

An
Coimisiún
Pleanála

Direction
CD-020851-25
ABP-322782-25

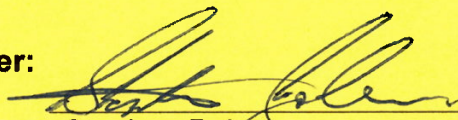
The submissions on this file and the Inspector's report were considered at a meeting held on 01/10/2025.

The Commission treated this case under section 48 of the Planning and Development Act, 2000, as amended. The Commission also decided that the planning authority be directed, as follows:

Remove condition 2

Planning

Commissioner:


Stephen Bohan

Date: 01/10/2025

DRAFT WORDING FOR ORDER

Reasons and Considerations

Section 10.3 of the Mayo County Council Development Contribution Scheme 2023 provides that applications for change of use shall be charged at the balance between the normal charges that would be imposed for the development's proposed use and those that would be imposed for the current use. Section 10.5 of the Development Contribution Scheme provides that development contributions in respect of

modification / revisions to a permitted development will be subject to a deduction / substitution for any contributions paid on any previously permitted development. Furthermore, section 10.7.1(1) of the scheme, provides for a 30% reduction on the applicable rate of development contributions in defined town/village cores. Having regard to the planning history relating to this site and to the nature and scale of the development the subject of the application and appeal, the commission is satisfied that the terms of the development contribution scheme have not been properly applied. While the scheme provides that retention permission shall be charged at double the applicable rate of the development contribution, having regard to the extent of contributions previously paid in respect of the permitted development on the site and the town location of the site, the planning authority is hereby directed to remove condition no. 2 of the decision to grant permission and the contribution payable thereunder.

[**Note:** The Commission noted that there may be some inconsistency in the figures as presented in the Inspectors report, however, given that no new floor space has been provided and that all the floorspace on the site has previously been the subject of financial contributions, the Commission consider that no additional financial contribution is warranted.]