

An
Coimisiún
Pleanála

Commission Order
PL-501412-DS-26

Planning and Development Act 2000, as amended

Planning Authority: Dublin City Council

Planning Register Reference Number: WEB1258/26

Appeal by Shane Santry in relation to the inclusion of special contribution condition number 2 by Dublin City Council in its decision made on the 18th day of May 2026.

Proposed Development: Retention of development and proposed development comprising of: protected structure: (1) retention of the demolition of a substantially destroyed coach house and later extension and the part construction of a 93 square metre, two-storey, two-bedroom, townhouse and a below ground attenuation tank (all previously permitted under lapsed permission register reference number: 2845/20); and (2) Full permission to complete the development of the 93 square metre, two-storey, two-bedroom townhouse to a revised design with two number Rooflights to the front and rear and associated site works at number 44 Percy Lane, Dublin, located to the rear of a Protected Structure (Number 44 Haddington Road RPS: 3435).

Decision

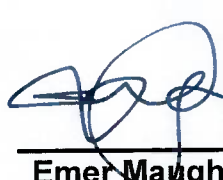
The Commission, in accordance with section 48 of the Planning and Development Act, 2000, as amended, considered, based on the reasons and considerations set out below, that the terms of the Development Contribution Scheme for the area had not been properly applied in respect of condition number 2 and directs the said Council to AMEND condition number 2 and the reasons therefor.

2. The developer shall pay to the planning authority a financial contribution of €11,232 (eleven thousand, two hundred and thirty two euro) 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.

Reasons and Considerations

The Dublin City Council Development Contribution Scheme 2023-2026 was the applicable contribution scheme at the date of the decision of the planning authority. This scheme set out the levels of contribution payable per residential unit based on gross internal floor area. Having regard to the nature and design of the proposed development, as revised by the further information and drawings submitted to the planning authority on 21st day of April 2026, it is concluded that the gross internal floor area of the dwelling does not include the covered car parking, bike parking, bin store or access lane. The relevant gross floor area of the proposed development is therefore determined to be 93 square metres. It is concluded that, in including such area within the gross internal floor area of the dwelling unit, the terms of the Development Contribution Scheme were not properly applied in this instance and the planning authority are therefore directed to amend the condition.



Emer Maughan

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

Dated this **24th** day of **August** 2026