

An
Coimisiún
Pleanála

Direction
CD-020013-25
ABP-321987-25

The submissions on this file and the Inspector's report were considered at a meeting held on 23/06/2025.

The Commission treated this case under section 48 of the Planning and Development Act, 2000, as amended. The Commission also decided that the planning authority be directed, as follows:

Amend condition 2 as follows:

2. The developer shall pay to the planning authority a financial contribution of €8,895 (eight thousand, eight hundred and ninety-five euro) 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 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 Development Contribution Scheme made under section 48 of the Act be applied to the permission.

and

Amend condition 3 as follows:

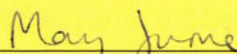
3. The developer shall pay to the planning authority a financial contribution of €1,425 (one thousand, four hundred and twenty-five euro) in respect of the LUAS Cross City (St. Stephen's Green to Broombridge Line) Scheme in accordance with the terms of the Supplementary Development Contribution Scheme 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.

Planning

Commissioner:

Date: 23/06/2025



Mary Gurrie

DRAFT WORDING FOR ORDER

Reasons and Considerations

In respect of condition number 2, the Board considered that the development contribution scheme for the area had been incorrectly applied and that only the increased floor area of 75 square metres is applicable for levies. Using the applicable rate of €118.60 for 75 square metres, the total due is €8,895.

In respect of condition number 3, the Board considered that the development contribution scheme for the area had been incorrectly applied and that only the increased floor area of 75 square metres is applicable for levies. Section 12 of the Luas Cross City section 49 scheme provides for a reduction of 50% for minor extensions to protected structures, where the extension is no greater than 50% of the total floorspace of the protected structure. The proposed development with an extension of 75 square metres to a building of 1,252 square metres complies with this criteria, therefore, using the applicable rate of 50% of €38 for a floor area of 75 square metres, the amount due is €1,425.