



An  
Bord  
Pleanála

**Board Direction**  
**BD-007464-21**  
**ABP-307665-20**

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**Re: Amending Board Order**

**S146A of the Planning and Development Act, 2000, as amended**

The submissions on this file were considered at a Board meeting held on 01/02/2021.

The Board decided to exercise its powers under section 146A(1)(b) of the Planning and Development Act 2000, as amended, to amend its Order of 17<sup>th</sup> November 2020 as it is appropriate to attach a condition in respect of s.49 as the Board had omitted to attach a supplementary development contribution.

The Board decided that a clerical error had occurred.

It is considered that amendment of the Board Order would not result in a material alteration of the terms of the development, the subject of the permission or decision.

Having regard to the nature of the issue involved, the Board decided not to/to invite submissions in relation to the matter from any person who had made submissions or observations to the Board in relation to the permission/other matter.

Accordingly the Board hereby amends the above-mentioned decision by attaching a condition in respect of s.49 for the Cork Suburban Rail Project as the Board had omitted to attach a supplementary development contribution.in accordance with the

provisions of section 146A(1) of the Planning and Development Act, 2000, as amended, as follows:

19. The developer shall pay to the planning authority a financial contribution of in respect of the Cork Suburban Rail Project in accordance with the terms of the Supplementary Development Contribution Scheme made by the planning authority under section 49 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 Supplementary Development Contribution Scheme made under section 49 of the Act be applied to the permission.

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

**Date:** 01/02/2021

Terry Prendergast