



An  
Bord  
Pleanála

**Board Order**  
**PL 04.248909**

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## **Planning and Development Acts 2000 to 2017**

**Planning Authority: Cork County Council**

**Planning Register Reference Number: 17/04947**

**Appeal** by Cygnum Timber Frame care of PHF Associates of Oak Wynds, Spur Hill, Doughcloyne, County Cork in relation to the application by Cork County Council of the terms of the Development Contribution Scheme made for the area in respect of condition number 2 of its decision made on the 4<sup>th</sup> day of July, 2017.

**Proposed Development:** Construction of an extension to the existing timber frame building manufacturing facility, for the purpose of timber frame building, manufacturing and storage at Industrial Development Authority Industrial Estate, Coolcour, Macroom, County 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 2 and directs the said Council to AMEND condition number 2 so that it shall be as follows for the reasons stated.**

2. The developer shall pay to the planning authority a financial contribution of €7,651.07 (seven thousand, six hundred and fifty-one euro and seven cent) 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 the 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**

It is considered that the planning authority did not properly apply the terms of the Cork County Development Contribution Scheme 2015 as a contribution for roads had been previously applied. Condition number 2 of the permission granted under planning register reference number 17/04947 should be amended accordingly.

## **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                            2018**