



An
Bord
Pleanála

Inspector's Report

ABP-319770-24

Development

Construction of a storage shed and an external paved yard to facilitate the importation, storage and processing of road plannings and all associated site works.

Location

Burgesland and Ballynabointra,
Midleton, County Cork

Planning Authority

Cork County Council

Planning Authority Reg. Ref.

23/6118

Applicant(s)

Lagan Materials Limited t/a Breedon
Ireland

Type of Application

Planning Permission

Planning Authority Decision

Grant subject to conditions

Type of Appeal

Section 48(13)(a) First-Party Appeal
against Special Development
Contribution

Appellant(s)

Lagan Materials Limited t/a Breedon
Ireland

Inspector

Gary Farrelly

1.0 Introduction

The Board should note that this is a first party appeal against a condition of the decision of Cork County Council to grant permission for the proposed development. The appeal relates solely to the imposition of a special financial development contribution under Section 48(2)(c) of the Planning and Development Act 2000, as amended. No appeal has been brought by any other person against the decision of the planning authority, and therefore, in accordance with Section 48(13)(a) of the Act, the Board must not determine this application as if it had been made to it in the first instance, but only the matters subject of this special contribution appeal.

2.0 Site Location and Description

The subject site has a stated area of 1 hectare and is located within the townlands of Burgesland and Ballynabointra, Middleton, County Cork. The site is located within the existing Milebush Quarry. There are a number of other existing quarries in the area and a CVRT centre is located to the east of the Milebush quarry. Access to the site is via an existing entrance taken off the local road L-7648. The dual-carriageway national road N-25 is located approximately 100 metres north of the existing entrance.

3.0 Proposed Development

- 3.1. Permission has been granted by Cork County Council for the construction of a storage shed and an external paved yard to facilitate the importation, storage, and processing of road planings. The storage shed will comprise of a portal frame with a floor area of 2,053sqm. The application was accompanied by a number of plans and documents including a planning and environmental report.
- 3.2. It is stated that it is envisaged that a maximum of 60,000 tonnes of road planings will be imported and managed at the facility per annum which could potentially generate an average of 11 additional HGV trips to the existing quarry each day (equivalent of 22 HGV movements). This assessment is based on a conservative assumption that up to 60,000 tonnes of road planings will be sourced over 50 working weeks each year and 5.5 work days each week. It is considered that the additional traffic is inconsequential and will not adversely impact road or junction capacity or give rise to

any increase in road traffic hazard. A traffic assessment was also provided as part of a further information response providing N25/L7648 and L7648/site access junction counts and projected traffic movements arising from the proposed development.

4.0 Planning Authority Decision

4.1. Decision

The planning authority (PA) decided to grant permission by Order dated 24th April 2024, subject to 19 no. conditions.

4.2. Planning Authority Reports

Due to the nature of this appeal, the Board should note that I have only summarised the relevant content and issues within the planning reports and relevant technical reports.

Planning Reports

First Report

The area planner (AP) noted that the area engineer raised no issues, and that Transport Infrastructure Ireland (TII) had no observation. The AP considered the development acceptable from a traffic perspective. The Senior Executive Planner (SEP) report noted the concerns of the National Roads Design Office (NRDO) (*report submitted after AP report*) and recommended traffic count information and worst-case scenario traffic movements as part of the further information request.

Second Report

After submission of the further information, the second AP report again noted no NRDO report at the time of adjudication, however, after verbal discussion with the engineer general satisfaction with the response was indicated subject to a special development contribution to deal with safety improvements at the junction. A grant of permission was recommended by the AP subject to 16 no. conditions. The second SEP report noted the NRDO report and recommended a grant of permission to include for a special development contribution of €515,000 as per the NRDO report.

Other Technical Reports

National Roads Design Office (NRDO)

First report (dated 12/12/2023)

This raised concerns with the number of HGVs using the local road junction with the N-25 which was considered a legacy suboptimal layout and not to current design standards. Safety concerns were raised as left turning vehicles from the local road overrun the hatching and use the hard shoulder as an acceleration lane which passes an entrance to three residential dwellings. It was noted that the development was a new development which is not connected to the existing quarry operations. A deferral of the application was recommended in order to provide traffic count information on typical daily traffic movements from the facility and projected traffic movements in a worst case scenario of hourly and daily HGV movements.

