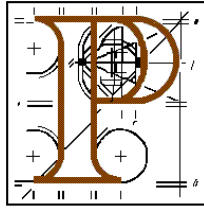


# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

**Cork County**

**Planning Authority Reference Number: D/205/16**

An Bord Pleanála Reference Number: 04.RL.3470

**WHEREAS** a question has arisen as to whether the operation of a car repair workshop at Unit 11, Airport East Business and Technology Park, Farmer's Cross, County Cork is or is not development or is or is not exempted development:

**AND WHEREAS** Seamus O'Ceallaigh care of Mary Doran of The Lodge, Proby's Quay, Cork requested a declaration on the said question from Cork County Council and the said Council issued a declaration on the 1<sup>st</sup> day of March, 2016 stating that the said matter is not development:

**AND WHEREAS** Seamus O'Ceallaigh care of Mary Doran referred the said declaration for review to An Bord Pleanála on the 29<sup>th</sup> day of March, 2016:

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

- (a) Sections 2, 3 and 4 of the Planning and Development Act, 2000, as amended,

- (b) Articles 5(1), 6, 9 and 10 of the Planning and Development Regulations, 2001, as amended,
- (c) Part 4 of Schedule 2 to the said Regulations, and
- (d) The planning history of the site, in particular, planning register reference number 99/3065 as subsequently determined on appeal under An Bord Pleanála reference number PL04.112834 and condition numbers 1 and 2 of that permission, and planning register reference number 00/3635.

**AND WHEREAS** An Bord Pleanála has concluded that -

- (a) The use of Unit 11, Airport East Business and Technology Park, Farmer's Cross, County Cork, falls under the definition of an industrial process within a light industrial premises under Article 5 of the Planning and Development Regulations 2001, as amended,
- (b) The development permitted, under planning register reference number 99/3065 as subsequently determined on appeal under An Bord Pleanála reference number PL 04.112834, and planning register reference number 00/3635, under the terms and conditions of the permissions granted includes use of the premises for light industrial purposes, and
- (c) The use of the premises as a car repair workshop falls within the above permitted uses and, therefore, is not a material change of use and is not development.

**NOW THEREFORE** An Bord Pleanála, in exercise of the powers conferred on it by section 5 (3) (a) of the 2000 Act, hereby decides that the said operation of a car repair workshop is not development at Unit 11, Airport East Business and Technology Park, Farmer's Cross, County Cork.

## **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.

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

**Dated this          day of                          2016.**