



An
Bord
Pleanála

Board Order
PL 25M.248466

Planning and Development Acts 2000 to 2017

Planning Authority: Westmeath County

Planning Register Reference Number: 17/6046

Appeal by Chris and Colin Kennedy care of BGM Consulting of Ranaghan, Castlepollard, County Westmeath in relation to the inclusion of special contribution condition number 4 by Westmeath County Council in its decision made on the 12th day of April, 2017.

Proposed Development: (1) Retention of the existing six bay slatted shed, (2) retention of the freestanding meal bin and (3) all ancillary site services at Kilpatrick, Collinstown, County Westmeath.

Decision

The Board, in accordance with section 48 of the Planning and Development Act, 2000, as amended by section 30 of the Planning and Development Act, 2010, based on the reasons and considerations under, directs the said Council, under section 48 (13) of the 2000 Act, to ATTACH condition number 4 and the reason therefor.

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.

Reasons and Considerations

It is considered that it has been shown that the special development contribution required under condition number 4 of this permission constitute specific exceptional costs not covered by the General Development Contribution Scheme, and that the public infrastructure and facilities involved, that is, the works to restore the road surface, as itemised by the planning authority in its engineering report, would benefit the development for which retention is sought. Furthermore, it is considered that the apportionment of the costs of these works, by which the subject development would be required to pay a proportion only of the full costs, is equitable having regard to the pattern of development in the vicinity and the properties that would benefit from such works.

