An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Mayo County

Planning Register Reference Number: P15/441

An Bord Pleanála Reference Number: PL 16.245545

APPEAL by Julia and Brendan Chambers care of Construction Services of Tonranny, Westport, County Mayo in relation to the application by Mayo County Council of the terms of the Development Contribution Scheme made for the area in respect of condition number 4 of its decision made on the 8th day of September, 2015.

PROPOSED DEVELOPMENT: Development comprising two number first floor windows on south/west elevation at Unit 15, Castlebar Retail Park, Breaffy Road, Castlebar, County Mayo.

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 condition number 4 and directs the said Council to REMOVE condition number 4 and the reason therefor.

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REASONS AND CONSIDERATIONS

Having regard to the nature and extent of the proposed development comprising the insertion of two windows in an authorised building and where no change of use or additional floor area is proposed, to the planning history of the site (including the payments made to the planning authority on foot of the parent planning permissions granted under planning register reference numbers P00/2319 and P03/2242) and to the provisions of the Development Contribution Scheme 2004, for County Mayo as adopted, which state that the various categories of contribution are applied to a particular planning application only where they are relevant, it is considered that the terms of the Development Contribution Scheme have not been properly applied in respect of the proposed development and that Condition No. 4 shall, therefore, be removed.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

Member of An Bord Pleanála duly authorised to authenticate the seal of the Board.

Dated this day of 2016.

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