



An
Bord
Pleanála

Board Order ABP-313722-22

Planning and Development Acts 2000 to 2022

Planning Authority: Cavan County Council

Planning Register Reference Number: 21/733

Appeal by Shane O'Reilly care of CLW Environmental Planners Limited of The Mews, 23 Farnham Street, Cavan, County Cavan in relation to the application by Cavan County Council of the terms of the Development Contribution Scheme made for the area in respect of conditions numbers 2 and 3 of its decision made on the 13th day of May, 2022.

Proposed Development: Retain one number Pig House (to include integrated store/control room) together with all ancillary structures (to include meal storage bins) and all associated site works arising from the above proposed development at Corravilla, Bailieborough, County Cavan.

Decision

The Board considered, in accordance with section 48 of the Planning and Development Act, 2000, as amended, and 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 2 and had not been properly applied in respect of condition number 3, and directs the said Council to ATTACH condition number 2 and to REMOVE condition number 3 so that it shall be as follows for the reasons stated.

Reasons and Considerations

Condition Number 2:

The Board considered that the Cavan County Council Development Contribution Scheme 2017-2020 is the applicable development contribution scheme in this case and that it had been properly applied by the planning authority.

Condition Number 3:

Having regard to:

- (a) Section 48(2)(c) of the Planning and Development Act, 2000, as amended,
- (b) the Development Contributions Guidelines for Planning Authorities (2013),
- (c) the Cavan County Council Development Contribution Scheme 2017-2020,
- (d) the size and nature of the proposed development, and
- (e) the pattern of development in the area,

the Board, in accordance with section 48 of the Planning and Development Act, 2000, as amended, considered that the condition failed to meet the requirements of Section 48(2)(c) of the Act and should be omitted.



Stephen Brophy

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this 31st day of October 2023