

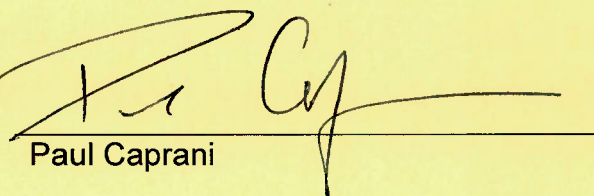
An  
Coimisiún  
Pleanála

**Direction**  
**CD-021193-25**  
**ACP-323039-25**

The submissions on this file and the Inspector's report were considered at a meeting held on 07/11/2025.

**Planning**

**Commissioner:**

  
Paul Caprani

**Date:** 07/11/2025

The Commission treated this case under section 48 of the Planning and Development Act, 2000, as amended. The Commission also decided that the planning authority be directed, as follows:

**Having regard to the nature of the condition the subject of the appeal, the Commission is satisfied that the determination by the Commission 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 ATTACH condition numbers 5, 6 and 7 so that it shall be as follows for the reason set out below and in accordance with the provisions of S139, REMOVE condition number 8 so that it shall be as follows for the reason set out below.**

## **Reasons and Considerations**

It is considered that the planning authority has correctly applied the terms of the Development Contribution Scheme with respect to a contribution for the proposed development of a garden room, having regard to Article 7.1 of the Dún Laoghaire-Rathdown County Council Development Contribution Scheme 2023-2028 which defines a domestic extension as also including any building that is physically separate/detached from the principal building but located within the curtilage thereof. The proposed garden shed, which is detached from the main dwelling but located within its curtilage, would fall within this definition, and therefore is liable for a development contribution. It is also noted that the existing dwelling was previously granted permission under planning reference number D05A/1246 for a 83.5 square metres extension. As the exemption is cumulative per the terms of the Scheme, the proposed 35 square metres garden room, taken together with the permitted, and implemented, dwelling extension, is liable to a contribution.

5. The developer shall, prior to commencement or as otherwise agreed in writing with the planning authority, pay a sum to the planning authority as a contribution towards expenditure that was/or is proposed to be incurred by the Local Authority in respect of the provision of Surface Water Infrastructure benefiting development in the area of the Planning Authority, as provided for in the Development Contribution Scheme 2023-2028 made by Dún Laoghaire-Rathdown County Council on the 9th day of October 2023. These rates of contribution shall be updated effective from 1<sup>st</sup> day of January each year during the life of the Scheme in accordance with the SCSi Tender Price Index commencing from 1<sup>st</sup> day of January 2025. Contributions shall be payable at the index-adjusted rate pertaining to the year in which implementation of the planning permission is commenced, as provided for in Article 4.7 of the Scheme. Outstanding balances as of the 1<sup>st</sup> day of January each year shall be subject to indexation and adjusted accordingly until the contribution has been paid in full. (See Article 8.3 of the Scheme).



**Reason:** It is considered reasonable that the payment of a contribution be required in respect of the provision of the Surface Water Infrastructure benefiting development in the area of the planning authority and that is provided, or that is intended will be provided, by or on behalf of the Local Authority.

6. The developer shall, prior to commencement or as otherwise agreed in writing with the planning authority, pay a sum to the planning authority as a contribution towards expenditure that was/or is proposed to be incurred by the Local Authority in respect of the provision of the Transport Infrastructure benefiting development in the area of the planning authority, as provided for in the Development Contribution Scheme 2023-2028 made by Dún Laoghaire-Rathdown County Council on the on the 9<sup>th</sup> day of October 2023. These rates of contribution shall be updated effective from 1<sup>st</sup> day of January each year during the life of the Scheme in accordance with the SCSi Tender Price Index commencing from 1<sup>st</sup> day of January 2025. Contributions shall be payable at the index-adjusted rate pertaining to the year in which implementation of the planning permission is commenced, as provided for in Article 4.7 of the Scheme. Outstanding balances as of the 1<sup>st</sup> day of January each year shall be subject to indexation and adjusted accordingly until the contribution has been paid in full. (See Article 8.3 of the Scheme).

**Reason:** It is considered reasonable that the payment of a contribution be required in respect of the provision of the Transport Infrastructure benefiting development in the area of the planning authority and that is provided, or that is intended will be provided, by or on behalf of the Local Authority.

7. The developer shall, prior to commencement or as otherwise agreed in writing with the planning authority, pay a sum to the planning authority as a contribution towards expenditure that was/or is proposed to be incurred by the Local Authority in respect of the provision of the Community and Parks facilities

and Recreational amenities benefiting development in the area of the Planning Authority, as provided for in the Development Contribution Scheme 2023-2028 made by Dún Laoghaire-Rathdown County Council on the 9<sup>th</sup> day of October 2023. These rates of contribution shall be updated effective from 1<sup>st</sup> day of January each year during the life of the Scheme in accordance with the SCSi Tender Price Index commencing from 1<sup>st</sup> day of January 2025. Contributions shall be payable at the index-adjusted rate pertaining to the year in which implementation of the planning permission is commenced, as provided for in Article 4.7 of the Scheme. Outstanding balances as of the 1<sup>st</sup> day of January each year shall be subject to indexation and adjusted accordingly until the contribution has been paid in full. (See Article 8.3 of the Scheme)

**Reason:** It is considered reasonable that the payment of a contribution be required in respect of the provision of the Community and Parks facilities and Recreational amenities benefiting development in the area of the planning authority and that is provided, or that is intended will be provided, by or on behalf of the Local Authority.