

An
Bord
Pleanála

Board Direction
BD-014406-23
ABP-314189-22

The submissions on this file and the Inspector's report were considered at a Board meeting held on 31/10/2023.

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:

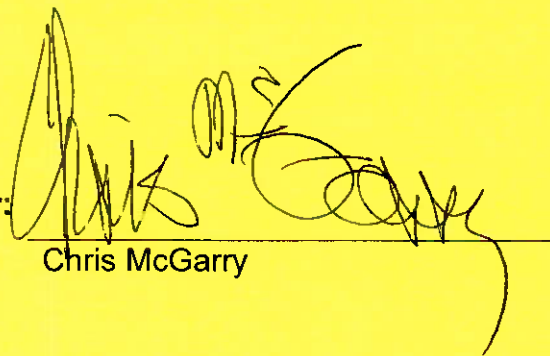
Remove condition no. 10

Reasons and Considerations

Having regard to the nature and extent of the proposed development under planning permission 20/05038, which relates to the provision of a new site entrance and does not entail any intensification of the permitted development on the overall site, and to the planning history of the site, specifically planning permission 20/4969, which included amongst others, a special financial contribution of €21,000 towards road resurfacing works comparable to those described under condition no. 10 which is the subject of this appeal, and noting the submission of the planning authority to An Bord Pleanála received on 06/10/2022 which states that, '*as the applicant no longer proposes to use the existing entrance, the contribution paid under planning applications 20-4969 and 20-6446 can be used to cover the cost of the contribution attached to the current planning...*' it is considered that the attachment of Condition

10 to planning permission 22/05038 would in this instance amount to a form of double charging and therefore its removal from planning permission 22/05038 is warranted.

Board Member:

A handwritten signature in black ink, appearing to read 'Chris McGarry', written over a horizontal line. The signature is stylized and cursive.

Chris McGarry

Date: 01/11/2023