



An
Bord
Pleanála

Board Direction
ABP-306397-20

The submissions on this file and the Inspector's report were considered at a Board meeting held on 01/07/2020.

The Board decided, as set out in the following Order, that

Board Order as follows:-

WHEREAS a dispute has arisen between Sligo County Council and Edward Kilcullen in the making of an agreement in relation to Part V of the Planning and Development Act 2000 under condition 6 of planning reg. ref. 19/91:

AND WHEREAS this matter was referred by Anthony O' Hora for review to An Bord Pleanála on the 9th day of January, 2020:

AND WHEREAS An Bord Pleanála, in considering this case, had regard particularly to –

- (a) Section 96 of the Planning and Development Act, 2000, as amended,
- (b) Guidelines on Part V of the Planning and Development Act issued by the Minister for Housing, Planning, Community and Local

Government under section 28 of the Planning and Development Act, 2000 in January 2017,

- (c) Circular: Housing 33 of 2015, which was issued by the Department of Environment, Community and Local Government,
- (d) the planning history of the site,
- (e) the provisions of the Sligo County Development Plan 2017-2023.

AND WHEREAS An Bord Pleanála has concluded that:

- (a) Planning reg. ref. 19/91 is a stand-alone planning application which is not a variation of any previous permissions at this site.
- (b) The Part V obligation falls to be considered *de novo*, without reference to any previous permission at the site and in accordance with current legislative provisions and guidance.
- (c) The percentage of land that must be provided for social housing in the housing development is 10%.

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by section 96(5) of the 2000 Act, hereby decides that in making an agreement under Part V, the percentage of land that must be provided for social housing in the housing development is 10%.

Board Member:

Date: 01/07/2020

John Connolly