



An
Bord
Pleanála

Board Order
28.RP.2156
(appeal reference number
PL 28.245773)

Planning and Development Acts 2000 to 2018

Planning Authority: Cork City Council

Planning Register Reference Number: T.P. 15/36427

WHEREAS by order dated the 29th day of March, 2016, An Bord Pleanála, under appeal reference number PL 28.245773, granted subject to conditions a permission to Cormac O'Connor care of Gerald McCarthy Architects Limited of Ballyverane, Macroom, County Cork for development comprising demolition of the former TSB bank building and construction of new retail premises including butcher shop, meat preparation area, store, office, delicatessen and restaurant together with all ancillary site works at Iona Road, Mayfield, Cork.

AND WHEREAS condition number 15 attached to this permission required the developer to pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution was to be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and was to be subject to any applicable indexation provisions of the Scheme at the time of payment and the condition required that details of the application of the terms of the Scheme were to

be agreed between the planning authority and the developer or, in default of such agreement, the matter was to be determined by An Bord Pleanála:

AND WHEREAS the developer and the planning authority failed to agree on the application of the terms of the Scheme in compliance with the terms of this condition and the matter was referred by the developer to An Bord Pleanála on the 18th day of September, 2017 for determination:

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 for the Reasons and Considerations set out below, hereby determines that the amount of the contribution required to be paid under condition number 15 of An Bord Pleanála appeal reference number PL 28.245773 is €10,164.25 (ten thousand, one hundred and sixty-four euro and twenty-five cent).

Reasons and Considerations

Having regard to:

- (a) sections 34(5) and 48 of the Planning and Development Act 2000, as amended,
- (b) the provisions of the Cork City Council Development Contribution Scheme 2015 – 2016, and
- (c) the submissions on file, and the planning history of the site,

