



An  
Bord  
Pleanála

**Board Order  
06F.RP.2144  
(appeal reference number  
PL 06F.245865)**

**Planning and Development Acts 2000 to 2017**

**Planning Authority: Fingal County Council**

**Planning Register Reference Number: FW15A/0130**

**WHEREAS** by order dated the 31<sup>st</sup> day of March, 2016, An Bord Pleanála, under appeal reference number PL 06F.245865, granted subject to conditions a permission to 7 Day Auto Limited care of McCutcheon Halley Walsh of 22/23 Pembroke Street Upper, Dublin for development comprising the erection of two number proposed surface-mounted non-illuminated flat panel signs, retention of the change of use from light industrial to motor sales outlet, servicing of motor vehicles and ancillary associated uses and for the erection of four number existing surface-mounted non-illuminated flat panel signs to the south and east elevations of an existing building at Unit 8, Block 6, Plato Business Park, Damastown, Dublin:

**AND WHEREAS** condition number 3 attached to this permission required the developer to 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 was to be paid prior to 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 and the condition required that details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter was to be determined by to An Bord Pleanála:

**AND WHEREAS** the developer and the planning authority failed to agree on the application of the terms of the Scheme in compliance with the terms of this condition and the matter was referred by 7 Day Auto Limited to An Bord Pleanála on the 2<sup>nd</sup> day of March, 2017 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 for the Reasons and Considerations set out below, hereby determines that the amount payable under condition number 3 of An Bord Pleanála appeal reference number PL 06F.245865 is €66,952 (sixty six thousand, nine hundred and fifty two euro), in accordance with the terms of the development contribution scheme applicable at the date of grant of permission.

## **Reasons and Considerations**

Having regard to:

- (a) sections 34(5) and 48 of the Planning and Development Act 2000, as amended,
- (b) the Fingal County Council Development Contribution Scheme 2016-2020,
- (c) An Bord Pleanála appeal reference number PL06F.245865 (planning authority register reference number FW15A/0130), including condition number 3 of that grant of permission, and
- (d) the submissions on file, and the planning history of the site,

