The submissions on this file and the Inspector's report were considered at a Board meeting held on 1 August 2019.

The Board decided to treat this case under section 118 of the Planning and Development Act, 2000. The Board also decided, based on the Reasons and Considerations set out below, that the planning authority be directed, as follows:

Amend condition number 19 as follows

The developer shall pay to the planning authority a financial contribution of €385,203 (three hundred and eighty five thousand, two hundred and three 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. The contribution shall be paid prior to the 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 the Board to determine.

Reason: It is a requirement of the Planning and Development Act 2000 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.

Reasons and Considerations

In relation to condition No. 19 the Board considered that the Fingal County Council Development Contribution Scheme 2016 -2020 had not been properly applied in respect of condition No. 19 and a rate of €35.97 should apply to the warehouse element of the proposed development and a rate of €71.94 to the office element.

condition 19 should be amended accordingly.

Board Member: **Date:** 08/08/2019
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                    Terry Prendergast