

An
Bord
Pleanála

Board Direction
BD-018348-24
ABP-315637-23

The submissions on this file and the Inspector's report were considered at a Board meeting held on 02/12/2024.

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:


- (i) ATTACH Condition no. 22,
- (ii) ATTACH Condition no. 23, and
- (iii) REMOVE Condition no. 24.

Reasons and Considerations

1. Having regard to the provisions of Section 48 of the Planning and Development Act 2000, as amended; the provisions of the Cork County Council Contribution Scheme 2004; together with the information provided by the Planning Authority in relation to the calculation of the Development Contribution under Section 48 and 49 of the Planning and Development Act, 2000, as amended, the Board considered that the Planning Authority have correctly interpreted the contribution scheme and that the imposition of Condition no. 22 and Condition no. 23 is in accordance with the requirements of Section 48 and Section 49 of Planning and Development Act, 2000, as amended.

2. Having regard to Section 48(2)(c) of the Planning and Development Act, 2000, as amended, the Development Contribution Guidelines for Planning Authorities (2013), the Cork County Council Development Contribution Scheme 2004, in respect of Condition no. 24, the Board, in accordance with section 48 of the Planning and Development Act, 2000, as amended, considered that the condition failed to meet the requirements of Section 48(2)(c) of the Act and should thus be removed.

Board Member:


Stephen Bohan

Date: 02/12/2024