



An
Coimisiún
Pleanála

**Commission Order
ABP-322136-25**

Planning and Development Act 2000, as amended

Planning Authority: Waterford City and County Council

Planning Register Reference Number: 24/60536

Appeal by Emmett Mullally and others care of BPS Planning and Development Consultants Limited of PO Box 13658, Dublin against the decision made on the 25th day of February, 2025 by Waterford City and County Council to grant subject to conditions a permission to James Foran and Nephin Renewable Gas - Reatagh Limited care of John Spain Associates of 39 Fitzwilliam Place, Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: The construction of an anaerobic digestion facility to produce renewable biomethane, CO₂ (which will be captured), and a bio-based fertiliser from organic material. The total gross floor area of the proposed development (including internal plant areas and ancillary structures) will be circa 3,482 square metres. The development will consist of the following: construction of three number digesters (circa 15.5 metres in height), two number digestate storage structures (circa 15.5 metres and 12 metres in height), four number pump houses (circa 2.59 metres in height), a liquid feed tank (circa four metres in height), located in the northeastern section of the site, construction of four number pasteurisation tanks (each circa six metres in height), a post pasteurisation cooling tank (circa four metres in height) and pre

fertiliser manufacturing tank (circa four metres in height) located in the centre of the site, construction of a part single-storey and part two-storey reception hall (with a gross floor area (GFA) of circa 2,113 square metres and an overall height of circa 16.5 metres) to accommodate reception and storage areas, a laboratory, panel room, tool store, workshop, located in the northwestern section of the site, construction of a single-storey solid digestate storage and a nutrient recovery building (with a gross floor area of circa 880 square metres and an overall height of circa 12.4 metres) located to the south of the reception hall, in the central section of the site, odour abatement plant and equipment and a fuel tank will be provided to the south of the solid digestate storage and nutrient recovery building, two number CO₂ tanks (circa 10.7 metres in height), a CO₂ loading pump (circa 2.5 metres in height), CO₂ auxiliaries (circa 2.6 metres in height), CO₂ liquefactor (circa 8.2 metres in height), a CO₂ compressor (circa 5.9 metres in height), a CO₂ pre-treatment skid (circa 3.5 metres in height), and associated plant including a backup boiler/biomethane boiler and a Compressed Natural Gas compression unit/biogas compression system located in the southern portion of the site, a H₂S washing tower (circa 7.8 metres in height), a biogas treatment skid (circa 4.1 metres in height), a combined heat and power (CHP) unit and panel room (circa 10 metres in height), a biogas compression system, a biogas upgrading module, and an emergency biogas flare (circa 11.3 metres in height), also located within the southern section of the site, construction of a two-storey office and administration building with an overall height of circa 8.5 metres and a gross floor area of circa 272 square metres, located within the southwestern area of the site, adjacent to the main site access, construction of a grid injection unit (circa 2.75 metres in height) within a fenced compound, an ESB substation (circa 3.4 metres in height and a gross floor area of circa 23.5 square metres), and two number propane tanks located in the southwestern portion of the site, alterations to the existing public road (circa 475 metres to the south of the main site area) including provision of boundary setbacks and replacement planting, providing a new site entrance and access road to serve the development, associated and ancillary works including parking (six number standard, three number EV and one number disabled

parking spaces and bike storage for 10 number bikes), a weighbridge, solar PV arrays at roof level, wastewater treatment equipment, bunding and surface treatments, attenuation pond, boundary treatments, lighting, services, lightning protection masts, drainage, landscaping, and all associated and ancillary works, all in the townlands of Curraghnagarraha, Reatagh, and Curraghballintlea, Carrick-on-Suir, County Waterford. The application site comprises of circa 7.7 hectares. The site is primarily surrounded by agricultural lands and is adjacent to an existing piggery to the southeast. The site takes in an area of the existing public road to the south of the main site area, to provide for access to the development. As revised by the further public notice received by the planning authority on the 2nd day of January, 2025 and by An Coimisiún Pleanála on the 19th day of May, 2025.

