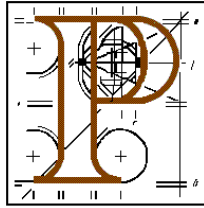


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Sligo County

Planning Register Reference Number: 15/350

An Bord Pleanála Reference Number: PL 21.245931

APPEAL by Vodafone Ireland Limited care of FocusPlus Limited of Number 3 Arbourfield House, Dundrum Business Park, Windy Arbour, Dublin in relation to the application by Sligo County Council of the terms of the Development Contribution Scheme made for the area in respect of condition number 5 of its decision made on the 27th day of November, 2015.

PROPOSED DEVELOPMENT: Retention of development (planning register reference number 10/28) consisting of an existing 24 metre high telecommunications support structure with antennas, equipment container and associated equipment within a fenced compound and access track. The development forms part of Vodafone Ireland Limited's existing GSM and 3G Broadband telecommunications network, all at Annaghmore, Collooney, County Sligo.

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 5 and directs the said Council to AMEND condition number 5 so that it shall be as follows for the reason stated.

5. The developer shall pay to the planning authority a financial contribution of €15,000 (fifteen thousand 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 within one month of the date of this order 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.

REASONS AND CONSIDERATIONS

It is considered that the terms of the Development Contribution Scheme for the area were correctly interpreted in respect of condition number 5, insofar as the development is subject to a financial contribution under the Scheme, and the Scheme does not provide for any exemptions in respect of temporary permissions for telecommunications support structures, and a development contribution was not levied under any previous permission for this structure. It is further considered that the wording of the condition should be amended to reflect the fact that the development is currently in place.

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.