



An
Bord
Pleanála

Board Direction
BD-003546-19
ABP-303915-19

The submissions on this file and the Inspector's report were considered at a Board meeting held on 15th July 2019.

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:

Attach condition 3

Reasons and Considerations:

Section 10(xxvii) of the South Dublin County Council Development Contribution Scheme 2016-2020 stipulates that an exemption from the payment of a financial levy will be given in circumstances where a planning application is for a change of use and a financial levy has previously been paid in respect of the former use. The section explicitly states that Agents/Applicants should provide evidence of 'prior payment (of a financial contribution) at application stage....in order to avail of this exemption'. On the basis of the documentation submitted with the application and appeal, the Applicant has not demonstrated compliance with the requirements of Section 10(xxvii). In these circumstances, it is considered that the terms of the Development Contribution Scheme have been properly applied and that there are no other exemptions or discounts available to the Applicant

Board Member:

Date: 15/07/2019

Terry Ó Niadh