Second Report (dated 23/04/2024)

This report noted the submitted traffic counts and sensitivity analysis and considered 60 HGV movements at the development entrance to represent a much more realistic figure as it was considered highly unlikely that material would be drawn in continuously every day over 50 weeks of the year. The NRDO added another 22 HGV movements to account for the transportation of the processed planings to the offsite recycled asphalt plants therefore providing an estimate of 82 HGV movements over a busy summer period which was considered a significant increase (close to 50%) of the recorded HGV movements at the L7648/N25 junction.

To address the junction problem, a road improvement solution would involve the upgrade of the N25 junction to provide a full deceleration lane diverge (55 metres + 150 metre auxiliary lane) and full merge acceleration lane (55 metre taper + 160 metre auxiliary lane), the removal of the direct access to dwellings west of the junction. It is stated that the N25 westbound lanes could be realigned locally to utilise space with the overall length of works required to be 600 metres. A new access road to the dwelling would be required to the back of the properties with the approximately length of such road to be 130 metres.

In terms of costings, a comparator for the 130 metre local access road was the 300 metre local road in Clonfadda and Coolyhane, Macroom which was tendered at c. €800,000. A pro rata split for a 130 metre length of road was amounted to €347,000.

A comparator for the 600 metre length of N25 realignment and junction improvement was the N40 auxiliary lane project which involved widening into the central median and converting the hard shoulder to a third running lane over a 750 metre length. This was priced at c. €3.6 million. A pro rata reduction of 600m/750m amounts to €2.88m.

A total estimated cost for the improvement was stated to could be €3.23m and in terms of an appropriate split of 50% for the HGV traffic to bring the contribution down to €1.61m. A further split between the existing HGV traffic (172 over a 12 hour period in January 2024) and typical daily usage of 82 HGV movement over a busy summer period was calculated at 32% equating to €515,000 which was recommended to be attached as a special contribution to a grant of approval.

Area Engineer (report dated 10/11/2023)

This section had no objection to the development subject to conditions.

Relevant Condition

Condition Number 17

At least one month before commencing development or at the discretion of the planning authority within such further period or periods of time as it may nominate in writing, the developer shall pay a special contribution of €515,000.00 to Cork County Council, updated monthly in accordance with the Consumer Price Index from the date of grant of permission to the date of payment, in respect of specific exceptional costs not covered in the Council's General Contributions Scheme, in respect of works proposed to be carried out, for the provision of the upgrade of the junction of the N25 and L7648. The payment of the said contribution shall be subject to the following: (a) where the works in question (i) are not commenced within 5 years of the date of payment of the contribution (or final instalment if paid by phase payment), (ii) have commenced but have not been completed within 7 years of the date of payment of the contribution (or final instalment if paid by phased payment), or (iii) where the Council has decided not to proceed with the proposed works or part thereof, the contribution shall, subject to paragraph (b) below, be refunded to the applicant together with any

interest which may have accrued over the period while held by the Council. (b) Where under sub-paragraphs (ii) or (iii) of paragraph (a) above, any local authority has incurred expenditure within the required period in respect of a proportion of the works proposed to be carried out, any refund shall be in proportion to those proposed works which have not been carried out. (c) payment of interest at the prevailing interest rate payable by the Council's Treasurer on the Council's General Account on the contribution or any instalments thereof that have been paid, so long and in so far as it is or they are retained unexpended by the Council.

Reason: *It is considered appropriate that the developer should contribute towards these specific exceptional costs, for works which will benefit the proposed development.*

4.3. Prescribed Bodies

Transport Infrastructure Ireland (TII)

It had no observations to make.

5.0 Relevant Planning History

PA ref. 23/5644 (within existing quarry)

Permission was granted by the local authority for the installation of a replacement block production yard and block storage area. The submitted planning and environmental report outlined that the development would not generate any additional truck or HGV movements in and out of the quarry. The NRDO report noted the N25 junction as suboptimal and not to current design standards but had no particular comment to make as it was not proposing to increase HGV movements. Therefore, a special development contribution was not attached to this grant of permission.

6.0 Legislative Context

Planning and Development Act 2000, as amended

Section 48 Development Contributions

(2)(c) A planning authority may, in addition to the terms of a scheme, require the payment of a special contribution in respect of a particular development where specific exceptional costs not covered by a scheme are incurred by any local authority in respect of public infrastructure and facilities which benefit the proposed development.

