

An
Bord
Pleanála

Board Direction
BD-017666-24
ABP-318409-23

Re: Amending Board Order

S146A of the Planning and Development Act, 2000, as amended

The submissions on this file were considered at a Board meeting held on 30/09/2024.

The Board decided to exercise its powers under section 146A(1)(b) of the Planning and Development Act 2000, as amended, to amend its Order of 1st day of August 2024.

The Board decided that it is appropriate to amend its Order dated 1st day of August 2024 as, due to a clerical error, a condition relating to financial development contributions was omitted.


It is considered that amendment of the Board Order would not result in a material alteration of the terms of the development, the subject of the permission.

Having regard to the nature of the issue involved, the Board decided not to invite submissions in relation to the matter from any person who had made submissions or observations to the Board in relation to the appeal, the subject of this amendment.

Accordingly the Board hereby amends the above-mentioned decision by attaching a condition in accordance with the provisions of section 146A(1) of the Planning and Development Act, 2000, as amended, as follows:

15. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000. The contribution shall be paid within three months of the date of this Order or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to the Board to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000 that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

Board Member:  **Date:** 01/10/2024
Martina Hennessy