



Planning and Development Acts 2000 to 2019

Planning Authority: South Dublin County Council

Planning Register Reference Number: SD20A/0010

Appeal by Alex Gheorghe care of Kane Architecture of 6 Clarinda Park North, Dún Laoghaire, County Dublin in relation to the application by South Dublin 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 11th day of March, 2020.

Proposed Development: Change of use from office to medical/dentist use with revisions to front elevation, all at Unit 8, High Street, Tallaght, 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 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 €3,033.97 (three thousand and thirty-three euro and ninety-seven 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 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. 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 –

- (a) the provisions of the South Dublin County Council Development Contribution Scheme 2016 – 2020, and
- (b) the submissions made in this appeal,

