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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Cork County Council**

**Planning Register Reference Number: 23/04015**

**Appeal** by the Bandon Co-Operative Society Limited care of HW Planning of 5 Joyce House, Barrack Square, Ballincollig, Cork in relation to the inclusion of special contribution condition number 63 by Cork County Council in its decision made on the 26<sup>th</sup> day of January, 2024.

**Proposed Development:** Construction of a residential development of 20 number apartments including: (i) the partial demolition of the single storey over basement extension to the existing brewery building fronting onto Watergate Street and demolition of the existing two-storey extensions, boiler house, portacabin, storage container and ancillary structures to the rear and (ii) change of use, partial demolition, refurbishment and extension to the existing brewery building including the construction of replacement three-storey extension fronting onto Watergate Street and two number three-storey extensions to the rear of the building to provide for 13 number two bedroom and seven number one bedroom units; (iii) the development also includes the provision of vehicular and pedestrian access via the upgrading of the existing entrance from Watergate Street and all ancillary site works including bicycle and car parking, bin storage, landscaping and boundary treatments, all at Watergate Street, Knockbrogan, Bandon, County Cork. The proposed


development was revised by further public notices received by the planning authority on the 20th day of December, 2023.

## 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 63 and the reason therefor.**

## Reasons and Considerations

Having regard to the nature of the condition the subject of the appeal, the Board is satisfied that condition number 63 of the planning authority's decision relates to an uncosted project, that no details have been provided for a specific costed design for the provision of car parking spaces, and it fails to meet the 'specific exceptional costs test'. Furthermore, the intention of the special contribution to provide funding for car parking is already provided for under the Cork County Council's General Development Contribution Scheme (2023-2029). The Board, therefore, directs the said Council to remove condition number 63 and the reason therefor.

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



Dated this 21st day of November 2024.