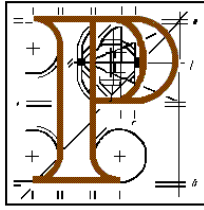


# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

**Cork City**

**Planning Register Reference Number: T.P.15/36336**

An Bord Pleanála Reference Number: PL 28.245466

**APPEAL** by Health Service Executive (HSE) South care of Avanti Architects Limited of 7 Pearse Street, Kinsale, County Cork in relation to the inclusion of special contribution condition number 14 by Cork City Council in its decision made on the 14<sup>th</sup> day of August, 2015.

**PROPOSED DEVELOPMENT:** Demolition of existing single storey hospital blocks numbers 1, 2 and associated ancillary structures, the construction of a two and three storey primary care centre, the construction of a new car park, revised layout to entrance from Bakers Road, ancillary site works and associated external works on the grounds of Saint Mary's Health Campus, Curranabraher, Cork.

## **DECISION**

**The Board, in accordance with section 48 of the Planning and Development Act, 2000, as amended by section 30 of the Planning and Development Act, 2010, based on the reasons and considerations under, directs the said Council, under section 48 (13) of the 2000 Act, to AMEND condition number 14 so that it shall be as follows for the reason stated.**

14. The developer shall pay to the planning authority a financial contribution as a special contribution under section 48(2) (c) of the Planning and Development Act 2000, as amended, in respect of upgrading the junction of Saint Mary’s Health Campus with Baker’s Road. The amount of the contribution 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 for determination. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be updated at the time of payment in accordance with changes in the Wholesale Price Index – Building and Construction (Capital Goods), published by the Central Statistics Office.

**Reason:** It is considered reasonable that the developer should contribute towards the specific exceptional costs which are incurred by the planning authority which are not covered in the Development Contribution Scheme and which will benefit the proposed development.

### **REASONS AND CONSIDERATIONS**

Having regard to the nature of the works proposed to be carried out and to the provisions of section 48 of the Planning and Development Act 2000, as amended, it is considered appropriate that the developer contribute to the upgrading of the junction which gives access to the development proposed.

### **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.

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**Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.**

**Dated this     day of                                     2016.**