



An
Bord
Pleanála

Board Order
ABP-307724-20

Planning and Development Acts 2000 to 2020

Planning Authority: South Dublin County Council

Planning Register Reference Number: SD20A/0070

Appeal by Avest Cypash Limited care of RDF Architects and Planning Limited of Unit 19, Charleville Town Centre, Charleville, County Cork 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 2nd day of July, 2020.

Proposed Development: Retention planning permission of a two-storey dwelling and all associated site works at 1 Cypress Park, Templeogue, 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 reasons therefor.

Reasons and Considerations

Having regard to the plans and particulars as submitted with the planning application and the appeal, it is considered that the development for which retention permission is sought, does not include any additional residential floorspace above and beyond the floorspace of the established original dwelling at this location, and that the application for retention relates to regularisation of modifications to a permitted development whereby it is now intended not to implement additional residential floorspace permitted under planning register reference number SD17A/0444.

In deciding not to accept the recommendation of the Inspector, the Board considered the planning history of the site, the totality of the documentation submitted with the planning application and the appeal, and the content of the South Dublin County Council Development Contribution Scheme 2016-2020. The Board concluded that on the facts of the case, no additional floorspace is proposed at the original dwelling on site and, therefore, no development contribution is applicable in this instance.

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.

Chris McGarry

Member of An Bord Pleanála

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

Dated this day of 2020