



An
Bord
Pleanála

Board Direction
BD-000869-18
ABP-300965-18

The submissions on this file and the Inspector's report were considered at a Board meeting held on 07/08/2018.

The Board treated this case under section 48 of the Planning and Development Act, 2000, as amended. The Board also decided that the planning authority be directed, as follows:

Remove condition number 9.

Reasons and Considerations

It is considered that the imposition of a special development contribution condition numbers 9 has not been justified by the planning authority, having regard to fact the proposal is an extension to an established use subordinate in scale to the existing development on site, the proposed junction upgrade is not considered essential to facilitate the proposed development and would constitute works that would be beneficial for the wider area and the failure to provide sufficient information regarding the justification for the costs proposed and how it is apportioned to the proposed development. It has, therefore, not been demonstrated that the conditions comes within the scope of section 48(2) of the Planning and development Act 2000, (as amended).

Board Member:

Date: 07/08/2018

Michelle Fagan