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

The Commission made its decision consistent with the Climate Action and Low Carbon Development Act 2015, as amended, the Climate Action Plan 2024 and Climate Action Plan 2025, and had regard to the following:

- (a) the policies and objectives set out in the National Planning Framework 2025, including National Strategic Outcome 8 that aims to increase the delivery of electricity by renewable sources through to 2030 and beyond, National Policy Objectives (NPO) 23, which seeks to facilitate the development of the rural economy through supporting industries such as energy and the bio economy, NPO 53 supporting the circular and bioeconomy including greater use of renewable resources and NPO 55,

promoting renewable energy use and generation at appropriate locations,

- (b) the Regional Spatial and Economic Strategy (Southern Regional Assembly) 2020-2032,
- (c) the policies and objectives set out in the Waterford City and County Development Plan 2022-2028, Objective UTL 13 which supports appropriate options for, and provision of, low carbon and renewable energy technologies and facilities, including the development and provision of district heating (and/or other low carbon heating technologies), anaerobic digestion and the extraction of energy and other resources from sewerage sludge,
- (d) the National Biomethane Strategy 2024 issued by the Department of Agriculture, Food and the Marine,
- (e) the Draft Bioenergy Plan issued by the Department of Communications, Energy and Natural Resources in 2014,
- (f) the National Policy Statement on the Bioeconomy issued by the Government of Ireland in 2018,
- (g) the Waste Action Plan for a Circular Economy – National Waste Policy 2020-2025 issued by the Department of Environment, Climate and Communications in 2020, which aims to realise the food waste resource potential of anaerobic digestion,
- (h) the Southern Regional Waste Management Plan 2015-2021, that seeks to grow anaerobic digestion (and composting) by supporting the development of new facilities,
- (i) the Planning System and Flood Risk Management Guidelines issued by the Department of the Environment, Heritage and Local Government and the Office of Public Works in 2009,
- (j) the nature, scale and design of the proposed development,
- (k) the pattern of existing and permitted development in the area,

- (l) the planning history of the site and the surrounding area,
- (m) the submissions and observations received, and
- (n) the reports of the Senior Inspector, Senior Ecologist and Scientist.

Appropriate Assessment Screening

The Commission completed an Appropriate Assessment Screening exercise in relation to the potential effects of the proposed development on European Sites, taking into account the nature, scale and location of the proposed development, the Appropriate Assessment Screening Report submitted with the application and the Inspector's report and submissions on file. In completing the screening exercise, the Commission adopted the report of the Inspector and concluded that, by itself or in combination with other development in the vicinity, the proposed development has the potential to have a significant effect on the Lower River Suir Special Area of Conservation (site code: 002137) in view of the site's conservation objectives, and that a Stage 2 Appropriate Assessment (and submission of a Natura Impact Statement) is, therefore, required.

Appropriate Assessment

Following an examination, analysis and evaluation of the Natura Impact Statement, and taking account of the Inspector's report, the Senior Ecologist Inspector of An Coimisiún Pleanála and the submissions on file, it is considered that adverse effects on site integrity of the Lower River Suir Special Area of Conservation (site code: 002137) can be excluded in view of the conservation objectives for this site and that no reasonable scientific doubt remains as to the absence of such effects.

This conclusion is based on the following:

- (a) detailed assessment of construction and operational impacts,
- (b) proposals to maintain and improve the existing water status of adjoining waterbodies including the Tinhalla Stream that feeds into the River Suir,

- (c) effectiveness of mitigation measures proposed including standard practice construction mitigation measures, dust management and noise mitigation,
- (d) application of planning conditions to ensure these measures, and
- (e) the proposed development will not affect the attainment of conservation objectives for the Lower River Suir Special Area of Conservation (site code: 002137).

Environmental Impact Assessment

The Commission completed an Environmental Impact Assessment of the proposed development taking account of:

- (a) the nature, scale, location, and extent of the proposed development,
- (b) the Environmental Impact Assessment Report and associated documentation submitted in support of the application,
- (c) the submissions received from the applicant, planning authority, prescribed bodies, and observers in the course of the application, and,
- (d) the reports of the Commission's Scientist, Senior Ecologist Inspector and Senior Planning Inspector.

The Commission considered that the Environmental Impact Assessment Report, supported by the documentation submitted by the applicant, adequately identifies and describes the direct, indirect, secondary, and cumulative effects of the proposed development on the environment. The Commission agreed with the examination, as set out in the Inspector's report, of the information contained in the Environmental Impact Assessment Report (EIAR) and associated documentation submitted by the applicant and submissions made in the course of the application.

The Commission noted that the proposed Anaerobic Digester facility will require a licence from the Environmental Protection Agency (EPA), and that

the Environmental Impact Assessment Report will be independently considered and assessed by the EPA before the licence is granted.

The Commission acknowledged that the (proposed) gas connection and pipeline will be owned and operated by Gas Networks Ireland, and they will be required to submit a separate planning application, including an Environmental Impact Assessment Report, for assessment of the proposal on the environment.

