

An
Bord
Pleanála

Board Order
ABP-311210-21M

Planning and Development Acts 2000 to 2022

Amendment of Board Order

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D21A/0519

DEVELOPMENT CONCERNED: Demolition of existing building on site and the construction of three-five-storey over basement apartment building containing 25 number apartments comprising of five number one-bedroom, 15 number two-bedroom and five number three-bedroom apartments. Roof gardens and a central courtyard will be provided as communal open space for future residents. 25 number car parking spaces, 36 number bicycle spaces and dedicated bin storage are located at basement level. The basement access for vehicles and bicycles is via ramp onto George's Place. The proposed development will comprise all other associated site works, electric vehicle charging points, drainage, boundary treatments and landscaping, all on a site of 0.13 hectares at 7-9 Clarence Street and George's Place, Dún Laoghaire, County Dublin.

WHEREAS the Board made a decision to grant permission, subject to conditions, in relation to the above-mentioned development by Order dated the 5th day of May, 2023:

AND WHEREAS it has come to the attention of the Board that due to an administrative error condition number 17 should be clarified,



AND WHEREAS the Board considered that the clarification of the above-mentioned matter 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 so that condition number 17 of its Order and the reason therefor shall be as follows:

17. The developer shall pay a financial contribution to the planning authority as a special contribution under Section 48(2)(c) of the Planning and Development Act 2000, as amended, in lieu of public open space within the site. The amount of the contribution 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 for determination. The contribution shall be paid prior to commencement of development or in such phased payments as may be agreed prior to the commencement of the development, and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the terms of payment of this financial contribution shall be agreed in writing between the planning authority and the developer.

Reason: It is considered reasonable that the developer should contribute towards the specific exceptional costs which are incurred by the planning authority in respect of public services, which are not covered in the Development Contribution Scheme or the Supplementary Development Contribution Scheme and which will benefit the proposed development.



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

Dated this 15th day of September 2023