Inspector’s Report
PL-501195-LS-26

Development	Single storey communal building, consisting of 3 independent living units, communal kitchen, utility, and associated works.
Location	'Mousetrap', Station Road, Portarlington, Co. Laois
Planning Authority	Laois County Council
Planning Authority Reg. Ref.	2560719
Applicant(s)	Joe Sheahan
Type of Application	Permission
Planning Authority Decision	Grant Permission + Conditions
Type of Appeal	First Party Normal Planning Appeal
Appellant(s)	Joe Sheahan
Observer(s)	None
Date of Site Inspection	15th July 2026
Inspector	Matthew O'Connor

Contents

1.0 Site Location and Description

1.1. The appeal site is 0.192ha and is located at a property called 'Mousetrap' on the western side of Station Road (l-3170) in the settlement of Portarlington, Co. Laois. The subject site is occupied by an existing detached cottage indicated as being in use as a residential centre for vulnerable persons.

2.0 Proposed Development

2.1 The development, as set out in the development description, comprises the following:

- construct a new single storey communal building consisting of 3 no. independent living units and a communal kitchen / utility unit; and,
- all associated site works.

3.0 Planning Authority Decision

3.1 The Planning Authority granted permission, subject to 11 no. conditions. Of particular relevance to this appeal is Condition No. 11 which states:

11. Prior to the commencement of development, a contribution shall be payable to Laois County Council, in accordance with the Council's Development Contribution Scheme 2025-2031, in respect of public infrastructure and facilities benefiting development in the area of the planning authority, and that is provided or that it is intended will be provided by, or on behalf of, the Council.

The contribution payable will be based on the contribution rate applicable at the time of payment and not the rate in existence when permission is granted. The amount of the development contribution is set out below and is subject to annual revision with reference to the Wholesale Price Index (Building and Construction), and penalty interest for late payment, in accordance with the terms of the Council's Development Contribution Scheme:-

This Development is classified Urban Residential (located inside the Local Area Plans and designated settlement boundaries) as per the Laois County

Development Plan 2021-2027 and the Local Area Plans for Portlaoise, Portarlington, Mountmellick and Graiguecullen.

Urban Residential	***No. of Units***	***Charge***	***Total per Contribution***
Transport and Roads Infrastructure	*3*	*€4,000*	*€12,000*
Social and Community Infrastructure, Regeneration and Amenities	*3*	*€4,000*	*€12,000*
Total Development Contributions			*€24,000*

Reason: It is considered reasonable that the developer should contribute towards the expenditure incurred or proposed to be incurred by Laois County Council in respect of the provision/improvement of public services/infrastructure benefiting development in the area of the planning authority.

3.1. **Planning Authority Reports**

3.1.1. Planning Report(s)

- The first Planner's Report had regard to the locational context of the site, to the planning history and policy and to the documentation and inter departmental reports submitted. The principle of development, design and access were all deemed to be acceptable.
- Further Information was sought in relation to 2 no. items which are summarised as follows:
  - Applicant is required to engage with Uisce Éireann through the Pre-Connection Enquiry (PCE) to assess feasibility or connection to public infrastructure and to provide outcome of the PCE to the Planning Authority.
  - Clarify if additional staff will be required to manage/supervise the proposal or if these functions be undertaken by the existing on-site staff. If applicable, submit relevant details including likely parking arrangements.

- The second Planner's Report provides an analysis of the applicant's Further Information response. In relation to Item No. 1, the applicant provided Uisce Eireann's response and Confirmation of Feasibility to connect to services. This response was deemed to be acceptable. In respect of Item No. 2, the applicant provided a letter explaining staffing of development and existing car parking. This response was also deemed to be acceptable.
- The second Planner's Report contains commentary on development contributions and noted exemptions available in the Development Contribution Scheme for 'development consisting of sheltered or supported accommodation for homeless persons, sheltered housing schemes for vulnerable groups such as the elderly, disabled and persons with mental health issues provided by voluntary or not-for-profit non statutory groups that are recognised by the Council as such'. The Planner stated that it did not appear that the applicant is a voluntary or not-for-profit statutory group.
- It was further indicated that it appeared development contributions were previously levied on the existing buildings on the site and that contributions be charged at the commercial rate of €34 per sq.m. This rate however has been amended by the Senior Executive Planner to a rate of €24,000 (3 no. independent living units x €8,000).

