



An
Bord
Pleanála

**Board Order
06F.RP.2140
(appeal reference number
PL 06F.244126)**

Planning and Development Acts 2000 to 2017

Planning Authority: Fingal County Council

Planning Register Reference Number: F14A/0068

WHEREAS by order dated the 25th day of March, 2015, An Bord Pleanála, under appeal reference number PL 06F. 244126, granted subject to conditions a permission to Patricia Rooney care of Brady Hughes Consulting Engineers of 26 Magdalene Street, Drogheda, County Louth for development comprising construction of four number two-storey, three bedroom, semi-detached dwellinghouses and the provision of eight car parking spaces off existing mews lane, including all necessary site works and mains connection to all services at The Bower House, The Bower, Fancourt, Balbriggan County Dublin:

AND WHEREAS condition number 13 attached to the permission required the developer to pay to the planning authority a financial contribution as a special contribution under section 48(2) (c) of the Planning and Development Act 2000, as amended, in respect of the provision of a footpath from Bower Lane to Fancourt Heights junction and the condition required that the contribution 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 changes in the Wholesale Price Index – Building and Construction (Capital Goods), published by the Central Statistics Office at the time of payment. Details of the amount of the contribution were to be agreed between the developer and the planning authority or, in default of agreement, the matter was to be determined by An Bord Pleanála:

AND WHEREAS the developer and the planning authority failed to agree on the amount of the contribution in compliance with the terms of the condition and the matter was referred by the developer to An Bord Pleanála on the 7th day of December, 2016 for determination:

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by section 34(5) of the Planning and Development Act, 2000, as amended, and based on the Reasons and Considerations set out below, hereby determines that the appropriate amount in terms of the discharge of the requirements of condition number 13 of An Bord Pleanála appeal reference number PL 06F.244126 by the developer to the planning authority is a nil amount.

