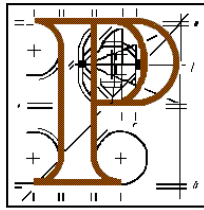


# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

**Louth County**

**Planning Register Reference Number: 15/773**

An Bord Pleanála Reference Number: PL 15.246142

**APPEAL** by Melcorpo Commercial Properties Limited care of BMA Planning of 128 Lower Baggot Street, Dublin in relation to the application by Louth County Council of the terms of the Development Contribution Scheme made for the area in respect of condition number 2 of its decision made on the 14<sup>th</sup> day of January, 2016.

**PROPOSED DEVELOPMENT:** Development consisting of retention of internal reconfiguration of existing accommodation at Levels 2 and 3 as follows: (1) Level 2: Change of use and reconfiguration of Unit 28 (265 square metres) (previously retail) to provide a new cinema lobby to accommodate a café kiosk (42 square metres), seating area (23 square metres), new cinema concession counter and relocated stairs access to the existing cinema at Level 3; (2) Level 3: Reconfiguration of cinema foyer area (231 square metres) to accommodate a new concession counter, toilet facilities and relocated stairs access. Permission is also sought for retention of all associated site and development works, all at Drogheda Town Centre, West Street, Stockwell Lane and Dyer Street, Drogheda, County Louth.

## **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 directs the said Council to ATTACH condition number 2 and the reason therefor.**

## **REASONS AND CONSIDERATIONS**

It is considered that the planning authority properly applied the terms of the Drogheda Borough Council Development Contribution Scheme, which does not provide for any exemptions or reductions for development in respect of which retention has been sought and granted.

In deciding not to accept the recommendation of the Inspector, which was to require a reduction in the amount of the financial contribution, the Board considered that the terms of the Development Contribution Scheme had been properly applied by the planning authority in this instance, and noted that this was the relevant criterion for appeals of this nature, and that, in such circumstances, the Development Contributions Guidelines for Planning Authorities issued by the Department of the Environment, Community and Local Government in 2013 referred to by the Inspector are not a material consideration.

## **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.

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

**Dated this          day of                                  2016.**