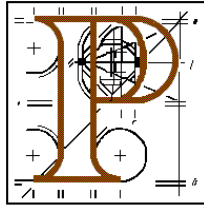


# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

## AMENDMENT OF BOARD ORDER

Dún Laoghaire-Rathdown County

**Planning Register Reference Number: D16A/0300**

An Bord Pleanála Reference Number: PL 06D.246941

**DEVELOPMENT CONCERNED:** Retention of partially constructed detached garage with habitable room to first floor and permission to complete construction of detached garage with habitable room to first floor, including the removal of roof windows and dormer window at The Last Straw, Ballycorus Road, Kiltarnan, County Dublin:

**WHEREAS** the Board made a decision to grant permission, subject to conditions, in relation to the above-mentioned development by order dated the 3<sup>rd</sup> day of November, 2016:

**AND WHEREAS** it has come to the attention of the Board that due to a clerical error a condition requiring payment of a section 48 development contribution for the proposed development, as is required by the adopted Dún Laoghaire-Rathdown County Council Development Contribution Scheme, has been omitted from the Board's Order:

**AND WHEREAS** the Board considered that the correction of the above-mentioned error would not result in a material alteration of the terms of the Board's order:

**AND WHEREAS** having regard to the nature of the issue involved, the Board decided not to invite submissions in relation to the matter from persons who had made submissions or observations in relation to the appeal the subject of this amendment:

**NOW THEREFORE** in accordance with section 146A(1) of the Planning and Development Act 2000, as inserted by section 30 of the Planning and Development (Strategic Infrastructure) Act 2006, the Board hereby amends the above-mentioned decision by the addition of a new condition, i.e. condition number 4, as follows;

4. The developer shall pay to the planning authority a financial contribution 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 within three months of the date of this order 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 or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

**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.

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**Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.**

**Dated this            day of            2017.**