



An
Bord
Pleanála

Board Direction

BD-019464-25

ABP-320787-24

The submissions on this file and the Inspector's report were considered at a Board meeting held on 15/04/2025.

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 conditions numbers 12, 13 and 14

And

Attach (new) condition number 12

as indicated hereunder.

Condition 12: The developer shall pay to the planning authority a financial contribution of €455,100 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, as amended.

The contribution shall be applicable to the net additional reserves, extraction of which is permitted pursuant to this Order, that being 4,551,000 tonnes, and which were not the subject of financial contribution conditions under previous grants of planning permission at the application site.

The contribution will be paid each year based on the volume of material extracted in the previous calendar year, having regard to the application of this condition to the net additional reserves only as indicated above and demonstrated as such to the written satisfaction of the planning authority. The contribution shall be subject to any applicable indexation provisions of the Scheme at the time of payment.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, 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.

Reasons and Considerations

Having regard to the provisions of the Meath County Council Development Contribution Scheme 2024-2029, the grounds of appeal and the planning authority's response to the grounds of appeal, the Board considered that the terms of the Contribution Scheme were not properly applied in respect of condition nos. 12, 13 and 14 and that these conditions should be removed and replaced with a new condition no. 12. The financial contribution to be applied is €455,100 calculated at 4,551,000 tonnes X €0.10 per tonne in accordance with section 6 'Schedule of Charges' – 'Quarry/Extractive Industry' of the said Contribution Scheme. The contribution shall be applicable to the net additional reserves, that being 4,551,000 tonnes, that were not subject of previous permissions pertaining to the quarry in the interests of avoiding 'double

charging'. The Board also considered it reasonable for the applicant to demonstrate to the satisfaction of the planning authority, the provenance of the extracted material i.e. demonstrate whether it forms part/all of the 4,551,000 tonne or not. Furthermore, the Board considered the payment of the contribution should not be made prior to commencement of development but paid each year based on the volume of material extracted in the previous calendar year as allowed for under footnote no. 5 to section 6 'Schedule of Charges' in the Contribution Scheme.

Board Member:


Tom Rabbette

Date: 15/04/2025