



Development

Demolition of an existing house and garage and the erection of three detached buildings containing a total of ten houses. Connections to the public mains water supply and sewerage systems, along with all site development works.

Location

Shanganagh Cottage, Dublin Rd,
Shankill, Dublin 18, D18 E0W9

Planning Authority

Dun Laoghaire Rathdown County Council

Planning Authority Reg. Ref.

D25A/0533/WEB

Applicant(s)

Auro Naes Limited T/A RoeSavin
Construction Limited

Type of Application

Permission

Planning Authority Decision

Grant Permission + Conditions

Type of Appeal

First Party Normal Planning Appeal

Appellant(s)

Auro Naes Limited T/A RoeSavin
Construction Limited

Observer(s)

None

Date of Site Inspection

N/A

Inspector

Carol Smyth

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1.0 Introduction

- 1.1. This appeal was lodged with the Commission on 23rd March 2026 in accordance with s.48 of the Planning and Development Act 2000 (as amended), where the applicant considers that the terms of the development contribution scheme has not been properly applied in respect of any conditions laid down by the Planning Authority. Under Section 139 of the Act, the Commission is confined to consideration of whether the financial contributions were correctly applied.
- 1.2. This case relates specifically to development contributions imposed under Condition No's. 23,24,25 and 26 of Dun Laoghaire-Rathdown County Council Reg. Ref. D25A/0533/WEB.

2.0 Site Location and Description

- 2.1. The site in question comprises Shanganagh Cottage, Dublin road, Shankill within the administrative boundary of Dun Laoghaire-Rathdown County Council. The site has a stated area of 0.23 hectares and is currently occupied by an existing single storey bungalow.

3.0 Proposed Development

- 3.1. The planning permission subject to this appeal comprises the demolition of the existing house and garage and for the erection of a total of 10 no. dwellings comprising 8 no. terraced houses in 2 no. blocks and a pair of semi-detached houses.

4.0 Planning Authority Decision

4.1. Decision

The Planning Authority issued a decision to grant permission on the 12th March 2026 subject to 28 no. conditions. The following conditions require the payment of financial contributions and are relevant to this appeal:

23 *The developer shall, before commencement or as otherwise agreed in writing with the Planning Authority, pay the sum of €258,750.00 to the planning*

authority, 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. Details of the application of the terms of the scheme shall be agreed upon between the planning authority and the developer or in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the scheme.

REASON: *To provide a financial contribution in lieu of the shortfall in the provision of public open space required to serve the development as provided for in the Dún Laoghaire-Rathdown Development Plan 2022-2028.*

- 24** *The Developer shall, prior to commencement or as otherwise agreed in writing with the Planning Authority, pay the sum of €1,318.22 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 of October 2023. These rates of contribution shall be updated effective from 1 January each year during the life of the Scheme in accordance with the SCSi Tender Price Index commencing from 1st 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 1st 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.

Note on above Condition: Please note that with effect from 1st January 2014 Uisce Éireann are now the statutory body responsible for both water and wastewater services. Accordingly, the contribution payable has been reduced by the amount of the contribution associated with these services. Further details/clarification can be obtained from Uisce Éireann at Tel. 1800 278 278.

- 25** *The Developer shall, prior to commencement or as otherwise agreed in writing with the Planning Authority, pay the sum of €19,773.68 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 9th of October 2023. These rates of contribution shall be updated effective from 1 January each year during the life of the Scheme in accordance with the SCSl Tender Price Index commencing from 1st 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 1st 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.*

- 26** *The Developer shall, prior to commencement or as otherwise agreed in writing with the Planning Authority, pay the sum of €110,732.38 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 & Parks facilities & 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 9th of October 2023. These rates of contribution shall be updated effective from 1 January each year during the life of the Scheme in accordance with the SCSi Tender Price Index commencing from 1st 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 1st 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 & Parks facilities & 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.*

4.2. **Planning Authority Reports**

4.2.1. Area Planners Primary Report

The Area Planners Report dated 27th August 2025 seeks further information regarding site layout, vehicular access, foul drainage, the submission of a EclA, bat assessment, breeding and birds assessment, non-volant mammal assessment, herpetofauna assessment, invasive species report, revised landscape plan and a revised CEMP plan.

4.2.2. Area Planners FI Assessment Report

Report dated 12th March 2026 is consistent with the decision notices issued. The report notes that given there is no public open space provided a contribution in lieu is required.

4.2.3. Public Lighting Report

Report dated 22nd July 2025, no objection.

