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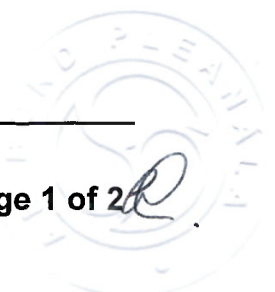
**Planning and Development Acts 2000 to 2022**

**Planning Authority: South Dublin County Council**

**Planning Register Reference Number: SD24A/0114**

**Appeal** by Intrust Properties Limited by Guarantee care of BMC Planning of Taney Hall, Eglinton Terrace, Dundrum, Dublin in relation to the application by South Dublin County Council of the terms of the Development Contribution Scheme made for the area in respect of condition number 7 of its decision made on the 4<sup>th</sup> day of July, 2024.

**Proposed Development:** Internal modifications to the existing retail warehouse unit to provide for a reduced and reconfigured mezzanine floor of 626 square metres and change of use of the mezzanine from ancillary storage to use as bulky goods sales area. Permission is also sought for associated signage on the north elevation and all associated site and development works. The modified Unit 9A will comprise a total gross floor area of 1,538 square metres at Unit 9A, The Retail Park, Liffey Valley, Coldcut Road, 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 7 and directs the said Council to REMOVE condition number 7 and the reasons therefor.

## Reasons and Considerations

Having regard to the grounds of appeal, the South Dublin County Council Section 48 Development Contribution Scheme 2021-2025 and condition number 7 of the notification to grant planning permission, which provides for the payment of a development contribution for the provision of public infrastructure and facilities benefiting development within the area of the planning authority, it is considered that condition number 7 shall be omitted by reason of the application of Section 11 Clauses 11 (xix) and 11 (xxvi) of the South Dublin County Council Section 48 Contribution Scheme 2021-2025, which exempt internal alterations where no net additional floor area is proposed and provide for a net contribution in change of use applications where development contributions have previously been paid.



**Mick Long**

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

Dated this 19<sup>th</sup> day of March, 2025.