

An
Bord
Pleanála

Board Order
ABP-309312-21M

Planning and Development Acts 2000 to 2020

Amendment of Board Order

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D20A/678

Development Concerned: Demolition of existing garages (to Number 63 and Number 65), outhouse (to Number 65), boundary walls and the construction of two number three bedroom two storey semi-detached houses (130 square metres and 134 square metres) in the side gardens of the existing houses, new shared entrance and driveway, new boundary walls and the relocation of the existing entrance to Number 65 Coolnevaun, all at 63 and 65 Coolnevaun, Stillorgan, County Dublin.

WHEREAS the Board made a decision to grant permission, subject to conditions, in relation to the above-mentioned development by Order dated 11th January, 2021,

AND WHEREAS it has come to the attention of the Board that due to a clerical error a condition requiring payment of a section 49 development contribution for the proposed development, as is required by the adopted Dún Laoghaire-Rathdown County Council Supplementary Development Contribution Scheme, 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 inserted by section 30 of the Planning and Development (Strategic Infrastructure) Act 2006, the Board hereby amends the above-mentioned decision by the addition of a new condition, i.e. condition number 9, as follows:

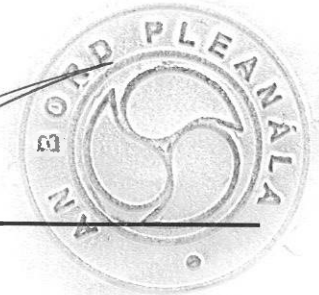
9. The developer shall pay to the planning authority a financial contribution in respect of the extension of Luas Line B1 – Sandyford to Cherrywood in accordance with the terms of the Supplementary Development Contribution Scheme made by the planning authority under section 49 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to 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.



Paul Hyde

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



Dated this *4th* day of *OCTOBER* 2021