JSA PLANNING

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An Coimisiún Pleanála,
64 Marlborough Street,
Dublin 1

Date: 29 October 2026
Ref.: 24173 BrC

Development Contributions Appeal – Development at 3 Kilbogget Villas, Old Bray Road, Cabinteely, Dublin 18

Dear Sir / Madam,

We, **JSA Planning (formerly John Spain Associates), 39 Fitzwilliam Place, Dublin 2** are instructed by **West Group Investments Limited, Beaupre, Johnstown Road, Cabinteely, Dublin 18** to submit this development contributions appeal on their behalf in relation to a recent grant of planning permission for development at the above address.

Planning permission was granted by **Dún Laoghaire Rathdown County Council** on 2nd October 2026 for the following development:

"The proposed development seeks permission for the demolition of the existing building façade on site and the erection of a part two, part three storey building with the taller element located to the rear, comprising a ground floor café/restaurant unit (c. 310 sq.m) with 3 no. 2-bedroom apartments above, internal courtyard, roof terrace, private amenity space provided by balconies, refuse storage, cycle storage and all other ancillary works. A basement is proposed to provide for ancillary storage and services to both the restaurant and residential uses".

The application was registered under Reg. Ref.: **D26A/0132/WEB**. The Notification of Decision to Grant is enclosed at **Appendix A**.

The Notification of Decision to Grant was issued following an Order of 2nd October 2026. The deadline for the submission of this appeal is therefore **29th October 2026.**

The required fee of €220 is enclosed.

Planning History

The application site has a number of relevant recent applications which are set out in full in the Planning Report prepared by JSA Planning which was submitted with the planning application. This is enclosed at **Appendix B** rather than reiterating the history in full.

In summary, the application site comprised an existing commercial building in 2018 when the first relevant application was submitted. As set out in the application form relating to Reg. Ref.: D18A/1118, the building comprised 397sqm and sat on a site of 0.044ha. Permission was refused by DLR but granted by An Bord Pleanála following a first party appeal (ABP-303723-19). The Board Order is enclosed at **Appendix C**. Condition 14 applied the terms of the Development Contribution Scheme made under Section 48 of the Planning and Development Act 2000 (as amended). No condition relating to section 49 was applied.

A subsequent application to increase the number of apartments was refused by DLR (Reg. Ref.: D20A/0571) in 2020 and by the Board at appeal (ABP-308580) in 2021. A further application to alter the ground floor to add an apartment was refused by DLR in August 2021 (Reg. Ref.: D21A/0611).

In June 2024, following a refusal by DLR, An Bord Pleanála granted permission for amendments to the permitted scheme to change the permitted ground floor use from retail to restaurant (Reg. Ref.: D22A/0526 and ABP-316246).

Pursuant to the permission granted under ABP-303723-19, the applicant began construction on site and demolished the existing building except for the front façade.

Nearing the end of the appropriate period, the applicant sought to extend the duration of the permission granted by An Bord Pleanála under ABP-303723-19 (Reg. Ref: D18A/1118/E). This application to extend the duration was refused as the Council were not satisfied that substantial works had been carried out pursuant to the permission during the appropriate period.

Following this, the applicant submitted the application to which this development contributions appeal relates to secure planning permission complete the scheme. The proposed development comprises the development as permitted under ABP Ref: ABP-303723-19, as amended by ABP-316246. As, at the time of this application, the former building on site had been demolished, the existing floor area was given correctly as 0sqm. The site area is 0.044ha as set out in the application form.

Planning permission was granted by Dún Laoghaire Rathdown County Council on 2nd October 2026 subject to 17 conditions. Numbers 12, 13, 14 and 15 are of relevance and are set out below.

Condition 12 states:

> *"12. The Developer shall, prior to commencement or as otherwise agreed in writing with the Planning Authority, pay the sum of **€788.28** 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".*

Condition 13 states:

*"13. The Developer shall, prior to commencement or as otherwise agreed in writing with the Planning Authority, pay the sum of **€11,818.12** 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 1st 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)".*

Condition 14 states:

*"14. The Developer shall, prior to commencement or as otherwise agreed in writing with the Planning Authority, pay the sum of **€66,172.72** 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)".*

Condition 15 states:

*"16. A financial contribution shall be paid by the proposer to the Council towards the cost of the extension of Luas Line B from the Sandyford Depot to Cherrywood, namely Luas Line B1. This contribution shall be paid prior to the commencement of the development or in such other manner as may otherwise be agreed with the Planning Authority. The rate of contribution payable shall be that pertaining to the particular year in which implementation of the Planning Permission is commenced. The Supplementary Development Contribution Scheme provides for an annual increase in the levels of contribution payable, as outlined in the scheme, by a factor of 5% compound interest per annum. The levels of contribution will be reviewed annually on the 13th of January of each year during which the scheme is in force to take account of the aforementioned increase. The rate of contribution payable in respect of this development, at current contribution rates, is **€158,298.30** and is subject to increase as outlined above. It should be noted that contributions assessed in accordance with the Supplementary Development Contribution Scheme cannot be appealed to An Bord Pleanala unless the applicant considers the levy referred to in*

this condition has not been properly applied in accordance with the terms of the Scheme".

Grounds of Appeal

It is the applicant's grounds that the provisions of the Section 48 and Section 49 Development Contributions Schemes have been misapplied for the reasons set out below.

Section 48 – Development Contribution Scheme 2023-2028 (DCS)

Section 7.2 of the DLR Development Contributions Scheme (DCS) **(Appendix D)** states:

"Contributions to be paid in respect of the following shall be reduced in the manner indicated:-

…

ii. Where existing commercial development is demolished and replaced by new commercial 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. Therefore, by way of example, if 100 square metres of existing commercial development is demolished and replaced by 500 square metres of commercial development, the contributions payable shall be reduced by the equivalent of 50% of the contributions payable in respect of 100 square metres of commercial development".

Section 7.2 of the DCS provides for a reduction of contributions payable in cases where a commercial development replaces another commercial development.

The permission granted under Reg. Ref.: D18A/1118 and ABP-303723-19 permitted the demolition of a building of 397sqm. This development was commenced and the demolition works were undertaken. The applicant sought to extend the duration of this permission under Reg. Ref.: D18A/1118/E; however, this was refused as the Council were not satisfied that substantial works had been carried out pursuant to the permission during the appropriate period.

The current application to which this development contribution appeal relates sought to complete the works started under Reg. Ref.: D18A/1118 and ABP-303723-19.

Given the intention of development contributions is to provide amenities for new development, and given that an existing building has recently been demolished (albeit not under the same permission), it is requested that the reduction set out in section 7.2 of the DCS is applied to the proposed development. It is noted that section 7.2 does not require that the demolition and the new structure are undertaken under the same application/permission.

Section 49 – Supplementary Development Contribution Scheme (SDCS)

Condition 15, as set out above and in the Council's Notification of Decision to Grant **(Appendix A)**, applies the Council's Section 49 – Supplementary Development Contribution Scheme (SDCS) For Extension of Luas Line 1B – Sandyford to Cherrywood.

As set out in the application documents, the development proposes a café/restaurant unit of 310 sqm and three residential units on a site of 0.044ha (site area as given in the application form).

Condition 15 imposes a contribution of €158,298.30 to the development. It is worth pausing at this stage to consider the viability implications of such a levy on the development of three residential units and a small café/restaurant unit.

The SDCS **(Appendix E)** sets out the application of this levy. Firstly, Section 13 states:

"Only net additional development (in hectares) in the case of commercial redevelopment projects will be levied".

The proposed development comprises the redevelopment of a brownfield site which has recently had a commercial building demolished on it. It is considered that the site is already in historic commercial use and does not comprise *"net additional development".* It is therefore considered that this SDCS should not apply to the subject site.

The final lines of Section 13 of the SDCS sets out the levy:

> *"Residential: A contribution rate of €250,000 per gross site hectare.*
> *Commercial: A contribution rate of €570,000 per gross site hectare".*

Further, DLRCC have provided their breakdown of the application of the SDCC **(Appendix F).** An extract is set out below.

Figure 1: Extract from Assessment Detail provided by DLR (Appendix F)

Assessment Detail						
Scheme	**Development Type**	**Condition**	**Condition No**	**Measure**	**Unit Price**	**Total**
SURFACE WATER						
Section 48 Scheme (2023-2028)	Residential Development	SURFACE WATER	12	3.00000	€138.76	€416.28
Section 48 Scheme (2023-2028)	Commercial Development	SURFACE WATER	12	310.00000	€1.20	€372.00
					Condition total = €788.28	
TRANSPORTATION						
Section 48 Scheme (2023-2028)	Residential Development	TRANSPORTATION	13	3.00000	€2,081.44	€6,244.32
Section 48 Scheme (2023-2028)	Commercial Development	TRANSPORTATION	13	310.00000	€17.98	€5,573.80
					Condition total = €11,818.12	
LUAS						
SECTION 49 - LUAS	Residential Development	LUAS	16	0.45000	€351,774.00	€158,298.30
					Condition total = €158,298.30	

The column titled “Measure” with regard to the Section 49 scheme refers to the units: 3 apartments and 310 sqm of commercial floorspace. It is considered then that the 0.45 refers to hectares – as the SDCS is applied on a site area basis (per hectare).

However, the site area is 0.044ha – not 0.45ha. It is considered that this levy has been incorrectly applied to the rate of c. 10x its intended amount.

We have contacted DLR with regard to this point and they have acknowledged the miscalculation. The relevant correspondence is enclosed at **Appendix G**. The Council’s email states:

“I refer to your email below and wish to advise that our Drawing Office have measured the site area and have confirmed that it is .045 The amount on the assessment was a typo and resulted in the incorrect levy. We will arrange for a S146A to amend the Luas Levy, once the appeal has been decided.

The correct amount of the Luas levy is ***€15,829.83”.***

As there is a separate third-party appeal ongoing (ACP Ref.: PL06D.502236), it is likely that ACP will determine the appeal. Therefore, the local authority will not be able to amend the permission by s146a. For this reason, we have progressed with this development contributions appeal so that we can ensure that this issue is addressed by ACP.

To conclude, it is not considered that the application site comprises *“net additional development”* as the site is a brownfield site in an urban area and has recently had a building on it demolished. It is therefore considered that the entire provisions of the SDCS does not apply to the site. It is also noted that the Council have further errored in the application of the SDCS (acknowledged by the Council) and applied a site area of 0.45ha to the application site when the site area is in fact 0.044ha. This has resulted in an overcalculation of €142,468.47 in the levy payable.

Conclusion

For the reasons set out above, it is submitted that the financial contribution conditions imposed by Dún Laoghaire-Rathdown County Council under Reg. Ref.: D26A/0132/WEB do not properly reflect the provisions of the applicable Development Contribution Schemes.

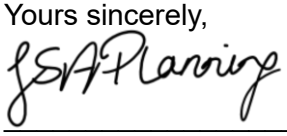
In respect of the Section 48 Development Contribution Scheme 2023–2028, the applicant submits that insufficient regard has been given to the previous commercial development on the site and the demolition works undertaken pursuant to an earlier planning permission. It is requested that the reduction provided for under Section 7.2(ii) be applied to the qualifying replacement commercial floorspace.

In respect of the Section 49 Supplementary Development Contribution Scheme, the applicant submits that the Planning Authority has failed to properly consider the provisions relating to commercial redevelopment and net additional development. It is therefore requested that the applicability of the Scheme to the proposed development be reconsidered.

Furthermore, and critically, the Planning Authority has expressly acknowledged that Condition 15 was calculated using an incorrect site area, resulting in an overstatement of the contribution by €142,468.47. This error is not disputed and clearly demonstrates that the Scheme has not been properly applied.

Accordingly, it is respectfully requested that An Coimisiún Pleanála amend Conditions 12, 13, 14 and 15, as appropriate, to ensure that the contributions payable are calculated in accordance with the provisions of the relevant Development Contribution Schemes. In particular, it is requested that the acknowledged error in Condition 15 be corrected and that the applicant receive the benefit of all applicable reductions and exemptions arising from the established commercial use and redevelopment history of the site.

Yours sincerely,



JSA Planning

Enclosures

- **Appendix A:** Notification of Decision to Grant Reg. Ref.: D26A/0132/WEB
- **Appendix B:** Planning Report submitted in support of Reg. Ref.: D26A/0132/WEB, JSA Planning
- **Appendix C:** ACP Ref.: ABP-303723-19 – Board Order
- **Appendix D:** DLR Development Contributions Scheme
- **Appendix E:** DLR Supplementary Development Contribution Scheme
- **Appendix F:** DLR Assessment Detail of Development Contributions relating to D26A/0132/WEB
- **Appendix G:** Correspondence from DLR acknowledging miscalculation of development contributions

Appendix A: Notification of Decision to Grant Reg. Ref.: D26A/0132/WEB

Comhairle Contae County Council
Comhairle Contae Dhún Laoghaire-Ráth an Dúin, Halla an Chontae, Dún Laoghaire, Co. Átha Cliath, Éire. A96 K6C9
Dún Laoghaire-Rathdown County Council, County Hall, Dún Laoghaire, Co. Dublin, Ireland. A96 K6C9
T: 01 205 4700 E: info@dlrcoco.ie W: www.dlrcoco.ie

John Spain
39 Fitzwilliam Place
Dublin 2
D02 ND61

02-Oct-2026

NOTIFICATION OF DECISION TO GRANT PERMISSION
Planning & Development Act 2000, as amended

Order Number P/1948/26	**Date of Order** 02-Oct-2026
Register Reference D26A/0132/WEB	**Date Received** 24-Feb-2026
National Portal Ref: 120000089803	

Applicant:	West Group Investments Limited
Development:	The proposed development seeks permission for the demolition of the existing building façade on site and the erection of a part two, part three storey building with the taller element located to the rear, comprising a ground floor café/restaurant unit (c. 310 sq.m) with 3 no. 2-bedroom apartments above, internal courtyard, roof terrace, private amenity space provided by balconies, refuse storage, cycle storage and all other ancillary works. A basement is proposed to provide for ancillary storage and services to both the restaurant and residential uses.
Location:	3, Kilbogget Villas, Old Bray Road, Cabinteely, Dublin 18
Application Type:	Permission
Time Extension up to and including:	
Additional Info. Requested/Received:	17-Apr-2026, 03-Sep-202602-Sep-2026, 07-Sep-2026

Dear Sir / Madam

In pursuance of its functions under the above mentioned Act, Dún Laoghaire-Rathdown County Council, being the Planning Authority, did by Order dated as above make a decision to **GRANT PERMISSION** in respect of the above proposal.

