



An
Bord
Pleanála

Board Direction
BD-003656-19
ABP-304272-19

The submissions on this file and the Inspector's report were considered at a Board meeting held on 30/07/2019.

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

The Limerick City and County Development Contribution Scheme 2017-2022, at paragraph 10, provides for an exemption from the requirement to pay a development contribution in respect of a change of use where the development would not lead to a need for new or upgraded infrastructure/services or a significant intensification of demand for existing services, or where a development contribution has previously been paid in respect of the existing use. It is considered that the developer has not demonstrated that the contribution previously levied in respect of the parent permission (Reg. Ref. 05/1452) and existing use on the site has been paid, and that in such circumstances, the development is not exempt from paying a contribution which is required to be paid at the appropriate rate. Therefore, it is considered that the terms of the Planning Authority's Development Contribution Scheme have been properly applied. The condition requiring the payment of the contribution should therefore be attached.

Board Member:

Date: 30/07/2019

Dave Walsh

