

An
Coimisiún
Pleanála

Commission Order
ABP-322607-25

Planning and Development Act 2000, as amended

Planning Authority: Mayo County Council

Planning Register Reference Number: P24/60669

Appeal by Gene McConway care of The Planning Partnership of Chapel Street, Castlebar, County Mayo in relation to the application by Mayo County Council of the terms of the Development Contribution Scheme made for the area in respect of condition number 16 of its decision made on the 28th day of April, 2025.

Proposed Development: The re-contouring of agricultural land using imported byproduct soil and stones within an area of 5.061 hectares for the consequential benefit to agriculture. Permission is also sought for the modification of the existing agricultural site access and all associated site infrastructure required for the development, including erection of silt fences at all watercourses. A 10 year planning permission is requested during which period approximately 165,000 tonnes of byproduct soil and stones will be imported for the purposes of land reclamation at Derrycoosh, Castlebar, County Mayo.

Decision

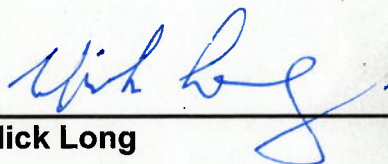
The Commission, in accordance with section 48 of the Planning and Development Act, 2000, as amended, considered, based on the reasons and considerations set out below, that the terms of the Development Contribution Scheme for the area had not been properly applied in respect of condition number 16 and directs the said Council to AMEND condition number 16 so that it shall be as follows for the reason stated.

16. The developer shall pay to the planning authority a financial contribution of €12,496.25 (twelve thousand, four hundred and ninety six euros, and twenty five cent) 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.

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.

Reasons and Considerations

Having regard to the existing and proposed use of the lands for agricultural purposes, and the nature of the activities proposed to be carried out, to the terms of the Mayo County Council Development Contribution Scheme 2023 and the absence of any applicable exemption or reduction for development of the nature proposed, it is considered that the development would not constitute "Landfilling/raising of sites (inert material) for non-agricultural purpose" under Class 14 of the scheme, but would be subject to development contributions under Class 16 "Development not coming within any of the foregoing classes".



Mick Long

Planning Commissioner of An Coimisiún

**Pleanála duly authorised to authenticate
the seal of the Commission.**



Dated this 10th day of September 2025.