An Coimisiún Pleanála

Direction
CD-020855-25
ACP-322854-25

The submissions on this file and the Inspector's report were considered at a meeting held on 01/10/2025.

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 to Amend Condition 9 as follows:

9. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €88,922.77 (eighty-eight thousand and nine hundred and twenty-two euro and eighty-eight cent, 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

Planning Commissioner: Declan Moore **Date:** 02/10/2025

DRAFT WORDING FOR ORDER

Reasons and Considerations

Having regard to Section 48 of the Planning and Development Act 2000, as amended, the provisions of the South Dublin County Council Development Contributions Scheme 2021-2025 and in particular Section 11(i)(xxvi) relating to the exemptions for a change of use where contributions have previously been paid, together with the evidence submitted by the appellant, it is considered that the terms of the Scheme were not correct in application under Condition 9 and that the contribution should apply only to the net 744sq.m of additional floor area.