Notwithstanding that future assessment, the Commission considered elements of the submitted Environmental Impact Assessment Report and Natura Impact Statement that referenced the gas pipeline and the potential effects on the local environment. In this regard, the Commission noted that a new pipeline connecting the applicant's Grid Injection Unit to the existing medium pressure distribution gas pipeline located approximately 2.5 kilometres north from the site at Carrickbeg, Carrick-on-Suir, County Tipperary will be installed along Scrouty Road, Rath Road and the R680.

In the absence of mitigation, as a result of these works the Environmental Impact Assessment Report records a potential for there to be negative, slight and temporary impacts on those roads as a result of traffic management measures during the installation of the pipeline during the construction phase. The proposed works may also result in the loss of hedgerows and grass verges along the roadside.

The Commission completed an Environmental Impact Assessment in relation to the proposed development and concluded that, subject to the implementation of the mitigation measures proposed, as set out in the Environmental Impact Assessment Report, and subject to compliance with the conditions set out below, the effects of the proposed development on the environment, by itself and in combination with other plans and projects in the vicinity, would be acceptable. In doing so, the Commission adopted the report and conclusions of the Senior Inspector. Overall, the Commission is satisfied that the proposed development would not have any unacceptable effects on the environment.

Reasoned Conclusion and Significant Effects

Having regard to the examination of environmental information contained above, and in particular to the Environmental Impact Assessment Report and supplementary information provided by the applicant, the reports from the planning authority and submissions by prescribed bodies and the appellant in the course of the application, it is considered that the main significant direct and indirect effects of the proposed development on the environment are, and will be mitigated, as follows:

- Direct positive employment impacts from the construction and operational stages, as well as indirect employment associated with haulage, services and other spin-off sectors.
- Potential risks associated with major accidents and/or disasters, which will be suitably mitigated through compliance with the relevant health and safety regulatory regimes and by limiting the quantities of dangerous substances present on site to levels below the relevant thresholds for the COMAH Regulations.
- Direct and indirect impacts on Biodiversity at the construction and operational stages due to the loss of habitat, disturbance of species due to noise and lighting, and impacts on water quality and air quality. These impacts will be addressed by embedded mitigation measures including a sealed effluent/water system and landscape/habitat creation through reinforcement and embellishment of existing hedgerows. Construction stage impacts will be mitigated by the implementation of a Construction Environmental Management Plan including the establishment of a working corridor near treelines/hedgerows and an active approach to silt control. Operational stage impacts will be mitigated by the provision of suitable lighting and habitat creation, as well as future monitoring and remediation of habitat restoration proposals.
- Potential direct and indirect impacts on Hydrology and Hydrogeology at construction and operational stage as a result of construction materials/substance pollution, soil disturbance/removal, groundwater flood

risk, and pollution from the operational processes and materials. These potential impacts will be mitigated through a Construction and Environmental Management Plan and appropriate operational measures for the bunding design, storage and containment of potential pollutants. Surface water management, including SuDS, attenuation, and interceptors, will be employed to ensure that all potential discharges to water will be adequately contained. Any potential cumulative water impacts have been satisfactorily addressed by the replacement of existing land spreading trips from the nearby piggery, which will now go directly to the proposed development for processing and conversion into digestate.

- Direct air and odour impacts on sensitive receptors (including designated sites and biodiversity) and populations in the site vicinity as a result of emissions during the construction and operation stages. Construction stage impacts will be suitably distanced from sensitive receptors and will be mitigated by dust suppression measures. Operational air and odour emissions will be appropriately treated (including containment, CHP combustion, and odour abatement) and dispersed at height to comply with the Air Quality Standards Regulations 2011 (S.I. No. 180/2011) and stringent odour target values. This will be further managed by Environmental Protection Agency licencing and control of emissions through the industrial emissions licence process.
- Positive indirect impacts on Climate due to a reduction in carbon dioxide emissions through the production of biogas as a replacement of fossil energy sources.
- Direct Noise impacts during the construction phase which will be suitably mitigated through compliance with construction noise standards and a Construction Environmental Management Plan and noise impacts at operational phase that will be managed through the separate industrial emissions licencing process governed by the Environmental Protection Agency.

- Landscape and visual impacts due to the scale of the project, which will be mitigated by embedded design measures including the proposed layout, form and colours, as well as the location of the proposal within existing topography and additional landscape planting.
- Direct and indirect traffic and transport impacts which will be mitigated by the design of the proposed entrance and the control of haulage routes.

Having regard to the above, the Commission is satisfied that the likely significant environmental effects arising from the proposed development have been identified, described and assessed, and considers that, subject to the mitigation measures proposed, the proposed project would not have any unacceptable, direct, indirect or cumulative effects on the environment.

