

An
Bord
Pleanála

Board Order
ABP-308998-20

Planning and Development Acts 2000 to 2020

Amendment of Board Order

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D20A/0461

Development Concerned: 1. Demolition of single storey side extension. 2. New vehicular entrance off Allen Park Road for the proposed new house. 3. The construction of a two-storey and partial single storey two-bedroom flat roof house. 4. Alterations to boundary walls, landscaping, drainage works and ancillary and associated works. All in the side garden of number 50 Allen Park Road, Stillorgan, County Dublin. Further public notices were received by the planning authority on the 5th day of November, 2020.

WHEREAS the Board made a decision to grant permission, subject to conditions, in relation to the above-mentioned development by Order dated the 31st day of May, 2021:

AND WHEREAS it has come to the attention of the Board that due to an error a condition requiring payment of a Supplementary Development Contribution for the proposed development, as is required by the adopted Dún Laoghaire-Rathdown County Council Supplementary Development Contribution Scheme in accordance with section 49 of the Planning and Development Act, 2000, as amended had been omitted from the Board's Order,

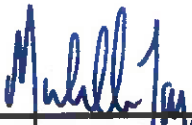
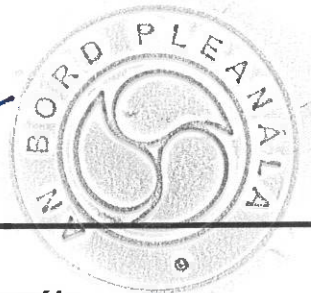
AND WHEREAS the Board considered that the correction of the above-mentioned error would not result in a material alteration of the terms of the development, the subject of the decision,

AND WHEREAS having regard to the nature of the issue involved, the Board decided not to invite submissions in relation to the matter from persons who had made submissions or observations in relation to the appeal the subject of this amendment,

NOW THEREFORE in accordance with section 146A(1) of the Planning and Development Act 2000, as amended, the Board hereby amends the above-mentioned decision by the addition of a new condition, that is, condition number 10, as follows:

10. The developer shall pay to the planning authority a financial contribution in respect of the extension of Luas Line B1 – Sandyford to Cherrywood in accordance with the terms of the Supplementary Development Contribution Scheme made by the planning authority under section 49 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to the commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Supplementary Development Contribution Scheme made under section 49 of the Act be applied to the permission.

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

Dated this 19th day of October 2021