

An
Bord
Pleanála

Board Order
ABP-312106-21

Planning and Development Acts 2000 to 2021

Planning Authority: Cork City Council

Planning Register Reference Number: 21/40493

Appeal by Westbourne Daybreak Limited care of APS Consulting Engineers of Lackagh, Turloughmore, County Galway against the decision made on the 8th day of November, 2021 by Cork City Council to refuse permission for the proposed development.

Proposed Development: Change of use of existing convenience shop to include part off-licence use (gross floor area for off-licence use 14.5 square metres) and associated works, at Westbourne Daybreak Limited, 60 College Road, Cork City.

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.

P.C.

Reasons and Considerations

Having regard to the land use zoning ZO 8 (Neighbourhood and Local Centres) with the objective 'to protect, provide for or improve local facilities' as set out in the Cork City Development Plan 2022-2028 and to the nature and extent of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would be an appropriate type and scale of development aligned with the applicable zoning objective and would not seriously injure the amenities of the area or property in the vicinity. 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, as amended by the further plans and particulars submitted received by An Bord Pleanála on the 3rd day of December 2021, 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, the exhibition or erection of which would otherwise constitute exempted development under the Planning and Development Regulations 2001, or any statutory provision amending or replacing them, shall be displayed or erected on the canopy, on the forecourt of the building, or anywhere within the curtilage of the site or adjoining lands under the control of the developer, unless authorised by a further grant of planning permission.

Reason: In the interest of visual amenity.

3. The off-licence use shall not be operated separately or independently from, or outside the hours of opening of, the main convenience store use and not after 2200 hours at night.

Reason: In the interest of clarity and the amenities of the area.

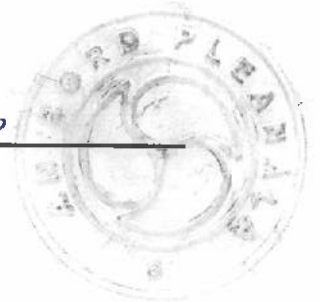
Patricia Calleary

Patricia Calleary

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.



Dated this *16* day of *March* 2023.