

An
Bord
Pleanála

Board Order
ABP-317238-23
(ABP-310664-21)

Planning and Development Acts 2000 to 2022

Planning Authority: Cork City Council

Planning Register Reference Number: 1806762

WHEREAS by Order dated the 24th day of September, 2024 Cork County Council, under planning register reference number 18/06762, granted subject to conditions a permission to Varsovian No. 2 Limited Partnership (acting by its General Partner Varsovian No. 2 GP Limited) care of Peter Thomson Planning Solutions of 4 Priory Grove, Kells, County Kilkenny for development comprising construction of a four-storey over part basement primary care centre complex (6848 square metres) comprising; receptions/waiting areas, GP surgeries and associated offices and consultation rooms, specialist consultant surgeries and associated offices and consultation rooms, HSE offices, consultation rooms (including an integral external play area) and meeting rooms, other primary care offices (6386 square metres, excluding play area); two number ground floor retail units (440 square metres); PV panels and plant at roof level; surface car parking (115 spaces), bike parking, ESB sub station and switchroom (22 square metres), waste storage area, gas skid and enclosure, landscaping and all associated works at Old Fort Road, Ballincollig, County Cork:

AND WHEREAS condition number 2 attached to the said permission required the developer to pay an unspecified financial contribution to Cork City Council in respect of public infrastructure and facilities benefitting development in the area of Cork City Council in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended, and provided that details of the application of the terms of the Scheme shall be agreed between Cork City Council and the developer:

AND WHEREAS the developer and the planning authority failed to agree on the amount payable in accordance with the terms of the Scheme and the matter was referred by the developer to An Bord Pleanála on the 28th day of June, 2021 for determination:

AND WHEREAS An Bord Pleanála, in considering this referral, had regard particularly to:

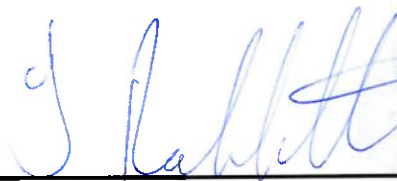
- (a) the documentation on file and the report of the Inspector, and
- (b) the terms of the Cork City Council General Development Contribution Scheme 2018-2021 (the Scheme):

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by section 34(5) of the Planning and Development Act, 2000, as amended, and based on the Reasons and Considerations set out below, hereby determines that the financial contribution of €297,393.75 (two hundred and ninety-seven thousand, three hundred and ninety three euro and seventy five cent) as applied by the planning authority pursuant to condition number 2 of planning register reference number 18/06762, is correct.

Reasons and Considerations

The Board had regard to:

- (a) section 34(5) of the Planning and Development Act 2000, as amended;
- (b) the use of the development subject of planning register reference number 18/06762, being a primary health care centre;
- (c) section 1.6 'Exemptions and Reductions' and Table 5 of the Cork City Council General Development Contribution Scheme 2018-2021, and
- (d) the limitations applied on reductions pursuant to section 1.6 of the Scheme, wherein 100% reduction to the payment of development contributions will not apply to hospitals, medical facilities, primary care centres and similar developments as cited on page 10 of the Scheme.



Tom Rabbette

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

Dated this 13th day of Sept. 2024.

