



An
Bord
Pleanála

Board Order ABP-308169-20

Planning and Development Acts 2000 to 2020

Planning Authority: South Dublin County Council

Planning Register Reference Number: SD20A/0150

Appeal by Alstom Transport Ireland Limited care of RPS Group Limited of West Pier Business Campus, Dun Laoghaire, County Dublin 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 6 of its decision made on the 17th day of August, 2020.

Proposed Development: Retention permission for three number standalone coated steel prefabricated units comprising two number single storey prefabricated units (each circa 31 square metres Gross Floor Area) and associated entrance ramps used for canteen and welfare use respectively and one number single storey prefabricated modular unit (circa 199 square metres Gross Floor Area) and associated entrance ramp use for office use. All site development works are proposed on a site of circa 0.245 hectare at the Luas Depot, Red Cow, Clondalkin, 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 6 and directs the said Council to REMOVE condition number 6 and the reasons therefor.

Reasons and Considerations

Having regard to:

- (a) the provisions of Article 10(xxix) of the South Dublin County Council Development Contribution Scheme 2016-2020 which state, inter alia, that developments permitted by way of a single permission of a temporary duration or cumulative temporary permissions of not greater than five years in total, shall be exempt,
- (b) condition number 2(A) of the grant of permission under planning authority register reference number SD20A/0150 which states that this retention permission shall expire five years after the date of final grant unless a further grant of retention permission has been sought and issued, and
- (c) the fact this application is the first such application on site for the subject development,

it is considered that the terms of the South Dublin County Council Development Contribution Scheme 2016-2020 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.

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

Dated this day of 2021.