

An
Bord
Pleanála

Board Direction
BD-019786-25
ABP-319770-24

The submissions on this file and the Inspector's report were considered at a Board meeting held on 26/05/2025.


The Board decided to treat this case under section 139 of the Planning and Development Act, 2000. The Board also decided, based on the Reasons and Considerations set out below, that the planning authority be directed, as follows:

Remove condition number 17

Reasons and Considerations

Having regard to Section 48(2)(c) and (12) of the Planning and Development Act 2000, as amended, the terms of the Cork County Council Development Contribution Scheme 2004, the detailed submissions on file from the applicant and the planning authority, the proposed development consisting of the construction of a new storage shed and an external paved yard, to facilitate the importation, storage and processing of road planings, and the basis for calculation provided by the planning authority, it is considered that the planning authority has not demonstrated that specific exceptional costs in terms of the upgrade of the junction of the N25 and L7648 would arise from this proposed development, or would benefit the proposed development, within the meaning of Section 48(2)(c) of the 2000 Act, but would instead provide a much wider benefit to the wider area. It is, therefore, considered that the special financial contribution as proposed by the planning authority for such works, does not come within the scope of section 48(2)(c) of the Planning and Development Act, 2000 and accordingly, would not be warranted.

Board Member:


MaryRose McGovern

Date: 27/05/2025