



An  
Bord  
Pleanála

## Board Order

**ABP-319259-24**

### Planning and Development Acts 2000 to 2022

**Planning Authority: Cork City Council**

**Planning Register Reference Number: 23/42538**

**Appeal** by Kmont Property Holdings Limited care of McCutcheon Halley Chartered Planning Consultants of 6 Joyce House, Barrack Square, Ballincollig, Cork against the decision made on the 15<sup>th</sup> day of February, 2024 by Cork City Council to refuse permission for the proposed development.

**Proposed Development:** 1) The retention of an existing fixed awning structure consisting of a prefabricated galvanized frame bolted to existing block wall, metal tension rods, and a retractable red and white striped awning material covering. 2) The retention of existing raised external seating area surrounded by a timber panel fence, stud wall and timber planters. 3) The installation of a metal frame structure with fixed toughened glass panels, to be fitted on top of the existing stud wall to create a sheltered seating enclosure. The proposed structure will be 500 millimetres below the existing awning structure all round. The proposed enclosure will include three number emergency exit doors facing onto Little Cross Street as well as two additional metal frame doors with glass and cladding to be located at either end of the enclosure. 4) All associated site development works at Rearden's Bar, Little Cross Street, Cork City.

## **Decision**

**REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.**

## **Reasons and Considerations**

1. Having regard to scale, form, detailed design and location relative to the Protected Structure and the North Main Street Architectural Conservation Area, it is considered that the retention of the existing awning and supporting structure and the proposed outdoor seating enclosures to Little Cross Street would have a negative visual impact, resulting in an obtrusive feature which would adversely affect the character, setting, and heritage amenity of both the Protected Structure and the Architectural Conservation Area. The development proposed to be retained and the proposed development would, therefore, be contrary to Objectives 8.17, 8.19, 8.22 and 8.23 of the Cork City Development Plan 2022-2028 and would be contrary to the proper planning and sustainable development of the area.

2. The scale, positioning, and fixed nature of both the retained and proposed development would reduce the carriageway width on Little Cross Street such that it would hinder appropriate access for emergency service vehicles and, therefore, create a traffic hazard. The development proposed to be retained and the proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



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**Joe Boland**

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

**Dated this 27<sup>TH</sup> day of September 2024**