

An
Bord
Pleanála

Board Direction
BD-010811-22
ABP-311195-21

The submissions on this file and the Inspector's report were considered at a Board meeting held on 25/05/2022.

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 number 28

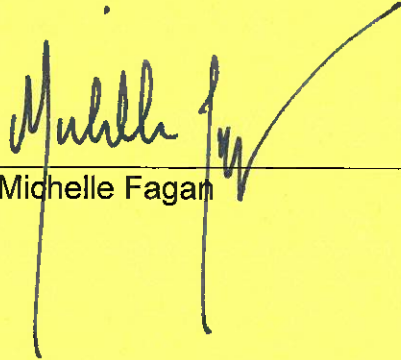
Reasons and Considerations, as follows.

Having regard to the Development Contribution Scheme, it is considered that future resurfacing works are road maintenance works which could not be considered to be works that are specific to the proposed development, and that it has not been demonstrated that the costs incurred under this contribution are either specific or exceptional as required by Section 48(12)(a) of the P & D Act.

In not agreeing with the Inspector's recommendation to attach the condition, the Board is not satisfied that that the planning authority has demonstrated that traffic associated with the proposed development would be exceptional, and would lead to an exceptional need for the resurfacing of the entrance junction that would be beyond the normal maintenance of the road network, and considered that there was

no justification submitted for specific exceptional costs, and that such works are covered by the General Development Contribution Scheme.

Board Member:



Michelle Fagan

Date: 31/05/2022