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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Meath County Council**

**Planning Register Reference Number: RA/180561**

**Appeal** by Merville Homes Limited care of Delphi Design of 13 Seapoint Building, 44/45 Clontarf Road, Clontarf, Dublin in relation to the inclusion of special contribution condition number 24 by Meath County Council in its decision made on the 7<sup>th</sup> day of June, 2019.

**Proposed Development:** Construction of 83 number dwellings and a creche on a site area of 2.6 hectares. The proposed development consists of the construction of 10 number one, two and three bedroom apartments in a three-storey building, 16 number two and three bedroom duplex units in two number three-storey blocks and 57 number two, three and four bedroom, two and three-storey detached, semi-detached and terraced houses. The proposed development also provides for a single storey creche (117 square metres), open spaces, landscaping, car parking and all associated site development works. Access to the development will be via a newly constructed access road, directly off Station Road and associated upgrade works, including provision of new bus stop, along the boundary of the site with Station Road. All at Station Road, Dunboyne, County Meath. Further public notices were received by the planning authority on the 13<sup>th</sup> day of May, 2019.

## **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 REMOVE condition number 24 and the reason therefor.**

## **Reasons and Considerations**

It is not considered that the special contribution condition (number 24) would come within the scope of Section 48(2)(c) of the Planning and Development Act, 2000, as amended, in the absence of any evidence that specific exceptional costs would be incurred by the planning authority in providing public infrastructure and facilities directly as a result of, or in order to facilitate that particular development, and such contribution would, therefore, be inappropriate.

## **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.

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**Terry Prendergast**  
**Member of An Bord Pleanála**  
**duly authorised to authenticate**  
**the seal of the Board.**

**Dated this            day of            2019.**