



Planning and Development Acts 2000 to 2019

Planning Authority: Fingal County Council

Planning Register Reference Number: F18A/0480

Appeal by Áine Byrne care of Andrew O'Rourke and Associates of Apartment 7, The Lighthouse, Robswall, Coast Road, Malahide, 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 6 of its decision made on the 1st day of May, 2019.

Proposed Development: Continuation of use as montessori school and retention of existing timber screen fencing to children's' play area to the rear and associated works at Donabate Parish Hall (Protected Structure), Main Street, Donabate, 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 been properly applied in respect of condition number 6 and directs the said Council to AMEND condition number 6 so that it shall be as follows for the reason stated.

6. The developer shall pay to the planning authority a financial contribution of €3,431.81 (three thousand four hundred and thirty one euro and eighty one cent) 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 within three months of the date of this Order 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. The application of any indexation required by this condition shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine.

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.

Reasons and Considerations

Having regard to Fingal County Council Development Contribution Scheme, 2016-2020, it is considered that the terms of the Development Contribution Scheme were correctly applied by the planning authority insofar as the proposed development is subject to financial contributions.

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.

John Connolly

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this day of 2019.