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Bord  
Pleanála

**Board Direction**  
**BD-019176-25**  
**ABP-320701-24**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 07/03/2025.

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 20 and 32

Reasons and Considerations,

The Board noted the planning authority's submission advising that condition 20 is a duplicate condition and should be removed, the Board concurred.

The Fingal County Council Section 48 Development Contribution Scheme, 2021-2025, provides for a contribution in lieu where there is a shortfall in open space. In this instance the applicant has provided an area greater than 12% of the gross site area as public open space and an area of approx. 15% of the site area (net the land reserved within the site for the yet to be finalised alignment for the north south rush relief road). This open space provision accords with the quantity of open space required for residential development as set out in Section 4.5.2.3 of the Fingal County Development Plan 2023-2029. As the Board concur with the applicant that the quantity of open space provided accords with the Fingal County Development Plan requirements therefore the requirement for a contribution in lieu of open space does not apply.

The Board did not concur with the Inspectors recommendation as the Board considered the open space provided accords with the requirements of the Fingal County Development Plan 2023-2029 and therefore the requirement to pay a contribution in lieu of open space does not apply.

**Board Member:**

  
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Mary Henchy

**Date:** 12/03/2025