

Planning and Development Act 2000, as amended

Planning Authority: Mayo County Council

Planning Register Reference Number: P25/60179

Appeal by Brendan Byrne and Son Limited in relation to the inclusion of contribution condition number 25 by Mayo County Council in its decision made on the 4th day of November, 2025.

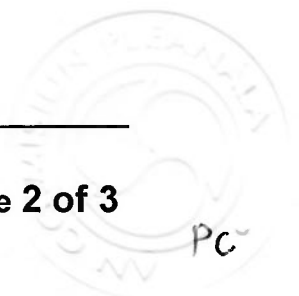
Proposed Development: The development will consist of: (1) Demolition of existing shed. (2) Construction of a housing development consisting of seven number detached dwelling units and two number semi-detached dwelling units together with connection to public services and all ancillary site work. All at Barrack Hill, Newport, 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 25 and directs the said Council to AMEND condition number 25 so that it shall be as follows for the reason set out. The amount of €58,800 for the provision of a section of footpath to ensure pedestrian connectivity with Newport Centre shall be omitted.

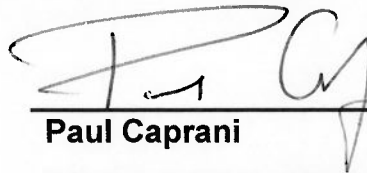
25. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the 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.

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.



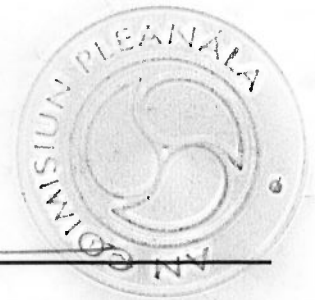
Reasons and Considerations

The applicable scheme is the Mayo County Council Development Contribution Scheme 2023. The adopted scheme provides, as set out in Table 3, that new residential units will be charged at the applicable rates. In the case of residential development, the rate shall be calculated at €3,000 or €20/m², whichever is the greater. Section 10 provides various exemptions where contributions will not be charged, including in relation to Part V units. The amount of €58,800 does not fall within the terms of the scheme in relation to the calculation of the amount due, and the planning authority has not set out the detailed basis for the calculation and identified the nature and scope of works, the expenditure involved and how it was apportioned to the proposed development.



Paul Caprani

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



Dated this 9th day of April 2026.