

**An
Bord
Pleanála**

Board Direction

BD-013639-23

ABP-315945-23

Re: Amending Board Order

S146A of the Planning and Development Act, 2000, as amended

The submissions on this file were considered at a Board meeting held on 07/09/2023.

The Board decided to exercise its powers under section 146A(1)(b) of the Planning and Development Act 2000, as amended, to amend its Order of July 11th, 2023 by amending condition no. 2 in the interest of clarity and in order to facilitate the operation of the permission. The Board also determined that it is appropriate to attach a condition in respect of s.48 as the Board had omitted to attach a development contribution condition as may be required.

The Board decided that a clerical error had occurred. It is considered that amendment of the Board Order would not result in a material alteration of the terms of the development, the subject of the permission or decision.

Having regard to the nature of the issue involved, the Board decided not to invite submissions in relation to the matter from any person who had made submissions or observations to the Board in relation to the permission/other matter.

Accordingly the Board hereby amends the above-mentioned decision by the amendment of condition 2 and the insertion of new condition 8, in accordance with the provisions of section 146A(1) of the Planning and Development Act, 2000, as amended, as follows:

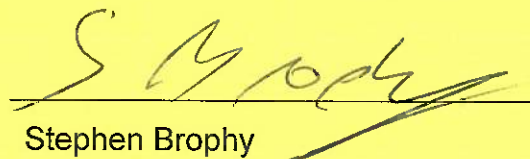
2. The depth of the first-floor extension shall be reduced to six metres, measured externally. Revised plans and particulars showing compliance with this section shall be submitted to and agreed in writing with the planning authority prior to the commencement of development.

Reason: in the interest of residential amenity.

8. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefitting development in the area of the planning authority that is provided or intended to be provided 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 the 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. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer.

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.

Board Member:


Stephen Brophy

Date: 08/09/2023