

Reg. Ref.

SD23A/0255

An Bord Pleanala Ref: ABP-813742-23
Appeal Decided: 12/08/2024
Appellant Type: 1ST PARTY
Appeal Decision: Grant Permission
Councils Decision: REFUSE PERMISSION
Applicant: Clapton Ireland Ltd

Location: Clondalkin Enterprise Centre, Watery Lane, Clondalkin, Dublin 22

Description: Remove a condition from a previously granted permission on their premises at Clondalkin Enterprise Centre, Watery Lane, Clondalkin, Dublin 22. The application (local authority Reg Ref SD20A/0234) was to demolish the existing buildings on site and to construct 86 apartments (48 two bedroom and 39 one bedroom units) in a five storey and six storey block with four commercial units at ground floor. Following a Third Party Appeal, (Ref AB-309646-21) against the South Dublin decision to grant permission, An Bord Pleanala, granted permission on 16th November 2021 This permission contained a condition 12 relating to the provision of Part V housing but in addition contained a condition 21 that stated, 'prior to the commencement of the development as permitted, the applicant or any person with an interest in the land shall enter into an agreement with the planning authority (such agreement must specify the number and location of each residential unit), pursuant to section 47 of the Planning and Development Act 2000, that restricts all residential units permitted to first occupation by individual purchasers i.e. those not being a corporate entity and/or by those eligible for the occupation of social and/or affordable housing including cost rental house'. The reason given was to restrict new housing development to use by persons of a particular class or description in order to ensure an adequate choice and supply of housing including affordable housing in the common good. Permission is now sought to remove entirely this additional condition 21 from the final grant of planning permission as issued by An Bord Pleanala.