



An
Bord
Pleanála

Board Order
PL 06D.249003

Planning and Development Acts 2000 to 2017

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D17B/0061

Appeal by Joan and Peter McCann of Kilmurray House, Falls Road, Shankill, Dublin in relation to the application by Dún Laoghaire-Rathdown County Council of the terms of the Development Contribution Scheme made for the area in respect of conditions numbers 6 and 7 of its decision made on the 11th day of July, 2017.

Proposed Development: Retention of single storey shed and the proposed erection of a single storage shed and a single storey greenhouse, together with all associated site works at Kilmurray House, Falls Road, Shankill, Dublin.

Decision

The Board, in accordance with section 48 of the Planning and Development Act, 2000, as amended, considered, based on the reasons and considerations set out below, that the terms of the Development Contribution Scheme for the area had not been properly applied in respect of conditions numbers 6 and 7 and directs the said Council to REMOVE conditions numbers 6 and 7 and the reasons therefor.

Reasons and Considerations

The imposition of levies on development of the type in question - namely freestanding ancillary domestic storage sheds and greenhouse in the garden of a domestic dwelling – is not addressed in the Development Contribution Scheme 2016-2020 of Dún Laoghaire-Rathdown County Council. It is therefore considered that no basis has been established for charging of levies for this development.

Matters Considered

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

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

Dated this day of 2017