

Planning and Development Acts 2000 to 2021

Planning Authority: Cork County Council

Planning Register Reference Number: 20/05710

Appeal by Summerhill Construction Limited care of McCutcheon Halley of 6 Joyce House, Barrack Square, Ballincollig, County Cork in relation to the inclusion of special contribution condition number 28 by Cork County Council in its decision made on the 27th day of July, 2021.

Proposed Development: The construction of two number industrial/manufacturing units together with all associated ancillary development including parking, boundary fence and wastewater treatment tank, at Coachford Business Park, Clonmoyle East (Townland), Coachford, 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 28 and the reason therefor.

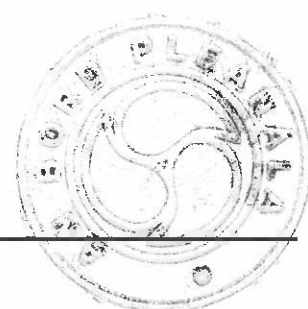
Reasons and Considerations

Having regard to the Development Contribution Scheme, it is considered that future resurfacing works are road maintenance works which could not be considered to be works that are specific to the proposed development, and that it has not been demonstrated that the costs incurred under this contribution are either specific or exceptional as required by Section 48(12)(a) of the Planning and Development Act, 2000.

In not agreeing with the Inspector's recommendation to attach the condition, the Board is not satisfied that that the planning authority has demonstrated that traffic associated with the proposed development would be exceptional, and would lead to an exceptional need for the resurfacing of the entrance junction that would be beyond the normal maintenance of the road network, and considered that there was no justification submitted for specific exceptional costs, and that such works are covered by the General Development Contribution Scheme.



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



Dated this *3rd* day of *June* 2022.