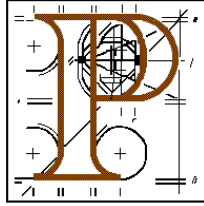


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Wexford County

Planning Register Reference Number: Q002

An Bord Pleanála Reference Number: 26.RP.2131 (appeal reference number 26.SU.0025)

WHEREAS by order dated the 9th day of December, 2015 An Bord Pleanála, under appeal reference number 26.SU.0025, granted subject to conditions substitute consent to Roadstone Wood Limited care of Golder Associates Ireland Limited of Town Centre House, Naas, County Kildare in respect of a quarry at Ballynamona, Kilmuckbridge, County Wexford:

AND WHEREAS condition number 5 attached to this substitute consent required the developer to 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 was 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 was to be paid within six months of the date of the order or in such phased payments as the planning authority may have facilitated and was to be subject to any applicable indexation provisions of the Scheme at the time of payment. The condition required that the application of any indexation was to be agreed between the planning authority and the developer or, in default of such agreement, the matter was to be referred to the Board to determine.

AND WHEREAS the developer and the planning authority failed to agree on the details of the application of the terms of the Development Contributions Scheme in relation to condition number 5 and the matter was referred by the planning authority to An Bord Pleanála on the 19th day of July, 2016 for determination.

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by section 138 (1) of the Planning and Development Act, 2000, hereby dismisses the said referral under subsection (1)(b)(i) of section 138 of the Act, for the reasons and considerations set out below.

REASONS AND CONSIDERATIONS

Having regard to the terms of condition number 5 of the grant of substitute consent under reference number 26.SU.0025, the application of the terms of the Development Contribution Scheme for County Wexford does not fall to be determined by the Board in default of agreement between the developer and the planning authority.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

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

Dated this day of 2016.