



An
Bord
Pleanála

Board Order ABP 318968-24

Planning and Development Acts 2000 to 2022

Planning Authority: Fingal County Council

Planning Register Reference Number: FW23A/0106

Appeal by Titan Containers Ireland Limited care of Peter P. Gillett and Associates of 55 Glencarraig, Sutton, 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 12 of its decision made on the 9th day of January, 2024.

Proposed Development: Permission for retention of extension of 2.47 hectares to self-storage container park. Access is via the existing premises and from a new proposed vehicular access from Rosemount Park Drive for which permission is also being sought. Works carried out include new 2.4 metres high palisade fencing along the southern and north-east site boundaries and a 2.5 metres high screen wall to the western boundary. A ten year temporary permission is sought for both the existing and extended premises all at Site D and E Gateway, Rosemount Business Park, Blanchardstown, 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 12 and

directs the said Council to AMEND condition number 12 so that it shall be as follows for the reason stated.

Amended Condition number 12

12. The developer shall pay to the planning authority a financial contribution 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 within three months from the date of this Order 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.

Amended calculations to accord with the Fingal County Council Development Contribution Scheme 2021-2025 shall be as follows;

- A..... floor area (m²) = 7577 (refer to drawing A0001 dated the 2nd day of February, 2023 and note 3 of section 9 of the Fingal County Council Development Contribution Scheme 2021-2025)
- B.....apply indexation provisions of Scheme per note 2 of section 9 of that scheme.
- C..... apply retention rate of 1.25 per section 10 of that scheme.

Reason: It is a requirement of the Planning and Development Act 2000 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 Section 48 of the Planning and Development Act 2000, as amended and the Fingal County Council Development Contribution Scheme 2021 – 2025, made under that Act, it is considered reasonable that the developer pay a financial contribution in respect of public infrastructure and facilities benefiting development in the area.



Joe Boland

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

Dated this 16TH day of July 2024