



An  
Coimisiún  
Pleanála

**Commission Direction**  
**CD-000197**  
**PL-500095-SD**

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The submissions on this file and the Inspector's report were considered at a meeting held on 03 March 2026.

The Commission decided, based on the Reasons and Considerations set out below, that the planning authority be directed, as follows:

Attach condition number 2

Amend Condition number 4 (S.48 Development Contribution)

**Planning Commissioner:**

**Patricia Calleary**

**Date:**

**3<sup>rd</sup> day of March 2026**

## **DRAFT WORDING FOR ORDER**

### **Reasons and Considerations**

Having regard to the residential land use zoning for the site, the pattern of development in the area, it is considered that the proposed garden room for which retention permission is being sought contains a W/C and a sink which is contrary to Policy H14 of the South Dublin County Development Plan 2022-2028 and would therefore be contrary to the proper planning and sustainable development of the area. The planning authority's requirement to remove both the W/C and the sink/sanitary facilities as imposed under Condition 2 is therefore considered reasonable.

Section 48 of the Planning and Development Act 2000, as amended, requires planning authorities to make development contribution schemes which provide for the payment of a contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority and that is provided, or that it is intended will be provided, by or on behalf of a local authority. The South Dublin County Council Development Contribution Scheme 2026 – 2028 sets out, under Section 11, contributions for 'Residential Development' and specifically states under the section that This exemption will not apply to development for which retention permission is sought. The proposed development is for the retention of a garden room and is therefore not exempt from development contributions and as such it is recommended that the S48 condition be imposed on the said garden room which is stated as having a floorspace of 22sq.m. as per the application form submitted. It is recommended therefore that Condition 4 be amended as set out below.

**Condition 4 (as amended)**

The developer shall pay to the planning authority a financial contribution of €2781.90 in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or 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.

**Reason:** It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.