

An
Bord
Pleanála

Board Direction
BD-016717-24
ABP-318630-23

The submissions on this file and the Inspector's report were considered at a Board meeting held on 19/06/2024.

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 condition number 2 and to AMEND condition number 3 so that they shall be as follows for the reasons set out.

Reasons and Considerations

Having regard to the nature and scale of the proposed development and to the pattern of development in the area, it is considered that the imposition of condition number 3 as proposed unduly compromised the residential amenity of the proposed development and the amendment of this condition would not contravene the provisions, as set out in the current Development Plan for the area and would not set an undesirable precedent.

Conditions

2. The developer shall pay to the planning authority a financial contribution of €5,486.12 (five thousand, four hundred and eighty six euro and 12 cents) in respect of public infrastructure and facilities benefiting development in the

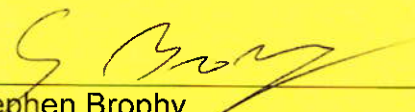
area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement 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.

3. Prior to commencement of the development hereby granted permission, the Applicant shall submit for the written agreement of the Planning Authority, plans and particular which show the following amendment: (a) The roof to the proposed side first floor extension shall comprise a quarter hipped roof as proposed in the drawing submitted to An Bord Pleanála on December 5th, 2013.

Reason: In the interests of protecting residential amenity.

Board Member:


Stephen Brophy

Date: 19/06/2024