# An Bord Pleanála



# PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

## Kerry County

## Planning Register Reference Number: 15/240

An Bord Pleanála Reference Number: PL 08.245576

**APPEAL** by Liam Davis care of McCutcheon Halley Walsh of 6 Joyce House, Barrack Square, Ballincollig, County Cork in relation to the application by Kerry County Council of the terms of the Development Contribution Scheme made for the area in respect of condition number 2 and the inclusion of a Supplementary Development Contribution condition number 3 in its decision made on the 7<sup>th</sup> day of September, 2015.

PROPOSED DEVELOPMENT: Development consisting of (A) retention educational/warehousing/light permission for the existing industrial development within revised site boundaries and planning permissions for (B) change of use of 303.5 square metres at ground floor, 1,044.5 square metres at first floor and 588.4 square metres at second floor level from permitted warehousing and light industrial use to Class 3 office use as per Schedule 2, Part 4 of the Planning and Development Regulations 2001, as amended, and (C) extend the parking area to the west of the site for the provision of 33 number additional car parking spaces. The application includes all associated site works and ancillary services at Liber House, Cloonanorig, Monavalley Industrial Park, Tralee, County Kerry, as amended by the revised public notice received by the planning authority on the 3<sup>rd</sup> day of July, 2015.

### 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 been properly applied in respect of condition number 2 and in accordance with section 49 of the Planning and Development Act, 2000, as amended, considered, based on the reasons and considerations set out below, that the terms of the Supplementary Development Contribution Scheme for the area had been properly applied in respect of condition number 3 and directs the said Council to ATTACH conditions numbers 2 and 3 and the reasons therefor.

### 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.

## REASONS AND CONSIDERATIONS

It is considered that the terms of Tralee Town Council Development Contribution Scheme 2007, and of the Tralee Ring Roads Supplementary Development Contribution Scheme 2010 have been properly applied. The Board is satisfied that the change of use proposed in this instance would be likely to substantially increase the demand for water and increase the amount of effluent as compared to the previous use of the subject property, and therefore, that development contributions are payable for this change of use. Furthermore, the Board is satisfied that the calculation of these development contributions, at the 50% reduction rate provided for within the Development Contribution Schemes, was correct and is appropriate in this instance.

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

Dated this day of