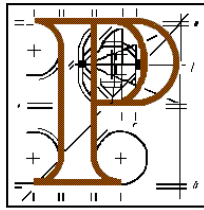


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Galway County

Planning Register Reference Number: 16/366

An Bord Pleanála Reference Number: PL 07.246738

APPEAL by Three Ireland Services (Hutchison) Limited of 5 Harbourmaster Place, I.F.S.C., Dublin in relation to the application by Galway County Council of the terms of the Development Contribution Scheme made for the area in respect of condition number 9 of its decision made on the 19th day of May, 2016.

PROPOSED DEVELOPMENT: Retention of an existing 30 metre high telecommunications support structure (previously granted permission under planning register reference number 10/1334 which was a temporary permission for a period of five years which has expired) carrying antennas and link dishes together with associated equipment units, security fencing and access track, all at Castlegar East, Ahascragh, County Galway.

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 9 and directs the said Council to ATTACH condition number 9 and the reason therefor.

REASONS AND CONSIDERATIONS

Having regard to the planning history of the site and to the provisions of the Galway County Development Contribution Scheme 2016, which require the payment of a development levy in respect of telecommunications infrastructure, the Board considered that as no levy has previously been paid in respect of this telecommunications infrastructure, the attachment of condition number 9 as included in the planning authority notification of decision to grant planning permission was warranted in this instance.

In deciding not to accept the Planning Inspector's recommendation to remove condition number 9 from the planning authority notification of decision to grant planning permission, the Board considered that the payment of a development levy as required by the planning authority was warranted in circumstances where a development levy had not previously been paid in respect of this telecommunications infrastructure.

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.