

An  
Bord  
Pleanála

**Board Order**  
**ABP-316115-23**

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Fingal County Council**

**Planning Register Reference Number: F22A/0650**

**Appeal** by Rockway Horizons Limited care of O'Neill Town Planning of Oakdene, Howth Road, Howth, County 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 8 of its decision made on the 27<sup>th</sup> day of February, 2023.

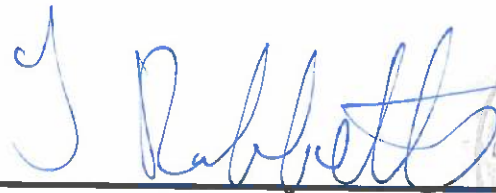
**Proposed Development:** Change of use of the existing light industrial warehouse building over three floors (planning register reference number F10A/0044) to an enterprise centre. Planning permission is also sought for the retention of six high level windows at first-floor level on the east and west elevations, and for the creation of four new high-level windows on the second floor on the west and east elevations, and a new window at second floor on the north elevation. Permission also sought for a new fire door at the second-floor level and external stairs on east elevation, and all ancillary site works, all at Unit 111, Baldoyle industrial Estate, 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 8 and directs the said Council to REMOVE condition number 8 and the reason therefor.

## Reasons and Considerations

The Board considered that the proposed change-of-use came within the scope of section 11(i)(v) of the 'Exemptions and Reductions' of the Fingal County Council Development Contribution Scheme 2021-2025 in that the proposed change-of-use did not constitute a substantial intensification of use of the building and, therefore, is exempt from the requirement to pay the development contribution in accordance with the said section.



**Tom Rabbette**

**Member of An Bord Pleanáia**

**duly authorised to authenticate**

**the seal of the Board.**

Dated this 26<sup>th</sup> day of July 2023.