



An
Bord
Pleanála

Board Order
ABP-314952-22

Planning and Development Acts 2000 to 2022

Planning Authority: Cork City Council

Planning Register Reference Number: R740/22

WHEREAS a question has arisen as to whether the proposed change of use from a premises for the sale and display of motor vehicles to use as a shop at Lee Garage, Model Farm Road, Cork is or is not development or is or is not exempted development:

AND WHEREAS Lee Garage Cork Limited (trading as Lee Auto Centre) care of John Spain and Associates of 39 Fitzwilliam Place, Dublin requested a declaration on this question from Cork City Council:

AND WHEREAS the said question was referred to An Bord Pleanála by Cork City Council on the 27th day of October, 2022:

P.C.

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

- (a) Sections 2, 3 and 4 of the Planning and Development Act 2000, as amended,
- (b) Articles 5, 6 and 9 of the Planning and Development Regulations 2001, as amended,
- (c) Part 1 of Schedule 2 of those Regulations,
- (d) the planning history of the site,
- (e) the pattern of development in the area,
- (f) the access arrangements to and within the site,
- (g) the submissions on file, and
- (h) the Inspector's report:

AND WHEREAS An Bord Pleanála has concluded that -

- (a) the proposed change of use pertaining to the car sales showroom would generally come within the scope of the exemption provided in Class 14(a) of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended, and
- (b) the change of use to a shop is not subject to any of the restrictions on exemption set out in Article 9 of those Regulations:

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by section 5 (4) of the 2000 Act, hereby decides that the proposed change of use from a premises for the sale and display of motor vehicles to use as a shop at Lee Garage, Model Farm Road, Cork is development and is exempted development:



Patricia Calleary

Member of An Bord Pleanála

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

Dated this *26* day of *September* 2023.