

An
Coimisiún
Pleanála

Commission Order
ABP-322075-25

Planning and Development Acts 2000 to 2024

Planning Authority: Cork County Council

Planning Register Reference Number: 245401

Appeal by Brightland Limited of Lissarda Business Park, Lissarda, 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 40 and 42 of its decision made on the 17th day of February, 2025.

Proposed Development: Construction of two number warehouse/light industrial buildings (number 8 and number 9) which will be sub divided into four separate units (numbers 8-1, 8-2, 9-1, 9-2). All units contain ancillary office space. Construction of an access road, signage, car parking, site fencing, site lighting, drainage systems and roof top solar PV panels and storm water infiltration basin and all associated site development and landscaping works, all at Lower Courtstown, Little Island, County Cork.

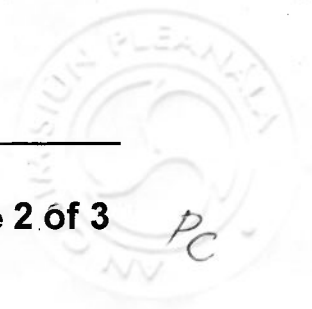
Decision

The Commission, 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 not been properly applied in respect of condition number 40 and directs the said Council to REMOVE condition number 40 and the reason and consideration (1) therefor.

Reasons and Considerations (1)

The Commission considered that condition number 40 (Special Contribution) does not accord with the provisions of Section 48(2)(c) and Section 48(12) of the Planning and Development Act 2000, as amended, as it has not been adequately demonstrated by the planning authority that the development contribution in question constitutes specific exceptional costs which benefit the proposed development, and which are not covered by the planning authority's general contribution scheme.

The Commission, 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 condition number 42 and directs the said Council to ATTACH condition number 42 and the reasons and considerations (2) therefor.



Reasons and Considerations (2)

In relation to condition number 42 (Supplementary Contribution), the Commission considered that the permitted development would benefit from the project in question (the Cobh/Midleton - Blarney Suburban Rail Project) by way of reduced road congestion in the immediate area that would result from improved rail infrastructure. It was further considered that the site as a whole was subject to the provisions of the Supplementary Contribution Scheme in question, noting the terms of said Supplementary Contribution Scheme, and noting that the site can be accessed from the N25 National Road, and is also within one kilometres of the Cork to Midleton Rail line.



Paul Caprani

**Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.**



Dated this ^{3rd} day of *July* 2025.