



An  
Bord  
Pleanála

**Board Direction**  
**BD-004713-19**  
**ABP-305151-19**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 10/12/2019.

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:

**1- Amend condition 16 as follows:**

That the developer shall pay the sum of €178,612 to the Planning Authority in respect of the Clonsilla to Dunboyne (Pace) Railway Line. This contribution shall be paid prior to the commencement of development or in such a manner as may otherwise be agreed in writing with the Planning Authority. The rate of contribution payable shall be that pertaining to the particular year in which implementation of the planning permission commences. The Supplementary Development Contribution Scheme provides for an annual increase in the levels of contribution payable, as outlined in the scheme, by a factor of 5% compound interest per annum. The levels of contribution will be reviewed annually on the 1<sup>st</sup> January of each year during which the scheme is in force, to take account of the aforementioned increase.

This is in lieu of Condition 23 of Planning Permission FW17A-0112.

**Reasons and Considerations**

The Board accepted the case made by the Planning Authority, which justified the Financial Contribution concerned, on the basis that the present application was

expressed to be an amendment to Planning Permission FW17A-0112 and accepted the basis of the Planning Authority's calculation of the amount payable.

**2- Remove condition 17.**

**Reasons and Considerations:**

The Board noted that Condition 17 related to the Section 48 Development Contribution Scheme and that it had been confirmed by the Planning Authority that the corresponding condition of Planning Permission FW17A-0112, Condition 24, had been paid in accordance with this condition and considered, therefore, that the imposition of this condition was unwarranted.

**Board Member:**

**Date:** 10/12/2019

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Terry Ó Niadh