



An  
Bord  
Pleanála

**Board Direction**  
**BD-005338-20**  
**ABP-305020-19**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 09/03/2020.

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 21 as follows.

The developer shall pay to the planning authority a financial contribution of €125,370 (one hundred and twenty five thousand, three hundred and seventy 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. The contribution shall be paid prior to the 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 the Board to determine.

**Reason:** It is a requirement of the Planning and Development Act 2000 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 provisions of Table 5, Appendix 1 of the Roscommon County Council Development Contributions Scheme 2014, as adopted by Roscommon County Council, under Section 48 of the Planning and Development Act 2000 as amended it is considered that the terms of the scheme have been incorrectly applied in this instance. The relevant site area for extraction liable for assessment in accordance with the terms of the said scheme is 31,500 sq. m. (3.15 ha). This use falls to be considered under category E, of Table 5 Development Contribution Scheme. In addition, the proposed Construction and Demolition waste recycling facility (which is separately described in the statutory planning notices submitted with this planning application) is considered to constitute commercial development with an area of site usage amounting to 2,500 sq.m (0.25 hectares). This commercial use falls to be considered under category F of Table 5 of the Development Contribution Scheme, namely, 'Development not coming within any foregoing class'. The buildings on site, also fall to be considered under category F. Accordingly, it is considered that condition no. 21 should be amended.

**Board Member:**

**Date:** 09/03/2020

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Chris McGarry