



An  
Bord  
Pleanála

**Board Direction**  
**BD-001688-18**  
**ABP-301588-18**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 19/11/2018.

The Board treated this case under section 48 of the Planning and Development Act, 2000, as amended. The Board also decided that the planning authority be directed, as follows:

Amend condition number 23 as follows.

### **Reasons and Considerations**

The Board considered that South Dublin County Development Contribution Scheme 2016-2020 was not properly applied in this instance, in that the planning authority did not take into account the floor area of the existing building which is to be demolished to permit construction of the development approved under SD17A/0211 as modified by this permission, in accordance with Article 10 (xxviii) of the scheme.

23. The developer shall pay to the planning authority a financial contribution of €420,655.48 (four hundred and twenty thousand, six hundred and fifty five euro and forty eight cents) 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.

**Board Member:**

**Date:** 19/11/2018

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Michelle Fagan