



An  
Bord  
Pleanála

**Board Direction**  
**BD-004258-19**  
**ABP-304742-19**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 14/10/2019.

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:

**Remove condition C2**

### **Reasons and Considerations**

The current Limerick City and County Development Contribution Scheme 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/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 planning authority has not demonstrated that the proposed change of use would result in the need for new or upgraded infrastructure/services, or a significant increase in the demand for existing infrastructure/services, or that it has taken into account the contributions previously paid in respect of the existing use on the site. Therefore, it is considered that the terms of the Planning Authority's Development Contribution Scheme have not been properly applied. The condition requiring the payment of the contribution should therefore be removed in order to comply with section 48(2)(c) of the Planning and Development Act 2000, as amended.

**Board Member:**

**Date:** 14/10/2019

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Terry Ó Niadh

