

An
Bord
Pleanála

Board Direction
BD-009501-21
ABP-310664-21

The submissions on this file and the Inspector's report were considered at a Board meeting held on 23/11/2021.

The Board determined the point of detail referral as set out below.

Draft Order as follows:

WHEREAS by Order dated 19th day of August 2019, Cork County Council, under planning register reference 18/06762, granted permission, subject to conditions, to Varsovian No 2 Limited Partnership (acting by its General Partner Varsovian GP No 2 Limited), care of Peter Thomson Planning Solutions, 4 Priory Grove, Kells, County Kilkenny, for the construction of a primary care centre complex at Old Fort Road, Ballincollig, County Cork:

And **WHEREAS** Condition 2 attached to the said permission requires the developer to pay an unspecified financial contribution to Cork City Council in respect of public infrastructure and facilities benefitting development in the area of Cork City Council in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended, and provides that details of the application of the terms of the Scheme shall be agreed between Cork City Council and the developer:

And **WHEREAS** the planning authority and the developer have failed to agree on the amount payable and the matter has been referred by the developer, Glencar

Healthcare, care of PAMES Developments Limited, 1st Floor, 60 Amiens Street, Dublin 1, to An Bord Pleanála on the 28th day of June 2021 for determination:

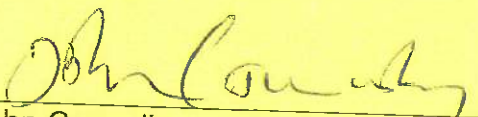
And **WHEREAS** An Bord Pleanála, in considering this referral, had regard particularly to:

- (a) the documentation on file and the report of the Inspector,
- (b) the terms of the Cork City Council General Development Contribution Scheme 2018-2021 (the Scheme):

And **WHEREAS** An Bord Pleanála has concluded that the Scheme does not provide for exemptions or reductions in respect of development for use by Registered Charities, and no other exemptions or reductions provided for in the Scheme apply to the development:

NOW THEREFORE, An Bord Pleanála, in exercise of the powers conferred on it by Section 34 (5) of the Planning and Development Act 2000, as amended, hereby determines that the basis for the calculation of the amount payable by the developer in accordance with Condition 2 shall be the total permitted floor area of 5,598 square metres.

Board Member


John Connolly

Date: 23/11/2021