3.1.2. Other Technical Reports

- Municipal District Office – No response received.
- Chief Fire Officer – Planner's report notes that Laois Fire Authority did not assess application. It is stated that Fire Authority recommends that applicant/s be informed that they are required to comply with all relevant Building Regulations and all relevant Building Control Regulations.
- Water Services – No response received.
- Enforcement – No response received.
- Environment – No response received.

3.2. **Prescribed Bodies**

- Irish Water – Requested Further Information in order to assess the feasibility of connection to the public water / wastewater infrastructure.
- HSE – No response received.

3.3. **Third Party Observations**

- None.

4.0 Planning History

4.1. The following valid planning history is associated with the subject site:

22/60063 Retention GRANTED to retain as constructed, single storey independent living unit and part of boundary wall to eastern boundary, and all associated site works. Applicant: Joe Sheahan.

18/275 Permission GRANTED for storey and a half extension to dwelling, new garage, new workshop/fuel store and new altered and relocated vehicular entrance. Applicant: Joe Sheahan.

17/411 Retention GRANTED for extensions and alterations to an existing dwelling. The development works consist of a sunroom, kitchen, conservatory, roof lights and all associated works including alteration to the entrance and front boundary wall. Applicant: Paul Matthews.

4.2. According the Planner's Report, a Section 5 Declaration was issued in relation to the subject site confirming the change of use from a residential dwelling to accommodation for persons with a disability or mental illness is development and is exempted development.

5.0 Statutory Provisions

5.1. **<u>Planning & Development Act 2000 (as amended)</u>**

5.1.1. Section 48 of the Act relates to Development Contributions and the following is considered to the relevant to the subject appeal:

(1) A planning authority may, when granting a permission under section 34, include conditions for requiring the payment of a contribution in respect of public infrastructure and facilities benefiting development in the area of the

planning authority and that is provided, or that it is intended will be provided, by or on behalf of a local authority (regardless of other sources of funding for the infrastructure and facilities).

(2) (a) Subject to paragraph (c), the basis for the determination of a contribution under subsection (1) shall be set out in a development contribution scheme made under this section, and a planning authority may make one or more schemes in respect of different parts of its functional area.

(b) A scheme may make provision for payment of different contributions in respect of different classes or descriptions of development.

(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.

(3) (a) A scheme shall state the basis for determining the contributions to be paid in respect of public infrastructure and facilities, in accordance with the terms of the scheme.

(b) In stating the basis for determining the contributions in accordance with paragraph (a), the scheme shall indicate the contribution to be paid in respect of the different classes of public infrastructure and facilities which are provided or to be provided by any local authority and the planning authority shall have regard to the actual estimated cost of providing the classes of public infrastructure and facilities, except that any benefit which accrues in respect of existing development may not be included in any such determination.

(c) A scheme may allow for the payment of a reduced contribution or no contribution in certain circumstances, in accordance with the provisions of the scheme.

(10) (a) Subject to paragraph (b), no appeal shall lie to the Board in relation to a condition requiring a contribution to be paid in accordance with a scheme made under this section.

(b) An appeal may be brought to the Board where an applicant for permission under section 34 considers that the terms of the scheme have not been properly applied in respect of any condition laid down by the planning authority.

(c) Notwithstanding section 34(11), where an appeal is brought in accordance with paragraph (b), and no other appeal of the decision of a planning authority 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 in accordance with paragraph (b) furnishes to the planning authority security for payment of the full amount of the contribution as specified in the condition.

6.0 **Planning Policy Context**

6.1. *Laois County Development Plan 2021-2027*

6.1.1. Section 14.4 of Chapter 14: Implantation and Monitoring in the Development Plan relates specifically to ‘Development Contributions’ and states Development contributions for the provision of services such as roads, footpaths and amenity / open space provision, etc will be applied where appropriate to development applications. The details and basis for the determination of the contributions are set out in a Development Contribution Scheme 2017 - 2023 or any subsequent schemes adopted thereafter in accordance with the provision of section 48 of the Planning and Development Act 2000 (as amended).

6.2. *Portarlington Joint Local Area Plan 2025 – 2031*

6.2.1. The subject site is within the boundary of the Portarlington Joint Local Area Plan 2025-2031. Section 17.5 of Chapter 17: Implantation and Monitoring in the Development Plan relates to ‘Development Contributions’ and states that development contributions for the provision of infrastructure and services such as roads, footpaths, surface water drainage, amenity and open space provision, will be applied as appropriate to development proposals granted planning permission. The details and basis for the determination of the contributions are set out in the respective Development Contributions Schemes for Laois County

Council and Offaly County Council, which are adopted in accordance with Section 48 of the Planning and Development Act 2000 (as amended).

