



Planning and Development Acts 2000 to 2018

Planning Authority: South Dublin County Council

Planning Register Reference Number: SD17A/0465

Appeal by Ardstone Homes Limited care of David Mulcahy Planning Consultants Limited of 67 Old Mill Race, Athgarvan, Newbridge, County Kildare in relation to the application by South Dublin County Council of the terms of the Development Contribution Scheme made for the area in respect of condition number 7 of its decision made on the 23rd day of February, 2018.

Proposed Development: Modification to development permitted under Planning Register Reference Number SD14A/0222 (as amended by Planning Register Reference Number SD17A/0132) to provide 11 number communal bin storage facilities, two number unit subs and amendments to permitted dwellings as follows: (a) alterations to rear windows at ground floor level in 99 dwellings as follows: 77 number House Type Bm; 19 number Agt and three number Hgs; (b) replacement of permitted concrete canopy to side gable and front elevation to pressed metal in 87 House Types as follows: 65 number At, As, Ct, Dd, Fs, Hs, Cd: 19 number Agt and three number Hgs. All associated site works. The proposed development does not affect the development permitted under the recent notification to grant (Planning Register Reference Number SD17A/0355) or the childcare development proposed under the live

application under Planning Register Reference Number SD17A/0376 on lands to the north side of Stocking Avenue (east end), Rathfarmham, 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 7 and directs the said Council to REMOVE condition number 7 and the reason therefor so that it shall be as follows for the reason stated.

Reasons and Considerations

Having regard to

- a) the provisions of the South Dublin County Development Contribution Scheme 2016-2020, and
- b) the information submitted in support of this appeal,

the Board considered, based on the evidence submitted, that the proposed development constitutes revisions/modifications to a permitted development which are not material in terms of Section 10 part (xxvi) of the South Dublin County Council Development Contribution Scheme 2016-2020, and that the terms of the Development Contribution Scheme have not been properly applied.

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.

John Connolly

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this day of 2018.