

An  
Bord  
Pleanála

**Board Direction**  
**BD-019749-25**  
**ABP-321772-25**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 23/05/2025.

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:

1. **Amend** condition 24 as follows:

The developer shall pay to the Planning Authority a financial contribution of €8,726,991.84 (eight million, seven hundred and twenty six thousand, nine hundred and ninety-one euros and eighty four cents), in respect of public infrastructure and facilities benefiting development within 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 2021-2025, made under Section 48 of the Planning and Development Acts 2000-2011 (as amended). The contributions under the Scheme shall be payable prior to commencement of development or as otherwise agreed in writing by the Council. Contributions due in respect of permission for retention will become payable immediately on issue of the final grant of permission. Contributions shall be payable at the index adjusted rate pertaining to the year in which implementation of the planning permission is commenced.

**Reason:** The provision of such facilities will facilitate the proposed development. It is considered reasonable that the payment of a contribution



be required, in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority and that is provided, or that is intended will be provided, by or on behalf of the Local Authority.

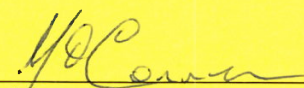
**2. Remove Condition 25**

**Reason:** It is considered that condition number 25 is not in accordance with the requirements of Section 48(2)(c) of the Planning and Development Act as the development referenced in the condition is not exceptional or specific to the proposed development.

**Reasons and Considerations**

1. In relation to condition number 24 it is considered that the provisions of Section 11, parts (xxii) and (xxiii) of the South Dublin County Council Development Contribution Scheme 2021-2025, which relate to contribution exemptions, were not properly applied and a commercial levy was applied to 1,112 square metres of the development which comprise switchrooms, plant rooms, ancillary plant rooms and a stand-alone substation, all of which are listed as exempt from development contributions under Section 11, parts (xxii) and (xxiii) of the South Dublin County Council Development Contribution Scheme 2021-2025.
2. In relation to condition number 25 it is considered that condition number 25 is not in accordance with the requirements of Section 48(2)(c) of the Planning and Development Act as the development referenced in the condition is not exceptional or specific to the proposed development.

**Board Member:**

  
Marie O'Connor

**Date:** 23/05/2025