

An
Coimisiún
Pleanála

**Commission Order
ABP-321929-25**

Planning and Development Act 2000, as amended

Planning Authority: Cork City Council

Planning Authority Reference Number: R906/24

WHEREAS a question has arisen as to whether the change of use of a retail shop to a patisserie shop is or is not development and, if so, whether the development constitutes exempt development or does not constitute exempt development, and whether works to provide for an internal fit-out as a patisserie shop is or is not development and, if so, whether the development constitutes exempt development or does not constitute exempt development, all at number 42A Saint Patrick's Street, Cork.

AND WHEREAS Krispy Kreme Ireland Limited requested a declaration on the said question from Cork City Council and the said Council issued a declaration on the 24th day of January, 2025 stating that the said matter is development and is not exempted development.

AND WHEREAS Krispy Kreme Ireland Limited referred the declaration for review to An Bord (Coimisiún) Pleanála on the 20th day of February, 2025.

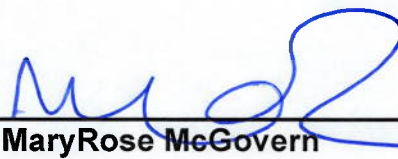
AND WHEREAS An Coimisiún Pleanála, in considering this referral, had regard particularly to –

- (a) sections 2(1), 3(1), 4(1)(h), 4(4) and 82(1) of the Planning and Development Act 2000, as amended,
- (b) Article 5(1) of the Planning and Development Regulations 2001, as amended,
- (c) Part 4 of Schedule 2 to the Planning and Development Regulations 2001, as amended,
- (d) the planning history of the site and authorised use as a shop, and
- (e) the nature of the use being for the sale of goods (excluding hot beverages) which are produced off-site, for sale on site and consumption off site:

AND WHEREAS An Coimisiún Pleanála has concluded that:

- (a) the change of use of a retail shop to a patisserie shop is not development as the nature of the use has not materially changed, and
- (b) the works to provide for an internal fit-out, as a patisserie shop, is development and is exempted development as the works are internal, have no external impact, and do not affect the character of Oliver Plunkett Street Architectural Conservation Area

NOW THEREFORE An Coimisiún Pleanála, in exercise of the powers conferred on it by Section 5(3)(a) of the 2000 Act, hereby decides that the change of use of a retail shop to a patisserie shop is not development and the works to provide for an internal fit-out, as a patisserie shop, is development and is exempted development, all at number 42A Saint Patrick's Street, Cork.



MaryRose McGovern

**Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.**

Dated this 13th day of July 2026

