



An
Bord
Pleanála

Board Direction
BD-002739-19
ABP-303036-18

The submissions on this file and the Inspector's report were considered at a Board meeting held on 03/04/2019.

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:

Attach condition 2.

Reasons and Considerations

It is considered that the payment of a financial levy in the sum of €10,000 in respect of the development arises pursuant to Section 6, Category (B) 'Other non-residential Development' of the Waterford City & County Development Contribution Scheme 2015-2021. Having regard, to the nature of the telecommunications mast which serves both mobile telephony and broadband equipment it is considered that the development cannot avail of the exemption from the payment of financial in respect of broadband infrastructure contained within Section 7 of the Development Contribution Scheme which exemption relates solely to broadband. There are no other exemptions or waivers or exemptions that can be availed of by the applicant. Furthermore, based on the submitted documentation, it has not been demonstrated that a financial contribution was previously levied or paid in respect of this infrastructure. Accordingly, the issue of 'double-charging' for the same telecommunications mast and infrastructure does not arise in this instance.

Board Member:

Date: 03/04/2019

Terry Ó Niadh