



An  
Coimisiún  
Pleanála

**Direction**  
**CD-020292-25**  
**ABP-321258-24**

**Re: Amending Commission Order**

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

The submissions on this file were considered at a meeting held on 22/07/2025.

The Commission decided to exercise its powers under section 146A(1)(b).

**Planning**

**Commissioner:**

*Patricia Calleary*  
Patricia Calleary

**Date:** 22/07/2025

**DRAFT WORDING FOR ORDER**

The Commission was satisfied that it was appropriate to attach a condition in respect of a Section 48 Development Contribution (unspecified) as the Commission noted a clerical error had occurred whereby the condition had been omitted from the original Commission Order.

The Commission decided to exercise its powers under section 146A(1)(b) of the Planning and Development Act 2000, as amended, to amend its Order of ABP-321258-24 dated 11<sup>th</sup> day of June 2025 by attaching a Section 48 development contribution condition (unspecified).

Having regard to the nature of the condition, the Commission was satisfied that the amendment of the Commission Order would not result in a material alteration of the terms of the development, the subject of the permission or decision.

**Note:**

In its decision on the case under Order of ABP-321258-24, the Commission did not attach a bond condition for €650,000, notwithstanding the request by the Planning Authority, having regard to the nature and scale of the development and the details on the appeal file. Accordingly, the commission did not exercise its powers under section 146A(1)(b) of the Planning and Development Act 2000, as amended, in respect of this request in the post decision correspondence received by the Commission from the planning authority on 12<sup>th</sup> June 2025. The Commission noted that this is a consistent approach with a previous comparable Commission decision in County Clare (Ref: ABP-318408-23) as referenced by the planning authority in its request to attach a S.48 development contribution condition and a bond condition. The Commission was otherwise satisfied that the protection of the road network, which formed the basis of the planning authority's request to attach a bond condition, can be appropriately managed through Condition 5 of the Commission Order that requires the applicant to manage the construction phase in accordance with a finalised Construction Management Plan, the details of which are to be agreed with the planning authority.