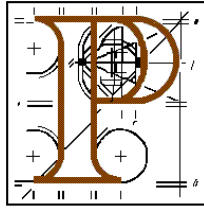


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Mayo County

Planning Register Reference Number: P16/222

An Bord Pleanála Reference Number: PL 16.246688

APPEAL by Three Ireland Services (Hutchison) Limited of 28/29 Sir John Rogerson's Quay, Dublin 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 5 of its decision made on the 20th day of May, 2016.

PROPOSED DEVELOPMENT: Retention of the existing 36 metres high telecommunications support structure (previously granted permission under planning register reference number 10483 which was a temporary permission for a period of 5 years which has expired) carrying antennas and link dishes together with ground based equipment, security fencing and access track at Davros, Kilmaine, 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 5 and directs the said Council to REMOVE condition number 5 and the reason therefor.

REASONS AND CONSIDERATIONS

Having regard to the fact that there is no stated provision in the Mayo County Council Development Contribution Scheme for the levying of financial contributions in respect of the provision or retention of telecommunications masts, antennas or associated equipment, the Board considered that the terms of the said scheme had not been properly applied in this case.

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.