



**An  
Bord  
Pleanála**

**Board Direction  
BD-010104-22  
ABP-311381-21**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 25/02/2022.

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, that the planning authority be directed, as follows:

Attach condition number 2 for the reasons and considerations set out at (1) below.

2. The glazing within the south facing window within the corner window arrangement at first floor level shall be manufactured of fixed and opaque glass and shall be permanently maintained. The application of film to the surface of clear glass is not acceptable.

**Reason:** In the interests of residential amenities.

**Reasons and Considerations (1):**

It is considered that the attachment of condition number 2 is necessary in the interests of the preservation of residential amenity and the proper planning and sustainable development of the area.

Attach conditions 8, 9 and 10 for the reasons and considerations set out at (2) below.

8. The Developer shall, prior to commencement or as otherwise agreed in writing with the Planning Authority, pay the sum of €64.90 to the Planning Authority as a contribution towards expenditure that was/or is proposed to be incurred by the Planning Authority in respect of the provision of Surface Water Public Infrastructure and Facilities benefiting development in the area of the Authority, as provided for in the Development Contribution Scheme made by Dún Laoghaire-Rathdown County Council on the 14th December, 2015. These rates of contribution shall be updated effective from 1 January each year during the life of the Scheme in accordance with the SCSl Tender Price Index (See Article 12 of the Scheme) commencing from 1st January, 2018. Contributions shall be payable at the index adjusted rate pertaining to the year in which implementation of the planning permission is commenced, as provided for in Note 1 to the Table at Article 9 of the Scheme. Outstanding balances may be subject to interest charges.

**Reason:** It is considered reasonable that the payment of a contribution be required in respect of the provision of the Surface Water Public Infrastructure and Facilities benefiting development in the area of the Planning Authority and that is provided, or that is intended will be provided, by or on behalf of the Local Authority.

9. The Developer shall, prior to commencement or as otherwise agreed in writing with the Planning Authority, pay the sum of €1,485.83 to the Planning Authority as a contribution towards expenditure that was/or is proposed to be incurred by the Planning Authority in respect of the provision of the Roads Public Infrastructure and Facilities benefiting development in the area of the Authority, as provided for in the Development Contribution Scheme made by Dún Laoghaire-Rathdown County Council on the 14th December, 2015. These rates of contribution shall be updated effective from 1 January each year during the life of the Scheme in accordance with the SCSl Tender Price Index (See Article 12 of the Scheme) commencing from 1st January, 2018. Contributions shall be payable at the index adjusted rate pertaining to the year in which implementation of the planning permission is commenced, as

provided for in Note 1 to the Table at Article 9 of the Scheme. Outstanding balances may be subject to interest charges.

**Reason:** It is considered reasonable that the payment of a contribution be required in respect of the provision of the Roads Public Infrastructure and Facilities benefiting development in the area of the Planning Authority and that is provided, or that is intended will be provided, by or on behalf of the Local Authority.

10. The Developer shall, prior to commencement or as otherwise agreed in writing with the Planning Authority, pay the sum of €963.88 to the Planning Authority as a contribution towards expenditure that was/or is proposed to be incurred by the Planning Authority in respect of the provision of the Community & Parks Public Infrastructure, Facilities and Amenities benefiting development in the area of the Authority, as provided for in the Development Contribution Scheme made by Dún Laoghaire-Rathdown County Council on the 14th December, 2015. These rates of contribution shall be updated effective from 1 January each year during the life of the Scheme in accordance with the SCSi Tender Price Index (See Article 12 of the Scheme) commencing from 1st January, 2018. Contributions shall be payable at the index adjusted rate pertaining to the year in which implementation of the planning permission is commenced, as provided for in Note 1 to the Table at Article 9 of the Scheme. Outstanding balances may be subject to interest charges.

**Reason:** It is considered reasonable that the payment of a contribution be required in respect of the provision of the Community & Parks Public Infrastructure, Facilities and Amenities benefiting development in the area of the Planning Authority and that is provided, or that is intended will be provided, by or on behalf of the Local Authority.

**Reasons and Considerations (2):**

The Board considered that in calculating the amounts to be paid with respect to public infrastructure and facilities benefiting development in the area of the

planning authority, the relevant terms of the Dún Laoghaire-Rathdown County Council Development Contribution Scheme, 2016-2020, as adopted, had been properly applied in respect of condition numbers 8, 9 and 10.

Amend condition number 5 for the reasons and considerations set out at (3) below.

5. The existing dwelling and extension shall be jointly occupied as a single residential unit and the extension shall not be sold, let or otherwise transferred or conveyed, save as part of the dwelling. The extension shall not be used for commercial purposes.

**Reason:** To protect the amenities of property in the vicinity and in the interests of clarity.

**Reasons and Considerations (3):**

It is considered that the amendment of condition number 5 is necessary for the purposes of clarity and in the interests of residential amenity.

**Board Member:**

*Maria FitzGerald*  
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Maria FitzGerald

**Date:** 25/02/2022