

An
Bord
Pleanála

Board Direction
BD-016891-24
ABP-318883-24

The submissions on this file and the Inspector's report were considered at a Board meeting held on 26/06/2024.

The Board decided to treat this case under section 139 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:

Remove condition number 2

Attach 2 further conditions as set out below.

Reasons and Considerations

Having regard to:

- (a) the zoning of the site under 'GE' General Employment to 'Provide opportunities for general enterprise and employment' as set out in Fingal County Development Plan 2023-2029.
- (b) planning policies and objectives under Fingal County Development Plan 2023-2029, particularly; EE01, EEP2, EE014, CIOS06, CIOSP8, CIOS013.
- (c) the existing pattern of development in the vicinity, and
- (d) the planning history of the site,

The Board considered that, subject to compliance with the conditions set out below, the removal of Condition no 2 would not seriously, or disproportionately, injure the

amenities of the area or of property in the vicinity, would otherwise be acceptable in terms of pedestrian and traffic safety and convenience, and therefore, be in accordance with the proper planning and sustainable development of the area.

In the context of permitting the permanent continued use of the site for indoor recreation, as per the removal of condition number 2, the Board considered it appropriate to attach a condition requiring that the vehicular accesses be rectified to a state that is more appropriate to the use.

In the context of permitting the permanent continued use of the site for indoor recreation, as per the removal of condition number 2, the Board considered it appropriate to attach a development contribution condition pursuant to section 48 of the Planning and Development Act 2000, as amended.

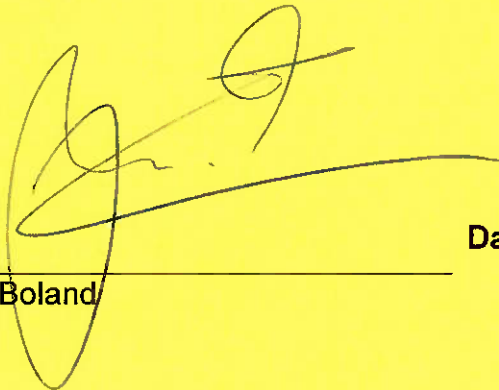
Conditions

1.	<p>The widths of both of the vehicular accesses to the site shall be reduced to a detail to be agreed in writing with the planning authority.</p> <p>Reason: In the interest of amenity and of traffic and pedestrian safety.</p>
2.	<p>The developer shall pay to the planning authority a financial contribution 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</p>

indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme 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 the proper application of the terms of the Scheme.

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.

Board Member:



Joe Boland

Date: 02/07/2024