

Planning and Development Acts 2000 to 2022

Amendment of Board Order

Planning Authority: Fingal County Council

Planning Register Reference Number: LRD0001/S3

Development Concerned: A 10 year planning permission for a Large-scale Residential Development (LRD) comprises the construction of a mixed use development, consisting of 971 number apartments (comprising 117 number studio apartments, 368 number one bed apartments, 422 number two bed apartments, and 64 number three bed apartments) in seven number buildings (Blocks A, B, C, D, E, F, and G) ranging from one number to 16 number storeys in height, over a basement level (below six number of the blocks), and provision of a mobility hub, with seven number levels. The development includes seven number commercial units (for Class 1- Shop, or Class 2- Office/Professional Services, or Class 11 Gym, or Restaurant/Café use, including ancillary take-away use) in Blocks A, C, G and the Mobility Hub, one number Community Facility and one number Place of Worship in the Mobility Hub, one number Childcare Facility in Block A, and ancillary resident amenity floorspace to serve the residential units (in Blocks A, B, D, E and F).

Development all on lands at Site A (White Car Park) at Blanchardstown Town Centre, Coolmine, Dublin (www.btcsitealrd.ie). The application site has an area of circa 6.62 hectares and relates to a portion of the existing surface car

park (known as the White Car Park) for Retail Park 2, a section of Road G and Road E (including the associated roundabout junction), a section of Road C and Road D (including the associated roundabout junction), a section of Blanchardstown Road South, and associated verges and footpaths. The application site is bound by Blanchardstown Road South to the north-west, Retail Park 2 and existing surface parking to the north/north-east, Road G to the south/south-east, and Road E to the east.

WHEREAS the Board made a decision to grant permission, subject to conditions, in relation to the above-mentioned development by Order dated the 26th day of May, 2023,

AND WHEREAS it has come to the attention of the Board that due to a clerical error conditions numbers 31 and 32 and the reasons therefor were omitted from the Board's Order, specifically that the original Direction which confirmed the decision of the Board on this case, included condition numbers 31 and 32 along with an explanatory note detailing the reasons for the Board's decision to attach these conditions, that this Board Direction was formally attached to the Order as sent to all parties, and that the omission of these conditions in the Order was therefore a clear clerical error,

AND WHEREAS the Board considered that the correction of the above-mentioned error would not result in a material alteration of the terms of the development, the subject of the decision,

AND WHEREAS having regard to the nature of the issue involved, the Board decided not to invite submissions in relation to the matter from persons who had made submissions or observations in relation to the appeal the subject of this amendment,



NOW THEREFORE in accordance with section 146A(1) of the Planning and Development Act 2000, as amended, the Board hereby amends the above-mentioned decision so that conditions number 31 and 32 of its Order and the reasons therefor shall be as follows:

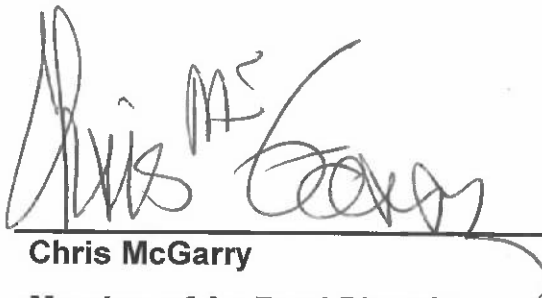
31. The developer shall pay to the planning authority a financial contribution in lieu of public open space provision, in accordance with the terms of note 5 'open space shortfall' of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate. The application of 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. The shortfall in public open space for the purposes of this condition is set at 3.7 hectares.

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.



32. The developer shall pay to the planning authority a financial contribution in lieu of playground facilities, in accordance with the terms of note 5 'open space shortfall' 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. The application of 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. The shortfall in playground facilities for the purposes of this condition is set at 2,657 square metres.

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.



Chris McGarry

Member of An Bord Pleanála

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

Dated this

21st day of **July**

2023.