For the avoidance of doubt the reasons and recommendations set out in the planners report were generally adopted as set out in the Executive Order, this can be viewed at the Council Offices or the Council website.

Please note that, in accordance with Section 251 of the Planning and Development Act 2000, as amended, "where calculating any appropriate period or other time limit referred to in this Act or in any regulations made under this Act, **the period between the 24th Day of December and the first day of January, both days inclusive, shall be disregarded**".

Signed on behalf of Dún Laoghaire-Rathdown County Council.

Michelle Whyte

_____

for Senior Executive Officer

First Schedule
Reasons and Considerations
Having regard to the Objective NC zoning of the site, and policies and objectives as set out in the 2022-2028 Dún Laoghaire-Rathdown County Development Plan, as varied. it is considered that the development would not detract from the amenities of the area and is consistent with the provisions of the current Development Plan, and is therefore considered to be in accordance with the proper planning and sustainable development of the area subject to conditions.

Appropriate Assessment (AA) Screening
The proposed development, as clarified by way of Further information on 07/09/2026, has been screened for AA (report on file) and it has been determined that the proposed development would not significantly impact upon a Natura 2000 Site.

Environmental Impact Assessment (EIA) Screening
Having regard to the nature and scale of the proposed development, as clarified by way of Further information on 07/09/2026, which comprises the change of use of an existing building in a fully serviced urban location, it is considered that there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and as such a screening determination is not required.

Second Schedule
Conditions

1. The development shall be carried out in its entirety in accordance with the plans, particulars and specifications lodged with the application, as amended by Further Information received on 07/09/2026, save as may be required by the other conditions attached hereto.
REASON: IN the interest of orderly development.

2. For the avoidance of doubt, this permission relates solely to the development as described in the public notices received by the Planning Authority, as amended by Further Information received on 07/09/2026.
REASON: In the interest of clarity.

3. (a) The surface water runoff generated by the impermeable roof areas, balcony and courtyard shall not be discharged to the public surface water sewer but shall be collected locally to a rainwater harvesting system, as indicated in the application. The rainwater harvesting system shall be designed in accordance with the recommendations of BS EN 16941-1-2018/EN 16941-1:2018 and The SuDS Manual (CIRIA C753). The applicant shall provide a high level overflow from the rainwater harvesting tank.
(b) The proposed green roof shall be designed, installed and maintained in accordance with the requirements of BS EN 12056-3:2000 and The SUDS Manual (CIRIA C753).
(c) Any changes to parking and hardstanding areas shall be constructed in accordance with the recommendations of the Greater Dublin Strategic Drainage Study for sustainable urban drainage systems (SuDS) i.e. permeable surfacing, and in accordance with Section 12.4.8.3 Driveways/Hardstanding Areas of the County Development Plan 2022-2028. Appropriate measures shall be included to prevent runoff from driveways entering onto the public realm as required. Where unbound material is proposed for driveway, parking or hardstanding areas, it shall be contained in such a way to ensure that it does not transfer on to the public road or footpath on road safety grounds.
REASON: In the interest of proper drainage planning and proper planning and sustainable development.

4. Prior to commencement, the Applicant shall make a financial contribution of €500 to provide alternative on-street cycle parking provision in the vicinity of the development in accordance with Section 12.4.6.2 Cycle Parking Assessment Criteria of the current DLRCC County Development Plan 2022-2028.
REASON: In the interest of orderly development.

5. All necessary measures shall be taken by the Applicant and Contractor to:
a) prevent any mud, dirt, debris or building material being carried onto or placed on the public road or adjoining properties as a result of the site construction works,
b) repair any damage to the public road arising from carrying out the works,
c) avoid conflict between construction activities and pedestrian/vehicular movements on the surrounding public roads during construction works.
REASON: In the interest of orderly development.

Environmental Waste Management Plan
6. The Applicant and the developments Contractor shall implement the measures detailed within the submitted Environmental Waste Management Plan prepared by HSEQ; dated 07/11/2025; version 2.
REASON: In the interests of orderly development and the proper planning and sustainable development of the area.

Public Liaison Plan
7. The Applicant and the developments Contractor shall develop and implement a Public Liaison Plan for the duration of the works, covering the following.
a) Appointment of a Liaison Officer as a single point of contact to engage with the local community and respond to concerns.
b) Keeping local residents informed of progress and timing of particular construction activities that may impact on them.
c) Provision of a notice at the site entrance identifying the proposed means for making a complaint.
d) Maintenance of a complaints log recording all complaints received and follow up actions.
REASON: In the interest of the proper planning and sustainable development of the area.

Noise Impact
8. Ensure that the cumulative noise from the operation of the development does not cause a noise nuisance to nearby businesses.
REASON: In the interests of orderly development and the proper planning and sustainable development of the area.

Odours / Air Quality
9. There shall be no emissions of malodours, gas, dust, fumes or other deleterious materials on site as would give reasonable cause for annoyance to any person in any residence, adjoining unit or public place in the vicinity.
REASON: In the interests of orderly development and the proper planning and sustainable development of the area.

Operational Waste Management
10. Suitable and sufficient refuse facilities including recycling facilities and waste segregation must be provided for the storage of waste material in accordance with the Dún Laoghaire-Rathdown County Council (Segregation, Storage and Presentation of Household and Commercial Waste) Bye-Laws. Any such storage facilities must have adequate signage, drainage and lighting, it must be pest proof and secure, the area should be located so that is does not cause nuisance by way of smell, noise or attraction of vermin or animals to any area or neighbouring area.
REASON: In the interests of orderly development and the proper planning and sustainable development of the area.

Pest Control Plan
11. The Applicant and the developments Contractor shall develop and implement a Rodent/Pest Control Plan for the duration of the works on site.
REASON: In order the safeguard the health, safety and amenities of properties and owners in the vicinity.

Countywide Surface Water
12. The Developer shall, prior to commencement or as otherwise agreed in writing with the Planning Authority, pay the sum of €788.28 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.

Countywide Transport Infrastructure
13. The Developer shall, prior to commencement or as otherwise agreed in writing with the Planning Authority, pay the sum of €11,818.12 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 1st 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.

Countywide Community & Parks facilities & Recreational amenities
14. The Developer shall, prior to commencement or as otherwise agreed in writing with the Planning Authority, pay the sum of €66,172.72 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.

15. No development on foot of this permission shall commence until security for the provision and satisfactory completion of services (including roads, footpaths, open spaces, public lighting, sewers, watermains and drains) in accordance with the Plans and particulars lodged with the application, has been given by:
1. Lodgement with the Council of an approved Insurance Company Bond in the sum of €28, 000 which shall be renewed by the developer from time to time as required during the course of the development and kept in force by him until such time as Roads, Open Spaces, Car Parks, Sewers, Watermains and Drains are completed to the satisfaction of the Council OR/...
2. Lodgement with the Council of a Cash Sum of €17,200 to be applied by the Council at its absolute discretion if such services are not duly provided to its satisfaction on the provision and completion of such services to standard specifications. OR/...
3. Lodgement with the Planning Authority of a Letter of Guarantee by anybody approved by the Planning Authority for the purpose in respect of the proposed development in accordance with the guaranteed scheme agreed with the Planning Authority and such lodgement in any case has been acknowledged in writing by the Council.
REASON: To ensure that a ready sanction may be available to the Council to induce the provision of services and prevent disamenity in the development.

16. A financial contribution shall be paid by the proposer to the Council towards the cost of the extension of Luas Line B from the Sandyford Depot to Cherrywood, namely Luas Line B1. This contribution shall be paid prior to the commencement of the development or in such other manner as may otherwise be agreed with the Planning Authority. The rate of contribution payable shall be that pertaining to the particular year in which implementation of the Planning Permission is commenced. The Supplementary Development Contribution Scheme provides for an annual increase in the levels of contribution payable, as outlined in the scheme, by a factor of 5% compound interest per annum. The levels of contribution will be reviewed annually on the 13th of January of each year during which the scheme is in force to take account of the aforementioned increase.
The rate of contribution payable in respect of this development, at current contribution rates, is €158,298.30 and is subject to increase as outlined above.
It should be noted that contributions assessed in accordance with the Supplementary Development Contribution Scheme cannot be appealed to An Bord Pleanala unless the applicant considers the levy referred to in this condition has not been properly applied in accordance with the terms of the Scheme.
REASON: To part finance the extension of the Luas Line B1 from Sandyford Depot to Cherrywood, as provided for in the Supplementary Development Contribution Scheme adopted by the Council of Dún laoghaire-Rathdown on the 13th of January 2003

17. This development shall not be carried out without prior agreement, in writing, between the Applicant and the Planning Authority relating to the payment of development contributions.
REASON: Investment by Dún Laoghaire-Rathdown County Council in Local Authority works has facilitated and will facilitate the proposed development. It is considered appropriate and reasonable that the developer should contribute to the cost of same.

NOTE: The attention of the applicant is drawn to Section 34(13) of the Planning and Development Act 2000, which relates as follows- 'A person shall not be entitled solely by reason of a permission under this section to carry out any development'.

NOTE: This permission does not imply any consent or approval for the structural stability and/or habitability of the works carried out and does not imply that the structure complies with the Building Regulations.

NOTE: Each dwelling shall be used as a single dwelling unit apart from such use as may be exempted development for the purposes of the Planning and Development Regulations.

NOTE: Any alterations to the drainage systems within the site are a matter for compliance with the Building Regulation.

NOTE: The proposed development shall accord with the requirements of Uisce Eireann.

NOTE: The Applicant is advised that all/any requirements of the Environmental Enforcement Office shall be ascertained and strictly adhered to.

NOTE: The Applicant is advised thatin the event of encroachment or oversailing of the adjoining property, the consent of the adjoining property owner is required. If this written agreement is not obtained, the proposed development shall be modified only insofar as is required to do this.

NOTE: The applicant's proposed connection appears to be to a private drain. The applicant is responsible for acquiring any rights or permissions necessary to connect to, or to increase the discharge into, or to build over, or divert, or to ensure the adequate capacity is not exceeded, or otherwise alter any private drains not in their exclusive ownership or control, and for ensuring their adequacy.

(1) Submissions / Observations

NOTE: In deciding this planning application, the planning authority, in accordance with Section 34 (3) of the Planning and Development Act 2000, as amended, has had regard to any submissions or observations received, in accordance with the Planning and Development Regulations 2001 to 2012 pertaining to the application.

(2) Removal of Site Notice

NOTE: The applicant is reminded that in accordance with Article 20 of the Planning and Development Regulations 2001 to 2012, any site notice erected or fixed pertaining to this application shall be removed (if not already done so) following receipt of this notification.

FURTHER NOTES

APPEALS

This decision of the Planning Authority does not authorise works to commence and may be appealed to An Coimisiun Pleanala by an Applicant or any person who made submissions or observations in writing in relation to this application to the Planning Authority.

A person who has an interest in adjoining lands in respect of which permission has been granted and who did not make a submission or observation under Section 37(6)(a) of the Planning and Development Act, 2000, as amended may apply to the Coimisiun for leave to appeal the decision of the Planning Authority. Appeals should be sent to:

The Secretary,
An Coimisiun Pleanala,
64 Marlborough Street,
Dublin 1.

Tel: 01-8588100

Every appeal must be made in writing and must state the subject matter and full grounds of appeal. It must be fully complete from the start.

The Coimisiun must receive an appeal within four weeks, beginning on the date of the decision set out above. A Third Party appeal will be invalid unless accompanied by the prescribed fee and a copy of the acknowledgement of receipt from the Planning Authority in respect of a submission/observation.

GRANT OF PERMISSION

In the case of a notification of a decision to Grant Permission, where no appeal is received by An Coimisiun Pleanala against the decision, a PERMISSION will be granted by the Council after the expiration of the period for the making of an appeal.

REFUND OF FEES – REPEAT PLANNING APPLICATION

Provision is made for a partial refund of fees in the case of certain repeat applications submitted within a period of twelve months where the full standard fee was paid in respect of the first application where both applications relate to developments of the same character or description and to the same site. An application for a refund must be made in writing to the Planning Authority and received by them within a period of 8 weeks beginning on the date of Planning Authority's decision on the second application. Please consult the Planning & Development Regulations, 2001 to 2010, for full details of fees, refunds and exemptions.

Appendix B: Planning Report submitted in support of Reg. Ref.: D26A/0132/WEB, JSA Planning

JSA John Spain Associates

Planning & Development Consultants

Chartered Town Planners

PLANNING REPORT

In respect of lands at

3 Kilbogget Villas, Old Bray Road, Cabinteely, Dublin 18

Prepared on behalf of

West Group Investments Limited

February 2026

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DOCUMENT CONTROL SHEET

Client:	West Group Investments Limited
Project Title:	3 Kilbogget Villas, Old Bray Road, Cabinteely, Dublin 18
JSA Reference:	24173
Document Title:	Planning Report

Rev.	Status	Author(s)	Reviewed By	Approved By	Issue Date
F01	**FINAL**	HM	BrC	BrC	19.02.2026

1.0 INTRODUCTION

This Planning Report has been prepared by John Spain Associates, on behalf of West Group Investments Limited, to accompany a planning application for proposed development at 3 Kilbogget Villas, Cabinteely, Dublin 18. The application site is located in Cabinteely Village on the northern side of the Bray Road and is excellently served by public transport with the N11 national road (Stillorgan Dual Carriageway) located approximately c.50m from the application site. The application site forms part of a terrace with 7 no. properties referred to as Kilbogget Villas.

This application seeks permission for the following development as set out in the statutory notices:

"The proposed development seeks permission for the demolition of the existing building façade on site and the erection of a part two, part three storey building with the taller element located to the rear, comprising a ground floor café/restaurant unit (c. 310 sq.m) with 3 no. 2-bedroom apartments above, internal courtyard, roof terrace, private amenity space provided by balconies, refuse storage, cycle storage and all other ancillary works. A basement is proposed to provide for ancillary storage and services to both the restaurant and residential uses".

West Group Investments Limited is owned by Ray Hardy and Barbara Dolan who have a long-standing interest in Cabinteely Village. They live in the village and have a number of businesses in Cabinteely. They are heavily involved in community groups such as the Tidy Towns Committee. Being central to the community, they are keen that the proposals enhance the village.

The provision of residential use of this small infill site promotes the compact growth and regeneration in Cabinteely and currently partially encompasses the shell and façade of the former façade. The proposed restaurant use at ground floor level will ensure an active frontage is maintained for a substantial period throughout the day and night and will complement the other existing uses on Bray Road.

