



An
Bord
Pleanála

Board Direction
BD-002050-19
ABP-301331-18

The submissions on this file and the Inspector's report were considered at a Board meeting held on 07/01/2019.

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 1a** as follows.

1. The developer shall pay to the planning authority a financial contribution of €9,915.00 (nine thousand, nine hundred and fifteen euro) 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,

It is considered that the terms of the Monaghan County Council Development Contribution Scheme 2013 to 2019 have not been properly applied. The subject development comes within the scope of the scheme, which under category 3(g) applies a general development contribution on buildings or other structures for the purposes of agriculture and which, in section 8, defines floor area as the internal dimensions of the proposed buildings. Previous application of the scheme on the subject site included the floorspace of the proposed structures and excluded the external concrete yard. It is considered reasonable, therefore, and in accordance with the provisions of the scheme and the application of the scheme previously on the site, that condition no. 1a of the permission is amended to reflect the floorspace provided by the two poultry units and that the external concrete yard area is excluded from the calculated floor area.

Board Member:

Date: 08/01/2019

Terry Ó Niadh