

An
Bord
Pleanála

Board Order
ABP-309837-21

Planning and Development Acts 2000 to 2021

Planning Authority: Dun Laoghaire Rathdown County Council.

Planning Register Reference Number: D15A/0453.

WHEREAS by order dated the 30th day of August, 2016, An Bord Pleanála, under appeal reference number PL 06D.246501 (planning register reference number D15A/0453), granted subject to conditions a permission to Luke Comer care of Manahan Planners of 38 Dawson Street, Dublin for development comprising development of a centre of excellence for equine breeding and training, on a site to the rear (west/northwest of) and adjacent to Kiltarnan Hotel, Aparthotel and Sports Complex at Kiltarnan, County Dublin, incorporating part of the former Kiltarnan golf course and adjacent agricultural lands. The development will consist of:- (1) a stable building over three floors incorporating 74 number horse boxes, drying and clearing room, veterinary clinic, office, lift and w.c. at ground floor level, 86 number horse boxes, sick rooms, store, cleaning, drying and tack rooms at first floor level and 36 number self-contained studio/dorm rooms, internal and external track viewing areas at second floor level, (2) a gallops circa 1.6 kilometres in length, (3) parade circuit, (4) equine pool, (5) three bay agricultural shed and (6) car parking, access road, gabion retaining walls, landscaping, boundary treatment and all associated site development works and services. The proposed development may be considered to be within the curtilage or attendant grounds of Kiltarnan Golf and Country Club (formerly Springfield House) a Protected Structure (RPS number

1861), which is part of the adjacent hotel complex, but no works to the protected structure are proposed:

AND WHEREAS condition number 15 attached to the said permission required the developer to pay an unspecified financial contribution to Dun Laoghaire-Rathdown County Council in respect of public infrastructure and facilities benefitting development in the area of Dun Laoghaire-Rathdown County Council in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended, and provides that details of the application of the terms of the Scheme shall be agreed between Dun Laoghaire-Rathdown County Council and the developer or, in default of agreement, the matter was to be determined by An Bord Pleanála:

AND WHEREAS the developer and the planning authority failed to agree on details of the application of the terms of the Development Contribution Scheme and the matter was referred by the developer to An Bord Pleanála on the 26th day of March, 2021 for determination:

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by section 34(5) of the Planning and Development Act, 2000, as amended, and based on the Reasons and Considerations set out below, hereby determines that the planning authority had reasonably concluded that the 36 number self-contained studio/dorm rooms within the permitted development comprised residential development for the purposes of applying a development contribution in accordance with the Development Contribution Scheme and that the amount payable within the terms and conditions of the permission under condition number 15 is €323,418.42 (three hundred and twenty three thousand, four hundred and eighteen euro, forty two cent) in accordance with the terms and conditions of the Development Contribution Scheme applicable at the date of grant of permission.

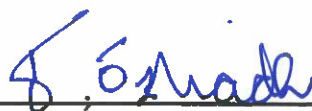
Reasons and Considerations

The Board had regard to:

- (a) sections 34(5) and 48 of the Planning and Development Acts 2000 as amended,
- (b) the provisions of the Dún Laoghaire-Rathdown County Council Section 48 Development Contribution Scheme adopted by Dún Laoghaire-Rathdown County Council on 14th December, 2015,
- (c) the current Dún Laoghaire-Rathdown County Development Plan,
- (d) the submissions on file,
- (e) the planning history of the site, and
- (f) the report of the Inspector.

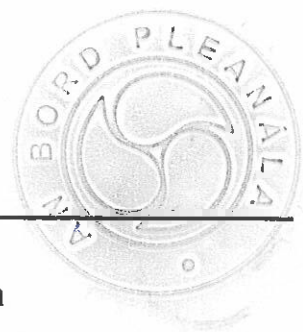
Matters Considered

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.



Terry Ó Niadh

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



Dated this 22nd day of April, 2022.