



Planning and Development Acts 2000 to 2020

Planning Authority: Dublin City Council

Planning Register Reference Number: 2988/20

Appeal by Saint Paul's Artane Football Club care of Don McCormack of 22 Saint Brigid's Crescent, Artane, Dublin in relation to the application by Dublin City Council of the terms of the Development Contribution Scheme made for the area in respect of condition number 2 of its decision made on the 9th day of October, 2020.

Proposed Development: Additional/dual use to allow for partial Montessori/childcare use as well as the existing use as a community centre at first floor level at Saint Paul's Artane Football Club, Gracefield Avenue, Artane, 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 2 and directs the Council to **AMEND** condition number 2 so that it shall be as follows for the reason stated.

2. The developer shall pay to the planning authority a financial contribution of €2,704 (two thousand, seven hundred and four euro) 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

The Board considered that the planning authority did not correctly apply the terms of the Dublin City Council Development Contribution Scheme 2020-2023 based on the temporary nature of the permission as provided for under condition number 3 of the Notification of the Decision to Grant Permission.

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.



Paul Hyde

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

Dated this 26th day of April 2021.

