



An  
Bord  
Pleanála

**Board Direction**  
**BD-007708-21**  
**ABP-308272-20**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 12/03/2021.

The Board treated this case under section 34(5) of the Planning and Development Act, 2000, as amended. The Board decided as follows:

**Whereas** by order dated 27<sup>th</sup> November 2014, An Bord Pleanála, under appeal ref. no. PL28.243384, granted planning permission, subject to conditions, to Cork County GAA Board for the refurbishment and expansion of Pairc Ui Chaoimh and provision of a new all-weather playing pitch at the Showgrounds, with ancillary works, as part of the creation of a Centre of Excellence at Monahan Road, Ballintemple, Cork:

**And whereas** Condition No. 20 attached to the said permission required the applicant to pay a special contribution in respect of improvements to street lighting along Monahan Road, Centre Park Road, Old Railway Line, and the Marina:

**And whereas** the Planning Authority and the applicant have failed to agree on the amount of the said special contribution and so the matter has been referred by the Planning Authority to An Bord Pleanála on 15<sup>th</sup> September 2020 for determination:

**Now therefore** An Bord Pleanála, in exercise of the powers conferred upon it by Section 34(5) of the Planning and Development Act, 2000 – 2020, hereby determines that the special contribution shall be €307,823 (three hundred and seven thousand, eight hundred and twenty-three euro).

## **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.

## **Reasons and Considerations**

In relation to condition number 20, the Board considered it reasonable, having regard to the nature, purpose and intent of the works as described in the condition, and having considered the full content of the file, including submissions from the planning authority and from the applicant, and having considered the interrogation of the various cost elements by the Planning Inspector, that the applicant should pay €307,823 towards the cost of the works, as calculated by the Inspector and as set out above. Specifically, the Board agreed with the recommended approach of the Inspector to apportionment of cost by reference to the night-time scenario generated by the permitted development and the related requirement for public lighting improvements. The Board also agreed with the Inspector that the consultancy costs set out by the planning authority and costs incurred by the planning authority in carrying out repairs to street lighting over the period 2014-2020, should be excluded from the final figure due under Condition number 20 and that the applicable rate for inflation is the CSP Wholesale Price Index.

**Board Member:**

**Date:** 12/03/2021

---

Chris McGarry