4.2.4. Parks and Landscape Services Report

Report dated 13th August 2025 requesting further information with regard to layout, tree retention, the provision of communal open space. The report notes that public

open space could be included on the site. The report further notes that there is no public open space proposed and that public open space should be provided at 15% of the site area. The Parks Department considers that public open space is desirable but not essential on this site and a financial contribution in lieu is therefore required.

4.2.5. Biodiversity Report

Report dated 8th August 2025 requesting further information with regard to the submission of an EclA, bat assessment, breeding and birds assessment, non-volant mammal assessment, herpetofauna assessment and an invasive species report.

4.2.6. Biodiversity FI Assessment Report

Report dated 11th March 2026, conditions recommended.

4.2.7. Environmental Health Report

Report dated 12th August 2025, no objection subject to conditions.

4.2.8. Transportation Planning Report

Report dated 22nd August 2025 requesting further information regarding access and egress.

4.2.9. Transportation Planning FI Assessment Report

Report dated 10th March 2026. Satisfied with the response to the further information request. No objection subject to conditions.

4.2.10. Housing Department Report

Report dated 5th August 2025. Satisfied that the proposal complies with Part V, no objection subject to conditions.

4.2.11. Conservation Division Report

Report dated 19th January 2026. No objection subject to conditions.

4.2.12. Drainage Planning Report

Report dated 29th July 2025. No objection subject to conditions.

4.3. **Prescribed Bodies**

4.3.1. Uisce Éireann

Submission received dated 30th July 2025 notes that it is proposed to connect into a foul drainage network that is currently under construction and in third party lands. Requests demonstration that the applicant has the necessary permission to enter the third party lands and confirmation that they have access to drainage.

4.3.2. NTA

Submission received dated 7th August 2025, notes that a proposed core bus corridor runs along the boundary of the site and states that the subject development should not preclude or prejudice the implementation of the Core Bus Corridor.

4.4. **Third Party Observations**

None on file.

5.0 **Planning History**

5.1. **ABP-318910-24 (DLR Reg. Ref. 23A/0351)**

Planning Permission refused for the demolition of an existing house and garage for the construction of 16 residential units with communal open area and car parking along with all other associated site works.

6.0 **Policy Context**

6.1. **Development Contributions Guidelines for Planning Authorities (2013)**

6.1.1. The Guidelines set out that all planning permissions granted by planning authorities after the adoption of development contribution schemes under the Planning and Development Act 2000 are subject to the conditions of those schemes.

6.1.2. It is stated that a special development contribution may be imposed under section 48(2)(c) where specific exceptional costs, which are not covered by the general contribution scheme, are incurred by a local authority in the provision of public infrastructure or facilities which benefit very specific requirements for the proposed development, such as a new road junction or the relocation of piped services. The particular works should be specified by the condition and only developments that will benefit from the public infrastructure or facility should be liable to pay the development contribution.

6.2. **Dun Laoghaire Rathdown County Development Plan 2022-2028**

- 6.2.1. The site is governed by the policies and objectives of the Dun Laoghaire Rathdown County Development Plan 2022-2028, referred to hereafter as the Development Plan.
- 6.2.2. Section 12.8.2 and Section 12.8.3 of the Development Plan sets out clear requirements pertaining to the provision of public open space. Development standards for various categories of open space is outlined in Table 12.8. The Development Plan further sets out that in instances where public open space is not provided a contribution under Section 48 will be required for the short fall.
- 6.2.3. Section 12.8.3 Open Space Quantity for Residential Development, provides a minimum public open space standard of 15% of the site area for residential development in the existing built-up areas such as the appeal site.
- 6.2.4. The Development Plan further sets out that the contribution in lieu to be paid of public open space will be used for the provision of improved community and civic infrastructure and/or parks and open spaces in the vicinity of the proposed development.

6.3. **Development Contribution Scheme 2023-2028**

- 6.3.1. The current Development Contribution Scheme which applies to the Dun Laoghaire Rathdown County Council administrative area is the Dun Laoghaire Rathdown County Council Development Contribution Scheme 2023-2028, referred to hereafter as the Development Contribution Scheme. The scheme was adopted on 9th October 2023 and replaced all other schemes which applied within the administrative area.
- 6.3.2. Table A: Countywide of the Development Contribution Scheme applies to the subject site and provides for 3 no. classes of public infrastructure for residential development namely, Class 1: Community and Parks Facilities and Recreation amenities; Class 2 Transport Infrastructure; and Class 3 Surface Water Infrastructure. The total contributions payable per unit of residential development for the aforementioned classes is a stated €13,083.50.
- 6.3.3. Section 4.6 of the Development Contribution Scheme states that individual housing units, whether in a multi-unit development or one-off site housing development, will

be subject to an additional charge of €112.99 per square metre on all areas greater than 150sqm within a unit.

