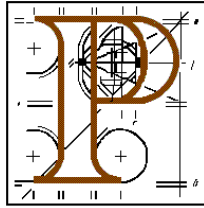


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Cork City

Planning Register Reference Number: 16/36710

An Bord Pleanála Reference Number: PL 28.246505

APPEAL by John Lane care of Hudson Associates Architects of The Verger's Cottage, Monkstown, County Cork in relation to the application by Cork City Council of the terms of the Development Contribution Scheme made for the area in respect of condition number 5 of its decision made on the 7th day of April, 2016.

PROPOSED DEVELOPMENT: Renovations and modifications to the existing dwellinghouse and outbuilding including the construction of a single storey rear extension and a two-storey side extension and all associated site works, all at Linaro House, Linaro Avenue, College Road, Cork.

DECISION

The Board, in accordance with section 48 of the Planning and Development Act, 2000, as amended, considered, based on the reasons and considerations set out below, that the terms of the Development Contribution Scheme for the area had not been properly applied in respect of condition number 5 and directs the said Council to **AMEND** condition number 5 so that it shall be as follows for the reason stated.

5. The developer shall pay to the planning authority a financial contribution of €3,718 (three thousand seven hundred and eighteen euro) in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. The application of any indexation required by this condition 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 to determine.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

REASONS AND CONSIDERATIONS

Having regard to the terms of the current Cork City Council Development Contribution Scheme and Table 5 which sets out the categories of development for which reductions in respect of specified categories of development are applicable and to the nature of the proposed development, which involves an extension of a dwellinghouse which is not an extension to a family home, it is considered that the development contribution should be applied with an allowance made where part of a habitable house or other single residential unit is demolished in connection with the provision of an extension and/or other alterations or modifications.

