

An
Bord
Pleanála

Board Order
ABP-313711-22

Planning and Development Acts 2000 to 2022

Amendment of Board Order

Planning Authority: Dún Laoghaire-Rathdown County Council.

Planning Register Reference Number: D22A/0185

Development Concerned: Restoration and upgrade works including demolition of the existing dilapidated sheds and two-storey extension to the rear, replacement of the existing slate roof and front window to Castle Street, construction of a new two-storey extension and dormer to the rear, and all associated site and drainage works. The proposed development is intended to match the heights, massing and materiality of the concurrent proposed development at the adjoining property 59A Castle Street, all at 59B Castle Street, Dalkey, County Dublin.

WHEREAS the Board made a decision to grant permission in relation to the above-mentioned development by order dated the 17th day of July, 2023:

AND WHEREAS it has come to the attention of the Board that a clerical error was made in relation to the omission of a condition under Section 48 of the Planning and Development Act, 2000, as amended,

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

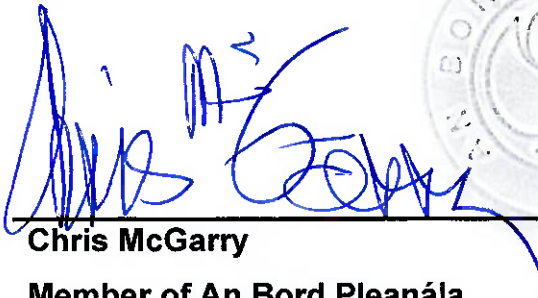
AND WHEREAS having regard to the nature of the issue involved, the Board decided not to invite submissions in relation to the matter from persons who had made submissions or observations in relation to the appeal the subject of this amendment,

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 attachment of a further condition under Section 48 of the Planning and Development Act, 2000, as amended, in its order and the reason therefor as follows:

7. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 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 Development Contribution Scheme made under section 48 of the Act be applied to the permission.



Chris McGarry

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

Dated this **13th** day of **December** 2023.