000 square metres net, by extending into the shops ground floor textile stockroom, including associated internal shop works, would constitute development, as it involves works and a change of use. The change of use is considered a material change of use that does not come within the scope of section 4(1)(h) of the Planning and Development Act, 2000, as amended, being of a material change in the use of land within the meaning of section 3 of that Act, and there are no other provisions of exempted development that would apply to the development:

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by section 5 (3) (a) of the 2000 Act, hereby decides that the uplift of Dunnes Stores convenience sales floor area from 2,574 square metres to 3,000 square metres net by extending into the shops ground floor textile stockroom, including associated internal shop works at Douglas Court Shopping Centre, Douglas, County Cork is development and is not exempted development.

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.

Terry Ó Niadh

Member of An Bord Pleanála

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

Dated this day of 2020.