



An
Coimisiún
Pleanála

Direction
CD-021452-25
ACP-323385-25

The submissions on this file and the Inspector's report were considered at a meeting held on 03/12/2025.

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:

Amend condition 8 as follows.

8. The developer shall pay to the planning authority a financial contribution of **€7,463.60** (Seven thousand, four hundred and sixty three euros, and sixty cent) 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 paid within six 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.

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.

Planning

Commissioner:

Eamonn James Kelly

Date: 03/12/2025

Eamonn James Kelly

DRAFT WORDING FOR ORDER

Reasons and Considerations

Section 10.5 (Amendments to Previously Permitted Developments) of the Mayo County Development Contribution Scheme 2023 states that applications for permission for modification / revision to a permitted development including a change or amendment to a site layout will be treated as an independent permission for development for the purposes of calculating development contributions with a deduction/substitution for any contributions paid on any previously permitted development. The subject development was previously the subject of a grant of planning permission under Planning Register Reference Number 73/594 and the development to be retained comprises amendments to the layout of the permitted development on the site. As no contributions were payable in respect of the previously granted permission on the site, there is no deduction to be allowed against the contributions payable.

Furthermore, Section 10.6 (Retention Permissions) of the Mayo County Development Contribution Scheme 2023 states that while retention permissions shall

be charged at double the applicable rate of the development contribution, retention of minor changes to previous permitted developments shall be assessed on a case-by-case basis. Having regard to the facts of the case, and the minor nature of the changes to the previously permitted development, with no increase in floor area or demand on infrastructure or services in the area, it is concluded that is open to the Commission to undertake a "case by case" assessment of the development. Furthermore, having completed such assessment and having regard to the facts above, it is considered that the application of double the applicable rate of contribution is not warranted in this instance and should therefore be omitted.