This Planning Report provides a comprehensive overview of the proposed development, including an assessment of the site context, relevant planning history, design rationale, justification for the proposed uses and consistency with national, regional and local planning policies. This Planning Report should be read in conjunction with the plans and particulars submitted as part of this planning application.

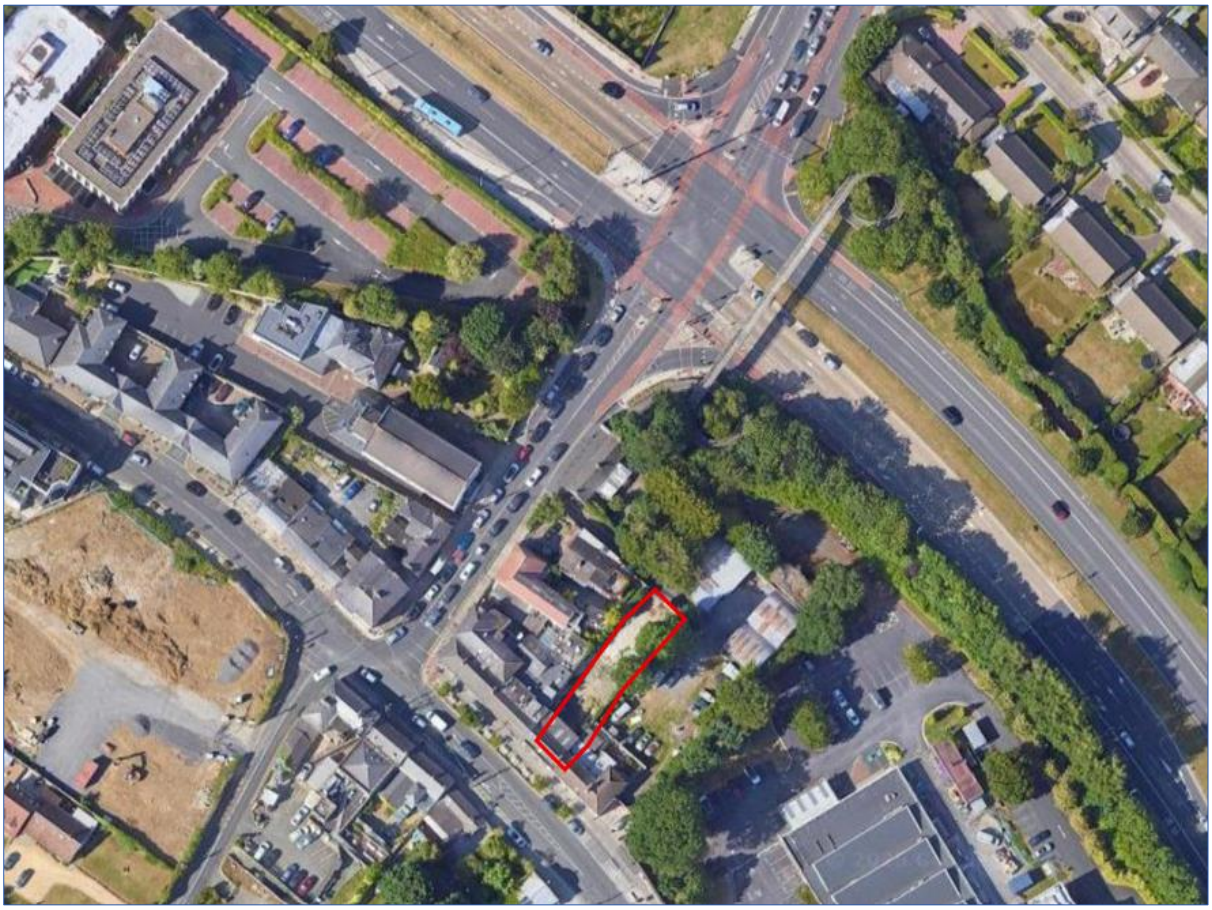
This Planning Report is set out in the following format:

- Introduction
- Site and Surrounding Area
- Planning History
- Description of Development
- Planning Policy
- Assessment
- Conclusion

2.0 SITE AND SURROUNDING AREA

The application site, outlined in red below, extends to c. 0.044ha and is located on the northern side of the Bray Road in Cabinteely Village. The building on site forms part of a terrace of seven properties which run in a terrace fronting onto Old Bray Road. The buildings comprise a mix of styles and are not uniform in design. Immediately to the northwest is a café and immediately to the southeast is a restaurant. The site is bound to the southwest by the Old Bray Road. To the northwest (rear) of the site is vacant lands and some residential dwellings.

Figure 2.1: Site Location (Site Outlined in Red)



The application site currently comprises a retained front façade, the building behind this façade was demolished under a previous permission (DLRCC Reg. Ref.: D18A/1118) as shown below in Figure 2.2 and Figure 2.3. The demolition of the existing façade is proposed as part of this application.

Before its demolition, the building comprised a two-storey terraced building with a former commercial unit at ground floor and a large rear yard. The building formed part of a terrace of two storey commercial buildings known as Kilbogget Villas.

Figure 2.2: Internal View of Existing Building with Remaining Facade



Figure 2.3: External View of Existing Building Fronting onto Old Bray Road



3.0 PLANNING HISTORY

The proposed development seeks to secure planning permission for an extant scheme which was commenced on site but for which permission has expired. The previously permitted scheme consisted of a range of permissions which are set out below.

3.1 DLRCC REG. REF.: D18A/1118 & ABP REF.: 303723

Planning permission was originally granted by An Bord Pleanála (Reg. Ref.: D18A/1118 / ABP Ref.: 303723) in September 2019 for demolition of building and erection of new building comprising a retail unit and 3 apartments and all other ancillary works.

Revised drawings were submitted at appeal stage which revised the second-floor apartment and removed the roof garden element. The changes to the design as set out in the First Party Appeal prepared by RPS are as follows:

"The proposal has changed as follows:

- *Basement – no changes*
- *Ground Floor – no changes*
- *First Floor – no changes*
- *Second Floor – apartment 3 changed to elliptical shape with pressed metal cladding finish*
- *Roof garden and access stairs removed*
- *Overall building height removed by 2519mm*
- *Living walls omitted"*

Condition 1 of the Board's Order stated:

"The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by An Bord Pleanála on the 18th day of February 2019, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars".

The permitted scheme comprised the scheme as submitted to DLR, as amended by revisions submitted to An Bord Pleanála on 18th February 2019.

3.2 DLRCC REG. REF.: D20A/0571 & ABP REF.: 308580

Planning permission was refused by DLR for an amendment to the permitted scheme to increase the number of apartments from three to five. Permission was refused on 7th October 2020.

The applicant appealed this decision and An Bord Pleanála also refused permission on 23rd April 2021.

3.3 DLRCC REG. REF.: D21A/0611

Planning permission was refused on 23rd August 2021 for an amendment to the permitted scheme to change part of the permitted retail unit at ground floor to a two-bedroom apartment.

3.4 DLRCC REG. REF.: D22A/0526 & ABP REF.: 316246

On 15th June 2024, An Bord Pleanála granted planning permission for an amendment to the permitted development (Reg. Ref.: D18A/1118 and ABP Ref.: 303723) to replace the permitted ground floor use with restaurant use. Permission was granted by An Bord Pleanála following a refusal by DLR.

3.5 DLRCC REG. REF.: D18A/1118/E

On 8th January 2025, DLR refused to grant an extension of duration permission to extend the permission granted under Reg. Ref.: D18A/1118 and ABP Ref.: 303723. Permission was refused as the Council were not satisfied that substantial works were carried out pursuant to the permission during the appropriate period.

3.6 V/020/25 PART V EXEMPTION

On 14th April 2025, DLR granted a certificate of exemption from the provisions of Part V. This is enclosed with the application.

3.7 PLANNING HISTORY SUMMARY

In summary, planning permission was granted by An Bord Pleanála for the development of the site under Reg. Ref.: D18A/1118 and ABP Ref.: 303723. This included 3 x 2 bedroom apartments and a ground floor retail unit.

Permission was subsequently granted by An Bord Pleanála for the change of use of the ground floor from retail to café/restaurant (Reg. Ref.: D22A/0526 and ABP Ref.: 316246).

The development was commenced and an application to extend the duration of the permission was refused by DLR on 8th January 2025 as it was considered that substantial works were not carried out.

This application seeks permission for the scheme permitted under Reg. Ref.: D18A/1118 and ABP Ref.: 303723 as amended by Reg. Ref.: D22A/0526 and ABP Ref.: 316245 to allow the applicant to complete the scheme.

4.0 DESCRIPTION OF THE PROPOSED DEVELOPMENT

A two-storey building and shed previously existed on the subject site and was demolished under DLRCC Reg. Ref.: D18A/1118 and ABP Ref.: 303723. The proposed development seeks permission to remove the remaining building façade and replace it with a with a part 2, part 3-storey building over basement comprising a ground floor unit for café/restaurant and 3 no. 2-bed apartments on the 1st and 2nd floor.

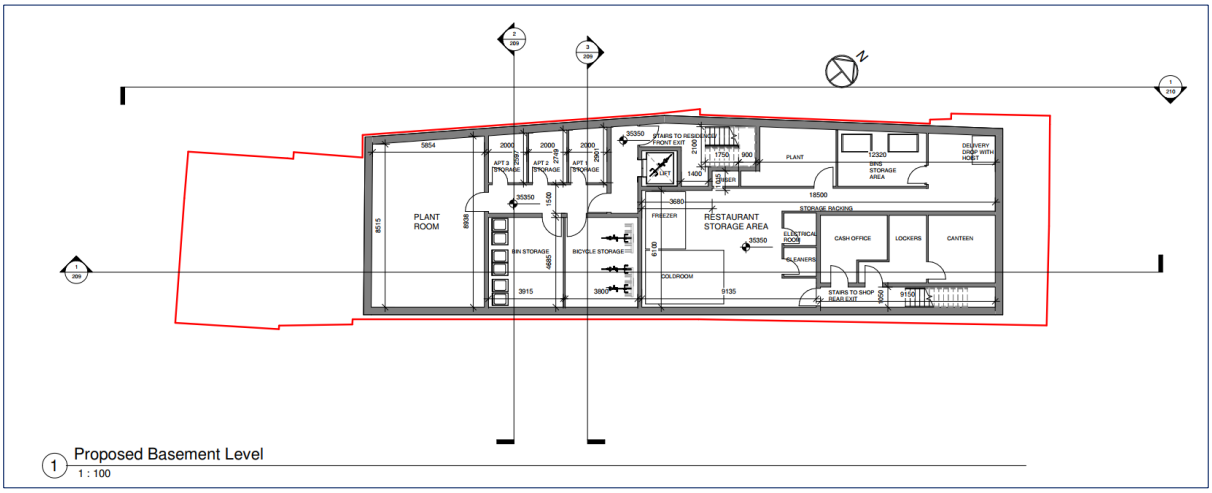
The façade onto Old Bray Road will sit well within the existing terrace of shops and dwellings and the taller 3-storey element to the rear of the building will not be visible from public viewpoints. The building has been designed in accordance with all relevant guidelines as set out below in Section 5 of this Report.

Basement Level

The proposed basement will include a plant room, bin storage, ancillary storage and cycle storage serving the 3 no. apartments. Ancillary to the café/restaurant unit, the basement will also include a storage area, bin storage, staff facilities and welfare areas, electrical rooms, cleaner's store and a cash office.

Individual access to the basement is provided for both apartments and the ground floor café/restaurant unit, a separate staircase and lift is provided from the apartment communal area and a separate staircase and delivery drop/ hoist is provided from the café/restaurant unit.

Figure 4.1: Proposed Basement Level

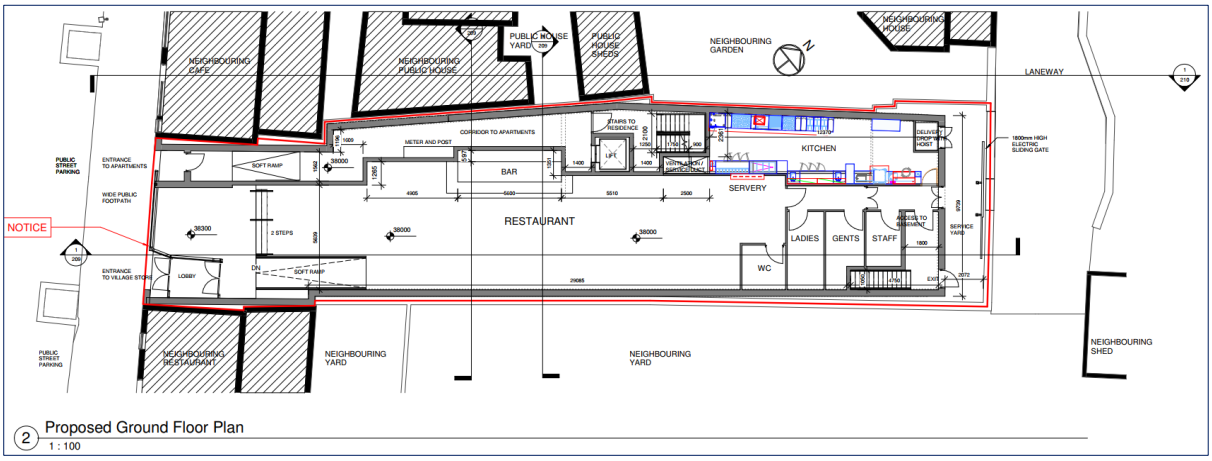


Ground Floor Level – Café/Restaurant Use

This application seeks permission to provide for a café/restaurant unit of c. 310 sq.m for the which will provide for a greater mix of uses and promote footfall within the area. This use was previously permitted by ABP on the site (ABP Ref.: 316246).

The ground floor unit's main entrance is located to the front of the unit which steps up into the main floor area via 2 no. small steps or ramp. The ground floor layout is open planned with toilets and staff facilities located to the rear of the unit.

