



An
Bord
Pleanála

Board Order
PL 04.249218

Planning and Development Acts 2000 to 2017

Planning Authority: Cork County Council

Planning Register Reference Number: 16/06220

Appeal by Kinsale Rugby Football Club care of The Planning Partnership of The Coach House, Dundanion, Blackrock Road, Cork in relation to the inclusion of special contribution condition number 3 by Cork County Council in its decision made on the 14th day of August, 2017.

Proposed Development: The construction of a new playing pitch with associated site works which include the importation of waste material (soil and stone only) with ancillary works at Garraha, Kinsale, 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 3 and the reason therefor.

Reasons and Considerations

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, considered that the figure imposed under condition number 3, €75,000.00 (seventy five thousand euro), as a special development contribution towards the cost of repairs to, and replacement of, road surface/junctions/entrance between the site Pewterhole Cross Roads would not be in accordance with the provisions of Section 48(2)(c) of the Planning and Development Act, 2000, as it has not been established that this constitutes a specific exceptional cost in relation to this particular development.

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 2018