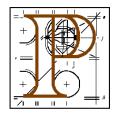
# An Bord Pleanála



### PLANNING AND DEVELOPMENT ACTS 2000 TO 2017

# **Cork County**

Planning Register Reference Number: 17/04864

An Bord Pleanála Reference Number: ABP-300404-17

**APPEAL** by Conhor Construction Limited care of The Planning Partnership of The Coach House, Dundanion, Blackrock Road, Cork in relation to the inclusion of special contribution condition number 2 by Cork County Council in its decision made on the 14<sup>th</sup> day of November, 2017.

**PROPOSED DEVELOPMENT:** Importation of soil and stone, bricks, tiles, ceramics and concrete for the raising of an agricultural field in order to improve the agricultural output of the field, all at Kilnaglory, Ballincollig, 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 2 and the reason therefor.

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#### **REASONS AND CONSIDERATIONS**

The Board considers that the special development contribution of €38,976 (thirty-eight thousand, nine hundred and seventy six euro), in respect of unspecified works proposed to be carried out for the provision of the upkeep of the road network, as imposed under condition 2, does not comply with the provisions of section 48(2)(c) of the Planning and Development Act, 2000 as amended, 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.

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