- 6.3.4. Section 4.7 of the Development Contribution Scheme sets out that on the 1st of January 2025, and on the 1st of January every year thereafter the rates of contribution set forth in Tables A and B in Article 4 of the Scheme shall be updated in accordance with the SCSI Tender Price Index. In this regard I note that the current total amount payable for public infrastructure per residential unit granted on or after the 1st November 2023 as set out on the Local Authority's website is €13,876.24.
- 6.3.5. Section 6 of the Development Contribution Scheme provides that in the event that the standards for public open space referred to in the County Development Plan are not met and/or where public open space cannot be facilitated within a development, an additional contribution may be required by way of condition when granting planning permission. This financial contribution is set at €7,500,000 per hectare, calculated on a pro rata basis on the quantum of the shortfall in public open space and monies paid in accordance with such condition shall be applied to the provision of and/or improvements to a park and/or enhancement of amenities in the area.
- 6.3.6. Section 7.2 sets out that where existing residential development is demolished and replaced by new residential development, contributions payable in respect of the replacement development shall be reduced by an amount equivalent to 50% of the contribution that would have been levied in respect of the original existing development had it been subject to the Scheme. An example is provided whereby if one existing housing unit is demolished and replaced by ten housing units, the contributions payable shall be reduced by the equivalent of 50% of the contribution payable in respect of one housing unit.

7.0 The Appeal

7.1. Grounds of Appeal

7.2. This first party appeal relates specifically to development contributions imposed under Condition No's. 23,24,25 and 26 of Dun Laoghaire-Rathdown County Council Reg. Ref. D25A/0533/WEB.

- Condition No. 23 of the PA's grant of permission required a payment of €258,750.00 in lieu of the provision of public open space.
- Considers that an assessment of this requirement should be based on any shortfall in public open space and on the rate at which any such deficit should be charged under the Contribution Scheme.
- Refers to Dublin City Development Plan 2016 and Kildare County Council Development Plan 2017 stating that payments of this type comprise special contributions.
- Cites *Pembroke Road Association & Ors v An Bord Pleanála and Ors. [2021]*, where the High Court considered whether the Board had the power in law to impose a stipulation of this nature.
- Considers that the development contribution in lieu of public open space is masquerading as a standard contribution but instead comprises a special contribution.
- The adopted Development Contribution Scheme envisages a charge of €7,500,000 per hectare, no part of the Council's documents indicates how the sum of €258,750.00 was calculated or the methodology which justifies this charge.
- The applicant considers that the terms of the development contribution scheme has not been properly applied in respect of Condition No's 24,25 and 26 laid down by the Planning Authority.
- Condition No.24 of the PA's grant of permission required a payment of €1,318.22 in respect of the provision of surface water Infrastructure. The contribution for Surface Water should be reduced by 50% in accordance with the Development Contribution Scheme due to the existing dwelling on the site.
- Condition No.25 of the PA's grant of permission required a payment of €19,773.68 in respect of the provision of transport Infrastructure. The contribution

for Transport Infrastructure should be reduced by 50% in accordance with the Development Contribution Scheme due to the existing dwelling on the site.

- Condition No.26 of the PA's grant of permission required a payment of €110,732.38 in respect of the provision of community & parks facilities & recreational amenities. The contribution should be reduced by 50% in accordance with the Development Contribution Scheme due to the existing dwelling on the site.

7.3. **Planning Authority Response**

A response was received from the Planning Authority dated the 30th April 2026, which comprises calculations of the development contributions imposed.

7.4. **Further Responses**

A further response was received from the Appellant on the 13th May 2026 contending that the Planning Authority has failed to address the grounds of appeal.

7.5. **Observations**

None on file

8.0 **Assessment**

8.1.1. Having examined the applications details and all other documentation on file, including all the submissions received in relation to the appeal, the report/s of the local authority, and having inspected the site, and having regard to the relevant local/regional/national policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:

- Condition No. 23 - Contribution in lieu of public open space
- Condition No's 24, 25 and 26 - Contributions for public infrastructure i.e. transportation infrastructure; surface water infrastructure; and community and parks facilities and recreation amenities.
- Other Matters

