



An
Bord
Pleanála

Board Order
ABP-315637-23

Planning and Development Acts 2000 to 2022

Planning Authority: Cork County Council

Planning Register Reference Number: 21/07424

Appeal by Cruachan Investments LLP of Peacon Lodge, Killeens Cross, 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 numbers 22, 23 and 24 of its decision made on the 19th day of December, 2022.

Proposed Development: Construction of 13 number warehouse/light industrial units in three number buildings with ancillary two storey offices internally and associated site works (part of previous permitted development under planning register number 06/6741 and extension of permission register number 11/5459) at Titan Container Storage Facility, Fotapoint Enterprise Park, Killacloyne, Carrigtwohill, 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 been properly applied in respect of conditions numbers 22 and 23 and directs the said Council to ATTACH conditions numbers 22 and 23 and to REMOVE condition number 24 and the reasons therefor.

Reasons and Considerations

1. Having regard to the provisions of Section 48 of the Planning and Development Act 2000, as amended, the provisions of the Cork County Council Contribution Scheme 2004, together with the information provided by the planning authority in relation to the calculation of the Development Contribution under Section 48 and 49 of the Planning and Development Act, 2000, as amended, the Board considered that the planning authority have correctly interpreted the contribution scheme and that the imposition of condition number 22 and condition number 23 is in accordance with the requirements of Section 48 and Section 49 of Planning and Development Act, 2000, as amended.

2. Having regard to Section 48(2)(c) of the Planning and Development Act, 2000, as amended, the Development Contribution Guidelines for Planning Authorities (2013), the Cork County Council Development Contribution Scheme 2004, in respect of condition number 24, the Board, in accordance with Section 48 of the Planning and Development Act, 2000, as amended, considered that the condition failed to meet the requirements of Section 48(2)(c) of the Act and should thus be removed.



Stephen Bohan

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

Dated this 4th day of December 2024.