Proper Planning and Sustainable Development

It is considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with European, national, regional and local planning and related policy, would be consistent with the provisions of the Climate Action Plan 2024 and the Climate Action Plan 2025 and would make a significant positive contribution towards Ireland's renewable energy and security of energy supply requirements and would contribute to the resilience of the overall energy supply network. Furthermore, the Commission has performed its functions in relation to the making of its decision, in a manner consistent with Section 15 (1) of the Climate Action and Low Carbon Act 2015, as amended by Section 17 of the Climate Action and Low Carbon Development (Amendment) Act 2021.

It is considered that the proposed development would not seriously injure the visual and residential amenities of the area, would not have an unacceptable impact on the character of the landscape or archaeological heritage, would not have an unacceptable impact on ecology, and would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted to the planning authority on the 19th day of December, 2024 and by the additional details submitted to An Coimisiún Pleanála on the 19th day of May, 2025, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Details of the materials, colours and textures of all the external finishes to the proposed structures and buildings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development, but the tanks marked as number 53, 54, 55, 56, 62 and 63 (on drawing number 231926-ORS-ZZ-00-DR-AR-200 Rev PO3 of the 27th August, 2024) shall be a shade of green complementary to their rural setting.

Reason: In the interest of visual amenity.

3. The developer shall ensure that all mitigation measures set out in the Environmental Impact Assessment Report submitted with the application on the 17th day of September, 2024, as revised by details submitted to the planning authority on the 19th day of December, 2024 and as further revised by additional details submitted to An Coimisiún Pleanála on the 19th day of May, 2025, shall be implemented in full, except as may otherwise be required in order to comply with the following conditions.

Reason: In the interest of clarity and the protection of the environment during the construction and operational phases of the development.

4. The developer shall ensure that all mitigation measures set out in the Natura Impact Statement with the application on the 17th day of September, 2024, as revised by details submitted to the planning authority on the 19th day of December, 2024 and as further revised by additional details submitted to An Coimisiún Pleanála on the 19th day of May, 2025, shall be implemented in full, except as may otherwise be required in order to comply with the following conditions.

Reason: In the interest of clarity and the protection of the environment during the construction and operational phases of the development.

5. The following limits and requirements shall be complied with in the anaerobic digestion process:
- (a) a maximum of 90,000 tonnes per annum of raw materials shall be treated in the anaerobic digesters, and
 - (b) the composition and ratio of feedstock used as input into the anaerobic digestors shall be agreed in writing with the Environmental Protection Agency (EPA).

Reason: In the interest of clarity.

6. (a) The removal of organic waste material and its spreading on land by the applicant or third parties shall be undertaken in accordance with the systems of regulatory control implemented by the competent authorities in relation to national regulations pursuant to Council Directive 91/676/EEC (the Nitrates Directive) concerning the protection of waters against pollution caused by nitrates from agricultural sources.
- (b) Land spreading of digestate shall be carried out in accordance with the specific Nutrient Management Plan for the receiving farm and in accordance with S.I.113/2022 European Union (Good Agricultural Practice for Protection of Waters) Regulations, 2022.

Reason: In the interest of environmental protection.

7. An annual report on the operation of the facility hereby permitted shall be submitted to the planning authority. The content of this report shall be as agreed in writing with the planning authority and shall include inter alia the following:
- (a) details of the source of all feedstock and final disposal areas of digestate,
- (b) the volumes of raw materials treated in the anaerobic digester in the previous 12 months,
- (c) the volume and weight of digestate produced and stored in previous 12 months, and

- (d) the volume and weight of Biomethane and Carbon Dioxide produced/stored on site in previous 12 months.

Reason: In the interest of orderly development and to ensure compliance with the parameters set out in the application.

8. Water supply and drainage arrangements, including the attenuation and disposal of surface water shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health and to ensure a proper standard of development.

9. Prior to the commencement of development, the developer shall enter into a Connection Agreements) with Uisce Éireann (Irish Water) to provide for a service connection to the public water supply.

Reason: In the interest of public health and to ensure adequate water/wastewater facilities.

10. Feedstock deliveries to the site and transport of digestate and biogases from the site shall be confined to between the hours of 0700 to 1900 Monday to Friday and between the hours of 0900 to 1500 on Weekends and Public Holidays.

Reason: In the interest of orderly development and the residential amenity of surrounding dwellings.

11. Prior to the commencement of development, the developer shall submit for the written agreement of the planning authority, details of the proposed entrance arrangements and compliance with the recommendations of the Road Safety Audit, including details of signage, lighting and road markings.

Reason: In the interest of traffic safety.

