

An
Coimisiún
Pleanála

Commission Order
ABP-322142-25

Planning and Development Acts 2000 to 2024

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D25A/0004/WEB

Appeal by John Maybury care of Brock McClure Planning and Development Consultants of 63 York Road, Dún Laoghaire, County Dublin in relation to the application by Dún Laoghaire-Rathdown County Council of the terms of the Development Contribution Scheme made for the area in respect of condition number 12 of its decision made on the 27th day of February 2025.

Proposed Development: The proposed development comprises the following: Demolition of the existing 1 storey residential dwelling (circa 435.9 square metres) and removal of the existing boundary wall (circa 17 square metres) along Quinn's Road. Construction of a one to three storey residential development comprising 25 number units arranged in two number terrace blocks on the site. The proposed units include 12 number three-bed townhouses, eight number one-bed apartments, four number three-bed duplex apartments and one number two-bed townhouse. All apartment units and houses are provided with private open space in the form of balconies/terraces and gardens. Provision of two number site entrance points along Quinn's Road. A proposed pedestrian only entrance point is located at the current site access point for pedestrians/ vehicles, and a new vehicular/ pedestrian access point is provided at the southeastern boundary of the site

from Quinn's Road. The development proposes circa 616 square metres of public open space and circa 85 square metres of communal amenity open space as landscaped areas throughout the site. The proposal includes a biodiversity zone of circa 300 square metres along the northern site boundary. The proposal includes 17 number car parking spaces, 39 number cycle parking spaces (27 number private, four number communal for duplex units, two number cargo bike spaces for duplex units and six number external visitor spaces), secure bin stores for all units, provision of an ESB kiosk, hard and soft landscaping and all other associated site works and provision of services above and below ground on an overall site area of circa 0.43 hectares (Net developable site area of 0.40 hectares excluding biodiversity zone), at The Poplars, Quinns Road, Shankill, Dublin.

Decision

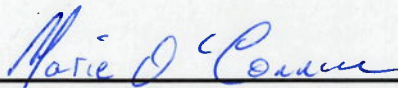
The Commission, in accordance with section 48 of the Planning and Development Act, 2000, as amended, considered, based on the reasons and considerations set out below, that the terms of the Development Contribution Scheme for the area had not been properly applied in respect of condition number 12 and directs the said Council to AMEND condition number 12 so that it shall be as follows for the reasons stated.

12. The developer shall pay to the planning authority a financial contribution of €105,000 (one hundred and five thousand euro) as a contribution in lieu of public open space. This contribution shall be paid prior to commencement of development 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. Public open space required: 15% of 0.4 hectares = 600 square metres (0.06 hectares). Public open space provided: 460 square metres (0.046 hectares). Shortfall of 140 sqm (0.014 hectares) @ €7,500,000 per hectare.

Reason: to comply with Section 6.1 and Section 6.2 of the Dun Laoghaire-Rathdown Development Contribution Scheme, made under Section 48 of the Planning and Development Act 2000, as amended, and to comply with Sections 9.3 Open Space and Recreation, 12.8.3 Open Space Quantity for Residential Development, and 12.8.5 Public Open Space Quality of the Laoghaire-Rathdown County Development Plan 2022 – 2028.

Reasons and Considerations

Having regard to the quality and character of the area of open space to the front of the site which measures 460 square metres, with lawns, playground equipment, mature trees to be retained, and a planting scheme to be implemented, I consider that this area corresponds with the standards for Public Open Space as set out in the Dun Laoghaire-Rathdown Development Plan 2022-2028, with a shortfall of 140 square metres requiring a Development Contribution in lieu. Having regard to the area in the centre of the site (in proximity to the area designated as communal open space) which the applicant proposed as public open space, this is a narrow linear strip which does not comply with the standards set out in 12.8.5 of the development plan for public open space.


Marie O'Connor

Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.



Dated this 04 day of July 2025.