6.3. *Laois County Council Development Contribution Scheme 2025 - 2031*

6.3.1. The applicable scheme is the Laois County Council Development Contribution Scheme 2025 - 2031. The Development Contribution Scheme (DCS) refers to the basis for determination of contributions, 17 no. categories/classes of development (divided into residential and non-residential), various exemptions and reductions in certain instances and other guidance for development.

6.4. **National Guidance**

Development Contributions - Guidelines for Planning Authorities (2013)

6.4.1. The principal aim of these particular guidelines is to provide non-statutory guidance on the drawing up of development contributions to reflect the radical economic changes that have impacted across all sectors since guidance last issued in 2007. The primary objective of the development contribution mechanism, as stated in the guidelines, is to partly fund the provision of essential public infrastructure, without which development could not proceed.

6.4.2. With regard to the types of Development Contribution Schemes, it is noted that development contributions provide the only statutory mechanism for capturing planning gain as part of the development management process. There are three types of development contribution schemes with the following applicable to the subject development:

> General Development Contribution Schemes: *Under section 48 of the Planning and Development Acts, planning authorities must draw up a development contribution scheme in respect of certain public infrastructure and facilities provided by, or on behalf of, the local authority that generally benefit development in the area. All planning permissions granted are subject to the conditions of the development contribution scheme in operation in the area of the planning authority.*

6.4.3. The guidelines indicate that development contributions are not cash-cows and it is essential that Development Contribution Schemes do not impede job creation or facilitate unsustainable development patterns. Whilst it is expected that planning authorities will ensure that developers make appropriate contributions toward costs of public infrastructure and facilities, the local authority must ensure that it avoids levying development contributions that are excessively high. Planning Authorities should also consider whether any measures are open to them to support economic development and should consider measures to support new or existing enterprises such as reduced contributions rates and deferral of payment.

Development Management - Guidelines for Planning Authorities (2007)

6.4.4. Section 7.12 of these guidelines refers to conditions requiring development contributions (sections 48 and 49 of the Planning Act). It is stated that development contribution conditions may only be attached if they accord with the provisions of either section 48 or section 49 of the Planning Act and these are based on the application of the terms of one or more development contribution schemes which have been formulated and adopted in accordance with those sections of the Act, or on the need for a special financial contribution.

7.0 The Appeal

7.1. Grounds of Appeal

7.1.1. The first party appeal has been prepared and submitted on behalf of the applicant against the attachment of Condition No. 11 only. The grounds of appeal are summarised as follows:

- Galro Ltd is a provider of specialised professional supports and services to vulnerable persons with intellectual disabilities, autism and behaviours.
- Service provision is designed to the individual and personal circumstance which includes residential care, respite, community-based mentoring, home support and care models for clients referred by the HSE and TULSA.
- Company ethos originates from work providing Guardian as Litem services.
- Galro Ltd owns and operates multiple properties in Portarlington and surrounding area delivering care services. In some cases, it is necessary to provide independent living units for individual children.
- The proposal for the independent structure comprising three self-contained units is on the site of an existing Galro Ltd community care house. In addition,

a communal kitchen, dinging and utility area will serve all residents with the design ensuring efficient provision of communal services in a safe and supportive environment.

- Applicant was granted a Section 5 Exemption for use of the main house as a community care home and as such Development Contributions are not applicable to the main house.
- Development should not be regarded as three independent dwellings. It functions as an extension of services provided by the principal house and should be considered ancillary, subsidiary and supplementary to the main residence.
- The underlying assumption that the development constitutes three new dwellings for applying contributions is incorrect.
- Imposing development contributions on a residential structure of 149sq.m results in a charge of €161 per sq.m which is disproportionate, inequitable and threatens the economic viability of the project.
- By comparison, rate of development contribution for a commercial premises is €34 per sq.m. The subject rate is nearly five times higher which demonstrates a misalignment with established policy and unreasonable burden on the residential structure.
- The units should not be considered self-contained, saleable or in compliance with standards for sustainable urban housing and should not be considered 'housing units' as per Section 15 of the adopted DCS.
- Section 12.2 of the DCS allows for exemptions for development consisting of sheltered housing or supported accommodation for homeless persons, sheltered housing schemes for vulnerable groups such as the elderly, disabled and persons with mental health issues provided by voluntary or not-for-profit non-statutory groups that are recognised by the Council as such.
- The applicant does not argue for an exemption but would argue that Laios County Council have not recognised the services provided by the proposal and have applied a contribution specifically aimed at speculative housing developments of which the proposal is not.

