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**Planning and Development Acts 2000 to 2020**

**Planning Authority: South Dublin County Council**

**Planning Register Reference Number: SD20A/0336**

**Appeal** by John Sisk and Son (Holdings) Limited care of Reid Associates of 2 Connaught Place, Crofton Road, 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 10 of its decision made on the 17<sup>th</sup> day of February, 2021.

**Proposed Development:** The relocation of the use of the existing apprentice joinery workshop training centre for young apprentices from its existing location on site to warehouse unit 2 involving the change of use from warehouse to apprentice joinery workshop training centre and all ancillary internal and external works including the extension of the first floor mezzanine of 747 square metres, minor modifications of the front entrance and provision of a canopy with integrated signage and provision of a waste wood store for recycling as fuel for the boiler 29 square metres and dust containment at the rear, the overall gross floor area is 2,319 square metres. The use of the existing joinery workshop training centre will remain as a training centre for Sisk employees use and include general storage area at ground floor and minor internal and external works will be carried out comprising internally the extension of the first floor level mezzanine by 291 square metres from the

existing mezzanine of 234 square metres to 525 square metres and externally the upgrading, cladding and improvements to fenestration of the external elevations, the overall gross floor area is 1,346 square metres. All at Wilton Works, Robinhood Road, 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 10 and directs the said Council to AMEND condition number 10 so that it shall be as follows for the reason stated.**

10. The developer shall pay to the planning authority a financial contribution of €94,572.18 (ninety-four thousand, five hundred and seventy-two euro and eighteen 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 the 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 the nature of the proposed development which comprises a Change of Use application and to Section 11 (xxvi) of the South Dublin County Council Development Contribution Scheme 2021-2025 which details exemptions and reductions in respect of Changes of Use applications where development contributions were paid in respect of the former use, the Board was satisfied on the basis of the applicant's response to the Section 132 notice that the development contributions had been paid in respect of the former use and, therefore, that a reduced development contribution as detailed in the amended condition number 10 was appropriate.

## 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.

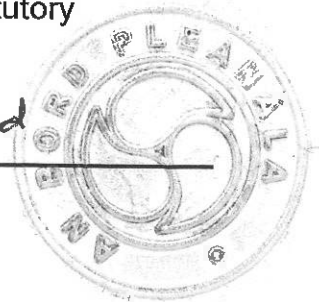
*DR. Maria FitzGerald*

**Maria FitzGerald**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board.**



Dated this 27<sup>th</sup> day of September 2021.