

An  
Bord  
Pleanála

**Board Direction**  
**BD-012475-23**  
**ABP-314302-22**

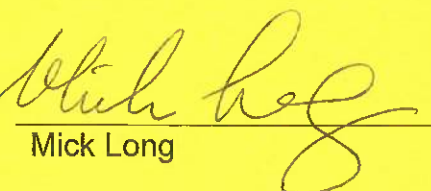
The submissions on this file and the Inspector's report were considered at a Board meeting held on 13/06/2023.

The Board treated this case under section 48 of the Planning and Development Act, 2000, as amended and decided that the planning authority be directed to remove condition 28.

**Reasons and Considerations:**

As per Inspector's recommendation, the Board considered that the contribution of €70,000.00 imposed under condition number 28 as a special development contribution for the public lighting and surface upgrading of the L-31271 laneway is not in accordance with the provisions of Section 48(2)(c) of the Planning and Development Act 2000. The Board considered that the planning authority had failed adequately demonstrate specific exceptional costs proposed to be carried out relating to the contribution sought as required by section 48(12)(a) of the Planning and Development Act, 2000, as amended and determined that the condition should be removed.

**Board Member:**

  
Mick Long

**Date:** 16/06/2023