8.2. **Condition No. 23**

- 8.2.1. Condition No. 23 of the Planning Authority's grant of permission imposed a contribution of €258,750 in lieu of the provision of public open space.
- 8.2.2. The grounds of appeal contends that the Planning Authority has not indicated how the sum of €258,750.00 was calculated and considers that an assessment of this requirement should be based on any shortfall in public open space and the rate at which any such deficit should be charged under the Contribution Scheme.
- 8.2.3. The reports from the Planning Authority note that the Applicant is not proposing any public open space on the site. Following an assessment of the response to the further information request the Planning Authority considered that the non-provision of public open space would be acceptable in this instance and that the applicant would be required to provide a contribution in lieu of the public open space requirement.
- 8.2.4. In response to the grounds of appeal the Planning Authority has submitted calculations with respect to the contributions imposed by the conditions of the grant of permission. In terms of the contribution in lieu of public open space the calculations indicate that a measure of 0.0345 was levied at a rate of €7,500,000.00 which equates to €258,750.00.
- 8.2.5. Section 12.8 of the Development Plan sets out that in instances where public open space is not provided a contribution under Section 48 will be required for the short fall and that the minimum public open space standard is 15% of the site area for sites such as this one (residential development in the existing built-up area). I consider this to be reasonable.
- 8.2.6. Having reviewed the submitted documentation including the revised landscape plan and revised site layout plan submitted in response to the further information request, I am satisfied that no public open space is provided in this development. Having regard to the provisions of the Development Plan with regard to the delivery of public open space and to the provisions of the Development Contribution Scheme, I consider that it is appropriate to apply €7,500,000 per hectare in lieu of public open space on 15% of the overall site area. The site has a stated area of 0.23 hectares. I therefore calculate the provision of 15% public open space to equate to 345 sqm or 0.0345 hectares. The Development Contribution Scheme requires €7,500,000 per hectare in lieu of public open space therefore 0.0345 hectares x €7,500,000 requires

a development contribution of €258,750.00. Having regard to the contribution of €258,750.00 in lieu of public open space, imposed by condition no. 23, I am satisfied that the development contribution has been correctly applied by the Planning Authority.

8.3. **Condition No's 24, 25 and 26**

- 8.3.1. Condition No's 24, 25 and 26 of the Planning Authority's grant of permission, imposed development contributions in relation to community and parks facilities and recreation amenities; transport infrastructure and surface water infrastructure. A combined total payment of €131,824.28 is required.
- 8.3.2. The grounds of appeal contends that the terms of the development contribution scheme has not been properly applied in respect of Condition No's 24,25 and 26 laid down by the Planning Authority and that the contributions payable should be reduced by 50% in total.
- 8.3.3. In response to the grounds of appeal the Planning Authority has submitted calculations with respect to the contributions imposed by the Condition No's 24, 25 and 26 of the grant of permission. The calculations indicate that a measure of 9.5 was levied at a rates payable in relation to public infrastructure broken down as follows:
- Surface Water - €138.76
 - Transportation - €2081.44
 - Community and Parks Facilities and Recreational Amenities - €110,732.28
- This equates to development contribution of €131,824.28 payable for public infrastructure.
- 8.3.4. Table A - Countywide, of the Development Contribution Scheme, applies to the subject site and provides for 3 no. classes of public infrastructure namely Class 1: Community and Parks Facilities and Recreation Amenities; Class 2 Transport Infrastructure, Class 3 Surface Water Infrastructure. The total contributions payable per unit of residential development for the aforementioned classes is €13,083.50. I further note that the Scheme provides for updated contribution amounts in accordance with the SCSI Tender Price Index. In this regard I note that the current

total amount payable per residential unit granted on or after the 1st November 2023 as set out on the Council's website is €13,876.24.

- 8.3.5. Having examined the submitted documentation I am satisfied that the floor areas of the proposed dwellings do not exceed 150sqm and therefore an additional charge in accordance with Section 4.6 of the Development Contribution Scheme of €112.99 per square metre on all areas greater than 150sqm within a unit is not applicable in this instance.
- 8.3.6. Section 7.2 provides that contributions to be paid in respect of residential development shall be reduced where existing residential development is demolished and replaced by new residential development. In such cases contributions payable in respect of the replacement development shall be reduced by an amount equivalent to 50% of the contribution that would have been levied in respect of the original existing development had it been subject to the Scheme. Therefore, the development contributions levied for one of the ten units should be reduced by 50%. Hence 9.5 no. residential units x €13,876.24 updated amount payable per residential unit granted accordance with the SCSi Tender Price Index, equates to a total development contribution of €131,824.28 for public infrastructure. Having regard to the total contribution of €131,824.28 in relation to public infrastructure imposed by Condition No's. 24, 25 and 26 I am satisfied that the development contributions have been correctly applied by the Planning Authority.

