An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Cork County

Planning Register Reference Number: 15/6426

An Bord Pleanála Reference Number: PL 04.246477

APPEAL by Forge Hill Recycling Limited care of McCutcheon Halley Walsh of 6 Joyce House, Barrack Square, Ballincollig, County Cork in relation to the inclusion of special contribution condition number 15 by Cork County Council in its decision made on the 24th day of March, 2016.

PROPOSED DEVELOPMENT: Alterations to the existing Materials Recovery Facility including the demolition of part of the existing Materials Recovery Facility [MRF] building, the construction of a new partial first floor and extensions to the existing MRF building, modifications to the façade of the MRF building, a new fence along the southern boundary, car parking and all associated site development works. The proposed development is for the purposes of an activity requiring a Waste Licence, all at Forge Hill, Ballycurreen, County 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 REMOVE condition number 15 and the reason therefor.

PL 04.246477 An Bord Pleanála Page 1 of 2

REASONS AND CONSIDERATIONS

The Board considered that the planning authority have not demonstrated that there are specific exceptional costs arising from the proposed development that would benefit the proposed development in this instance. Therefore, the it is considered that the special financial contribution as proposed by the planning authority does not come within the scope of section 48(2)(c) of the Planning and Development Act, 2000, as amended, and accordingly, would be unwarranted.

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.

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

Dated this day of 2016.

PL 04.246477 An Bord Pleanála Page 2 of 2