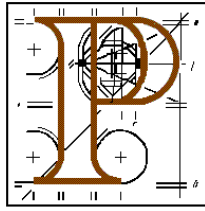


# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

**Wexford County**

**Planning Register Reference Number: 20150549**

An Bord Pleanála Reference Number: PL 26.245359

**APPEAL** by Aidan Egan care of Williams Planning and Environmental of St Roch, Windmill Hill, Rathcoole, County Dublin in relation to the application by Wexford County Council of the terms of the Development Contribution Scheme made for the area in respect of conditions numbers 3 and 4 of its decision made on the 29<sup>th</sup> day of July, 2015.

**PROPOSED DEVELOPMENT:** Development consisting of the continuation and retention of a quarry and quarry operations including crushing and screening and sale off site and also site rehabilitation, all at existing quarry at Drumgold, Enniscorthy, County Wexford.

## **DECISION**

The Board, in accordance with section 48 of the Planning and Development Act, 2000, as amended, considered, based on the reasons and considerations set out below, that the terms of the Development Contribution Scheme for the area had not been properly applied in respect of conditions numbers 3 and 4 and directs the said Council to **AMEND** conditions numbers 3 and 4 so that they shall be as follows for the reasons stated.

## CONDITIONS

3. In respect of the quarrying as undertaken which this application seeks to retain, the developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities, consisting of the provision or improvement of public roads, 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 on the 1<sup>st</sup> day of April, 2016 and shall be based on the level of quarrying extraction that took place over the previous year, at the rate of €0.30 per cubic metre. 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, as amended, be applied to the permission.

4. In respect of the quarrying as undertaken which this application seeks to retain, the developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities, consisting of the provision or improvement of recreation and community 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 on the 1<sup>st</sup> day of April, 2016 and shall be based on the level of quarrying extraction that took place over the previous year, at the rate of €0.05 per cubic metre. 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, as amended, be applied to the permission.

