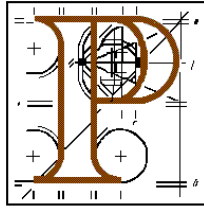


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2017

Fingal County

Planning Register Reference Number: F17A/0481

An Bord Pleanála Reference Number: ABP-300048-17

APPEAL by Norah Walsh care of Delahunty and Harley of 122 Merrion Road, Ballsbridge, Dublin in relation to the application by Fingal County Council of the terms of the Development Contribution Scheme made for the area in respect of condition number 8 of its decision made on the 4th day of October, 2017.

PROPOSED DEVELOPMENT: Demolition and reconstruction of existing extension and additional extensions to side and rear of single storey dwelling, widening of entrance gateway to improve vehicular access and all associated site works at 5 Sarto Road, Sutton, 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 condition number 8 and directs the said Council to REMOVE condition number 8 and the reason therefor.

REASONS AND CONSIDERATIONS

The Board accepted that the proposed development did not include for retention permission and that the floorspace of the existing dwelling was all in place pre-1963. The Board considered that the works would involve remodelling of existing floorspace, with the exception of 13 square metres of extended building. The Board considered that this extended floorspace came within the scope of Clause 10(i)(a) of the Development Contribution Scheme which exempts the first 40 square metres of extensions. The Board, therefore, decided to remove condition number 8.

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 2018.