



An
Bord
Pleanála

Board Direction
PL04.248909

The submissions on this file and the Inspector's report were considered at a Board meeting held on 20th December 2017.

The Board treated this case under section 48 of the Planning and Development Act, 2000, as amended. The Board also decided that the planning authority be directed, as follows:

Amend condition 2 as follows:-

CONDITION 2:

The developer shall pay to the planning authority a financial contribution of €7,651.07 (seven thousand, six hundred and fifty one euro and seven cent) in respect of amenity facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. The application of any indexation required by this condition shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the

Development Contribution Scheme made under section 48 of the Act be applied to the permission.

REASONS AND CONSIDERATIONS

It is considered that the planning authority did not properly apply the terms of the Cork County Development Contribution Scheme 2015 as a contribution for roads had been previously applied. Condition number 2 of the permission granted under planning register reference number 17/04947 should be amended accordingly.

Board Member

Date: 22nd December 2017

Eugene Nixon