



An
Bord
Pleanála

Board Direction
BD-009159-21
ABP-310359-21

The submissions on this file and the Inspector's report were considered at a Board meeting held on 28/09/2021.

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:

Remove condition no. 28

Reasons and Considerations

Having regard to the satisfactory level public open space provision, the provisions of the Fingal County Development Plan 2017-2023 which facilitate financial contributions in lieu of public open space provision, and the Fingal County Development Contribution Scheme 2021-2025 which provides for the payment of a contribution in lieu of public open space provision, it is considered that the terms of the development contribution scheme have not been properly applied as no financial contribution is required in lieu of public open space provision.

In deciding not to accept the Inspector's recommendation to amend condition no. 28, the Board did not agree that there was a shortfall in public open space provision.

Board Member:

John Connolly

Date: 28/09/2021