

An  
Bord  
Pleanála

**Board Order**  
**ABP-317108-23**

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Louth County Council**

**Planning Register Reference Number: 23/60023**

**Appeal** by Margaret Reilly care of Brady Hughes Consulting of 26A Magdalene Street, Drogheda, County Louth 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 17<sup>th</sup> day of April, 2023.

**Proposed Development:** (1) Retention of change of use from a furniture store approved under planning reference 83559, to a light industrial workshop with ancillary showroom, (2) retention of a first-floor office area extending to 51 square metres, (3) permission for demolition of an existing 15 square metres lean-to together with the provision of a rear single extension to the existing workshop. The extension will be used for storage purposes associated with the existing workshop, and (4) all associated site development works, at Grand Designs, Newtownstalaban, Termonfeckin Road, 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 AMEND condition number 2 so that it shall be as follows for the reason stated.**

2. Prior to commencement of development, and no later than six months from the date of this Order in relation to retention works hereby permitted, or as otherwise agreed in writing with the planning authority, the developer shall pay the sum of €24,927.60 (twenty four thousand nine hundred and twenty seven euro and sixty cent) to the planning authority as a contribution towards expenditure that was/or is proposed to be incurred by the planning authority in respect of the provision of public infrastructure and facilities benefiting development in the area of the authority, as provided for in the Louth County Council Development Contribution Scheme 2016-2021 (as extended). These rates of contribution shall be updated and effective from the 1<sup>st</sup> day of January each year, in accordance with the SCSi Tender Price Index.


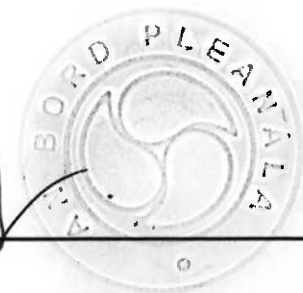
Retention Works (370.46 square metres)	€22,227.60
Proposed Extension (180 square metres)	€2,700.00
<b>Total</b>	<b>€24,927.60</b>

**Reason:** It is considered reasonable that the payment of a contribution be required in respect of the provision of public infrastructure benefiting development in the area of the planning authority and that is provided, or that is intended will be provided, by or on behalf of the local authority.

## Reasons and Considerations

It is considered that the Development Contribution Scheme was correctly applied in respect of all retention works sought and permitted within the development proposal.

It is further considered and concluded that the basis on which the financial contribution was calculated did not take into account article 6.2(7) of the Louth Development Contribution Scheme 2016-2021 (as extended) under the provisions of Section 48 of the Planning and Development Act 2000 (as amended) which allows for a 75% reduction on expansions to authorised industrial and manufacturing operations. Therefore, the proposed expansion of the existing building (180 square metres) would attract the reduced financial contribution in accordance with the adopted Development Contribution Scheme.

  
  
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**Mary Cregg**  
**Member of An Bord Pleanála**  
**duly authorised to authenticate**  
**the seal of the Board.**

Dated this 21<sup>st</sup> day of March 2024.