



Board Direction

PL03.246074

The submissions on this file and the Inspector's report were considered at a Board meeting held on May 26th 2016.

The Board treated this case under Section 48 of the Planning and Development Act, 2000, as amended. The Board decided, generally in accordance with the Inspector's recommendation, that the planning authority be directed to remove condition no. 3, for the following reasons and considerations.

Reasons and Considerations

It is considered that the planning authority has not demonstrated that the public infrastructure and facilities referred to in condition no. 3, which seeks the payment of a special development contribution towards the improvement of the existing local road network, would constitute exceptional costs that are not already covered by the general Development Contribution Scheme adopted by the authority, and also has not demonstrated, to the satisfaction of the Board, that such works would benefit the proposed development. The condition in question would not, therefore, come within the scope of section 48 (2)(c) of the Act.

Board Member: _____ Date: 26th May 2016
Philip Jones