



An
Bord
Pleanála

Board Order PL 03.248090

Planning and Development Acts 2000 to 2017

Planning Authority: Clare County Council

Planning Register Reference Number: 16/920

Appeal by Centric Health Primary Care Limited care of EML Architects of 20 Cruises Street, Limerick in relation to the application by Clare County Council of the terms of the Development Contribution Scheme made for the area in respect of condition number 7 of its decision made on the 31st day of January, 2017.

Proposed Development: Change of use from office to medical centre and retail use on the ground floor of an existing two-storey commercial building, elevational changes, signage, the construction of new ramped/stepped access routes, adjustment of car parking and all associated site works at Francis Street, Ennis, County Clare.

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 7 and directs the said Council to AMEND condition number 7 so that it shall be as follows for the reason stated.

7. The developer shall pay to the planning authority a financial contribution in respect of car parking 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, having regard to the shortfall of 26 car parking spaces arising from the proposed development. The contribution shall be paid prior to 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. Details of the application of the terms of the Scheme, and in respect of any applicable adjustment in accordance with the relevant provisions of the Scheme in place at the time of payment, 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 for determination.

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, and it is considered appropriate that the developer should contribute towards the cost of car parking spaces benefiting the development, as provided for in this Scheme.

