



Board Direction

Ref: PL26.245702

The submissions on this file and the Inspector's report were considered at a Board meeting held on February 1st 2016.

The Board treated this case under section 48 of the Planning and Development Act, 2000, as amended. The Board also decided, on a vote of 2 to 1, generally as recommended by the Inspector, that the planning authority be directed, as follows:-

Remove condition no. 2 and the reason therefor

for the following reasons and considerations:-

Reasons and Considerations

The proposed development is for continuance of use of an existing telecommunications mast and mobile phone infrastructure. Having regard to the original permission for this mast for a temporary period granted under planning authority register reference number 20053147, which included a condition requiring the payment of a financial contribution under the then applicable Development Contribution Scheme, and having regard to the fact that such condition was complied with, it is considered that the development contribution now being imposed by the planning authority under condition no. 2 would amount to double charging. In the absence of any specific provision in the Wexford County Council Development Contribution Scheme for the levying of repeat contributions in respect of development previously permitted for a temporary period only, it is considered that the terms of the Scheme have not been properly applied.

Board Member: _____

Philip Jones

Date: 1st February 2016