8.4. **Other Matters**

- 8.4.1. The appellant considers that the development contribution in lieu of public open space is masquerading as a standard contribution but instead comprises a special contribution and refers to the precedent set by Dublin City Development Plan 2017 and the Kildare County Development Plan 2016 and *Pembroke Road Association & Ors v An Bord Pleanála and Ors*. [2021].
- 8.4.2. I note that the legal precedent referred to by the appellant relates to a special contribution. Development Contributions: Guidelines for Planning Authorities 2013 states that a special development contribution may be imposed under section 48(2)(c) where specific exceptional costs, which are not covered by the general contribution scheme, are incurred by a local authority in the provision of public infrastructure or facilities which benefit very specific requirements for the proposed

development, such as a new road junction or the relocation of piped services. The particular works should be specified in the condition. Only developments that will benefit from the public infrastructure or facility in question should be liable to pay the development contribution.

- 8.4.3. Both the Development Plan and the Development Contribution Scheme outline that the contributions in lieu of public open space will be used for the provision of improved community and civic infrastructure and/or parks and open spaces in the area. I therefore do not consider the contribution in lieu of the provision of public open space to be a specific exceptional cost incurred by the local authority in the provision of public infrastructure or facilities which benefit very specific requirements for the proposed development. I am therefore satisfied that the contribution in lieu of public open space is not a special contribution and is a general contribution which is provided for in the Local Authority's Development Contribution Scheme.
- 8.4.4. Furthermore, I note that both the Dublin City Development Plan 2017 and the Kildare County Council Development Plan 2016 have been superseded by new development plans. Notwithstanding, neither of these development plans apply to the location of the subject site which is governed by the policies and objective of the Dun Laoghaire Rathdown Development Plan 2022-2026. In this regard I refer the Commission to section 8.2 above where I have assessed the development contribution imposed by Condition No. 23 in lieu of the provision of public open space against the policies and objectives of the Dun Laoghaire Rathdown Development Plan 2022-2026 and the provisions of the Dun Laoghaire Rathdown Development Contribution Scheme and where I have concluded that the development contribution imposed by Condition No. 23 was correctly applied by the Planning Authority. Therefore, I do not consider that the precedence cited in the grounds of appeal is relevant to the appeal.

9.0 Recommendation

- 9.1. I recommend that condition no's 23,24, 25 and 26 of the grant of permission should be ATTACHED.

10.0 Reasons and Considerations

Having regard to:

- Section 48 of the Planning and Development Act 2000, as amended.
- Dun Laoghaire Rathdown County Development Plan 2022-2028.
- Dun Laoghaire Rathdown County Council Development Contribution Scheme 2023-2028.
- The plans and particulars submitted.
- The basis for the financial contribution calculations provided by the Planning Authority.

I consider that the development contributions of imposed by Condition No's. 23, 24, 25 and 26 have been correctly applied by the Planning Authority.

11.0 Conditions

23. The developer shall, before commencement or as otherwise agreed in writing with the Planning Authority, pay the sum of €258,750.00 to the planning authority, 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. Details of the application of the terms of the scheme shall be agreed upon between the planning authority and the developer or in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the scheme.

REASON: To provide a financial contribution in lieu of the shortfall in the provision of public open space required to serve the development as provided for in the Dún Laoghaire-Rathdown Development Plan 2022-2028.

24. The Developer shall, prior to commencement or as otherwise agreed in writing with the Planning Authority, pay the sum of €1,318.22 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 of October 2023. These rates of contribution shall be updated effective from 1 January each year during the life of the Scheme in accordance with the SCSi Tender Price Index commencing from 1st 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 1st 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.

25. The Developer shall, prior to commencement or as otherwise agreed in writing with the Planning Authority, pay the sum of €19,773.68 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 9th of October 2023. These rates of contribution shall be updated effective from 1 January each year during the life of the Scheme in accordance with the SCSi Tender Price Index commencing from 1st 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 1st 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.

26. The Developer shall, prior to commencement or as otherwise agreed in writing with the Planning Authority, pay the sum of €110,732.38 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 & Parks facilities & 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 9th of October 2023. These rates of contribution shall be updated effective from 1 January each year during the life of the Scheme in accordance with the SCSi Tender Price Index commencing from 1st 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 1st 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 & Parks facilities & 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.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence me, directly or indirectly, following my

professional assessment and recommendation set out in my report in an improper or inappropriate way.”

Carol Smyth

Planning Inspector

9th June 2026