

An
Bord
Pleanála

Board Order
ABP-321615-25

Planning and Development Acts 2000 to 2022

Planning Authority: Cork City Council

Planning Register Reference Number: 2443112

Appeal by Arrate Eskarza de Marcos of 48 Monastery Terrace, Blarney Road, Cork against the decision made on the 10th day of December 2024 by Cork City Council to grant permission, subject to conditions, to John Canavan care of Waterman Kelly Consulting Engineers of Ard Rostig, Bishopstown, Cork for the proposed development.

Proposed Development: Permission for change of use of existing building previously known as Kennedy's Bar to an Off Licence at 221 Blarney Road, Sunday's Well, 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 Cork City Development Plan 2022-2028, in particular to Sections 11.190 (Off-Licences), 11.193 (Shop Fronts and Commercial Facades) and 11.195 (Fascia Signage and Illuminative and Projecting Signage) and Table 11.13 (Maximum Car Parking Standards) thereof, the zoning objective that applies to the site, and the Retail Planning-Guidelines for Planning Authorities, 2012, the Board considered the proposed change of use from public house to an off-licence to be acceptable in principle. Subject to compliance with conditions set out below, the proposed use will not have a material impact on surrounding residential amenity, it will not give rise to any material impacts on the surrounding road network, nor will the proposed development create a traffic hazard. 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 received by the planning authority on the 15th day of November 2025, 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. Prior to the commencement of development, the developer shall submit to the planning authority, for agreement in writing an accurate scaled elevation of the front (Blarney Road) façade clearly showing existing and proposed opes and details of the retention and refurbishment of the existing timber shop front.

The refurbished shopfront shall conform to the following requirements:

- (i) Signage shall be restricted to a single fascia sign using sign writing or comprising either hand-painted lettering or individual mounted lettering;
- (ii) Lighting shall be by means of concealed neon tubing or by rear illumination;
- (iii) No awnings, canopies or projecting signs or other signs shall be erected on the premises without a prior grant of planning permission; and
- (iv) External roller shutters shall not be erected and any internal shutters shall be of the 'open-lattice' or 'perforated' type and shall be coloured to match the shopfront colour.

Reason: In the interest of the visual amenities of the area.

3. 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 shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the agreed waste facilities shall be maintained and waste shall be managed in accordance with the agreed plan.

Reason: To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment and the amenities of properties in the vicinity.

4. The proposed off-licence shall not operate outside the period of 1030 to 2200 hours Monday to Saturday and shall not operate outside the period of 1230 to 2200 on Sundays and public holidays.

Reason: In the interest of residential amenity.

5. Prior to commencement of works, the developer shall submit to, and agree in writing with the planning authority, a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the development, including hours of working, noise and dust management measures and off-site disposal of construction/demolition waste.

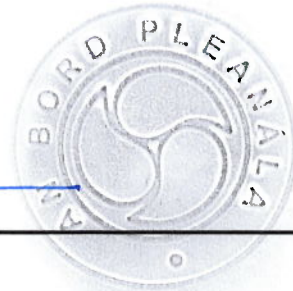
Reason: In the interest of public safety and amenity.



Emer Maughan

Member of An Bord Pleanála

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



Dated this 12th day of May 2025.