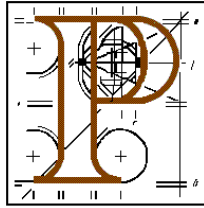


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Laois County

Planning Register Reference Number: 15/31

An Bord Pleanála Reference Number: PL 11.245694

APPEAL by Eugene Conroy care of O’Riain Planning of Cashel, Ballyroan, County Laois in relation to the application by Laois County Council of the terms of the Development Contribution Scheme made for the area in respect of conditions numbers 11 and 12 of its decision made on the 2nd day of October, 2015.

PROPOSED DEVELOPMENT: Development consisting of (a) change of use from kitchen and dining room to public house lounge area, (b) hard stand yard to the rear, (c) change of use of storage shed to covered smoking area, (d) new shop front. Permission is sought for (1) change of use from five bedroom bed and breakfast and domestic living area to two number two bedroom apartments and an office unit associated to the public house, (2) erect a new commercial kitchen and stores to rear of existing kitchen and all associated site works, all at The Vintage Inn, Main Street, Stradbally, County Laois.

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 11 and 12 and directs the said Council to AMEND conditions numbers 11 and 12 so that they shall be as follows for the reasons stated.

11. The developer shall pay to the planning authority a financial contribution of €6,627 (six thousand, six hundred and twenty-seven euro) in respect of public infrastructure and 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 prior to 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 the time of payment. The application of any indexation required by this condition shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, 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.

12. The developer shall pay to the planning authority a financial contribution of €4,500 (four thousand, five hundred euro) in respect of public infrastructure and 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 prior to 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 the time of payment. The application of any indexation required by this condition shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, 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.