12. Permission is hereby granted on the basis that the maximum quantity of biogas and/or biomethane present on the site at one time can never exceed the relevant lower tier thresholds under the Seveso Directive. Prior to the commencement of development, the developer shall submit details for the written agreement of the planning authority, that clearly demonstrate compliance with these limits, including details of operational controls to limit the quantities, such as, but not limited to, the monitoring of liquid levels in tanks, monitoring biogas concentrations in the vapour spaces of the tanks, and the use of flaring to manage inventory.

Reason: In the interest of clarity and to prevent the facility from becoming an establishment for the purposes of the Seveso III Regulations.

13. Following further ground investigations and prior to the commencement of development on site, the developer shall submit for the written agreement of the planning authority, details of the proposed foundation and bund design. Proposals shall clearly demonstrate that mitigation measures relating to the protection of soil, geology, hydrogeology and groundwater have been appropriately incorporated, and that the bund design shall withstand the uplift pressure of groundwater.

Reason: In the interest of clarity and the protection of the environment during the construction and operational phases of the development.

14. The developer shall facilitate the planning authority in preserving, recording, or otherwise protecting archaeological materials or features that may exist within the site. In this regard, the developer shall
- (a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development,
 - (b) employ a suitably qualified archaeologist who shall monitor all site investigations and other excavation works, and
 - (c) provide satisfactory arrangements for the recording and removal of any archaeological material which may be considered appropriate to remove.

Reason: In order to conserve the archaeological heritage of the site and to secure the preservation of any remains which may exist within the site

15. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be permitted in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

16. The construction of the development shall be managed in accordance with a Construction and Environmental Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall incorporate all the construction stage mitigation measures outlined in the Environmental Impact Assessment Report and Natura Impact Statement, and shall provide details of intended construction practice for the development, including and not limited to:

- (a) location of the site and materials compound(s) including area (identified for the storage of construction refuse,
- (b) location of areas for construction site offices and staff facilities,
- (c) details of site security fencing and hoardings,
- (d) details of car parking facilities for site workers during the course of construction,
- (e) details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site if required,
- (f) measures to obviate queuing of construction traffic on the adjoining road network,
- (g) measures to prevent the spillage or deposit of clay, rubble, or other debris on the public road network,
- (h) alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works,

- (i) details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels,
- (j) containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater,
- (k) details of construction lighting,
- (l) details of key construction management personnel to be employed in the development, and
- (m) means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.

A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan and monitoring results as appropriate shall be kept for inspection by the planning authority.

Reason: In the interests of amenities, environmental protection, public health, and safety.

17. Monitoring of the construction phase shall be carried out by a suitably qualified and competent person to ensure that all mitigation measures outlined in the Environmental Impact Assessment Report and Natura Impact Statement are fully implemented. In addition, the designated member of the company's staff shall interface with the planning authority and members of the public in the event of complaints or queries in relation to environmental emissions. Details of the name and contact details, and the relationship to the operator of this person shall be available at all times to the planning authority on request whether requested in writing or by a member of staff of the planning authority at the site.

Reason: To safeguard the amenities of the area.

18. Prior to the commencement of development, the developer or any agent acting on its behalf, shall prepare a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness, these details shall be placed on the file and retained as part of the public record. The RWMP must be submitted to the planning authority for written agreement prior to the commencement of development. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

Reason: In the interest of proper planning and sustainable development.

19. All solid wastes arising on the site shall be recycled as far as possible. Materials exported from the site for recovery, recycling or disposal shall be managed at an approved facility and in such a manner as is agreed with the planning authority. In any case, no such wastes shall be stored on the site except within the confines of the buildings on site. Adequate on-site arrangements for the storage of recyclable materials prior to collection shall be made to the satisfaction of the planning authority.

Reason: To safeguard the amenities of the area.

20. Lighting shall be provided in accordance with a scheme, details of which shall be submitted to, and agreed in writing with the planning authority prior to commencement of development. The scheme shall minimise obtrusive light outside the boundaries of the development at all times and shall comply with the mitigation measures for bats as outlined in the Natura Impact Statement.

Reason: In the interests of amenity, public safety, and the protection of bats.

21. An odour management plan, which shall include a monitoring programme, shall be put in place by the developer in respect of the construction and operation phase of the development. The nature and extent of the plan and the monitoring sites shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The results of the programme shall be submitted to the planning authority on a monthly basis.

Reason: To protect the residential amenities of the area.

22. The developer shall pay to the planning authority a financial contribution 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. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer, or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

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.


Declan Moore

Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.



Dated this 22nd day of October 2025.