

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

**Cork City**

**Planning Register Reference Number: T.P.15/36446**

An Bord Pleanála Reference Number: 07.LV.3301

**APPLICATION FOR LEAVE TO APPEAL** against the decision of the planning authority by Michael Conway care of Michael J. Duffy of 1 Clós Na hEaglaise, Kilfenora, County Clare having an interest in land adjoining the land in respect of which Cork City Council decided on the 25<sup>th</sup> day of May, 2016 to grant subject to conditions permission to Togher Supermarkets Limited care of PLM Architects of 15 Father Matthew Quay, Cork.

**PROPOSED DEVELOPMENT:** Development consisting of (1) reduced ground floor extension comprising 1,208 square metres (previously 1,224 square metres) to existing licenced premises including a ground floor retail/café unit comprising 282 square metres, (2) two additional ground floor retail/office/commercial units within the curtilage of the existing floor area, (3) additional first floor office/professional services suite comprising 950 square metres (previously 530 square metres), (4) revised basement layout comprising 2,935 square metres (previously 2,946 square metres), and accommodating 85 number car spaces, (5) additional first floor store area with new mono pitched roof comprising 332 square metres, (6) remodelling of screened external plant at first floor over store, (7) a single storey extension to the north elevation comprising 226 square metres, (8) a new external ESB sub-station and (9) additional signage, all at SuperValu, Togher Road, Togher, Cork, as amended by the revised public notice received by the planning authority on the 9<sup>th</sup> day of February, 2016.

## **DECISION**

**REFUSE** leave to appeal under section 37 (6) of the Planning and Development Act, 2000, as amended, based on the reasons and considerations set out below.

## **MATTERS CONSIDERED**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

## **REASONS AND CONSIDERATIONS**

Having regard to the submissions and documents received in connection with the application for leave to appeal and the conditions set out in the planning authority's decision, it is considered that it has not been shown that the development in respect of which a decision to grant permission has been made will differ materially from the development as set out in the application for permission by reason of conditions imposed by the planning authority to which the grant is subject.

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

**Dated this      day of                      2016.**