



An
Coimisiún
Pleanála

**Commission Order
PL-501255-CC**

Planning and Development Act 2000, as amended

Planning Authority: Cork City Council

Planning Register Reference Number: 26/44537

Appeal by Sergio De Carvalho Moreira Marques against the decision made on the 15th day of April, 2026 by Cork City Council to grant subject to conditions a permission to Better Value Unlimited Company in accordance with plans and particulars lodged with the said Council.

Proposed Development: Change of use of the external terrace at the third floor of the building from general external, amenity space to ancillary seating associated with the restaurant currently operating at the third-floor level. The development includes an overhead, extendable canopy and side, timber screen on one side (west) all within the existing perimeter glazed balustrade, all associated works to complete the development, all at Dunnes Stores, 105-107 Saint Patrick's Street, 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 location and existing development on site, the nature and scale of the proposed development, the context of the surrounding area, and the provisions of the Cork City Development Plan 2022-2028, 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 and would not detract from the character of the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The proposed development shall be 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 prior to commencement of development and the proposed development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The use of the external terrace shall be ancillary to the adjoining café/restaurant at third floor level only. It shall only be used during the restaurant opening hours, which have been stated as Monday to Saturday from 0800 to 1700 hours and Sundays from 1000 to 1700 hours. No alternative use or extended opening hours shall be allowed without the further written agreement of the planning authority.

Reason: To protect the residential amenities of property in the vicinity.

3. No signage, signs, symbols, name plates or advertisements, including that which is exempted development under the Planning and Development Regulations 2001, as amended, shall be erected or displayed on the terrace, awning or screening, unless authorised by a further grant of planning permission.

Reason: In the interest of visual amenity.

4. During the operational phase of the proposed development the noise level shall not exceed:

- (a) 55 dB(A) rated sound level between the hours of 0700 to 2300, and
- (b) 45 dB(A) 15 min and 60 dB LAfmax, 15 min at all other times, as measured at the nearest noise sensitive location.

Procedures for the purpose of determining compliance with these limits shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To protect the residential amenities of property in the vicinity.

5. No amplified music or other specific entertainment noise emissions shall be permitted.

Reason: To protect the residential amenities of property in the vicinity.

6. Planting of an appropriate scale shall be provided between the screen and perimeter glazed balustrade at the west end of the terrace. Planting specifications, including maintenance of planting, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To protect the residential amenities of property in the vicinity and in the interest of visual amenity.

7. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays, inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the amenities of property in the vicinity.



Tom Rabbette

Planning Commissioner of An Coimisiún

**Pleanála duly authorised to authenticate
the seal of the Commission.**

Dated this 26th day of AUGUST 2026.