



An
Bord
Pleanála

Board Direction
PL28 249354

The submissions on this file and the Inspector's report were considered at a Board meeting held on 16th January, 2018 and on 25th January, 2018.

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 36 as follows.

Reasons and Considerations

Having regard to the nature of the proposed development and the provisions of the current Cork City Council Development Contribution Scheme 2017-2021, particularly Note 3, it is considered that condition no. 36 of the Notification of decision to grant planning permission, issued by Cork City Council on the 4th day of September 2017, should be amended such that only the proposed buildings are levied, calculated by the Board to be 1,618 sq.m, at the rate of €52.2396 per sq.m. The condition should be amended as follows-

36. The developer shall pay to the planning authority, a financial contribution of €84,524 (eighty four thousand, five hundred and twenty four euro) in respect of public infrastructure and 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.

Board Member

Date: 26.01.2017

Terry Prendergast