



An
Bord
Pleanála

Board Order
ABP-306444-20

Planning and Development Acts 2000 to 2019

Planning Authority: Laois County Council

Planning Register Reference Number: 19/268

Appeal by Coolrain Sawmills Limited care of McCarthy O’Hora Architects of Old Church, Church Street, Portlaoise, County Laois in relation to the application by Laois County Council of the terms of the Development Contribution Scheme made for the area in respect of condition number 14 of its decision made on the 16th day of December, 2019.

Proposed Development: (A) Construction of a storage extension and alterations to existing processing mill building including reroofing in line with previously granted under planning register reference number 16448, (B) construction of a new single skin metal clad portal framed storage unit, (C) construction of new proprietary free standing canopy type structure over existing external retail display area, (D) and all associated site works, The site is the subject of an existing integrated pollution license from the EPA, all at Coolrain Sawmills, Coolrain, Portlaoise, County Laois.

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 14 and directs the said Council to AMEND condition number 14 so that it shall be as follows for the reason stated.

14. The developer shall pay to the planning authority a financial contribution of €34,136 (thirty four thousand one hundred and thirty six euro) 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.