Figure 4.2: Proposed Ground Floor Plan

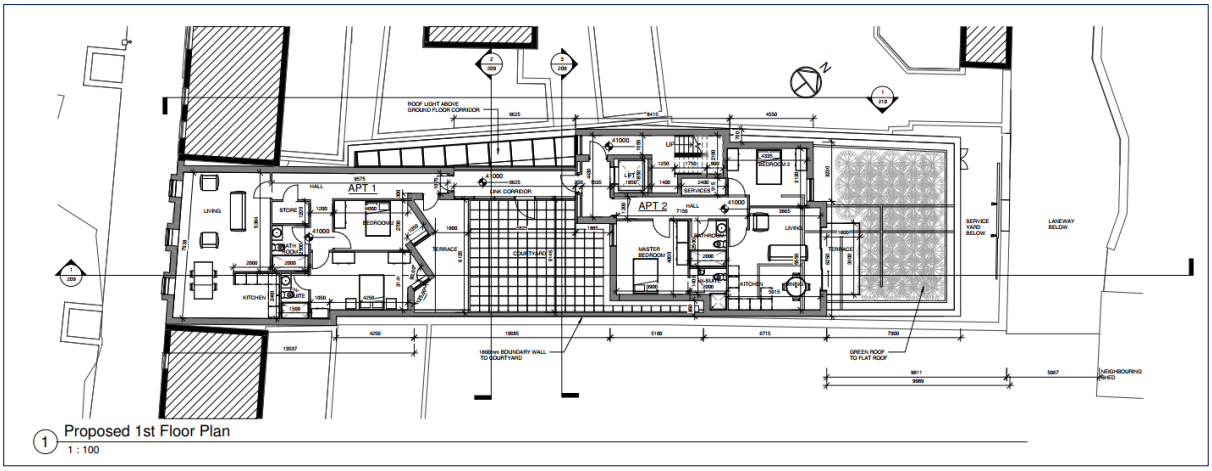


First & Second Floor Level - Apartments

At first floor level, there are 2 no. 2-bedroom apartments (Apartment 1 and Apartment 2) separated by a generous sized courtyard. The entrance to the apartments is located to the left of the façade when viewed from the street. The entrance point is accessible and leads into a communal hallway area leading to a lift and stairs to the apartments.

Apartment 1 is located to the front of the proposed building overlooking the Old Bray Road and Apartment 2 is located to the rear of the building looking onto a laneway. Both apartments are served by private balconies, the balcony of Apartment 1 is accessed via both bedrooms and the balcony of Apartment 2 is accessed from the kitchen and living room area.

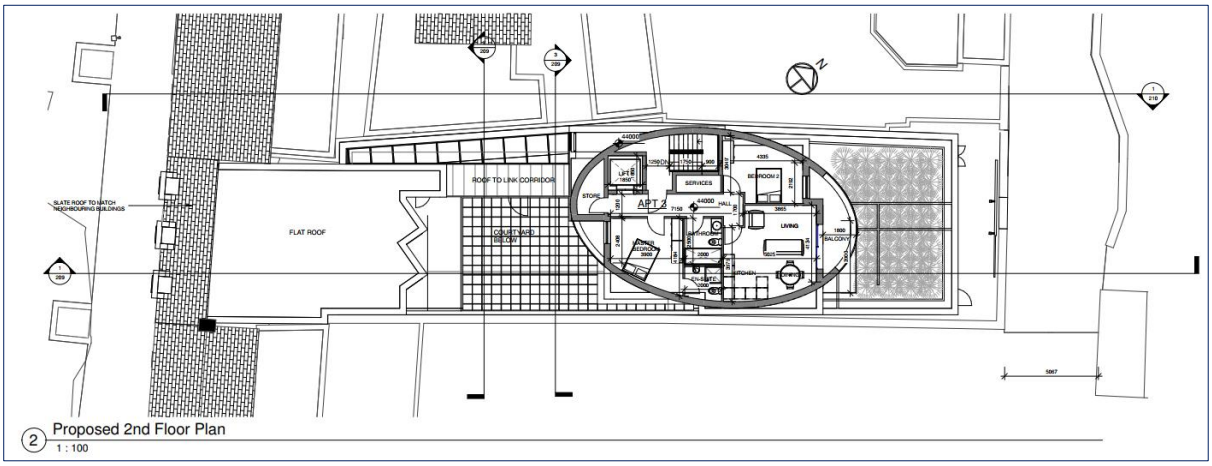
Figure 4.3: Proposed First Floor Plan



The centrally located courtyard prevents overlooking between the two apartments. In addition, Apartment 1 has angled windows which do not look directly into Apartment 2.

At second floor level there is 1 no. 2-bedroom apartment with a private balcony provided to the northeast of the apartment overlooking the rear of the building.

Figure 4.4: Proposed Second Floor Plan



Car Parking & Cycle Parking

No car parking is provided for the proposed development given its proximity to a range of high frequency public transport services, this is further discussed in Section 6.4 and Section 6.5 of this Report.

A total number of 18 no. cycle spaces are provided at basement level serving both residents and café/restaurant staff. All cycle parking at basement level is safe and secure, in addition there is an excellent level of on street cycle parking provision.

5.0 PLANNING POLICY

This section demonstrates that the proposed development has been brought forward with consideration of national, regional and local planning policy and is consistent with the objectives and guidance set out within each of the respective policy documents. Within this section the development will be assessed against:

- National Planning Framework 2040 First Revision
- Regional Spatial and Economic Strategy – Eastern and Midlands Regional Assembly (2019-2031)
- Delivering Homes, Building Communities 2025-2030
- National Climate Action Plan 2025
- Planning Design Standards for Apartments (2025)
- Urban Development and Building Heights – Guidelines for Planning Authorities
- (2018)
- Sustainable Residential Development & Compact Settlement Guidelines (2024)
- Urban Design Manual – A Best Practice Guide (2012)
- Design Manual for Quality Housing (2022)
- Design Manual for Urban Roads and Streets (2019)

5.1 NATIONAL PLANNING FRAMEWORK 2040 FIRST REVISION

The National Planning Framework (NPF) 2040 First Revision was approved by the Dáil following the decision of Government to approve the Draft Final Revised NPF on 8th April 2025. The NPF 2040 First Revision sets out National Policy Objectives (NPOs) which have mostly been retained under the revised framework, or updated, and a number of new NPOs have been inserted following public consultation.

Compact Growth

In respect of population and compact growth, the NPF 2040 First Revision states that *"all our urban settlements contain many potential development areas, centrally located and frequently publicly owned, that are suitable and capable of re-use to provide housing, jobs, amenities and services, but which need a streamlined and co-ordinated approach to their development, with investment in enabling infrastructure and supporting amenities, to realise their potential."*

Meeting Ireland's development needs in housing, employment, services and amenities on mainly greenfield lands will cost multiples of a compact growth-based approach. The NPF 2040 First Revision has set out the following urban development targets through the following NPOs:

National Policy Objective 7: *"Deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements and ensure compact and sequential patterns of growth."*

National Policy Objective 12: *"Ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being"*

Housing Delivery

Chapter 6 of the NPF 2040 First Revision sets out a requirement for the construction of at least 50,000 new homes per year in line with the Government's Housing Plan for Ireland to 2030. To achieve the delivery of the required new housing, the NPF 2040 First Revision sets out the following NPOs:

National Policy Objective 42: *"To target the delivery of housing to accommodate approximately 50,000 additional homes per annum to 2040"*

National Policy Objective 43: *"Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location."*

The proposed residential development is on appropriately zoned lands, Neighbourhood Centre (NC), which lists residential development as a permissible under. The application site is strategically located in Cabinteely Village and c. 50m south of the N11 national road (Stillorgan Dual Carriageway) which is a high frequency public transport corridor.

The proposed development will provide for 3 no. units which assists in the delivery of providing 50,000 additional homes per annum in response to the NPOs set out within the NPF 2040 First Revision. The delivery of residential development on the lands at this location in accordance with the overall vision of the NPF 2040 First Revision.

5.2 REGIONAL SPATIAL AND ECONOMIC STRATEGY – EASTERN AND MIDLANDS REGIONAL ASSEMBLY (2019-2031)

The Regional Spatial and Economic Strategy for the Eastern and Midlands Region is a strategic plan and investment framework to shape the future development of the region to 2031 and beyond. The principal function of the assembly is the delivery of a Regional Spatial and Economic Strategy (RSES), a new concept in Irish planning where not only the spatial but also the economic factors that go into the future of the region are brought together into one all-encompassing strategy.

The primary status of the RSES is to support the implementation of Project Ireland 2040 – the National Planning Framework (NPF) and National Development Plan (NDP) and the economic policies and objectives of the Government by providing a long-term strategic planning and economic framework for the development of the region.

The RSES notes that the key elements of the growth strategy identified at the national levels, which set the parameters for the development of the RSES growth strategy include *"a focus on contained growth and reduced urban sprawl by targeting infill and brownfield lands in existing built-up areas"* ***[our emphasis].***

The proposed site is a small, derelict infill site located in the centre of Cabinteely village. The proposed development will provide significant regeneration of the site in accordance with the overall growth strategy of the RSES identified at a national level through the NPF 2040 First Revision. The RSES strongly promotes the redevelopment of infill sites and existing brownfield sites to achieve compact growth.

5.3 DELIVERING HOMES, BUILDING COMMUNITIES 2025-2030

Delivering Homes, Building Communities 2025-2030 is the government's housing plan to 2030 and reinforces the critical need for new residential dwellings where it is a target to provide 300,000 housing units by the year 2030. The overall aim of the plan is to achieve a more sustainable housing system that will create long-term vibrant communities with necessary supporting infrastructure.

In order to achieve this, Delivering Homes Building Communities 2025-2030 provides four pathways to achieving eight overarching housing policy objectives listed below:

1. Activating Supply

2. Facilitating Investment, Addressing Viability
3. Increasing Skills, Adopting Modern Methods of Construction
4. Securing Additional Supply, Ending Dereliction & Vacancy
5. Focusing on Ending Homelessness, Delivering Homes for Older People, Supporting Social Inclusion
6. Providing More Social Homes
7. Increasing Affordable Homeownership, Protecting Renters
8. Investing in Villages, Towns and Cities

The Government's vision for the planning system over the longer term is to achieve a steady supply of housing in the right locations with economic, social and environmental sustainability built into the system. A key element of the Guidelines is promoting building on zoned and serviced lands such as the subject site.

The proposed development provides for 3 no. 2-bedroom apartment units which will assist in the delivery of critical housing delivery to meet government targets. Whilst the guidelines focus on the delivery of social and affordable housing, the application is accompanied by a Part V Certificate of Exemption on the basis of the total site area (c. 0.044ha).

5.4 NATIONAL CLIMATE PLAN (2025)

Climate Action Plan 2025 (CAP25), outlines a series of actions to address the impacts of climate change on Ireland's environment, society, economic and natural resources. CAP25 builds on the previous 2024 plan by refining and updating the measures and actions required to deliver the carbon budgets and sectoral emissions ceilings. It is noted that CAP25 should be read in conjunction with the National Climate Action Plan 2024.

The built environment sector comprises residential, public and commercial sectors. CAP25 notes that the residential sector is on track to meet its 2025 sectoral emissions ceiling. The plan further sets out a roadmap to deliver Ireland's climate ambition which will enable Ireland to make progress towards the overall 2030 targets.

At a project scale, the proposed development will provide sustainable housing and is located in an excellent location which promotes the use of public transport and sustainable transport options, in turn this will assist in reducing sectoral emission ceilings across various sectors.

5.5 PLANNING DESIGN STANDARDS FOR APARTMENTS (2025)

The Planning Design Standards for Apartments 2025 were published on the 8th July 2025 and replace the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities 2023 (now revoked).

The recently published guidelines have amended the standards set out in the 2023 guidelines in order to excel the delivery of housing in Ireland. Key amendments under the current guidelines include the reduction of unit sizes in relation to studio apartments, the removal of unit mix requirements, dual aspect requirements. The Guidelines set out Specific Planning Policy Requirements (SPPRs), under Section 28 of the Planning and Development Act 2000 (as amended), and take precedence over local planning policies including Development Plans and Local Area Plans. Within the guidelines there are a total of 8 no. SPPRs and with regard to the proposed development, the relevant SPPRs are stated below:

SPPR 2

"The following minimum apartment floor areas shall apply and statutory plans shall not specify minimum floor areas that exceed the minimum floor areas set out below:

- *Studio apartment (1 person) 32sq.m*
- *1-bedroom apartment (2 persons) 45 sq.m*
- *2-bedroom apartment (3 persons) 63 sq.m*
- *2-bedroom apartment (4 persons) 73 sq.m*
- *3-bedroom apartment (4 persons) 76 sq. m*
- *3-bedroom apartment (5 persons) 90 sq.m*

The floor area parameters set out above shall generally apply to apartment schemes and do not apply to purpose-built and managed student housing."

SPPR3
"In relation to the minimum number of dual aspect apartments that may be provided in any single apartment scheme, the following shall apply:

(i) A minimum of 25% of units within a development shall be required to be dual aspect. Statutory plans shall not specify minimum requirements that exceed the requirements of this Specific Planning Policy Requirement.

(ii) For building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha, planning authorities may exercise further discretion to consider dual aspect unit provision at a level lower than the 25% minimum outlined above on a case-by-case basis, but subject to the achievement of overall high design quality in other aspects."

SPPR 5
"There shall be no requirement within statutory plans or within an individual scheme in respect of a minimum number of units per floor per core."

SPPR 1 of the Guidelines relates to Part V social housing provision which is not relevant as the development is exempt from providing Part V units, we refer to the certificate of exemption included in Appendix 1. SPPR 4 relates to floor to ceiling heights of ground floor apartments which is not relevant as a restaurant is proposed at ground floor level with apartments proposed on the upper floors. SPPR 6 relates to the provision of communal, community and cultural facilities which is typically applied to larger apartment schemes and is therefore not applicable to the proposed development. SPPR 7 and SPPR 8 relate to co-living/ shared accommodation and student accommodation, retrospectively, and therefore does not apply to the proposed development.

The proposed development exceeds the minimum apartment floor areas set out in SPPR 2 and all units are dual aspect with windows on the south façade overlooking Old Bray Road and the north façade towards the N11 National Road (Stillorgan Dual Carriageway). There is 1 no. stair core serving the 3 no. apartments in accordance with SPPR 5. The proposed development is in accordance with all relevant SPPRs set out within the the Planning Design Standards for Apartments 2025.

5.6 URBAN DEVELOPMENT AND BUILDING HEIGHT – GUIDELINES FOR PLANNING AUTHORITIES (2018)

The Urban Development and Building Height Guidelines 2018 set out national planning policy guidelines on building heights in urban areas in response to specific policy objectives set out in the National Planning Framework, Project Ireland 2040 and Regional Spatial and Economic Strategy for the Eastern & Midland Regional Assembly.

