



Planning and Development Acts 2000 to 2019

Planning Authority: Cork City Council

Planning Register Reference Number: TP 19/38460

Appeal by Three Ireland Services (Hutchison) Limited care of McCutcheon Halley of 6 Joyce House, Barrack Square, Ballincollig, County Cork against the decision made on the 30th day of September, 2019 by Cork City Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: Development consisting of (1) the removal of the existing shop front and the installation of a new aluminium framed, glazed shop front including the relocation of the entrance doors, (2) the removal of the existing entrance to the upper floors and the installation of a new aluminium framed, glazed door set, (3) the installation of steel rear halo illuminated fascia logo to the shop front, (4) the installation of a projecting signage box to the shop front, (5) the removal of the existing signage and installation of internally illuminated fascia '3' logo sign between the first and second floors and (6) all associated site works at 110 Saint Patrick Street, Cork.

Decision

Having regard to the nature of the condition the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to REMOVE condition number 3 and the reasons therefor.

Reasons and Considerations

Having regard to the proposed development described in the public notices, to the planning history and to the established use of the site, a condition relating to the use of the structure is not appropriate. In the interest of clarity, any potential uses should be assessed on its own merits and a separate application for permission shall be lodged, if required.

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.

Michelle Fagan

Member of An Bord Pleanála

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

Dated this day of 2019