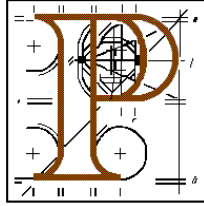


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

Louth County

Planning Register Reference Number: 15/726

An Bord Pleanála Reference Number: 15.RP.2137 (appeal reference number PL15.246060)

WHEREAS by order dated the 23rd day of May, 2016, An Bord Pleanála, under appeal reference number PL 15.246060, granted subject to conditions a permission to Dundalk Multiplex care of Brock McClure of 63 York Road, Dun Laoghaire, County Dublin for proposed development.

The proposed development comprises: retention (for works carried out) and permission to complete alterations to previously approved permission for a change of use of Units 2, 3 and 4, Dundalk Retail Park, from retail warehouse use to cinema use, Louth County Council Planning Register Reference Number 13520106 (formerly Dundalk Town Council Register Reference Number 13/106), An Bord Pleanála Appeal Reference Number PL 55.242726. The alterations comprised of the reduction in the size of the cinema which was to be contained within Units 2 and 3 only and reversion of Unit 4 to retail warehouse use, and for the internal reconfiguration of the ground floor and projector room level including reducing the overall seat numbers from 1,693 to 1,095 in nine cinemas and minor alterations to the elevations including relocation of escape doors to suit the reconfigured internal plan, all at Units 2, 3 and 4 Dundalk Retail Park, Inner Relief Road, Dundalk, County Louth:

AND WHEREAS condition number 6 attached to the said permission 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 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 was to be paid within one month of the date of that order 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 and the condition required that details of the application of the terms of the Scheme were to be agreed between the developer and the planning authority or, in default of agreement, the matter was to be determined by An Bord Pleanála:

AND WHEREAS the developer and the planning authority failed to agree on the application of the terms of the Scheme in compliance with the terms of the said condition and the matter was referred by the developer to An Bord Pleanála on the 20th day of October, 2016 for determination:

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by section 34(5) of the Planning and Development Act, 2000, as amended, and based on the Reasons and Considerations set out below, hereby determines that the amount payable under condition number 6 of appeal reference number PL 15.246060 is €39,338 (thirty-nine thousand, three hundred and thirty-eight euro).

