

An
Bord
Pleanála

Board Direction
BD-010060-22
ABP-311248-21

The submissions on this file and the Inspector's report were considered at a Board meeting held on 17/02/2022.

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 no 1

Reasons and Considerations, as per Inspector's recommendation as follows.

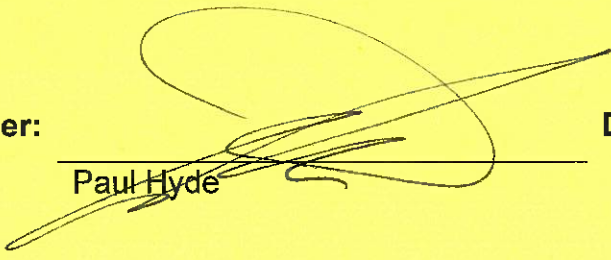
Reasons and Considerations.

Having regard to:

- (a) The provisions of the Development Contribution Scheme 2013 – 2019 operative when the Planning Authority attached Condition No. 1 to the grant of permission to application 21/276,
- (b) The mandatory provisions of Circular PL03/2018, under Section 28(1C) of the Planning and Development Act, 2000 – 2021, which are applicable to the telecommunications development proposed under application 21/276, and
- (c) The fulfilment of the conditions for a waiver of the normal development contribution set out in these mandatory provisions by the proposed telecommunications development,

It is considered that the Planning Authority, in attaching Condition No. 1, failed to properly apply its Development Contribution Scheme in the light of the mandatory provisions of Circular PL03/2018 and so this Condition for payment of a development contribution should be removed.

Board Member:


Paul Hyde

Date: 18/02/2022