- In the absence of any specific DCS section which properly describes the proposal, it is argued the development should more appropriately fall under Section 15.1 of the DCS as “Ancillary Residential”.
- DCS lacks any foresight towards developments such as the one proposed but there is a catch all caveat in Section 13 whereby in exceptional circumstances, the required development contribution may be reduced or even waived at the discretion of the Chief Executive where this is warranted having regard to the particular economic, social or cultural benefits accruing from a development.
- It is felt a discretional opinion from the Chief Executive on the matter would have been more appropriate.
- An appendix submitted with the appeal includes a letter from Galro Ltd with details of the proposal and its use.

7.2. Planning Authority Response

7.2.1. A response from the Planning Authority dated 26th May 2026 has been received on file and states the following:

- The approved development is inter alia for 3 no. independent living units as referenced in the public notices and the applicant form.
- In the Laois County Council Development Contribution Scheme 2025-2031, such a development in a serviced urban location, as in this case, is charged at the rate of €8,000 per unit.

7.3. Observations

- None.

7.4. Further Responses

7.4.1. In response to the request for further submissions or observations in relation to the applicant’s appeal response, under section 131 of the Planning and Development Act 2000 (as amended), a further response was received from the Appellant and is summarised below:

- Re-emphasised the development is ancillary to existing use of the dwelling on site exclusively for the provision of social care services, as funded by the HSE, and not for private housing.

- Planning application and newspaper advertisement descriptions were necessary to describe the physical characteristics of the development in order to achieve validation in the planning office and not the end usage or descriptor of the main function of premises.
- Reference to Valuation Act (2001) whereby properties used exclusively for provision of health or personal social services on behalf of a public authority, and supported primarily by public funding, fall outside liability for commercial rates.
- Reference to a High Court decision from 2025 (Ref. IEHC 197) in which the court confirmed that Section 39 funded disability services operating on a non-profit, publicly commissioned basis were properly exempt, and that the Local Authority did not succeed in overturning that finding.
- In light of jurisprudence and the statutory framework, the Galro Ltd property operated under Section 39 to deliver HSE commissioned health and personal social services, should be treated consistently with the Kildare precedent and regarded as exempt of commercial activity.

8.0 Assessment

<u>Introduction</u>

This appeal has been brought to An Coimisiún Pleanála under the provisions of section 48(10)(b) of the Planning and Development Act, 2000 (as amended) and relates solely to Condition No. 11 of Reg. Ref. 2560719. In essence, this condition requires the applicant pay a financial contribution of €24,000.00 to the Planning Authority towards expenditure in respect of public infrastructure and facilities as provided for in the Laois County Council Development Contribution Scheme 2025 – 2031 (DCS). In the above context, as this appeal relates to a Development Contribution only, I consider that the Commission is required to apply the DCS as adopted by Laois County Council and not to evaluate the merits of the planning application as if it was made to it in the first instance. Therefore, the assessment of the Commission is confined solely to the consideration of whether the terms of the relevant Development Contribution Scheme have been properly applied. Having regard to the limitations imposed on the Commission under section 48(10) Planning and Development Act 2000 (as amended), I will limit my assessment accordingly under the following headings:

- Calculation of Development Contribution; and,
- Exemption of Development Contribution

8.1. Calculation of Development Contribution

8.1.1. This assessment is based on the Laois County Council Development Contribution Scheme 2025 – 2031 (DCS) which is the relevant scheme for the subject area.

