



An  
Bord  
Pleanála

**Board Order**  
**PL 93.248706**

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## **Planning and Development Acts 2000 to 2017**

**Planning Authority: Waterford City and County Council**

**Planning Register Reference Number: 16/705**

**Appeal** by The Board of Management of Newtown School care of Wigham McGrath and Partners of 29 William Street, Waterford in relation to the application by Waterford City and County Council of the terms of the Development Contribution Scheme made for the area in respect of condition number 11 of its decision made on the 23<sup>rd</sup> day of May, 2017.

**Proposed Development:** The construction of a dormer style extension to the existing girl's dormitory building. This will include a total of 22 twin student bedrooms all with en-suites, three number teacher's self-catering accommodation, two number stairwells, one number disabled accessible lift along with various common and storage rooms. Full permission is also sought for the erection of a galvanized steel double gates to the proposed enclosed courtyard, all with associated site development works at "Annamaur", Newtown School, Newtown, Waterford. It is proposed that this work will take place within the curtilage of Protected Structure Number 315.

## **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 11 and directs the said Council to REMOVE condition number 11 and the reasons therefor.**

## **Reasons and Considerations**

The Board considers that the requirement to pay the development contribution is not in accordance with the requirements of Section 48 of the Planning and Development Act, 2000, as amended, and the Waterford Development Contribution Scheme 2015-2021. It is considered that the proposed development is by a not for profit organisation and is for the purpose of non-commercial community related development. As such, it is exempt under subsection 7(1) of the Development Contribution Scheme 2015-2021. Accordingly, the Board considers that condition number 11 was unwarranted and directs that it be removed.

