



The submissions on this file and the Inspector's report were considered at a meeting held on 01 October 2026.

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 3 to read as follows.

3. The developer shall pay a financial contribution of €33,727 (thirty three thousand, seven hundred and twenty seven euros) to the planning authority as a special contribution under Section 48(2)(c) of the Planning and Development Act 2000, as amended, in respect of pavement rehabilitation works to be carried out on the L2625 from its junction with the R712 to the quarry entrance, which will benefit the proposed development. The contribution shall be paid within six months of the date of this permission for retention, or such phased payments as may be agreed in writing with the planning authority, and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the terms of payment of this financial contribution shall be agreed in writing between the planning authority and the developer.

Reason: It is considered reasonable that the developer should contribute towards the specific exceptional costs which are incurred by the planning authority in respect of public services, which are not covered in the Development Contribution

Scheme or the Supplementary Development Contribution Scheme and which will benefit the proposed development.

Planning Commissioner: Patricia Calleary
Patricia Calleary

Date: 5th day of October 2026

DRAFT WORDING FOR ORDER

Reasons and Considerations

The development the subject of the appeal comprises retention of rock extraction outside of the extraction area permitted under planning reference number 05/1927. The costs the subject of condition number 3 of the planning authority decision to grant permission relate to rehabilitation costs necessitated by, or arising from, the ongoing quarry operations at Kellymount and Shankill and are not proportionate to the development the subject of this application. Furthermore, the Commission had regard to the requirements of condition number 8 of planning reference number 05/1927 and concluded that the costs relating to development under that permission would more properly be pursued under that condition. In this regard, and accordance with the requirements of s.48(2)(c) and s.48(12) of the Planning and Development Act 2000, as amended, the Council are directed to amend condition number 3 in order to reflect the proportionate allocation of costs to the subject development.