

An
Coimisiún
Pleanála

Direction
CD-020884-25
ABP-322795-25

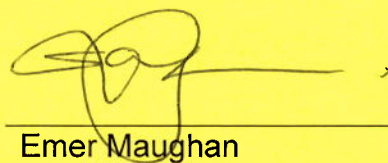
The submissions on this file and the Inspector's report were considered at a meeting held on 03/10/2025.

The Commission treated this case under section 48 of the Planning and Development Act, 2000, as amended. The Commission also decided that the planning authority be directed, as follows:

Attach condition number 22 and amend to the revised development contribution of €33,150

Planning

Commissioner:



Emer Maughan

Date: 07/10/2025

DRAFT WORDING FOR ORDER

Reasons and Considerations

The Commission considered that the Planning Authority correctly stated that a development contribution is required in accordance with the Dun Laoghaire Rathdown Development Contribution Scheme 2023-2028 and agreed with the

Inspector that under Section 4.2 of the Sustainable Residential Development in Urban Areas Guidelines 2009 and Objective 5.1 of Compact Settlement Guidelines 2024 that the requirement for public open space for the subject site should be generally provided at a minimum of 10% of the site area and therefore the Commission considered that the amount of open space required for this development is 292.6 m² based on a site area of 2962m² as per the red line boundary. The Commission did not agree with the Inspector's assessment with regards to the quality of open space along the Hill and to the side (east) of the site and determined that this area of landscaped open space (248.4m²) within the blue line boundary is publicly accessible, usable by all and generally free from attenuation measures and can be considered therefore to form part of the quality public open space provision. The Commission were also of the view that the area between the blue line and the red line boundary which is in the ownership of DLR could not reasonably be considered as part of the quality public open space provision as this area incorporates the replacement public footpath serving the Hill. The Commission therefore determined that Condition 22 be attached and amended to reflect the revised financial contribution of €33,150 (44.2m² x €7500) in lieu of the shortfall of 44.2m² of the public open space provision.