8.1.2. In applying contributions, the Planner's Report made reference to exemptions available under Section 12.2 of the DCS for *'development consisting of sheltered or supported accommodation for homeless persons, sheltered housing schemes for vulnerable groups such as the elderly, disabled and persons with mental health issues provided by voluntary or not-for-profit non statutory groups that are recognised by the Council as such'*. The Case Planner stated that it did not appear that the applicant is a voluntary or not-for-profit statutory group and recommended that development contributions be charged at the commercial rate of €34 per sqm. However, this recommendation was subsequently amended by the Senior Executive Planner who indicated that contributions be calculated at €8,000 x 3 no. units = €24,000. A detailed breakdown is provided as part of Condition No. 11 of the decision to grant. For ease of reference, I have provided a copy of how these contributions were applied to this development in the table below:

Urban Residential	***No. of Units***	***Charge***	***Total per Contribution***
Transport and Roads Infrastructure	*3*	*€4,000*	*€12,000*
Social and Community Infrastructure, Regeneration and Amenities	*3*	*€4,000*	*€12,000*
Total Development Contributions			*€24,000*

8.1.3. Based on the above, the Planning Authority has applied the contribution for the overall development under *'Urban Residential i.e. located within Local Area Plans and designated settlements within the County Development Plan'* as described in the DCS. The description of the rate of charge is indicated as being €8,000 regardless of size and comprises €4,000 for Transport and Roads Infrastructure and €4,000 for Regeneration, Social and Community Infrastructure Regeneration and Amenities.

8.1.4. The applicant claims that the subject development should not be regarded as three independent dwellings and that the subject development functions as an extension of services provided by the principal house and therefore should be considered ancillary, subsidiary and supplementary to the main residence on the subject site. It is claimed that the description in statutory notices was done so to achieve validation by the Planning Authority and not for the end use of the subject proposal. It is further contended that the rate of development contribution at €24,000 is disproportionate as it amounts to a charge of €161 per sq.m whereas a commercial premises is €34 per sq.m. To this end, the applicant argues that the proposed units should not be considered as self-contained, saleable or in compliance with standards for sustainable 'urban housing' and should not be considered as 'housing units' as set out in Section 15 of the DCS. In addition, the applicant contends the development should have more appropriately fallen under Section 15.1 of the DCS in relation to "Ancillary Residential". The Planning Authority, in response to the appeal, has stated that the approved development is *inter alia* for 3 no. independent living units as referenced in the public notices and the applicant form. In the Laois County Council Development Contribution Scheme 2025-2031, such a development in a serviced urban location, as in this case, is charged at the rate of €8,000 per unit.

8.1.5. In considering the nature of the proposed development and the particulars submitted with the application, I note that the subject development is for the construction of a new single storey communal building consisting of 3 no. independent living units and a communal kitchen / utility unit. I have reviewed the various descriptions set out in Section 16: Development Contributions Tables of the DCS and it is my opinion that these categories are closely related to the classes of development provided in Schedule 9 of the Planning and Development

Regulations 2001 (as amended). The planning fee provided for the subject planning application was €195.00 and the basis of the calculation is stated as 'Independent Units X 3 @ €65 each'. I consider that this rate is consistent with Class 1 of the Regulations which is for '*the provision of a house*'. With this in mind, the applicant provided a residential rate to the application fee and did not apply under any alternative class in the Regulations such as Class 2 – '*Any works for the carrying out of maintenance, improvement, or other alteration of an existing house'* or *'Any other works, including the erection, construction or alteration of structures, within or bounding the curtilage of an existing house, for purposes ancillary to the enjoyment of the house';* Class 4 – *'The provision of buildings other than buildings coming within class 1, 2 or 3'*; or, Class 13 – '*Development not coming within any of the foregoing classes'*. On this basis, I am satisfied that the Planning Authority sought to apply the appropriate residential development contribution for this development, i.e. Urban Residential which is consistent with the residential class of development as submitted by the appellant at application stage.

8.1.6. With respect to considering the proposed development as an alternative classification of development type, 'Ancillary Residential', I firstly note that Section 15.1 as referred to by the applicant relates to adjustments considered from the Draft Development Contribution Scheme 2025-2031. In this regard, Section 15.1 of the DCS is only applicable insofar as it relates to applying a numerical rate across categories of development. I therefore refer to 'Ancillary Residential' as it is provided in Section 16: Development Contribution Tables of the DCS and which is described as follows:

Category of Development	**Rate of charge**
Ancillary Residential	
Extensions in excess of exempted development floor area threshold of 40 sq.m.	€15 per sq.m.
Sheds, garages and similar type buildings within the site curtilage in excess of the exempted development floor area threshold of 25 sq.m.	€15 per sq.m.

