An Coimisiún Pleanála

Commission Direction
CD-001149
PL-501423-DS-26

The submissions on this file and the Inspector's report were considered at a meeting held on 25 August 2026.

The Commission **considered that the terms of the Development Contribution Scheme were not properly applied in this instance and therefore** decided to amend conditions 2 and 3 of planning authority decision WEB1514/26 generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

Planning Commissioner:

Mick Long

Date: **26th day of August 2026**

The Commission, in accordance with section 48 of the Planning and Development Act 2000, as amended, considered that the terms of the Development Contribution Scheme were not properly applied in this

instance and the planning authority is directed to amend the condition based on the following reasons and considerations

2. The developer shall pay to the planning authority a financial contribution of €7,848.66 (seven-thousand, eight-hundred and forty-eight euro and sixty-six cent) 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.

3. The developer shall pay to the planning authority a financial contribution of €2,444.66 (two-thousand, four-hundred and forty-four euros and sixty-six cent) in respect of Luas Cross City (St. Stephen's Green to Broombridge Line) in accordance with the terms of the Supplementary Development Contribution Scheme made by the planning authority under section 49 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 Supplementary Development Contribution Scheme made under section 49 of the Act be applied to the permission.

Reasons and Considerations

Condition number 2:

The Dublin City Council Development Contribution Scheme 2023-2026 was the applicable contribution scheme at the date of the decision of the planning authority. The scheme sets out the levels of contribution payable in respect of commercial development based on the gross internal floor area of buildings. Having regard to the nature, form and design of the proposed development, it is considered that, notwithstanding their modular nature, the proposed sauna units and woodstore unit would constitute buildings for the purposes of the Development Contribution Scheme. The relevant gross floor area of buildings is, therefore, determined to be 193 square metres.

Furthermore, the Commission had regard to section 11 of the Development Contribution Scheme which provides for a reduction in the applicable rate of contribution payable in respect of temporary permissions. Contributions payable should, therefore, be calculated at one-third of the applicable rate of contribution.

Condition number 3:

The Luas Cross City (St. Stephen's Green to Broombridge Line) Supplementary Development Contribution Scheme provides for the payment of contributions on the basis of the floor area of commercial development. Having regard to the nature, form and design of the proposed development, it is considered that the relevant gross floor area of commercial development is 193 square metres, and in particular that, notwithstanding their modular nature, the proposed sauna units and woodstore unit would constitute commercial floorspace for the purposes of the Development Contribution Scheme.

Furthermore, the Commission had regard to section 12 of the Supplementary Development Contribution Scheme which provides for a reduction in the applicable rate of contribution payable in respect of temporary permissions. Contributions payable should, therefore, be calculated at one-third of the applicable rate of contribution.