(12) Where payment of a special contribution is required in accordance with subsection (2)(c), the following provisions shall apply— (a) the condition shall specify the particular works carried out, or proposed to be carried out, by any local authority to which the contribution relates,

(13)(a) Notwithstanding sections 37 and 139, where an appeal received by the Board after the commencement of this section relates solely to a condition dealing with a special contribution, and no appeal is brought by any other person under section 37 of the decision of the planning authority under that section, the Board shall not determine the relevant application as if it had been made to it in the first instance, but shall determine only the matters under appeal.

(13)(b) Notwithstanding section 34(11), where an appeal referred to in paragraph (a) is received by the Board, and no appeal is brought by any other person under section 37, the authority shall make the grant of permission as soon as may be after the expiration of the period for the taking of an appeal, provided that the person who takes the appeal furnishes to the planning authority, pending the decision of the Board, security for payment of the full amount of the special contribution as specified in the condition referred to in paragraph (a).

7.0 Policy Context

Development Contributions

Cork County Council Adopted Development Contribution Scheme (2004)¹

¹ <https://www.corkcoco.ie/en/resident/planning-and-development/how-to-pay-your-development-contribution>

This scheme was adopted by the Council on 23rd February 2004. The general and supplementary development contribution rates were updated on 1st January 2014.

Page 9 provides information on special contributions in respect of any development where specific exceptional costs not covered by the Cork County Council Development Contribution Scheme are incurred by any Local Authority in respect of public infrastructure and facilities which benefit the proposed development.

Appendix 2 provides information on additional charges on works proposed to, inter alia, roads within South Cork which are covered under the general development contribution scheme between 10th March 2004 up to 31st August 2004.

Development Contributions Guidelines for Planning Authorities (2013)

It is stated that a special development contribution may be imposed under section 48(2)(c) where specific exceptional costs, which are not covered by the general contribution scheme, are incurred by a local authority in the provision of public infrastructure or facilities which benefit very specific requirements for the proposed development, such as a new road junction or the relocation of piped services. The particular works should be specified by the condition and only developments that will benefit from the public infrastructure or facility should be liable to pay the development contribution.

Development Management Guidelines for Planning Authorities (2007)

Section 7.12 states that 'special' contribution requirements in respect of a particular development may be imposed under section 48(2)(c) of the Planning Act where specific exceptional costs not covered by a scheme are incurred by a local authority in the provision of public infrastructure and facilities which benefit the proposed development. A condition requiring a special contribution must be amenable to implementation under the terms of section 48(12) of the Planning Act; therefore it is essential that the basis for the calculation of the contribution should be explained in the planning decision. This means that it will be necessary to identify the nature/scope of works, the expenditure involved and the basis for the calculation, including how it is apportioned to the particular development. Circumstances which might warrant the attachment of a special contribution condition would include where the costs are incurred directly as a result of, or in order to facilitate, the development in question and are properly attributable to it. Where the benefit deriving from the particular

infrastructure or facility is more widespread (e.g. extends to other lands in the vicinity) consideration should be given to adopting a revised development contribution scheme or, as provided for in the Planning Act, adopting a separate development contribution scheme for the relevant geographical area. Conditions requiring the payment of special contributions may be the subject of appeal.

8.0 The Appeal

8.1. Grounds of Appeal

The applicant appealed Condition Number 17 of the decision of the PA on the 21st May 2024 on the following grounds:

- Condition no. 17 does not meet the specific requirements of Section 48(12) of the Act as it does not sufficiently specify the particular exceptional works to be carried out to benefit the proposed development or provide the required level of justification for them.
- The justification provided by the council is a generic and cursory explanation merely stating that it will contribute toward the provision of the upgrade of the junction of the N25 and L7648 and that it is considered appropriate for the development to contribute towards these specific exceptional costs, for works which will benefit the proposed development.
- The decision does not specify what form the upgraded junction will take, the extent of any land-take required, nor the nature / extent of any related ancillary works required to facilitate its construction.
- No specific justification for the attribution of special exceptional costs to the proposed junction upgrade are provided having regard to the fact that the existing junction is already extant and proposed upgrade works are not therefore required specifically to facilitate the development in question, the fact that the current junction layout was in place and in use over periods of more intense economic activity in the past (where outputs from the Milebush and surrounding quarries were greater than present day outputs), the absence of any meaningful or appropriate alternative access to the Milebush quarry

complex and any detailed or meaningful consideration of the likely distribution and timing of associated vehicle movements in and out of the quarry.

