

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

## Fingal County

**Planning Register Reference Number: F15A/0533**

An Bord Pleanála Reference Number: PL 06F.246302

**APPEAL** by Solomon Adelaja of 68 Hampton Woods, Balbriggan, County Dublin in relation to the application by Fingal County Council of the terms of the Development Contribution Scheme made for the area in respect of condition number 14 of its decision made on the 18<sup>th</sup> day of February, 2016.

**PROPOSED DEVELOPMENT:** De-pollution and dismantling of light cars. The proposal in the premises is not for a traditional car breaking. It is an enclosed car de-pollution and dismantling as distinct from a scrap yard, all at Knockcross, Balrothery, County Dublin.

## DECISION

The Board, in accordance with section 48 of the Planning and Development Act, 2000, as amended, considered, based on the reasons and considerations set out below, that the terms of the Development Contribution Scheme for the area had not been properly applied in respect of condition number 14 and directs the said Council to REMOVE condition number 14 and the reason therefor.

## REASONS AND CONSIDERATIONS

Having regard to the terms of the Fingal County Council Development Contribution Scheme 2016-2020 including item 10(q) in respect of 'Exemptions and Reductions' wherein contributions will not be applied to certain permissions of a temporary duration and to the response to the appeal received from Fingal County Council, it is considered that the applicant should be exempt from paying a development contribution in this instance. The Board, therefore, considers that the terms of the scheme have not been properly applied in respect of condition number 14 laid down by the planning authority and that the condition should be removed.

## MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

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**Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.**

Dated this       day of                               2016.