

Planning and Development Acts 2000 to 2022

Planning Authority: Dun Laoghaire Rathdown County Council

Planning Register Reference Number: D24A/0858/WEB

Appeal by Killiney Later Living Limited care of Hughes Planning and Development Consultants of 85 Merrion Square, Dublin in relation to the application by Dun Laoghaire Rathdown County Council of the terms of the Development Contribution Scheme made for the area in respect of conditions numbers 3, 4, 5, and 6 of its decision made on the 16th day of December 2024.

Proposed Development: Alterations to a previously approved development under planning register reference D24A/0260 which related to the construction of eight number residential units including four number three-storey, five-bedroom, semi-detached dwellings (Unit numbers 1-4) and two number three-storey duplex blocks (Unit numbers 5-8) each of which comprises a one-bedroom apartment at ground floor level and a three-bedroom unit at first and second floor levels, together with all associated works including the provision of car parking, bicycle parking, open space and an amended site entrance arrangement. The alterations proposed as part of the current application consist of the following: (a) replacement of one number approved duplex block (approved Unit numbers 5 and 6), with one number three-storey, four-bedroom dwelling with an associated rear garden and rear

terrace at first floor level (proposed Unit number 5). The proposal will revise the previously permitted unit mix to now provide for four number five-bedroom, three storey dwellings (Unit numbers 1-4), one number four-bedroom, three-storey dwelling (Unit number 5) and one number duplex block with a one-bedroom apartment at ground floor and a three-bedroom apartment at first and second floor levels (Unit numbers 6-7). Two number of the approved car parking spaces in the communal parking area adjacent to the northern site boundary will be allocated to serve the proposed four-bedroom house unit. (b) alterations to the fenestration detail of the remaining duplex block (Unit numbers 6-7) at second floor level, including the omission of one number window, and a minor reduction in the size of the rear terrace serving the ground floor level apartment (Unit number 7); (c) alteration to the approved communal open space area including a reduction in the size of same to now serve Unit numbers 6 and 7 only; and (d) all associated site works necessary to facilitate the proposed development, at Mount Auburn House, Killiney Hill Road, Killiney, County Dublin. No other amendments to the permitted scheme are proposed as part of this application.

Decision

The Board, in accordance with section 48 of the Planning and Development Act, 2000, as amended, considered, based on the reasons and considerations set out below, that the terms of the Development Contribution Scheme for the area had been properly applied in respect of conditions numbers 3, 4, and 5 and directs the said Council to ATTACH conditions numbers 3, 4, and 5 and the reasons therefor.

Reasons and Considerations (1)

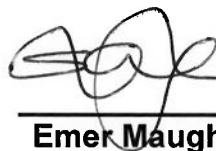
The planning authority has applied financial contributions as per the provisions of the Dún Laoghaire-Rathdown County Development Contribution Scheme 2023-2028, the Development Contribution Guidelines for Planning

Authorities, 2013, and the Dún Laoghaire-Rathdown County Development Plan 2022-2028. The Board considers that basis of the calculations is correct and reflects the reduction of one unit under D24A/0858/WEB. Should the developer proceed with this permission, the development contributions under D24A/0260 would not apply and therefore 'double charging' does not occur. The application of the waiver scheme is an administrative matter between the applicant and the planning authority.

The Board directs the said Council to Attach condition 6 of D24A/0858/WEB and the reasons therefor.

Reasons and Considerations (2)

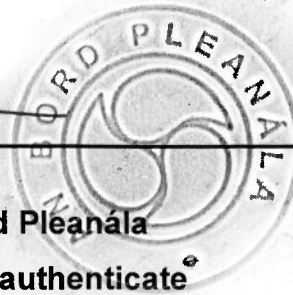
To ensure the satisfactory completion of development works such as roads, surface water drainage, public lighting and open space, including the protection of trees, the developer is required to lodge a bond or cash lodgement under the provisions of 12.3.4.6 of the Dún Laoghaire-Rathdown County Development Plan 2022-2028. This sanction may be available to the planning authority to induce the provision of services and prevent disamenity in the development. As per Reasons and Considerations 1, only one security bond is required.



Emer Maughan

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**



Dated this 25th day of April 2025.