- Under the Roads Act, Transport Infrastructure Ireland are responsible for the operation, maintenance, construction and improvement of the national road network rather than the local authority and therefore the council do not have the required powers to deliver or implement the proposed junction improvements without the support of TII. Therefore, it is not appropriate to apply a special contribution in respect of infrastructure costs which are not its responsibility to fund.
- TII made a submission with no observations and the report of the Cork NRDO emphasises that the views and opinions are those of Cork NRDO and not those of TII. Given that TII made no objection it is requested that Condition no. 17 is removed.
- In consideration of the application, the Local Authority did not request a safety assessment or Road Safety Audit and the applicant's response to the further information request addressed specific concerns in relation to traffic numbers which demonstrate that trips associated with the development would not lead to capacity issues on the L7648 or N25.
- The grant of permission is not conditional on any upgrade works to the L7648/N25 junction. Condition 17 also makes provision for the return of the special contribution which recognises and accepts that the works may not be implemented.
- The methodology adopted by the Cork NRDO is flawed and incorrectly references the sensitivity assessment provided to it when quantifying typical daily average traffic flows. It bases its contribution calculations on the significantly elevated traffic flows adopted for the purposes of sensitivity analysis.
- The sensitivity analysis was prepared to determine if in the exceptional case where 600 tonnes of road planings were delivered to the site in a single night the trip movements associated with this event would give rise to capacity concerns along the N25. The assessment concluded that it would not.

- Adopting the sensitivity analysis as a typical daily average misrepresents the timings of these trip movements which would occur at night at a time when traffic volumes on the N25 are significantly lower. There would be no interaction between AM or PM peak traffic.
- The sensitivity assessment also adopted a 20 tonne HGV conservative consignment load, however, should the facility accept up to 600 tonnes of road planings in one night, it is more likely that the loads would arrive in 25 tonne loads which would reduce the trip numbers by 20%, which equates to a total of 24 loads / 48 movements rather than the 30 loads / 60 movements cited in the NRDO assessment.
- The special development contribution is significant and is of a scale which will essentially render the development economically unviable and the development will not proceed. It has the same effect in practice as a planning refusal.
- It is requested that the Board removes Condition no. 17 on the basis that the condition fails to meet the requirements of Section 48(2)(c) and 48(12)(a) of the Act and does not comply with the Development Contributions Guidelines for Planning Authorities and Section 7.12 of the Development Management Guidelines.
- However, should the Board be minded to impose a special contribution, it is requested to take into account the key points raised in the appeal.

8.2. Planning Authority Response

The planning authority (Cork National Roads Office) issued a response to the grounds of appeal on 18th June 2024. The response is summarised as follows:

- The proposed infrastructure works are specific exceptional works at a specific location in the immediate locus of the development which will benefit the proposed development. Works of this localised targeted nature are not covered in the General Development Contribution Scheme 2004 and it would be unrealistic to expect such scheme to include for works of this nature. It is

submitted that the application of the special contribution is in compliance with the Act.

- The nature and scope of works, the expenditure involved, the basis for calculation and the apportionment to the particular development are clearly set out in the second report of the NRO on file.
- Attention is drawn to the Board file no. 315010 where the Board upheld the principal of application of special development contributions.
- The sensitivity analysis requested at further information was not due to concerns in respect of road carrying capacity in general but in relation to specific safety concerns of HGV movements at this particular junction.
- An estimate of what a peak daily flow could be as a result of the proposed development was deduced from the information provided by the applicant. The rationale for this is provided in the report on file.
- The applicant did not provide information on the subsequent HGV movements which will be required to transfer the processed road planings for re-use as feedstock at off-site asphalt plants. As these movements can be more controlled by the applicant a conservative figure of 22 HGV movements per day was used.
- Cork County Council as a road's authority have the required power to carry out works to National Roads. Section 13(1) of the Roads Act 1993 provides that the maintenance and construction of all national roads in a county or city is a function of the council of that county or city.
- TII made a submission on the draft Cork County Development Plan 2022-2028 advising that mitigation measures facilitating private development in Cork are matters for the Council to address including delivery and funding and are not TII budgetary priorities and are highly unlikely to be funded by TII. In any event any funding request to TII would take into account any special development contributions received.

