

An  
Coimisiún  
Pleanála

Commission Order  
PL-501246-WC-26

**Planning and Development Act 2000, as amended**

**Planning Authority: Cork County Council**

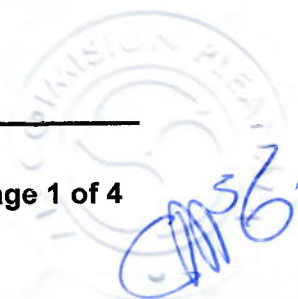
**Planning Register Reference Number: 26/0226**

**Appeal** by Why Not Property Limited against the decision made on the 31<sup>st</sup> day of March, 2026 by Cork County Council to refuse permission.

**Proposed Development:** Construction of a new boundary wall within the rear yard of 55 Patrick Street. Retention of the single storey services/storage area at 55 Patrick Street for commercial purposes and change of use of part of the rear yard for commercial purposes to serve Casey's Bar at 31 Pearse Street. Retention of the partial removal of the boundary wall separating 31 Pearse Street and 55 Patrick Street, and construction of steps to facilitate pedestrian access to the bar, all at 55 Patrick Street and 31 Pearse Street, Clonakilty, County Cork. The development consists of the carrying out of works to a protected structure (RPS reference number 01607).

## **Decision**

**GRANT permission for the above development based on the reasons and considerations under and subject to the conditions set out below.**



## Reasons and Considerations

Having regard to the provisions of the Cork County Development Plan 2022-2028, to the nature and scale of the proposed development, and to the pattern of existing development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area or of property in the vicinity and would not result in a detrimental impact on built heritage. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## Conditions

1. The development shall be retained, carried out and completed in accordance with the plans and particulars lodged with the application, 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 and the development shall be retained, carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. Within three months of the date of this Order, the developer shall submit the following for the written agreement of the planning authority:

- (a) Full details of the operational use of the storage area, including details of what is being stored in the area and method of storage, maintenance and means of removal of bins for external bin waste collection, where required.
- (b) Full details of the roller shutter door to include a complete set of appropriately scaled drawings.
- (c) Photographic evidence that the dividing wall between the residential unit at number and the storage area to the rear has been completed in full.

**Reason:** In the interest of clarity and orderly development.

3. The storage area shall be used by staff only and shall not be utilised after 2200 hours. No music or speakers shall be permitted in the storage area.

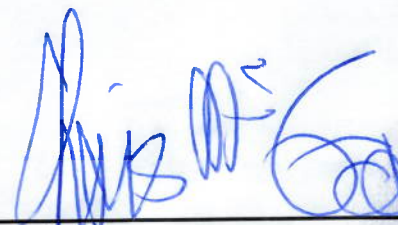
**Reason:** In the interest of residential amenity and orderly development.

4. The existing boundary stone walls shall be repaired in accordance with the Specifications for Repairs to The Stone Wall to the Rear of the Site as detailed in the Architectural Heritage Impact Assessment report submitted with the planning application, unless otherwise agreed with the planning authority, in consultation with the Conservation Officer.

**Reason:** In the interest of the preservation and protection of architectural heritage.

5. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

**Reason:** It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.



Chris McGarry

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



Dated this 19<sup>th</sup> day of August 2026.

