

An
Bord
Pleanála

Board Direction
BD-019616-25
ABP-321675-25

The submissions on this file and the Inspector's report were considered at a Board meeting held on 08/05/2025.

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:

AMEND condition number 2 so that it shall be as follows for the reasons stated.

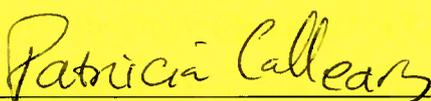
2. A development contribution in the sum of €5,218.40 shall be paid to the planning authority as a contribution towards expenditure that was and/ or is proposed to be incurred by the Planning Authority in respect of public infrastructure and facilities benefitting development in the administrative area of the Authority in accordance with Dublin City Council's Section 48 Development Contribution Scheme. The contribution is payable on commencement of development. If prior to commencement of development an indexation increase is applied to the current Development Contribution Scheme or if a new Section 48 Development Contribution Scheme is made by the City Council the amount of the contribution payable will be adjusted accordingly. Phased payment of the contribution will be considered only with the agreement of Dublin City Council Planning Department. Applicants are advised that any phasing agreement must be finalised and signed prior to the commencement of development.

Reason: It is considered reasonable that the payment of a development contribution should be made in respect of the public infrastructure and facilities benefitting development in the administrative area of the Local Authority.

Reasons and Considerations

The applicable scheme is the Dublin City Council Development Contribution Scheme 2023 – 2026 (under Section 48 of the Planning and Development Act, 2000 as amended). The adopted scheme includes, in Note 3, that new extensions to existing developments will be charged at the applicable rates. Section 10 provides various exemptions where contributions will not be charged including in relation to change of use from one commercial use to another and any net additional floor space will be charged at the commercial rate. The financial contribution required under Condition number 2 is calculated based on the rates contained in the Contribution Scheme. In these circumstances, the Board considers that Condition number 2 falls within the terms of the Scheme except in relation to the calculation of the amount due which should be amended to reflect the terms of the scheme in relation to the proposed development where only the additional new floor area is applicable and the change of use does not attract a financial contribution.

Board Member



Patricia Calleary

Date: 08/05/2025