

An  
Coimisiún  
Pleanála

Commission Order  
ABP-322415-25

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**Planning and Development Acts 2000 to 2024**

**Planning Authority: Cork County Council**

**Planning Register Reference Number: 245568**

**Appeal** by Brucon Owner Management Company Limited care of Harry Walsh Planning of 5 Joyce House, Barrack Square, Ballincollig, 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 number 52 of its decision made on the 3<sup>rd</sup> day of April 2025.

**Proposed Development:** Permission for the construction of a development consisting of 22 number residential units and all ancillary site development works. The proposed development includes the construction of 18 number dwelling houses comprising eight number four-bedroom semi-detached dwelling houses, six number three-bedroom semi-detached /townhouse units and four number two-bedroom townhouse units. The proposed development also consists of the construction of two number two-storey apartment buildings containing four number two-bedroom apartments/maisonette units. Vehicular and pedestrian access to the proposed development be provided via the existing estate entrance from Convent Hill (L-2011) and internal road network of Castleheights residential development with pedestrian access also to be provided via an existing pedestrian entrance from the Dunmanway road

(R586) to the south. Ancillary site works to include the removal of an existing temporary container structure at the site, all at Castleheights, Coolfadda, Bandon, County Cork.

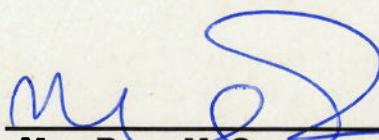
## **Decision**

**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 52 and directs the said Council to REMOVE condition number 52 and the reason.**

## **Reasons and Considerations**

Having regard to Section 48(2)(c) and (12) of the Planning and Development Act 2000, as amended, the terms of the Cork County Council adopted Development Contribution Scheme 2004, to the plans and particulars submitted as part of the application, to the detailed submissions on file from the applicant and the planning authority, and to the specified particular works to be carried out and the basis for the calculation provided by the planning authority, it is considered that a special contribution towards the provision of works north of Bandon Bridge, to ease town bound traffic congestion and to improve pedestrian connectivity, do not represent exceptional and specific costs in terms of public infrastructure that will benefit the proposed development within the meaning of Section 48(2)(c) Planning and Development Act 2000, as amended, but would instead provide broader benefit to a much wider area.

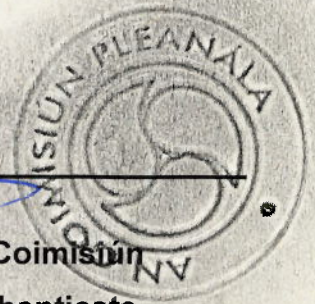
It is therefore considered that the special contribution imposed under condition 52 for such works, does not come within the scope of Section 48(2)(c) of the Planning and Development Act 2000, as amended, and accordingly, would not be warranted.



**MaryRose McGovern**

**Planning Commissioner of An Coimisiún**

**Pleanála duly authorised to authenticate  
the seal of the Commission.**



Dated this 5<sup>th</sup> day of August 2025.