



An  
Bord  
Pleanála

**Board Direction**  
**BD-011838-23**  
**ABP-312476-22**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 28/02/2023.

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 11**

#### **Reasons and Considerations**

Section 48 of the Planning and Development Act 2000, as amended, requires planning authorities to make development contribution schemes which provide for the payment of a contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority and that is provided, or that it is intended will be provided, by or on behalf of a local authority. Additionally, Section 48(3)(c) of the Act requires that a scheme shall state the basis for determining the contributions to be paid in respect of public infrastructure and facilities. The Fingal County Council Development Contribution Scheme 2021 – 2025 takes as its basis for applying a contribution the aggregated floor areas in square meters of projected development within its administrative area. The proposed development comprises an open apron extension and servicing area within the airport complex and does not include any building or associated floor area and, in the absence of any other category or rate that does not contain floor area within the Fingal County Development Contribution Scheme, it is concluded that the

Development Contribution Scheme does not apply, and the planning authority has not correctly applied the scheme in this instance.

**Board Member:**

*Patricia Callear*

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**Date:** 01/03/2023