8.3. Further Response from First-Party

The applicant issued a further response on 30th July 2024 which is summarised as follows:

- The 315010 case referenced by the Council is not an appropriate comparator as this development represented a significant change of land use with potentially significant impacts for traffic generation and movements along the local road network.
- The proposed development does not entail any significant change to the established land use, does not propose any physical change to the existing road network and generates only minor increases in traffic volumes which have been demonstrated to have an imperceptible impact on the local and national road network.
- Little justification is provided for the nature and scale of interventions which the Council asserts as being necessary to address the increased traffic safety risks. Specifically, it is unclear if concerns are based on collision statistics at the junction or if they are legacy issues with an existing junction that does not comply with current design standards.
- It is incumbent on the planning authority to conclusively demonstrate, rather than merely assert, the requirement for the proposed junction upgrade/reconfiguration as proposed.
- There is concern the junction upgrade proposed has not considered lower cost design alternatives or non-upgrade interventions which could address or mitigate its safety concerns. It is requested whether an options assessment in line with TII project management guidelines has been undertaken and it is questioned whether it is reasonable to calculate a special contribution for a scheme which has not passed the options selection process.

9.0 Assessment

- 9.1. Having regard to the provisions of Section 48 of the Planning and Development Act 2000, as amended, and specifically Section 48(13)(a) which limits the Board to only determine the matters of this special contribution appeal as there have been no other appeals, and having regard to all relevant documentation on file, the reports of the planning authority (PA) and having regard to relevant local, regional and national policies and guidance, including the Development Contributions Guidelines for Planning Authorities (2013) and Section 7.12 of the Development Management Guidelines for Planning Authorities (2007), I consider that the substantive issue in this appeal is whether the planning authority's imposition of a special financial contribution complies with the requirements of Section 48(2)(c) and (12) of the Act.
- 9.2. Condition 17 of the PA's grant of permission specifies the payment of a special development contribution of €515,000 "*in respect of works proposed to be carried out for the provision of the upgrade of the junction of the N25 and L7648*". The contribution was calculated by the national roads design office (NRDO) in its report dated 23/04/2024.

Specification of Particular Works

- 9.3. I note the first-party's arguments that the works have not been sufficiently specified by the PA including what form the junction upgrade would take. However, I note the NRDO report stated that the upgrade works would involve the removal of the direct N-25 access to the 3 no. residential dwellings to the west of the junction, the provision of a full acceleration lane and deceleration lane diverge which would involve the narrowing of the central median. It was stated that the overall length of works required would be 600 metres on the N-25. Additionally, a new direct access to the dwellings would be required from the L-7648 which would measure 130 metres in length.
- 9.4. Having regard to the above, it is my view that the PA has adequately specified the nature and the scope of the works in accordance with Section 7.12 of the Development Management Guidelines for Planning Authorities (2007). Therefore, I am satisfied that condition no. 17 is in accordance with Section 48(12)(a) of the Act.

Basis for the Cost Calculation

- 9.5. I note that the first party appellant has also questioned the methodology of the PA's cost calculation due to it being based on what it considers highly elevated traffic numbers taken from the submitted sensitivity analysis. I have summarised the PA's calculations under Tables 9.1 and 9.2 below. It should be noted that the appellant has not contested the total estimated cost of the project which I have summarised under Table 9.1 below.

Table 9.1: Total Cost of upgrade works based on comparator projects

Upgrade Works	Realignment of N25 (c. 600 metres)	New Local Access Road to serve 3 no. existing dwellings (c. 130 metres)
Comparator projects	N40 Auxiliary Lane project of 750 metres	Realignment and overlay of 300 metres of local road in Clonfadda and Coolyhane Macroom
Total Cost of comparator project	€3,600,000	€800,000
Pro Rata for subject upgrade works	600 metres / 750 metres = €2,800,000	130 metres / 300 metres = €347,000
Total Cost	€3,147,000	

Table 9.2: Cost proportioned to proposed development

Methodology	
50% split of Total Cost for HGV contribution	= €1,610,000
Typical daily usage of junction by HGVs (taken from submitted traffic counts on 23 rd January 2024)	172 HGV movements
Traffic associated with proposed development (to include 22 HGV	82 movements

<i>movements associated with the transportation of processed planings offsite not included in applicant's analysis)</i>	
Total HGV movements (<i>including traffic counts on 23rd January 2024</i>)	254 movements (172 + 82)
Share towards proposed development	$82/254 \times 100 = 32\%$
32% of €1,610,000 =	€515,000