The Guidelines set out 4 no. Specific Planning Policy Requirements (SPPRs) which take precedence over local planning policies. The SPPRs include:

SPPR 1

"In accordance with Government policy to support increased building height and density in locations with good public transport accessibility, particularly town/ city cores, planning authorities shall explicitly identify, through their statutory plans, areas where increased building height will be actively pursued for both redevelopment, regeneration and infill development to secure the objectives of the National Planning Framework and Regional Spatial and Economic Strategies and shall not provide for blanket numerical limitations on building height."

SPPR 2

"In driving general increases in building heights, planning authorities shall also ensure appropriate mixtures of uses, such as housing and commercial or employment development, are provided for in statutory plan policy. Mechanisms such as block delivery sequencing in statutory plans could be utilised to link the provision of new office, commercial, appropriate retail provision and residential accommodation, thereby enabling urban redevelopment to proceed in a way that comprehensively meets contemporary economic and social needs, such as for housing, offices, social and community infrastructure, including leisure facilities."

SPPR 3

"It is a specific planning policy requirement that where;

(A) 1. an applicant for planning permission sets out how a development proposal complies with the criteria above; and
2. the assessment of the planning authority concurs, taking account of the wider strategic and national policy parameters set out in the National Planning Framework and these guidelines;

then the planning authority may approve such development, even where specific objectives of the relevant development plan or local area plan may indicate otherwise.

(B) In the case of an adopted planning scheme the Development Agency in conjunction with the relevant planning authority (where different) shall, upon the coming into force of these guidelines, undertake a review of the planning scheme, utilising the relevant mechanisms as set out in the Planning and Development Act 2000 (as amended) to ensure that the criteria above are fully reflected in the planning scheme. In particular the Government policy that building heights be generally increased in appropriate urban locations shall be articulated in any amendment(s) to the planning scheme

(C) In respect of planning schemes approved after the coming into force of these guidelines these are not required to be reviewed."

SPPR 4

"It is a specific planning policy requirement that in planning the future development of greenfield or edge of city/town locations for housing purposes, planning authorities must secure:

1. *The minimum densities for such locations set out in the Guidelines issued by the Minister under Section 28 of the Planning and Development Act 2000 (as amended), titled "Sustainable Residential Development in Urban Areas (2007)" or any amending or replacement Guidelines;*
2. *A greater mix of building heights and typologies in planning for the future development of suburban locations; and*

3. *Avoid mono-type building typologies (e.g. two storey or own-door houses only), particularly, but not exclusively so in any one development of 100 units or more."*

There is a clear emerging national focus on increasing building heights in both urban and suburban locations in order to increase the sustainability of sites. The proposed development provides for a part 2, part 3-storey building with the taller 3-storey element located to the rear consistent with the predominant building heights in the area. This element of the scheme will not be visible from key points in the public realm as demonstrated in the Design Statement submitted alongside this application.

The tallest element of the building is modest with regard to the surrounding building height context and in accordance with the Building Height Guidelines.

5.7 SUSTAINABLE RESIDENTIAL DEVELOPMENT AND COMPACT SETTLEMENT GUIDELINES 2024

The Guidelines for Planning Authorities on Sustainable Residential Development and Compact Settlements was published in January 2024. These guidelines replace and supersede the Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities issued as Ministerial Guidelines under section 28 of the Act in 2009.

Chapter 3 of the Guidelines sets out policy and guidance in relation to growth priorities for settlements at each tier in the national settlement hierarchy and in relation to residential density. The site is within the centre of Cabinteely Village and falls within the category of 'Small and Medium Sized Towns (1,500-5,000 population)'. The key priorities for small to medium sized towns are set out below:

The key priorities for compact growth in smaller to medium sized towns in order of priority are to:

a) *"Strengthen town centres*
b) *Protect, restore and enhance historic fabric, character, amenity, natural heritage, biodiversity and environmental quality,*
c) ***Realise opportunities for adaption, reuse and intensification of existing buildings and for backland, brownfield and infill development, [our emphasis]*** *and*
d) *Deliver sequential and sustainable urban extension at locations that are closest to the urban core and are integrated into, or can be integrated into, the existing built-up footprint of the settlement."*

The subject site is a small infill site located which has been derelict for the past few years in the centre of Cabinteely. The proposed development will restore and reuse the existing site which is a prime location for mixed use development on the basis of the existing surrounding site context and provides the opportunity to provide for suitable and sequential compact growth.

Density Parameters

The density parameters for 'Small and Medium Sized Towns (1,500-5,000 population) – Town – Centre' locations are set out in Table 3.6 of the Guidelines:

Small / Medium Town - Centre
"In many cases, the town centre comprises a main street and streets immediately adjoining, while the inner urban neighbourhood consists of the early phases of residential development around the centre, and may include local services and interdispersed commercial, industrial and institutional uses. Backland, brownfield and infill sites will generally be in the town centre or inner urban neighbourhoods. It is a policy and objective of these Guidelines that the scale of new development in the central areas of small to medium sized towns should respond positively to the scale, form and character of existing development, and to the capacity of services and infrastructure (including public transport and water services infrastructure)."

The Guidelines state that *"the scale of new development in central areas of small to medium sized towns should respond positively to scale, form and character of existing development."*

The site has a density of approximately c. 68 dwellings per hectare. Given the site area c.0.044ha, the site is heavily constrained which presents no opportunity to provide for a reduced density without negatively impacting on the street presence. The 2-storey building with a pop-up element of 3 storeys responds positively to the surrounding context on Old Bray Road in accordance with the guidelines.

Specific Planning Policy Requirements (SPPR)

Chapter 5 of the Guidelines sets out a number of Specific Planning Policy Requirements which focus on the design of housing units and the relationship with their immediate surroundings. The SPPRs relevant to the proposed development are set out below:

SPPR 1 – Separation Distances:

"It is a specific planning policy requirement of these Guidelines that statutory development plans shall not include an objective in respect of minimum separation distances that exceed 16 metres between opposing windows serving habitable rooms at the rear or side of houses, duplex units or apartment units above ground floor level. When considering a planning application for residential development, a separation distance of at least 16 metres between opposing windows serving habitable rooms at the rear or side of houses, duplex units and apartment units, above ground floor level shall be maintained. Separation distances below 16 metres may be considered acceptable in circumstances where there are no opposing windows serving habitable rooms and where suitable privacy measures have been designed into the scheme to prevent undue overlooking of habitable rooms and private amenity spaces.

There shall be no specified minimum separation distance at ground level or to the front of houses, duplex units and apartment units in statutory development plans and planning applications shall be determined on a case-by-case basis to prevent undue loss of privacy.

In all cases, the obligation will be on the project proposer to demonstrate to the satisfaction of the planning authority or An Bord Pleanála that residents will enjoy a high standard of amenity and that the proposed development will not have a significant negative impact on the amenity of occupiers of existing residential properties.

This SPPR will not apply to applications made in a Strategic Development Zone until the Planning Scheme is amended to integrate changes arising from the SPPR. Refer to Section 2.1.2 for further detail."
The layout of the proposed development has been carefully considered locating windows towards the rear of the units to prevent overlooking from opposing windows in accordance with SPPR 1 above.

SPPR 3 – Car Parking

"It is a specific planning policy requirement of these Guidelines that:

(i) In city centres and urban neighbourhoods of the five cities, defined in Chapter 3 (Table 3.1 and Table 3.2) ***car-parking provision should be minimised, substantially reduced or wholly eliminated.*** *The maximum rate of car parking provision for residential development at these locations, where such provision is justified to the satisfaction of the planning authority, shall be 1 no. space per dwelling* ***[emphasis added].***

(ii) In accessible locations, defined in Chapter 3 (Table 3.8) car- parking provision should be substantially reduced. The maximum rate of car parking provision for residential development, where such provision is justified to the satisfaction of the planning authority, shall be 1.5 no. spaces per dwelling.

(iii) In intermediate and peripheral locations, defined in Chapter 3 (Table 3.8) the maximum rate of car parking provision for residential development, where such provision is justified to the satisfaction of the planning authority, shall be 2 no. spaces per dwelling

Applicants should be required to provide a rationale and justification for the number of car parking spaces proposed and to satisfy the planning authority that the parking levels are necessary and appropriate, particularly when they are close to the maximum provision. The maximum car parking standards do not include bays assigned for use by a car club, designated short stay on–street Electric Vehicle (EV) charging stations or accessible parking spaces. The maximum car parking standards do include provision for visitor parking.

This SPPR will not apply to applications made in a Strategic Development Zone until the Planning Scheme is amended to integrate changes arising from the SPPR. Refer to Section 2.1.2 for further detail."

The subject site is classified as a 'High Capacity Public Transport Node or Interchange' (Table 3.8 of the Guidelines) as it is within 500m to an existing BusConnects 'Core Bus Corridor'. The N11 is served by the E-Spine Bus Corridor and the closest bus stop is approximately c. 220m from the site (3-minute walk).

Given the sites strategic location, which is well served by public transport options, no car parking provision is provided to serve the 3 no. 2-bedroom apartment units in accordance with SPPR 3 above. Car parking provision is discussed in further detail in Section 6.5 below.

SPPR 4 – Cycle Parking and Storage

The following requirements for cycle parking and storage are recommended:

(i) "Quantity – in the case of residential units that do not have ground level open space or have smaller terraces, a general minimum standard of 1 cycle storage space per bedroom should be applied. Visitor cycle parking should also be provided. Any deviation from these standards shall be at the discretion of the planning authority and shall be justified with respect to factors such as location, quality of facilities proposed, flexibility for future enhancement/ enlargement, etc. It will be important to make provision for a mix of bicycle parking types including larger/heavier cargo and electric bikes and for individual lockers.

(ii) Design – cycle storage facilities should be provided in a dedicated facility of permanent construction, within the building footprint or, where not feasible, within an adjacent or adjoining purpose-built structure of permanent construction. Cycle

parking areas shall be designed so that cyclists feel safe. It is best practice that either secure cycle cage/compound or preferably locker facilities are provided."

Secured and sheltered cycle parking is provided at basement level in accordance with SPPR 4.

5.8 URBAN DESIGN MANUAL – A BEST PRACTICE GUIDE (2012)

The Urban Design Manual – A Best Practice Guide (2009) outlines 12 no. high-level aims in terms of urban design that new development proposals must attempt to achieve. The 12-no. principles has been incorporated into the proposed development as demonstrated in the Design Statement prepared by John O'Neill & Associates.

5.9 DESIGN MANUAL FOR QUALITY HOUSING (2022)

The Design Manual for Quality Housing was published by the Department of Housing, Local Government and Heritage in January 2022 and builds on the principles set out in Quality Housing for Sustainable Communities (2007).

The manual sets out standard internal layouts and sample site layouts which set out urban design and place making priorities whilst promoting compact growth in line with the National Planning Framework 2040. The guidelines also set out universal design principles which promotes accessibility and ensures all proposals are designed to provide for flexibility. In summary, the manual aims to provide a streamlined approach across all design proposals to ensure consistency in housing quality throughout the Country.

We refer to the Design Statement prepared by John O'Neill & Associates which shows incorporation of the manuals design principles within the proposed development.

5.10 DESIGN MANUAL FOR URBAN ROADS AND STREETS (DMURS) 2019:

The Design Manual for Urban Roads and Streets 2019 (DMURS) sets out design guidance and standards for constructing new and reconfiguring existing urban roads and streets in Ireland. It also outlines practical design measures to encourage more sustainable travel patterns in urban areas.

DMURS aims to end the practice of designing streets as traffic corridors, and instead focus on the needs of pedestrians, cyclists, and public transport users. The DMURS Manual sets out design guidance and standards for constructing new and reconfiguring existing urban roads and streets in Ireland. Incorporating good planning and design practice and focus on the public realm, it also outlines practical design measures to encourage more sustainable travel patterns in urban areas.

The proposed development has taken into consideration the provision of the DMURS manual 2019.

6.0 PLANNING ASSESSMENT

The Dún Laoghaire-Rathdown County Development Plan 2022-2028 (Development Plan) sets out policies, objectives and the overall strategy for the development of the County over the plan period 2022-2028. The following sections relevant to the proposed development are set out below in further detail.

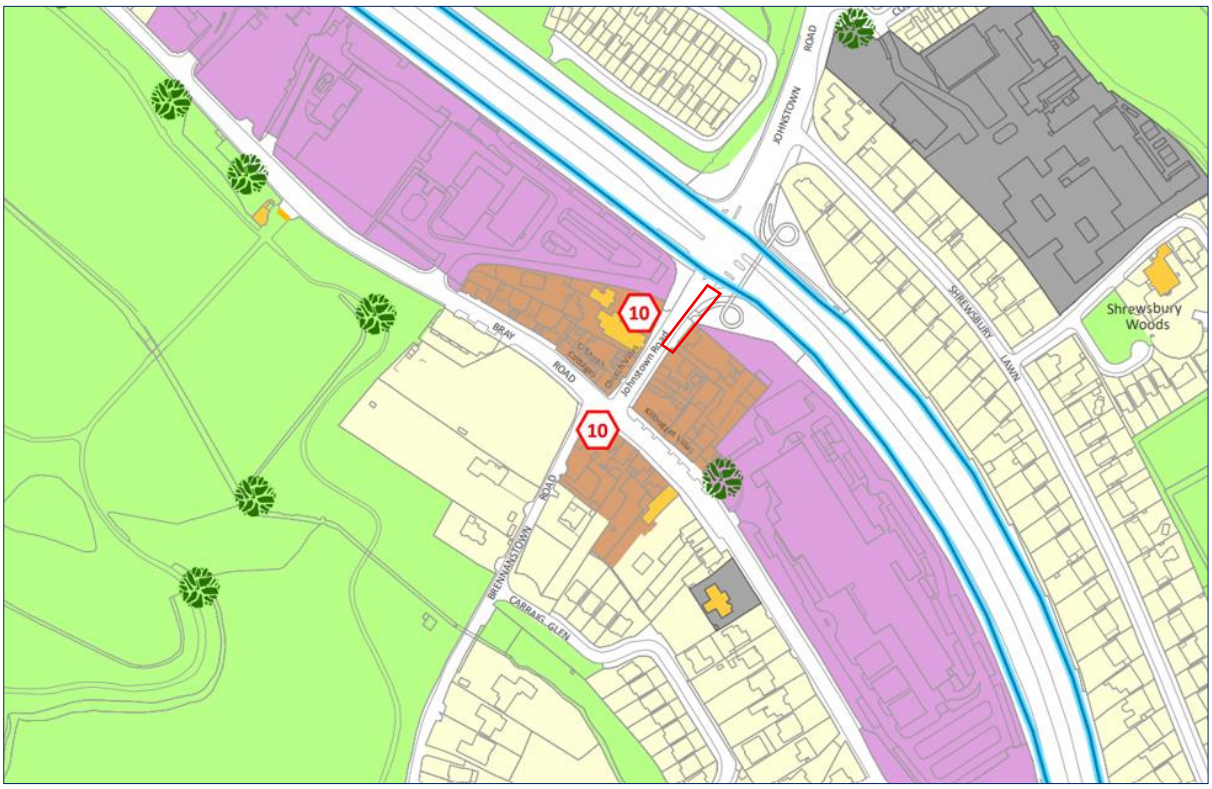
6.1 PLANNING PRINCIPLE

The application proposes a ground floor restaurant unit with 3 no. 2-bedroom apartment units.

