



An  
Bord  
Pleanála

**Board Order**  
**PL 06S.247507**

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**Planning and Development Acts 2000 to 2019**

**Amendment of Board Order**

**Planning Authority: South Dublin County Council**

**Planning Register Reference Number: SD16A/0297**

**Development Concerned:** Revisions/modifications to the permitted residential development (planning register reference number SD15A/0095) involving the replacement of 12 number three bed dwellings with 24 number apartments (six number two bed units and 18 number one bed units) within the northern section of the site (0.4 hectares) resulting in a development with a total of 236 residential units in lieu of 224 units previously permitted. The 24 apartments will be provided within a three-storey block with external deck access. Permission is also sought for a revised landscaping layout, surface car parking (25 spaces), private terraces/balconies, bin and bicycle and all associated site and development works necessary to accommodate the revised development, all on a site (7.9 hectares) at Cooldown Commons, Fortunestown Lane, Dublin. (Residential development known as “Cuil Duin” currently under construction.) The development will be accessed from the permitted internal access roads linking Citywest Avenue (part of) and Fortunestown Lane as previously permitted under planning register reference number SD15A/0095:

**WHEREAS** the Board made a decision to grant permission, subject to conditions, in relation to the above-mentioned development by order dated the 2<sup>nd</sup> day of March, 2017:

**AND WHEREAS** it has come to the attention of the Board that due to a clerical error no condition was attached in relation to payment of a financial contribution,

**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 decision,

**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 amended, the Board hereby amends the above-mentioned decision so that condition number 5 of its order and the reason therefor shall be as follows:

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

**Dated this        day of     2019**