



An  
Bord  
Pleanála

**Board Direction**

**BD-017815-24**

**ABP-319742-24**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 09/10/2024.

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:

Amend conditions No.'s 2 & 3 as follows.

**Condition No. 2**

The developer shall pay to the planning authority a financial contribution of €417,178.26 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 the commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provision of the scheme at the time of payment.

**Reason:** It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

### **Condition No. 3**

The developer shall pay to the planning authority a financial contribution in the amount of €196,781.26 in respect of the LUAS Red Line Docklands Extension (LUAS C1) Scheme in accordance with the terms of the Supplementary Development Contribution Scheme made by the planning authority under section 49 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.

**Reason:** It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Supplementary Development Contribution Scheme made under section 49 of the Act be applied to the permission.

Reasons and Considerations, as per Inspector's recommendation/amended in manuscript on the attached copy of the Inspector's recommendation/as follows.

### **In relation to Condition No. 2**

Amended calculations to accord with the Dublin City County Council Development Contribution Scheme 2023-2026 shall be as follows:

- A Total net floor area subject to development contribution = 3,796sqm
- B 3405.12sqm of commercial floor space charged at €118.00 per sqm = ` €401,805.34
- C 390.87sqm (the external covered yard charged at one third the commercial rate of €39.33 per sqm in accordance with Section 11 of the Development Contribution Scheme where 'open storage / hard surface commercial space, other than car parking, shall be liable for development contributions at one third of the commercial rate = €15,372.92.

### **In relation to Condition No.3**

Amended calculations to accord with the Dublin City County Council LUAS Red Line Docklands Extension (LUAS C1) Supplementary Development Contribution Scheme shall be as follows:

- A Total net floor area subject to development contribution = 5,439sqm.
- B 5,048.13sqm of commercial floor space charged at €38.00 per sqm = €191,828.94.
- C 390.87sqm (the external covered yard charged at one third the commercial rate of €12.67 per sqm in accordance with Section 12 of the supplementary Development Contribution Scheme where 'open storage / hard surface commercial space, other than car parking, shall be liable for development contributions at one third of the commercial rate = €4,952.32.

**Board Member:**

  
Paul Caprani

**Date:** 09/10/2024