As shown below in Figure 6.1 (Map 7 of the Development Plan), the site is located within the neighbourhood centre zoning objective. The primary objective of the NIC zoning is to *"protect, provide for and/or improve mixed-use neighbourhood centre facilities."*

Permissible uses for zoning objective NC as set out in Table 13.1.12 of the Development Plan includes for residential use, restaurant and shop-neighbourhood. The uses proposed are therefore permitted in principle on the subject site.

Figure 6.1: Land Use Zoning Map (site edged in red)



6.2 BROWNFIELD AND INFILL DEVELOPMENT

The Development Plan recognises that the *"delivery of the compact growth agenda requires increased focus on re-using previously development 'brownfield' land, supporting the appropriate development of infill sites, and the re-use or intensification of existing sites."*

Policy Objective PHP18: Residential Density

"Encourage higher residential densities provided that proposals provide for high quality design and ensure a balance between the protection of existing residential amenities and the

established character of the surrounding area, with the need to provide for high quality sustainable residential development."

The proposed development provides a density of 68 dwellings per hectare on a site of c. 0.044 ha. The site presents little opportunity to provide a suitable density without negatively impacting the streetscape on Old Bray Road. The 2-storey building with a 3-storey element to the rear is consistent with the surrounding streetscape in accordance with policy objective PHP18 above.

6.3 HEIGHT

The proposed development provides for a ground floor, first floor and second floor development (three storey development). The following policy objective is of relevance:

Policy Objective PHP42: Building Design & Height:

"It is a Policy Objective to:

- *Encourage high quality design of all new development*
- *Ensure new development complies with Building Height Strategy for the County as set out in Appendix 5 (consistent with NPO 13 of the NPF)."*

With regards to building height, according to Section 3.7 of Appendix 5 of the Development Plan, the general approach in terms of building height for suburban infill sites has been *"to taper height from a high point in the centre of the site down to the site boundaries where the height of adjacent buildings can often be lower."*

In line with this approach, the proposed development will stagger the building height, presenting a two-storey frontage, with a three-storey height to the rear. It is considered that the subject site, with its variations in building heights will maintain the character of the streetscape of Cabinteely Village.

Policy Objective BHS 3 set out in Section 4.4 of the Building Height Strategy states:

"It is a policy objective to promote general building height of 3 to 4 storeys, coupled with appropriate density in what are termed the residual suburban areas of the County provided that proposals ensure a balance between the reasonable protection of existing amenities including residential amenity and the established character of the area."

We have assessed the impact of the proposals on the surrounding area and examined a number of views which are included in the Design Statement submitted as part of this application. It is demonstrated that the proposals will not have a detrimental effect on the existing character and residential amenity as required by Section 4.4 of Appendix 9. The proposed development is supported by Objective BHS 3 and the wider Building Height Strategy.

Since the publication of the Building Height Guidelines in 2018, the Building Height Guidelines contained in Appendix 5 of the Development Plan have been updated to align with the SPPRs set out within the Building Height Guidelines. This has resulted in the removal of maximum heights for residual suburban areas and applications for increased height should be assessed against the comprehensive performance based criteria set out in the Building Height Guidelines.

The Building Height Guidelines 2018 has a clear focus on increased heights and densities in both urban and suburban areas of at least 3-4 storeys, therefore is considered that the

proposed height is in accordance with both the Building Height Strategy of the Development Plan (Appendix 5) and the Building Height Guidelines 2018.

6.4 TRANSPORT AND MOBILITY

The proposed development comprises a restaurant unit at ground floor level and three apartments on upper levels. No additional car parking is proposed due to the site's strategic location and existing on-street car parking provision in Cabinteely Village (for short-stay use only).

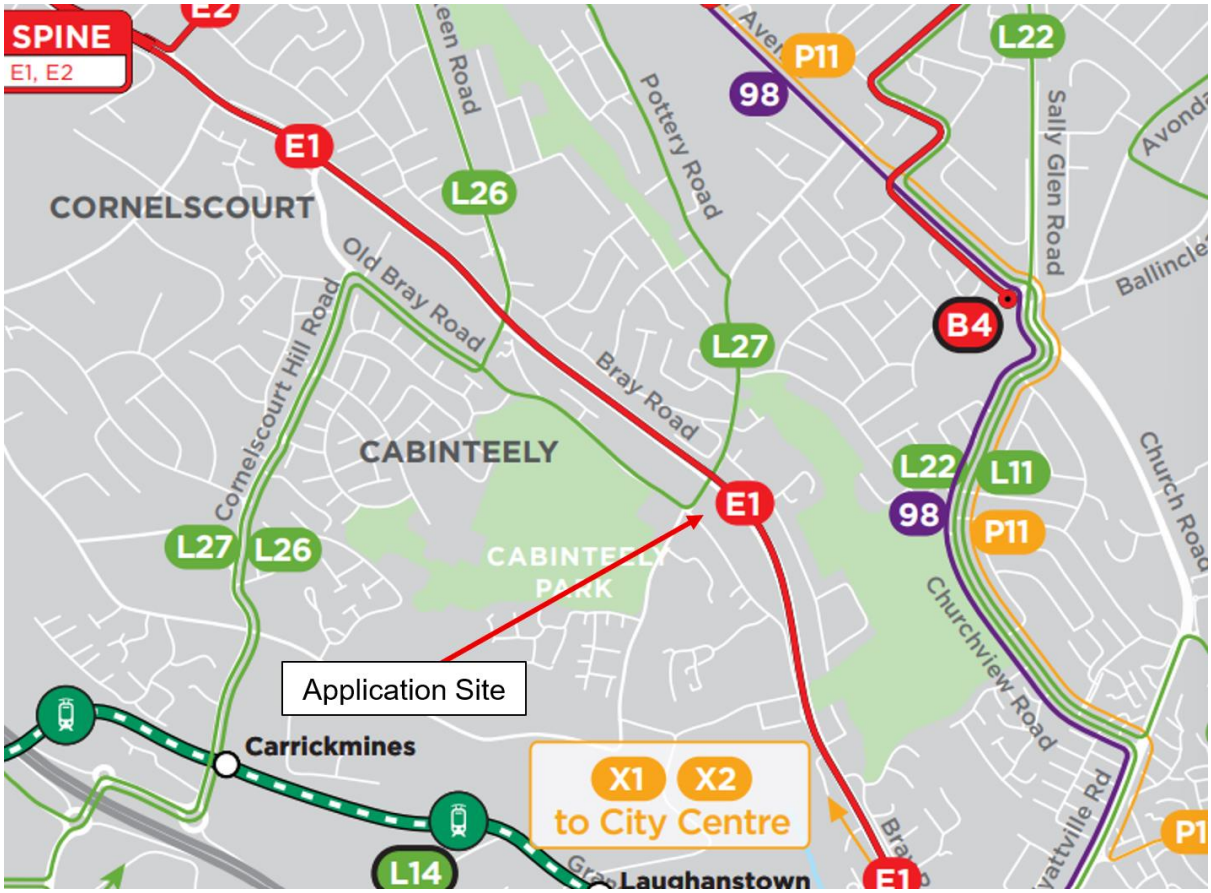
The proposed development is located in the centre of Cabinteely Village. Pedestrian connectivity is provided by the existing network of footpaths and the provision of signalised pedestrian crossings on the Old Bray Road, Johnstown Road and Brennanstown Road in the immediate vicinity of the proposed development.

Existing Bus Services

The closest bus stop is located c. 81m from the subject site on Johnstown Road. This bus stop is served by bus route L27, operated by GoAhead Ireland, and runs between Dún Laoghaire Dart Station and Leopardstown Valley providing links to larege employers in the area such as Amgen and St Michael's Hospital and the Luas Green Line.

Under the BusConnects programme, the N11 National Road (Stillorgan dual carriageway) is designated as the E Spine Corridor. Spine corridor routes are very frequent routes made up of individual bus services that are timetabled to work together over their common sections. The closest bus stop of the N11 is located c. 220m from the subject site (3-minute walk) and is served by Bus Route E1 which connects Bray, Co. Wicklow to Harristown, North Dublin. This bus route has a frequency of bus services between every 8-10 minutes and is a 24-hour service.

Figure 6.2: Bus Services



The N11 is also served by Aircoach Route 702 between Greystones/ Bray and Dublin Airport on an hourly basis.

Existing Luas Services

The closest LUAS stop, Laughanstown Luas Stop, is located c. 1.17km south of the subject site (c. 25-minute walk-time). The Laughanstown Luas stop is served by the green line with services approximately every 4-6 minutes during peak times from Broombridge to Bridesglen.

Existing DART Services

As set out above, the subject site is well connected to DART services via the bus route L27 departing from Johnstown Road (c. 81m from subject site). This bus service connects the site Dún Laoghaire DART station.

During peak hours there is a DART service every c.10 minutes both north and southbound connecting Bray/ Greystones to Howth/ Malahide.

Existing Road Network

The subject site is located on the Old Bray Road. This is a two-way road with footpaths on each side of the road and on streetcar parking permitted on one or both sides of the road in the immediate vicinity of the subject site.

There is a signalised junction to the north of the subject site (Old Bray Road / Johnstown Road) with pedestrian crossings. The N11 is approximately 100m to the east of the subject

site and there is direct access to the road via Johnstown Road. The N11 provides direct access to Dublin City Centre and the strategic road network including the M50 and the M11.

The proposed development constitutes an innovative approach to development and promotes a range of sustainable transport modes, in addition a number of measures will be in place to promote sustainable travel. Measures for the restaurant and residential use include:

- Provision of a Travel Pack to ensure residents are aware of sustainable transport modes and the provision of a residential travel plan co-ordinator to keep all residents informed;
- Promote the Bike to Work Scheme for all staff members of the restaurant;
- Promote the use of Car Sharing Schemes such as GoCar by providing a membership for all households for a period of 2 no. years in accordance with Objective T18 of the Development Plan and the Apartment Guidelines 2025.
- Provision of free city cycling courses for residents and the provision of free bicycle maintenance course for residents.

In order to provide the planning authority greater assurance that the proposed development will not generate private vehicle trips or generate demand for car parking spaces, it can be included in the term of the sale and lease of any apartment that applying for on streetcar parking permits will not be allowed.

The subject site is well served by existing public transport services, including a 24-hour bus service, connecting the site to Dublin City Centre, North Dublin, South Dublin and Wicklow. It is considered due to the site location in an accessible urban location and proximity of high frequency public transport services, car parking for both restaurant and residential element is supported by Section 28 Guidelines including the Planning Design Standards for Apartments 2025 and the Sustainable Residential Development and Compact Settlement Guidelines 2024.

6.5 CAR PARKING

As set out above, the proposed development does not seek to provide car parking due to its strategic location in proximity to public transport options and the existing on-street parking on Old Bray Road and within the surrounding area.

As defined in the Sustainable Residential Development and Compact Settlement Guidelines 2024, the subject site is considered as a High-Capacity Public Transport Node or Interchange:

High Capacity Public Transport Node or Interchange

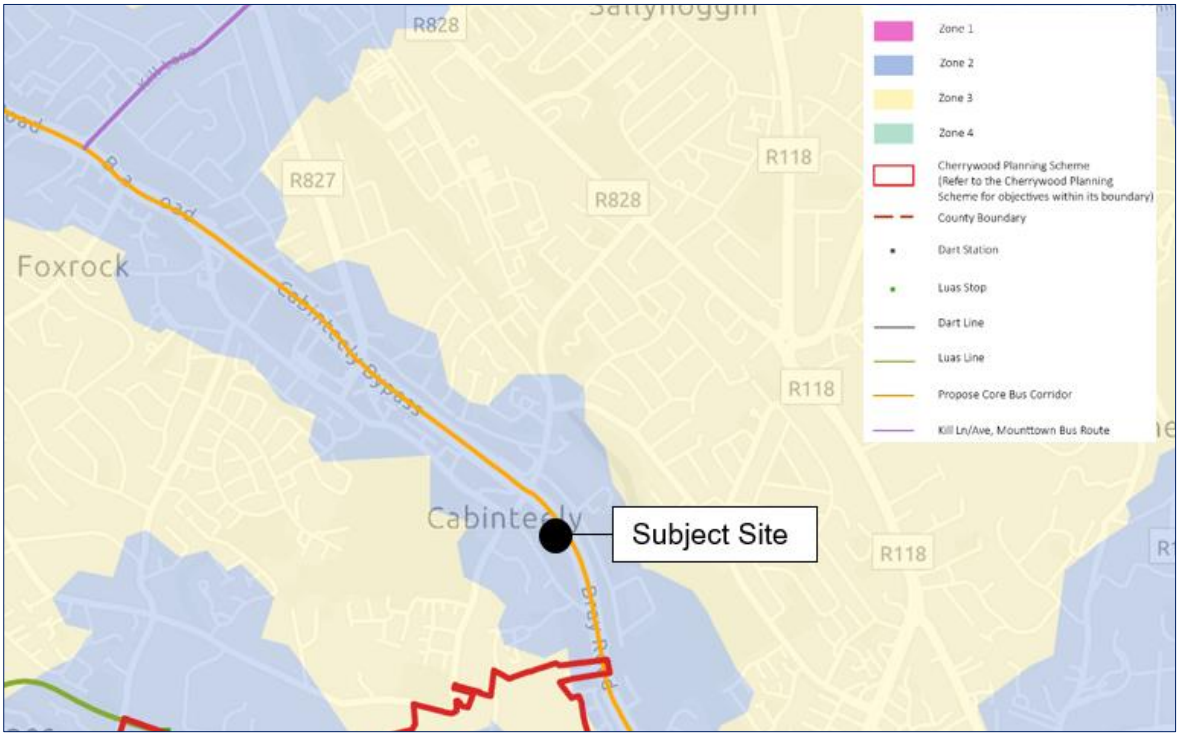
- Lands within 1,000 metres (1km) walking distance of an existing or planned high capacity urban public transport node or interchange, namely an interchange or node that includes DART, high frequency Commuter Rail[11], light rail or MetroLink services; or locations within 500 metres walking distance of an existing or planned BusConnects 'Core Bus Corridor'[12] stop.
- Highest densities should be applied at the node or interchange and decrease with distance.
- 'Planned public transport' in these Guidelines refers to transport infrastructure and services identified in a Metropolitan Area Transport Strategy for the five cities and where a public authority (e.g. National Transport Authority, Transport Infrastructure Ireland or Irish Rail) has published the preferred route option and stop locations for the planned public transport.

