



Planning and Development Acts 2000 to 2019

Planning Authority: Fingal County Council

Planning Register Reference Number: F18A/0606

Appeal by Cabot Developments Limited care of Hughes Planning and Development Consultants of 70 Pearse Street, 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 27 of its decision made on the 18th day of June, 2019.

Proposed Development: The proposed development will consist of the demolition of existing grain store and the construction of 20 number dwelling houses, comprising four number two storey four bedroom detached houses, four number two storey four bedroom semi-detached houses and 12 number two storey three bedroom houses, one number pedestrian entrance onto Main Street, three number vehicular entrances onto Chapel Lane, widening of Chapel Lane (into the application site) along site frontage, new path, public open space, landscaping and all associated site works on site located to the east of the R130 and to the north of Chapel Lane, Garristown, County Dublin on site currently accommodating a disused grain store. (As amended by the further public notice received by the planning authority on the 23rd day of May, 2019.

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 27 and directs the said Council to ATTACH condition number 27 and the reasons therefor.

Reasons and Considerations

Having regard to:-

- the nature and scale of the proposed development,
- the provisions of the Fingal Development Plan 2017-2013 including Objectives DMS560, DMS57 and DMS57B, and
- the provisions of the Fingal County Council's Development Contribution Scheme 2016-2020 made under Section 48 of the Planning and Development Act 2000, as amended, including Section 9(b),

the Board considered that the levy imposed under condition number 27, in lieu of the shortfall in open space provision, is in accordance with Fingal County Council's Development Contribution Scheme 2016-2020, that the Scheme is the applicable contribution scheme in this case and that it had been properly applied.

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.

Terry Ó Niadh

Member of An Bord Pleanála

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

Dated this day of 2019.