

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Cork County

Planning Authority Reference Number: EF 15145

An Bord Pleanála Reference Number: 04.RL.3431

WHEREAS a question has arisen as to whether the erection of decorative external lighting onto the front façade of the Pier Leisure Centre Amusement Arcade, Kinsale, County Cork is or is not development or is or is not exempted development:

AND WHEREAS the said question was referred to An Bord Pleanála by Cork County Council of County Hall, Carrigrohane Road, Cork on the 9th day of November, 2015:

AND WHEREAS An Bord Pleanála, in considering this referral, had regard particularly to:

- (a) sections 2, 3, 4 and 82 of the Planning and Development Act, 2000, as amended,
- (b) Articles 6 and 9 of the Planning and Development Regulations, 2001, as amended,
- (c) Class 2, Part 2 of Schedule 2 of the Planning and Development Regulations, 2001,
- (d) the location of the site within the Architectural Conservation Area of the town of Kinsale as identified within the Kinsale Town Development Plan 2009-2015, and
- (e) the submissions of all the parties to the referral:

AND WHEREAS An Bord Pleanála has concluded that:

the erection of decorative external lighting onto the front façade of the Pier Leisure Centre Amusement Arcade, constitutes “works” to the exterior of the structure which materially affects the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or neighbouring structures, and is therefore “development” within the meaning of section 3 of the Planning and Development Act, 2000, as amended:

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by section 5(4) of the Planning and Development Act, 2000, as amended, hereby decides that the said erection of decorative external lighting onto the front façade of the Pier Leisure Centre Amusement Arcade, Kinsale, County Cork is development and is not exempted development.

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.

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

Dated this day of 2016.