These guidelines support a reduced car parking provision in locations classified as a High-Capacity Public Transport Node or Interchange and state:

"In city centres and urban neighbourhoods of the five cities, defined in Chapter 3 (Table 3.1 and Table 3.2) car-parking provision should be minimised, substantially reduced or wholly eliminated. The maximum car parking provision for residential development at these locations, where such provision is justified to the satisfaction of the planning authority, shall be 1 no. space per dwelling."

The subject site falls within Car Parking Zone 2 as shown below in Figure 6.2.

Figure 6.3: DLRCC Parking Zones with subject site shown



The Development Plan notes that for residential used reduced provision may be acceptable dependent on criteria set out in Section 12.4.5.2 of the Development Plan (Application of Standards). The criteria relevant to the subject site and our response is set out below:

Table 6.1: Assessment Criteria for Deviation from Car Parking Standards

Assessment Criteria	Our Response
Proximity to public transport services and level of service and interchange available.	The proposed development is c. 220m from the N11 BusConnects 'Core Bus Corridor' which is served by the E-Spine route.
Walking and cycling accessibility/permeability and any improvement to same.	The subject site is connected to Cabinteely Village through the existing footpath network and pedestrian crossings. The N11 is served with a dedicated cycle lane connecting the site to Dublin City Centre.
The need to safeguard investment in sustainable transport and encourage a modal shift.	The reduced parking provision will encourage future residents to utilise available public transport options and promoter sustainable transport measures through reducing the reliance on the car in accordance with the Development Plan and national guidelines.

Availability of car sharing and bike / e-bike sharing facilities.	As noted above, the applicant is committed to promoting the use of Car Sharing Schemes by providing a membership for all households for a 2-no. year period in accordance with Policy Objective T18 of the Development Plan.
Existing availability of parking and its potential for dual use.	There is adequate on-street car parking outside (short-stay) for customers of the proposed restaurant at ground floor level. It is noted that this parking model works well for surrounding businesses.
Particular nature, scale and characteristics of the proposed development (as noted above deviations may be more appropriate for smaller infill proposals).	The proposed development comprises an infill development and makes an appropriate use of a current derelict site. Due to the size of the site (0.044ha), it is not feasible to provide car parking within the site and would jeopardise the high-quality designed scheme. Given the sites strategic location in proximity to the N11, it is considered car parking provision would not be necessary.
The range of services available within the area.	As set out above, the proposed development is within c. 220m from a BusConnects corridor, c. 1.17km from Luas Services and is connected to Dún Laoghaire Dart Station via Bus Route L27.
Impact on traffic safety and the amenities of the area.	The proposed development is not considered to generate a large volume of traffic and traffic impact on the surrounding safety and amenities is envisaged to be low.
Capacity of the surrounding road network.	The proposed development is located to the south of the N11 national road which is a high-capacity transport corridor and is connected via the Old Bray Road, a local road which connects the site to Cabinteely Village.
Urban design, regeneration and civic benefits including street vibrancy.	Proposals to provide a Cabinteely Greenway ran from 30th October – 11th December 2025 to provide for c. 2.3km. The closest section of the greenway to the subject site is from Cabinteely Park to the N11 via the Clonkeen Road. Reduced car parking provision supports the delivery of the greenway.
Robustness of Mobility Management Plan to support the development.	Trip demand is envisaged to be below from the proposed development and it is therefore considered a Mobility Management Plan is not necessary for the proposed development.
The availability of on street parking controls in the immediate vicinity.	There is a good provision of paid on street parking on Old Bray Road including spaces with EV charging infrastructure.

For the reasons set out in the response above, a reduced car parking provision at this strategic location is appropriate. We further note that the café/restaurant is intended to serve a 'walk-in' population and will typically have limited carparking as set out in Chapter 13 of the Development Plan.

The proposed development generates a requirement for 10 no. spaces including 3 no. spaces for the residential use and 7 no. spaces for the commercial unit (restaurant and retail use). The requirement of 10 no. spaces can be facilitated within the existing car parking provision.

We further note that An Coimisiún Plenala in deciding on the appeal of the previously permitted scheme (DLRCC Reg. Ref.: D18A/1118 and ABP Ref.: 303723) supported no car parking provision at this location due to the proximity to the N11 corridors, available transport options

and a wide range of services and amenities in the surrounding area. The Inspector concluded the following:

"The appeal site is the type of site envisaged as suitable for car free use in the development plan, and this type of development would be consistent with national guidance. I would therefore consider that permitting the development without curtilage or street parking availability to be acceptable in principle."

The reduced car parking provision is supported by the provisions of the Development Plan and the Sustainable Residential Development and Compact Settlement Guidelines 2024.

6.6 CYCLE PARKING

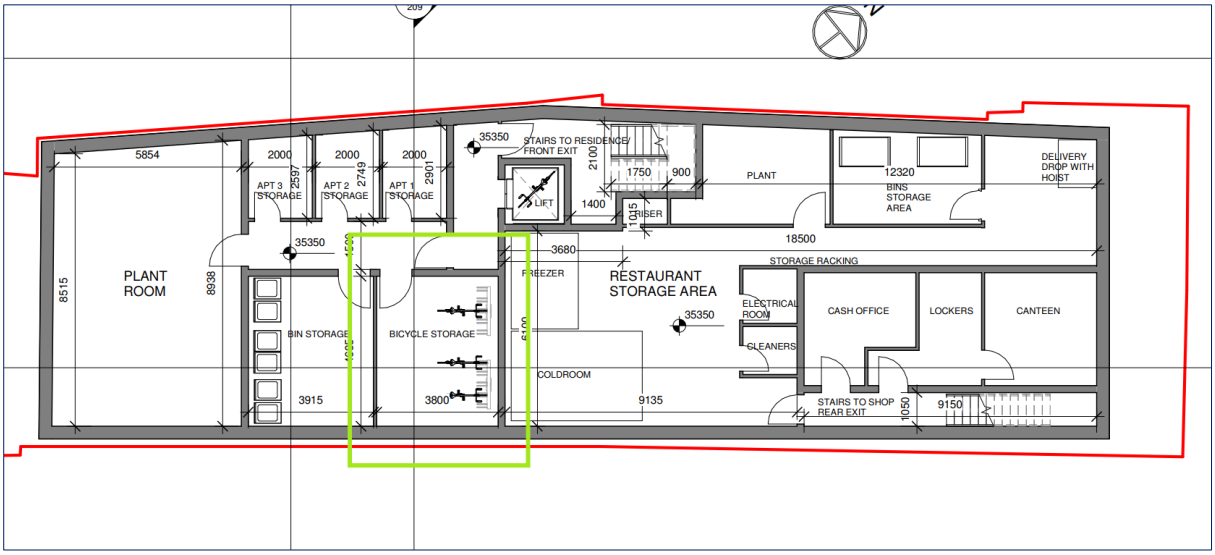
The application proposes cycle parking within the basement for residents and employees of the restaurant use. As per the 'DLRCC Services Department Standards for Cycle Parking and associated Cycling Facilities for New Development (2018)', the cycle parking standards are set out below:

Table 6.2: Cycle Parking Standards

Development Type	Short Stay (minimum of 2 spaces in both cases)	Long Stay (minimum of 2 spaces in both cases)
Apartments, Flats, Sheltered Housing	5 units	1 unit
Cafes, Restaurants	100 sq.m PFA	5 staff
Retail – Comparison	100 sq.m PFA	5 staff

Section 12.4.6.2 of the Development Plan sets out guidance for new residential developments of 5 units or more or non-residential development of 400 sq.m. Whilst the proposed development comprises 3 no. residential units and a commercial unit of c. 310 sq.m (ground floor area) for the provision of restaurant and retail this guidance has been followed to demonstrate good practice.

Figure 6.4: Proposed Cycle Storage at Basement Level



A total of 18 no. cycle spaces are provided at basement level in accordance with the cycle parking standards contained within the Development Plan.

6.7 DAYLIGHT SUNLIGHT

As per Section 12.3.4.2 of the Development Plan, a daylight sunlight assessment is required for residential development of 50 or more units. A daylight, sunlight and overshadowing study has been prepared by IES Environmental Services and accompanies this application.

The study report assesses shadow analysis, sunlight to amenity spaces, sunlight to existing buildings and the proposed buildings and daylight to existing buildings and proposed development. The key findings are summarised under separate headings below:

Shadow Analysis

The shadow analysis was assessed on March 21st, June 21st and December 21st at locations on the Old Bray Road, Bray Road – Rear and Johnstown Road – Rear. The analysis observed no additional shading than present. There was minimal additional shading observed at Johnstown Road – Rear on the 21st June and 21st December between 8am and 12pm.

Sunlight to Amenity Spaces

For an amenity space to appear adequately sunlight, at least half of the garden or amenity area should receive at least 2 hours of sunlight on March 21st. The majority of the amenity spaces will receive similar levels of sunlight with 3 out of 4 cases of the results complying with the BRE recommendations.

Sunlight to Existing Buildings and Proposed Buildings

A total of 67% of points tested for sunlight to existing buildings are in line with the recommended values set out in the BRE guidelines. This highlights that the proposed development will have a negligible impact to the sunlight received to the existing neighbouring properties (living areas).
A total of 80% of points tested for sunlight to the proposed development which is considered very high and factors such as site constraints and orientation play a part in the outcome of the assessment. Overall, the sunlight provision results of the proposed development are considered to be very good considering not all living areas and balconies are facing south.

Daylight to Existing Buildings and Proposed Development

A total of 64% of the points test for daylight to existing buildings comply with BRE guidelines and highlights that the proposed development will have negligible impact to the daylight received to existing neighbouring properties.

The proposed development performs well when considering daylight into the building taking into account specific design features where lower levels of daylight were measured including larger bedroom floor area, own private and communal amenity provision and a large living, kitchen and dining (KDS) area.

For further details with regard to daylight sunlight, please refer to the accompanying Daylight, Sunlight and Overshadowing Study prepared by IES Environmental Services.

6.8 DUAL ASPECT

Section 12.3.5.1 of the Development Plan refers to dual aspect in apartment schemes and states:

- *"There shall generally be a minimum of 50% dual aspect apartments in a single scheme.*
- *For building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha, DLR may exercise discretion to consider dual aspect unit provision at a level lower than the 50% minimum outlined above on a case-by case basis."*

The proposed development seeks permission for 3 no. apartments which are all dual aspect (100%) in accordance with Section 12.3.5.1 of the Development Plan.

6.9 PRIVATE AND COMMUNAL AMENITY SPACE

The proposed development provides for a communal courtyard of c. 45 sq.m at first floor level in accordance with the communal amenity space standards set out in Table 12.9 of the Development Plan:

Table 6.3: Communal Amenity Space Requirements

Unit Type	Minimum Area	Area Provided
Two Bedrooms (4 beds) – 3 apartments	7 sq.m per unit x 3 Apartments = 21 sq.m	45 sq.m

The proposed courtyard exceeds the minimum communal amenity space requirements which equates to c. 15 sq.m of communal space per unit.

Table 12.11 of the Development Plan sets out standards for private amenity space requirements in accordance with the Apartment Guidelines 2025. Two bedrooms (4 persons) should provide a minimum of 7 sq.m of private amenity space, all terraces and balconies proposed either meet or exceed the minimum requirements as set out below:

Table 6.4: Private Amenity Space Requirements

Unit Type	Balcony / Terrace Sq.m
Apartment 1 - Two Bedrooms (4 persons)	15 sq.m
Apartment 2 - Two Bedrooms (4 persons)	7 sq.m
Apartment 3 - Two Bedrooms (4 persons)	7 sq.m

The proposed development is in accordance with the communal amenity and private amenity open space standards of the Development Plan.

6.10 REFUSE

Adequate refuse storage, recycling and composting areas are provided for the proposed apartments is provided at basement level in accordance with section 12.3.4.7 of the Development Plan. The proposed bin store is located in beside the stairs and lift to provide easy access to the waste collection point at ground floor level.

The commercial unit has dedicated bin storage beside the delivery hoist for easy removal for refuse collection.

6.11 SEPERATION DISTANCES

Due to the size of the infill site, c.0.044ha, it is constrained by its site boundaries including the row of terraced units to the east, a private lane way to the south and the Horse and Hound Public House to the west.

As set out in SPPR 1 of the Sustainable Residential Development and Compact Settlement Guidelines 2024, *"separation distances below 16 metres may be considered acceptable in circumstances where there are no opposing windows serving habitable rooms and where suitable privacy measures have been designed into the scheme to prevent undue overlooking of habitable rooms and private amenity spaces."*

The proposed development has been carefully designed to include windows on the northern and southern elevations only looking onto Old Bray Road to the north and the private laneway to the south. Therefore, there are no opposing windows serving habitable rooms overlooking onto existing properties. We note that this approach was previously acceptable to the Planning Authority within the previous permitted scheme (DLRCC Reg. Ref.: D18A/1118) which stated:

"I note less than 22m separation distance is provided between apartment 1 and 2, by way of the first-floor courtyard. However, the windows to apartment 1 have been angled and as a result the windows are not directly opposing and the proposals are consistent with Section 8.2.8.4 (ii) Separation distances. I consider the position of the courtyard between apartments 1 and 2 as acceptable in relation to effects on the residential amenities in the vicinity of the subject site."

The separation distances have been designed out to be respectful of neighbouring properties and the reduced distance is in accordance with SPPR 1 of the Sustainable Residential Development and Compact Settlement Guidelines 2024.

6.12 STORAGE

Internal storage standards are set out in section 12.3.5.3 of the Development Plan in accordance with the Apartment Guidelines 2025. A two-bedroom (4 persons) apartment is required to provide a minimum of 6 sq.m of internal storage below and the internal storage provision for the proposed development is set out below:

Table 6.5: Apartment Storage Requirements

Unit Type	Internal Storage Sq.m
Apartment 1 - Two Bedrooms (4 persons)	8 sq.m
Apartment 2 - Two Bedrooms (4 persons)	7.5 sq.m
Apartment 3 - Two Bedrooms (4 persons)	10.5 sq.m

The proposed development exceeds the minimal internal storage requirements set out in the Development Plan and Apartment Guidelines 2025.

