



An  
Bord  
Pleanála

**Board Order**  
**ABP-307849-20**

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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Louth County Council**

**Planning Register Reference Number: 20240**

**Appeal** by Leonard and Woods Developments Limited care of John Spain Associates of 39 Fitzwilliam Place, Dublin in relation to the application by Louth County Council of the terms of the Development Contribution Scheme made for the area in respect of condition number 2 of its decision made on the 13<sup>th</sup> day of July, 2020.

**Proposed Development:** Retention of the sub-division and formation of lower ground floor retail units 6A, 6D and 6E and shared escape corridor servicing units 6A and 6E. Minor elevational changes have been carried out to the south elevation to provide new shopfronts entrances and signage zones for the above units at Boyne Centre, Bolton Street, Drogheda, County Louth.

## **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 2 and directs the said Council to REMOVE condition number 2 and the reason therefor.**

## **Reasons and Considerations**

The Board considered the Louth County Council Development Contribution Scheme 2016-2021 is the applicable contribution scheme in this case and that the terms of the scheme have been incorrectly applied and the levy imposed under condition number 2 would result in a double charging of contributions.

## **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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**Michelle Fagan**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board.**

**Dated this            day of            2020.**