

Planning and Development Acts 2000 to 2022

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D22A/1028

Appeal by NIJINSKY Property Company Limited care of Genesis Planning Consultants of Dean Swift Building, Armagh Business Park, Hamiltonsbawn Road, Armagh, Northern Ireland against the decision made on the 13th day of October, 2023 by Dún Laoghaire-Rathdown County Council to grant, subject to conditions, a permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: Retention permission of amendments to the development granted under permission PL06.246501, comprising of retention of stable and agricultural building, retention of dungstead, retention of gallops and retention of associated site works, all on lands at the rear of Kiltiernan Hotel, Aparthotel and Leisure Complex, Enniskerry Road, Kiltiernan and Ballybetagh Townlands, Dublin, as revised by the further public notice received by the planning authority on the 19th day of September, 2023.


Decision

Having regard to the nature of the condition the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be

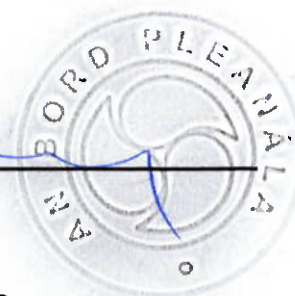
warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to REMOVE condition number 3(b).

Reasons and Considerations

Having regard to Section 34 of the Planning and Development Act 2000, as amended, and the Development Management Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in 2007 under Section 28 of the Act, it is considered that the requirements of Condition 3(b) are not expedient for the purposes of, or in connection with, the development authorised by the permission. The Board, therefore, considered the condition is not a reasonable request and is unwarranted in this instance.



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



Dated this 1st day of July 2024.