



An
Bord
Pleanála

Board Direction
BD-001639-18
ABP-300970-18

The submissions on this file and the Inspector's report were considered at a Board meeting held on 14/11/2018.

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:

Amend condition 16 as follows:

16. The developer shall pay to the planning authority a financial contribution of €732.59 (seven hundred and thirty two euro and fifty nine cents) 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 shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. The application of any indexation required by this condition shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the

Development Contribution Scheme made under section 48 of the Act be applied to the permission.

Reasons and Considerations

Having regard to the nature of the proposed development, and the terms of the Galway County Council Development Contribution Scheme 2016, the Board considered that the planning authority had not properly applied the terms of its development contribution scheme and that the number of units to which the unit charge of €7.15 (€11 x 65%) should be applied is 102.46, being the floor area of the proposed development in square metres.

Board Member:

Date: 14/11/2018

John Connolly