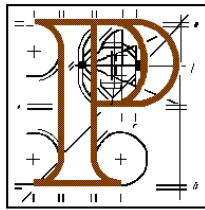


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

South Dublin County

Planning Register Reference Number: SD15A/0138

An Bord Pleanála Reference Number: PL 06S.245321

APPEAL by Guestford Limited care of McGill Planning of 1st Floor, Number 7 Fitzwilliam Street Upper, Dublin in relation to the application by South Dublin County Council of the terms of the Development Contribution Scheme made for the area in respect of condition number 10 of its decision made on the 17th day of July, 2015.

PROPOSED DEVELOPMENT: Development consisting of: construction of a new hotel wing comprising five number storeys (circa 5,340 square metres total gross floor area) and containing 104 number bedrooms, meeting rooms, lounge area, link to existing hotel, and plant area (circa 40 square metres). Modifications to existing hotel comprising demolition of circa 2.5 square metres to accommodate new hotel link and change of use of hotel administration area to gym (circa 73 square metres). Demolition of existing "Pavilion" building (circa 2,709 square metres). Modifications to hotel parking area to now provide a total of 420 spaces (existing and new), with revisions to internal roads, set down areas, coach parking and delivery areas. Closure of secondary entrance to Red Cow Business Park access road. All associated site development, landscaping, open spaces, boundary treatment works, car parking and infrastructural services provision, all at the Red Cow Hotel Complex, Naas Road, Dublin.

DECISION

The Board, 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 10 and directs the said Council to **AMEND** condition number 10 so that it shall be as follows for the reasons stated.

10. The developer shall pay to the planning authority a financial contribution of €225,260 (two hundred and twenty-five thousand, two hundred and sixty euro) 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. The application of any indexation required by this condition shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine.

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.

