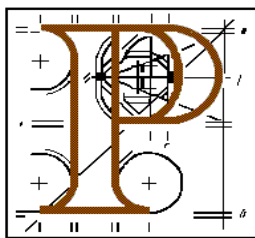


An Bord Pleanála



## Board Direction

---

**Ref: PL04.245825**

The submissions on this file and the Inspector's report were considered at a Board meeting held on May 11<sup>th</sup> 2016.

The Board decided that the planning authority be directed, as follows:-

Attach condition no. 3 for the following reasons and considerations:-

### **Reasons and Considerations**

It is considered that the planning authority has adequately demonstrated that the works to Ballincollig Regional Park, being the provision of amenity facilities, which is the subject matter of this condition, would benefit the proposed development, and that such works are exceptional costs that are not included in the planning authority's Development Contribution Scheme. Furthermore, it is considered that the wording of the condition complies with the provisions of the relevant legislation.

In not accepting the recommendation of the Inspector to require the condition to be omitted, the Board was satisfied that the condition complies with the relevant provisions of Section 48 (2)(c) of the Planning and Development Act 2000, as amended, and was satisfied that the works envisaged in the condition were sufficiently clearly described. In addition, the Board was fully satisfied that these works would benefit the proposed development. In this regard, the Board had particular regard to the application letter which accompanied the planning application, which referred to the close proximity of Ballincollig Regional Park to the subject site, in the context of not providing any public open space within the subject residential development.

Board Member: \_\_\_\_\_

Philip Jones

Date: 16<sup>th</sup> May 2016