



An
Bord
Pleanála

Board Direction
PL29N.248683

The submissions on this file and the Inspector's report were considered at a Board meeting held on September 12th 2017.

The Board decided to treat this case under section 139 of the Planning and Development Act, 2000. The Board also decided, based on the Reasons and Considerations set out below / set out on the attached copy of the Inspector's report, that the planning authority be directed, as follows:

Amend conditions numbers 2 + 4 as follows;

2 *The developer shall pay to the planning authority a financial contribution of €6,152.06 (six thousand, one hundred and fifty two euro and six cent) 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 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. The application of any indexation required by this condition shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine.*

Reason: *It is a requirement of the Planning and Development Act 2000, as amended, 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,*

4 The first floor light well shown on plans submitted on 21st April 2017 shall be enlarged to a minimum width of 5m. The exact configuration of the light well and the design of the roof over the link corridor shall be subject to agreement with the Planning Authority. Plans and elevation drawings showing the required amendments, or consequent changes to the development, shall be submitted to the Planning Authority for its written agreement prior to the commencement of development.

Reason: in the interest of residential amenity.

Reasons and Considerations

The contribution payable under the development contribution scheme should be based on an additional 41m² of commercial floorspace and an additional 39m² of residential floorspace in order to take account of the existing commercial and residential floorspace on the site in accordance with section 14 of the scheme and the extension of 40m² allowed to dwellings without a levy under section 12 of the scheme.

The amendment of Condition 4 to allow for the reconfiguration of the light well to a minimum of 5 m is required to increase the residential amenity for future occupants.

Board Member:

Date: 12.09.17

Paul Hyde