



**An
Bord
Pleanála**

**Board Direction
BD-011075-22
ABP-312834-22**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 05/08/2022.

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, to remove condition number 6 for the reasons and considerations set out below.

Reasons and Considerations

It is considered that the terms of the Laois Development Contribution Scheme 2017-2023 have not been properly applied in respect of the proposed development, in that the proposed development does not fall within a category of development set out in the scheme. The Board noted the category of development for 'solar energy' that is contained within the scheme. However, having regard to the specific nature of the proposed development in this instance, providing photovoltaic panels on the roofs of the building on site, which would solely serve to supplement the existing premises energy with a renewable (solar) energy source and where there is no energy proposed to be exported off-site, the Board considered that the proposed development would not reasonably be of a type such that it would fall within this category of development.

In deciding not to accept the inspector's recommendation to amend condition number 6, the Board noted the analysis and recommendation of the inspector that the scheme should be applied based on electricity output, however, having regard to the specific nature of the proposed development, providing photovoltaic panels on

the roofs of the building on site, which would solely serve to supplement the existing premises energy with a renewable (solar) energy source and where there is no energy proposed to be exported off-site, the Board considered instead that the proposed development would not reasonably be of a type such that it would fall within this category of development.

Board Member: Patricia Calleary **Date:** 05/08/2022
Patricia Calleary