- 9.6. Whilst I note that the applicant takes issue with the basis for the cost calculation being based on a worst-case scenario from the submitted sensitivity analysis, it is my view that the methodology used by the PA is reasonable and proportionate to the traffic movements associated with the development.
- 9.7. Whilst I acknowledge the first party appellant's concerns that the works will not be completed due to land acquisition requirements, the Board should note that under Section 48(12)(b) of the Act, if the works are not commenced within 5 years or completed within 7 years, it is a requirement that the contribution is refunded to the applicant.
- 9.8. Overall, I am satisfied that the PA has clearly set out the expenditure involved and the basis for the calculation, including how it is apportioned to the particular development, which I consider is in accordance with Section 7.12 of the 2007 Development Management Guidelines for Planning Authorities.

Specific Exceptional Costs

- 9.9. Section 48(2)(c) states that a special contribution can only be levied in respect of a particular development where specific exceptional costs are not covered by a general development contribution scheme. Section 7.12 of the 2007 Guidelines states that circumstances which might warrant the attachment of a special contribution condition would include where the costs are incurred directly as a result of, or in order to facilitate, the development in question.
- 9.10. I note the Traffic Assessment (TA) submitted by the applicant in response to a further information request for traffic count information and projected traffic movements in a

worst case scenario. The submitted TA included a sensitivity assessment and traffic count information. A worst-case scenario of 60 trips (30 to / 30 from) to and from the site was used based on 20 tonnes per load. However, the average load size was expected to be closer to 25 tonnes equating to 24 loads (48 trips). Traffic counts were undertaken for a 12-hour period on 23rd January 2024 which recorded 15,365 vehicles using the N25 and 352 vehicles (of which were 172 HGVs) using the junction of the N25/L7648.

- 9.11. I also note the detailed submission of the first-party stating that the N25/L7648 is an existing junction and has been in place for a considerable period of time including at a time when the output from the quarry was greater than the present day output.
- 9.12. Having reviewed the NRDO reports (*including within application ref. 23/5644*), the main concern is that the junction is suboptimal and not to current design standards. The report dated 23/04/2024 raises concern with the number of HGVs using the junction in general due to them using the hard shoulder as an acceleration lane which passes the direct access to 3 no. residential dwellings.
- 9.13. However, I note that the junction in question is an established stop/go junction by design that serves a number of commercial operations, including a quarry, and residential units on the L-7648. Whilst I acknowledge the PA's safety concerns over the use of the junction, I note that they are related to the improper use of the junction. No concerns are raised regarding sightlines from the junction, and I note that TII had no observations to make. Furthermore, it is my view that the proposed design upgrade of the junction would not only benefit the users of the proposed development but would also benefit all users of the junction and in particular the occupiers of the 3 no. dwellings by removing and relocating their direct access off the national road to the local road.
- 9.14. To conclude, it is my view that these works would not represent exceptional costs that would specifically benefit the proposed development. The benefit of the junction upgrade would be more widespread as it would benefit all traffic utilising the junction as well as the traffic currently utilising the direct residential access off the N-25. Therefore, having regard to section 7.12 of the Development Management Guidelines for Planning Authorities, consideration should be given to adopting a revised

development contribution scheme or a separate scheme under Section 48 or 49 of the Act, as amended.

10.0 Recommendation

I recommend to the Board that it **Removes** Condition number 17 of the planning authority's grant of permission for the reasons and considerations set out below.

11.0 Reasons and Considerations

Having regard to Section 48(2)(c) and (12) of the Planning and Development Act 2000, as amended, to the terms of the Cork County Council Development Contribution Scheme 2004, to the detailed submissions on file from the applicant and the planning authority, and to the specified particular works to be carried out and the basis for calculation provided by the planning authority, it is considered that a special development contribution towards the provision of the upgrade of the junction of the N25 and L7648 do not represent exceptional and specific costs in terms of public infrastructure that will benefit the proposed development within the meaning of Section 48(2)(c) of the 2000 Act, but would provide a much wider benefit to the wider area. It is considered that these works would be more properly reflected in a revision to the general development contribution scheme or a separate scheme under Section 48 or Section 49 of the Planning and Development Act 2000, as amended.

Declaration

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Gary Farrelly
Planning Inspector

6th May 2025