

An
Coimisiún
Pleanála

Commission Order
PL-500330-DR

Planning and Development Act 2000, as amended

Planning Authority: Dun Laoghaire-Rathdown County Council

Planning Register Reference Number: D25A/0692/WEB

Appeal by Kouchin Properties Limited in relation to the inclusion of special contribution condition number 6 by Dun Laoghaire-Rathdown County Council in its decision made on the 30th day of October, 2025.

Proposed Development: Works to the existing four-storey over basement level mixed-use block comprising extensions at third floor level to provide four number one-bedroom apartments, each served by private amenity space in the form of a balcony, atop existing three-storey elements and all ancillary works necessary to facilitate the development, all at The Pottery, Baker's Point, Dun Laoghaire Industrial Estate, Pottery Road, Dun Laoghaire, County Dublin.

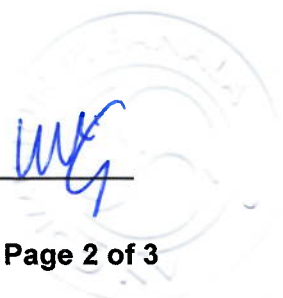


Decision

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 6 and directs the said Council to AMEND condition number 6 so that it shall be as follows for the reason set out.

6. The developer shall, before commencement or as otherwise agreed in writing with the planning authority, pay the sum of €45,000 (forty-five thousand euro) to the planning authority as a financial contribution in lieu of public open space provision in accordance with the terms of the Development Contribution Scheme of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to the 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: To provide a financial contribution in lieu of the shortfall in the provision of public open space required to serve the proposed development as provided for in the Dun Laoghaire-Rathdown Development Plan 2022-2028.



Reasons and Considerations

The Dun Laoghaire-Rathdown County Council Development Contribution Scheme 2023-2028 makes provision in Section 6.0 for the payment of a contribution in lieu of public open space provision on site. A financial contribution of €7,500,000 per hectare shall apply calculated on a pro rata basis on the quantum of the shortfall of public open space in the instance of the appeal development (15% of the site area). Condition number 6 of the decision to grant planning permission applied this charge incorrectly. The application has a stated and validated site area of 0.040 hectares. The development contribution should be calculated on the basis of the site area stated on the planning application form and as demarcated in red on the site location map; therefore, condition number 6 should be amended based on the following calculation: $€7,500,000 \times 0.006$ (15% of the site area of 0.04 hectares = 0.006) = €45,000.



Liam McGree

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

Dated this ^{4th} day of ^{April} 2026.