



An
Bord
Pleanála

Board Direction
BD-003702-19
ABP-304146-19

The submissions on this file and the Inspector's report were considered at a Board meeting held on 1st August 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:

Amend the amount payable under Condition No. 2 by deleting the amount of €1,460,197.41 and substituting the amount of €1,417,786.70

Amend the amount payable under Condition No. 3 by deleting the amount of €802,594.20 and substituting the amount of €768,996.50

Reasons and Considerations

1. Having regard to the terms of the Dublin City Council Development Contributions Scheme, 2016-2020 the contributions were incorrectly applied by the planning authority in the calculation of the amount payable based on reckonable gross floor area for commercial/retail development and the car parking and ancillary infrastructure. It is therefore concluded that the amount payable with respect to condition no. 2 , in accordance with the terms of the said scheme is €1,417,786.70
2. Having regard to the terms of the Dublin City Council Supplementary Development Contribution Scheme (Section 49, Planning & Development Act, 2000 as amended), 2017 (Luas Cross City St. Stephen's Green to Broombridge

Line), Development Contributions Scheme, 2016-2020 the contributions were incorrectly applied by the planning authority in the calculation of the amount payable based on reckonable gross floor area for commercial/retail development and the car parking and ancillary infrastructure. It is therefore concluded that the amount payable with respect to condition no.3, in accordance with the terms of the said scheme is €768,996.50.

Board Member:

Date: 06/08/2019

John Connolly