



An
Bord
Pleanála

Board Direction RP19.RP2134

The submissions on this file and the Inspector's report were considered at a Board meeting held on May 31st 2017.

The Board confirmed the amount of the contribution at €236,830 in accordance with the Inspector's recommendation.

WHEREAS by order dated the 21st of July, 2011 made by An Bord Pleanála, under register reference number PL19.238420 (PL2/10/307), granted subject to conditions a permission to Glanpower Limited care of Axis Architecture of 19 High Street, Tullamore, Co Offaly for development comprising the provision of an industrial facility to accommodate an advance pyrolysis system for the recovery of energy from biomass and waste. The planning permission (which was extended under EX/16010 until 20/07/2021) and construction commenced under PL19.238420 all at Derryclure, Tullamore, Co Offaly:

AND WHEREAS condition 18 attached to the said permission required:

“The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefitting 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. The contribution shall be paid prior to the commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at time of payment. Details of the application of the terms of the scheme shall be agreed between the planning

authority and the developer or, in default of such agreement the matter shall be referred to the Board to determine the proper application of the terms of the Scheme. Reason: It is a requirement of the Planning and Development Act 2000 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.:

AND WHEREAS the developer and the Planning Authority failed to agree on the above details in compliance with the terms of the said condition and the matter was referred by the developer to An Bord Pleanála on the 15th day of September, 2016 for determination:

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by section 34(5) of the Planning and Development Act, 2000, as amended, hereby determines that the Board agrees that the amount payable within the terms and conditions of the permission under condition 18 is €236,830, in accordance with the terms and conditions of the development contribution scheme applicable at the date of grant of permission.

REASONS AND CONSIDERATIONS

Having regard to the planning history, the nature and scale of the development in question and the submissions from the parties, the Board considered that in accordance with Circular Letter PS21/2013 issued by the Department of the Environment Community and Local Government the amount payable in accordance with the terms and conditions of the permission under condition 18 is the in contribution scheme applicable on the date of the grant of permission €236,830.

Board Member

Date: 31.05.17

Paul Hyde