

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Laois County

Planning Register Reference Number: 16/220

An Bord Pleanála Reference Number: PL 11.247390

APPEAL by Irish Water care of Jennings O'Donovan and Partners Consulting Engineers of Finisklin Business Park, Sligo in relation to the application by Laois County Council of the terms of the Development Contribution Scheme made for the area in respect of condition number 17 of its decision made on the 14th day of September, 2016.

PROPOSED DEVELOPMENT: Upgrading of water treatment plant including the refurbishment of the existing two-storey masonry water treatment plant building, gross floor area 392 square metres approximately, new extension with gross floor area 45 square metres approximately, to the existing water treatment plant building, construction of a new water treatment plant process building, gross floor area 490 square metres approximately, removal of existing roofs and construction of new portal frame roofs to existing reservoir structures, construction of a new sludge treatment building, gross floor area 200 square metres approximately, demolition of existing pumphouse and replacement with new substation and pumphouse building, gross floor area 48 square metres, demolition of existing tanks and construction of new tank and storage structures, together with underground watermains and service connections, improvements to existing boundaries, landscaping and all associated site works at Bunastick and Clonaslee, 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 condition number 17 and directs the said Council to **AMEND** condition number 17 so that it shall be as follows for the reason stated.

17. The developer shall pay to the planning authority a financial contribution of €23,652 (twenty-three thousand, six hundred and fifty-two 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 the 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.

