



An  
Bord  
Pleanála

**Board Order**

**PL 16.249242**

---

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

**Planning Authority: Mayo County Council**

**Planning Register Reference Number: P17/71**

**Appeal** by John and Michael Patten care of The Planning Partnership of McHale Retail Park, Castlebar, 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 11 of its decision made on the 14<sup>th</sup> day of August, 2017.

**Proposed Development:** Development consisting of (1) the demolition of the existing buildings on site and (2) the construction of a new nine bedroomed purpose built Hostel facility with lounge and dining facility and multi-purpose common room with all necessary ancillaries to the Hostel including a new wastewater treatment plant and car park facilities along with all necessary site works and ancillaries at Derreens, Achill, County Mayo.

### **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 AMEND condition number 11 so that it shall be as follows for the reasons stated.**

11. The developer shall pay to the planning authority a financial contribution of €1,642.20 (one thousand, six hundred and forty-two euro and twenty cent) 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 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.

## **Reasons and Considerations**

Having regard to the absence from the Mayo Development Contribution Scheme 2004, as amended, of a method of calculating the dwelling equivalent of commercial development, it is considered appropriate in this case to use a standard of 150 square metres of commercial floorspace being equivalent to a dwelling, which standard was advocated in the appeal and has previously been used by the planning authority and An Bord Pleanála in similar cases. The permitted development of 346 square metres would, therefore, be equivalent to 2.3 dwellings.

