

An  
Bord  
Pleanála

Board Order  
ABP-312721-22

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**Planning and Development Acts 2000 to 2021**

**Planning Authority: Cork City Council**

**Planning Register Reference Number: T.P. 21/40016**

**Appeal** by Greenwood Residents Association care of Carolyn Miller of 1 Greenwood Estate, Togher, Cork against the decision made on the 18<sup>th</sup> day of January, 2022 by Cork City Council to grant subject to conditions a permission to William Griffin care of Niall Skehan and Associates of 4 Charlotte Place, Glenbrook, Passage West, County Cork in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** To sub-divide an existing retail unit to provide an additional retail unit, minor alterations to the side elevation of an existing building and associated site works, all at Griffin's Piano, Greenwood Estate, Togher, 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.**

## Reasons and Considerations

Having regard to the nature, scale and location of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed subdivision of the existing retail unit into two distinct units, would not be detrimental to neighbouring businesses or the residential amenity of the surrounding area and would be acceptable in terms of traffic safety and convenience. 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 on the 26<sup>th</sup> day of August 2021 and the 16<sup>th</sup> 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. (a) The proposed retail unit shall be used solely as a shop as defined in Article 5 of the Planning and Development Regulations 2001, as amended.
- (b) No hot food take-away is permitted as the main use of the proposed unit in this permission.

- (c) The hours of operation of the proposed retail unit shall be agreed in writing with the planning authority prior to the first occupation of that unit.

**Reason:** In the interests of orderly development and the residential amenity of the area.

3. 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.

4. Prior to the commencement of development, the developer shall submit details of the proposed shopfront and signage associated with the proposed retail use. Detail shall include the colour, textures and materials, including samples, together with details of any proposed illumination of signage. All details shall be the subject to written approval with the planning authority.

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

5. 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 and for the ongoing operation of these facilities for each retail unit shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the waste shall be managed in accordance with the agreed plan.

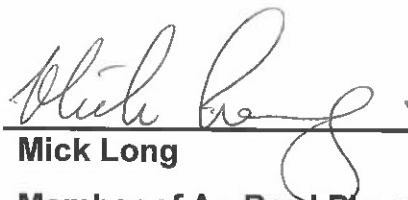
**Reason:** In the interest of orderly development and to ensure the provision of adequate refuse storage.

6. Site development and building works shall be carried out between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

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

7. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including noise/vibration and traffic management measures and off-site disposal of construction/demolition waste.

**Reason:** In the interests of public safety and residential amenity.



**Mick Long**

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



Dated this *22* day of *June* 2023.