8.1.7. Whilst I acknowledge that the proposed development, as presented, would be associated with the existing residential centre operations on the appeal site, I do not consider that the proposed construction of the 3 no. independent living units with a communal kitchen/dining space to constitute ‘Ancillary Residential’ as it is defined in the DCS. I have formed this view in light of the description of this category in the DCS (as above). I am of the opinion that this rate applies to extensions above exempted development thresholds set out in the Planning & Development Regulations 2001 (as amended) and to buildings, similar to sheds/garage residence on the site curtilage which are also above the exempted development thresholds set out in the Planning & Development Regulations 2001 (as amended). I do not consider that the construction of a new single storey communal building consisting of 3 no. independent living units and a communal kitchen / utility relates to the ‘Ancillary Residential’ categorisation as described in the DCS and I am satisfied that there is no ambiguity in relation the interpretation of this development class. As such, I consider that contributions have been accurately applied by the Planning Authority for ‘Urban Residential’ and that the calculations (€8,000 X 3 no. units = €24,000) is correct.

8.1.8. In terms of the proportion of costs associated with categories of development, I would reaffirm that my considerations are confined to assessing whether or not there has been the improper application of the terms of the relevant DCS. To this end, I cannot form a view or opinion as to whether or not the DCS should contain a specific section/rate which describes or is consistent with the precise nature of the proposed development. I am satisfied that the Planning Authority calculated the development contributions correctly against the terms of the DCS.

8.1.9. For the benefit of any doubt, I have no reason to consider that the subject development would fall within the scope of any other class/categorisation of development set out in the DCS.

8.2 Exemptions of Development Contributions

8.2.1 In terms of exemptions on development contributions, Section 12 of the DCS outlines categories of development will be exempted from paying development contributions. Part 12.2: ‘Housing’ of the DCS states that *‘Development consisting of sheltered or supported accommodation for homeless persons, sheltered housing schemes for vulnerable groups such as the elderly, disabled and persons with mental health issues provided by voluntary or not-for-profit non-statutory groups that are recognised by the Council as such’.* As previously outlined, the Case Planner referred to this provision in their assessment of the application and stated that it did not appear that the applicant is a voluntary or not-for-profit statutory group. The applicant does not contest this matter and states in their appeal that they do not argue for an exemption. Rather, it is claimed by the applicant that the Planning Authority have not recognised the services provided by the proposal and have instead applied a contribution specifically aimed at speculative housing developments.

8.2.2. In considering the development and having regard to the appeal file, I am satisfied that the applicant, despite offering/providing supports for vulnerable persons, is not a recognised voluntary or not-for-profit non-statutory group that is recognised by Laois County Council and therefore cannot be considered exempt from the requirement to pay development contributions. Furthermore, I do not consider that contentions of the applicant with respect to alleged exemptions from commercial rates for provisions of health/disability services is applicable to the application of development contributions. Accordingly, I consider that a full rate of development contributions are applicable for the subject development and it is my opinion that the contributions have been correctly applied by the Planning Authority.

8.2.3. In addition, I note the applicant refers to a "catch all" caveat in Section 13 of the DCS where Chief Executive of the Local Authority can, in exceptional circumstances, waive or reduce development contribution at their discretion. It is contended that a discretional opinion from the Chief Executive on the matter of Development Contributions would have been more appropriate in the subject development. In considering this matter, I am of the opinion that the decision of the Planning Authority not to waive or apply a reduced contribution is consistent with the terms of the Scheme as it is left to the discretion of the Chief Executive. I am satisfied, from review of the appeal file, that the Chief Executive has not deemed this particular development to constitute an exceptional circumstance to warrant a reduction or waiver in development contribution and so I consider that the Planning Authority has correctly applied the terms as set out in the DCS.

9.0 Recommendation

9.1. I consider that the Planning Authority correctly applied the terms of the Laois County Council Development Contributions Scheme 2025 - 2031 in the calculation of the amount payable under Condition No. 11. As such, I recommend that Condition No. 11 be attached without amendment of the Development Contribution figure.

10.0 Reasons and Considerations

10.1. The Commission, in accordance with section 48 of the Planning and Development Act 2000 (as amended) considered that the terms of the Laois County Council Development Contribution Scheme 2025 - 2031 for the subject area has been properly applied in respect of Condition No. 11 and directs the said Laois County Council to ATTACH the said condition without amendment.

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 me, directly or indirectly, following my professional assessment and recommendation set out in my report in an improper or inappropriate way.

Matthew O Connor
Planning Inspector

30th July 2026