

An  
Bord  
Pleanála

**Board Direction**  
**BD-008892-21**  
**ABP-310261-21**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 12/08/2021.

The Board decided to treat this case under section 139 of the Planning and Development Act 2000, as amended. The Board also decided, based on the Reasons and Considerations set out below, that the planning authority be directed, as follows:

Amend condition number 2 as follows


2. The developer shall pay to the planning authority a financial contribution of €1,731.48 (one thousand seven hundred and thirty-one euro and 48 cent) 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.

**Reasons and Considerations**

Having regard to the extent of additional floor area, cited in the planning documentation as being 18.8 sq metres, for which permission is being sought to amend the previous grant of permission on the site Planning Authority ref. 2509/20, and to the specific provisions of the adopted Dublin City Council Development Contribution Scheme, 2020-2023 which does not explicitly provide for the calculation of contributions in such circumstances on the basis of permitted and proposed floor area, it is considered that the relevant additional floor area for the purposes of calculation of the development contribution is 18.8 sq. metres which, at a rate of €92.10 per square metre of residential development, gives a contribution requirement of €1,731.48.

**Board Member:**



Dave Walsh

**Date:** 12/08/2021