

## Board Order PL 16.249050

Planning and Development Acts 2000 to 2017 Planning Authority: Mayo County Council Planning Register Reference Number: P17/64

**Appeal** by Claudio Monti care of Keith O'Connor of Cox's Yard, Distillery Road, Westport, County Mayo in relation to the application by Mayo County Council of the terms of the Development Contribution Scheme made for the area in respect of condition number 6 of its decision made on the 19<sup>th</sup> day of July, 2017.

**Proposed Development:** Subdivision of existing commercial premises into (1) a new retail outlet with alterations to front elevation with separate access, and (2) change of use of previous convenience deli to restaurant together with all ancillary site works at James Street, Westport, County Mayo as amended by the revised public notice received by the planning authority on the 27<sup>th</sup> day of June, 2017.

## 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 6 and directs the said Council to ATTACH condition number 6 and the reason therefor.

## **Reasons and Considerations**

Having regard to the nature and extent of the proposed development, which required a greater car parking requirement than the existing use, the Board considered that the Mayo County Council Development Contribution Scheme was properly applied in relation to the car parking provision.

In deciding not to accept the recommendation of the Inspector to amend condition number 6, the Board noted the appeal related solely to the car parking element of the contribution of this condition. The Board concurred with the Inspector's analysis but did not agree that there was provision for reduction by the Board in this instance and was satisfied that the planning authority correctly applied the terms of the Scheme in this regard.

The Board did not consider that other aspects of the financial contribution were open for consideration as the application by the planning authority of these aspects of the Scheme were not raised in the grounds of appeal.

## 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 2017