6.13 SUDS AND DRAINAGE

The proposed development incorporates SuDS features to treat and reduce rainwater run-off where possible. The following SuDS measures are proposed:

- **Green Roof** – A green roof of c. 46 sq.m is provided at first floor level which will absorb rainwater through the water buffering plants, substrate and drainage layer.
- **Rainwater Harvesting –** rainwater not absorbed by the proposed green roof will be directed to a separate tank in the basement and the recycled rainwater will be used for the toilets of the restaurant and other commercial uses.
- **Permeable Paving** – Whilst the majority of the site is covered by the new building, a small area of permeable paving will be provided where feasible.

The proposed SuDS measures are provided in accordance with the Development Plan, for further details please refer to the Infrastructure Services Report prepared by McCrae Consulting Engineers accompanying this planning application

7.0 CONCLUSION

This Planning Report has been prepared by John Spain Associates on behalf of West Group Investments Limited to support a planning application for the redevelopment of 3 Kilbogget Villas, Cabinteely, Dublin 18. The proposal seeks permission for a high-quality, mixed-use development comprising a ground-floor café/restaurant unit and three x 2-bedroom apartments in a part–two, part–three storey building over basement.

The proposal is fully consistent with the Dún Laoghaire–Rathdown County Development Plan 2022–2028, which designates the lands as Neighbourhood Centre (NC), permitting both residential and café/restaurant use in principle. The scheme also aligns strongly with national and regional policy objectives promoting compact growth, brownfield regeneration, sustainable mobility, and increased residential density in existing settlements. It reflects current Section 28 Guidelines including the NPF 2040 First Revision, the Sustainable Residential Development & Compact Settlement Guidelines 2024, the Planning Design Standards for Apartments 2025, and the Building Height Guidelines 2018.

The proposed scheme is identical to development previously permitted by An Bord Pleanála under Reg. Ref.: D18A/1118 / ABP Ref.: 303723, as amended to include the restaurant use permitted under Reg. Ref.: D22A/0526 / ABP Ref.: 316246. The Board previously considered the proposals acceptable in terms of use, scale, height, massing, access, parking and amenity.

The development has been carefully designed to ensure a high standard of residential amenity, including dual-aspect units, generous internal layouts, compliant storage, private balconies and a high-quality communal courtyard. No car parking is proposed, consistent with Section 28 Guidelines for developments located at high-capacity public transport nodes and the scheme provides secure cycle parking at basement level.

Overall, the proposal represents a well-considered, policy-led redevelopment of a derelict infill site that will significantly enhance Cabinteely Village. It reinstates an active streetscape, provides high-quality homes, supports village vibrancy, and delivers compact growth in accordance with national, regional and local planning policy.

Having regard to the planning history, site context, design quality and comprehensive policy compliance outlined in this report, it is respectfully submitted that the proposed development constitutes an appropriate and sustainable form of development, and that planning permission should therefore be granted.

JSA John Spain Associates

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Appendix C: ACP Ref.: ABP-303723-19 – Board Order

An Bord Pleanála

Board Order

ABP-303723-19

Planning and Development Acts 2000 to 2019

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D18A/1118

Appeal by West Group Investments Limited care of RPS Group of West Pier Business Campus, Dún Laoghaire, County Dublin against the decision made on the 21st day of January, 2019 by Dún Laoghaire-Rathdown County Council to refuse permission for the proposed development.

Proposed Development: Demolition of the existing building on site and erection of a part two, part three-storey building with the taller element located to the rear, comprising a ground floor retail unit with three two bedroom apartments above, internal courtyard, roof terrace, private amenity space provided by balconies, refuse storage, cycle storage and all other ancillary works. A basement is proposed to provide ancillary storage and services to both the retail and residential uses, all at 3 Kilbogget Villas, Old Bray Road, Cabinteely, Dublin.

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

Matters Considered

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

Reasons and Considerations

Having regard to the Neighbourhood Centre (NC) zoning of the site and to the nature and scale of development in the vicinity, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area, and would not cause traffic congestion or interfere with traffic safety. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by An Bord Pleanála on the 18th day of February, 2019, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Prior to commencement of development, the developer shall submit to and agree in writing with the planning authority, a travel plan for the future residential users of the residential units. This travel plan shall include proposals to ensure users do not park cars in the vicinity and detailed provisions for bike and shared use vehicles for the future occupants.

Reason: In the interest of reducing traffic congestion.

3. Construction works shall not commence until written confirmation has been provided to the planning authority that Irish Water have agreed all details for the provision of water and foul/surface water drainage for the proposed development.

Reason: In the interest of clarity.

4. Details, including samples, of the materials, colours and textures of all the external finishes to the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of the visual amenities of the area.

5. Details of all external shopfronts and signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of the amenities of the area/visual amenity.

6. No advertisement or advertisement structure shall be erected or displayed on the building or within the curtilage of the site in such a manner as to be visible from outside the building, unless authorised by a further grant of planning permission.

Reason: In the interest of visual amenity.

7. Security roller shutters, if installed, shall be recessed behind the perimeter glazing and shall be factory finished in a single colour to match the colour scheme of the building. Such shutters shall be of the 'open lattice' type and shall not be used for any form of advertising, unless authorised by a further grant of planning permission.

Reason: In the interest of visual amenity.

8. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the amenities of property in the vicinity.

9. No additional development shall take place above roof parapet level, including lift motor enclosures, air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennas or equipment, unless authorised by a further grant of planning permission.

Reason: To protect the residential amenities of property in the vicinity and the visual amenities of the area.

10. The management and maintenance of the proposed development, following completion, shall be the responsibility of a legally constituted management company, which shall be established by the developer. A management scheme, providing adequate measures for the future maintenance of the development; including the external fabric of the buildings, internal common areas (residential and commercial), open spaces, landscaping, waste storage facilities and sanitary services, shall be submitted to and agreed in writing with the planning authority, before any of the residential or commercial units are made available for occupation.

Reason: To provide for the future maintenance of this private development in the interest of residential amenity and orderly development.

11. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

12. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the "Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects", published by the Department of the Environment, Heritage and Local Government in July 2006. The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Region in which the site is situated.

Reason: In the interest of sustainable waste management.

13. Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in relation to the provision of housing in accordance with the requirements of section 94(4) and section 96(2) and (3) (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate shall have been applied for and been granted under section 97 of the Act, as amended. Where such an agreement is not reached within eight weeks from the date of this order, the matter in dispute (other than a matter to which section 96(7) applies) may be referred by the planning authority or any other prospective party to the agreement to An Bord Pleanála for determination.

Reason: To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan of the area.

14. The developer shall pay to the planning authority a financial contribution 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. Details of the application of the terms of the Scheme shall be agreed 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: 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.

Michelle Fagan
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this day of 2019.

Appendix D: DLR Development Contributions Scheme

Dún Laoghaire-Rathdown County Council

Development Contribution Scheme 2023-2028

Section 48, Planning & Development Act, 2000, (as amended)

Comprising (1) Countywide excluding the Sandyford Urban Framework Plan Area and the Cherrywood Planning Scheme Area

-And-

(2) The Sandyford Urban Framework Plan Area Only (Countywide Contribution + SUFP Contribution)

1. Legislation and Definitions

1.1. The Dún Laoghaire-Rathdown County Council Development Contribution Scheme 2023-2028 (the "**Scheme**") is made by Dun Laoghaire-Rathdown County Council (the "**Council**") in exercise of its powers under Section 48 of the Planning and Development Act, 2000 (as amended) (the "**2000 Act**").

1.1.1. Section 48(1) of 2000 Act, enables a planning authority, when granting a planning permission under section 34 of the 2000 Act, to include conditions for requiring 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 (regardless of other sources of funding for the infrastructure and facilities).

1.1.2. Section 48(2)(a) of the 2000 Act provides that the basis for the determination of a contribution under section 48(1) of the 2000 Act shall be set out in a development contribution scheme made under section 48, and that a planning authority may make one or more schemes in respect of different parts of its functional area. The Scheme shall apply in respect of the County of Dún Laoghaire-Rathdown (including the Sandyford Urban Framework Plan Area) except for the Cherrywood Planning Scheme Area. The development contribution scheme in respect of the Cherrywood Planning Scheme Area for the time being in effect shall apply to development in that area.

1.1.3. Under Section 48(2)(b) a scheme may make provision for payment of different contributions in respect of different classes or descriptions of development. The Scheme makes provision for different contributions in respect of residential development and commercial development. For the purpose of the Scheme residential development includes houses, apartments and duplexes for residential use, whereas commercial development is any other type of development that is not residential development.

1.1.4. Section 48(3)(a) of the 2000 Act provides that a scheme shall state the basis for determining the contributions to be paid in respect of public infrastructure and facilities, in accordance with the terms of the scheme.

1.1.5. Section 48(3)(b) of the 2000 Act provides that in stating the basis for determining the contributions in accordance with section 48(3)(a) of the 2000 Act, the scheme must indicate the contribution to be paid in respect of the different classes of public infrastructure and facilities which are provided or to be provided by any local authority and the planning authority shall have regard to the actual estimated cost of providing the classes of public infrastructure and facilities, except that any benefit which accrues in respect of existing development may not be included in any such determination. The classes of public infrastructure and facilities in respect of which contributions are to be paid are indicated in the Tables provided in Article 4 and Appendix II and III of the Scheme.

1.1.6. Section 48(3)(c) of the 2000 Act provides that a scheme may allow for the payment of a reduced contribution or no contribution in certain circumstances, in accordance with the provisions of the scheme.

1.1.7. Section 48(14)(a) of the 2000 Act provides that money accruing to a local authority under section 48 of the 2000 Act shall be accounted for in a separate account, and shall only be applied as capital for public infrastructure and facilities.

1.1.8. Section 48(15)(a) provides that a planning authority may facilitate the phased payment of contributions under section 48 of the 2000 Act and may require the giving of security to ensure payment of contributions.

1.1.9. Section 48(17) provides that the "public infrastructure and facilities" means—

(a) the acquisition of land,

(b) the provision of open spaces, recreational and community facilities and amenities and landscaping works,

(c) the provision of roads, car parks, car parking places, surface water sewers and flood relief work, and ancillary infrastructure,

(d) the provision of bus corridors and lanes, bus interchange facilities (including car parks for those facilities), infrastructure to facilitate public transport, cycle and pedestrian facilities, and traffic calming measures,

(e) the refurbishment, upgrading, enlargement or replacement of roads, car parks, car parking places, surface water sewers, flood relief work and ancillary infrastructure,

(f) the provision of high-capacity telecommunications infrastructure, such as broadband,

(g) the provision of school sites, and

(h) any matters ancillary to paragraphs (a) to (g).

1.2. In accordance with section 28(1) of the 2000 Act, when making the Scheme the Council has had regard to ministerial guidelines issued by the Minister for Housing, Local Government and Heritage.

1.3. In the Scheme: -

i. "building" means a building, structure or erection (whether permanent or temporary) of any kind or of any materials;

ii. "shop" means a structure used for any or all of the following purposes, where the sale, display or service is principally to visiting members of the public—

(a) for the retail sale of goods,
(b) as a post office,
(c) for the sale of tickets or as a travel agency,
(d) for the sale of sandwiches or other food or of wine for consumption off the premises, where the sale of such food or wine is subsidiary to the main retail use, and "wine" is defined as any intoxicating liquor which may be sold under a wine retailer's off licence (within the meaning of the Finance (1909-1910) Act, 1910), 10 Edw. 7. & 1 Geo. 5, c.8,
(e) for hairdressing,
(f) for the display of goods for sale,
(g) for the hiring out of domestic or personal goods or articles,
(h) as a launderette or dry cleaners,
(i) for the reception of goods to be washed, cleaned or repaired,

but does not include any use associated with the provision of funeral services or as a funeral home, or as a hotel, a restaurant or a public house, or for the sale of hot food or. intoxicating liquor for consumption off the premises except under paragraph (d), or any use to which class 2 or 3 of Part 4 of Schedule 2 of the Planning and Development Regulations 2001 (as amended) applies;.

2. BASIS FOR DETERMINATION OF CONTRIBUTION

2.1. The basis for determination of a contribution under the Scheme is as follows:-

2.1.1. The amount of the actual estimated costs that are attributable to the three classes of public infrastructure and facilities listed in Appendix II and Appendix III to the Scheme in the years to 31st of December 2028. These costs have been included in Tables C & D of Appendix I to the Scheme.

2.1.2. The aggregated units and floor areas in square metres of projected development throughout the County of Dún Laoghaire-Rathdown (ie. Countywide) of each class or description of development, namely residential, commercial and domestic extension, in the years to 31st of December 2028. In the case of projected commercial development in the Sandyford Urban Framework Plan Area, such class or description of development is separated into two sub-classifications, namely commercial office and commercial other. These units and floor areas are included in Tables E & F of Appendix I to the Scheme.

2.1.3. The development contributions payable per unit of residential development, per square metre of commercial development and per square metre of domestic extension were determined upon consideration of a number of factors including:

i. eligible costs of projects;
ii. expected quantum of development;
iii. the level of existing contribution rates;
iv. market conditions.

2.1.4. Table C of Appendix I to the Scheme includes the costs attributable to the classes of infrastructure and facilities listed therein over the lifetime of the Scheme and the contributions allocated to such classes of infrastructure and facilities.

2.1.5. Table D of Appendix I to the Scheme outlines the projected development of infrastructure and facilities over the lifetime of the Scheme.

3. DEVELOPMENT CONTRIBUTIONS

3.1. Under the Scheme, the Council will, when granting permission under Section 34 of the 2000 Act for development in its functional area to which the Scheme applies (including for, the avoidance of doubt, development in the Sandyford Urban Framework Plan Area) include conditions requiring the payment of a contribution (the amount of which is to be determined in accordance with the Scheme) in respect of public infrastructure and facilities benefiting development in the County of Dún Laoghaire-Rathdown and that is provided, or that it is intended will be provided, by or on behalf of Dún Laoghaire-Rathdown County Council, regardless of other sources of funding for the infrastructure and facilities.

3.2. In addition to including conditions requiring the payment of a contribution in accordance with Article 3.1 of the Scheme, the Council will, when granting permission under Section 34 of the 2000 Act for development in the Sandyford Urban Framework Plan Area include conditions requiring the payment of an additional contribution (the amount of which is to be determined in accordance with the Scheme) in respect of public infrastructure and facilities benefiting development in the Sandyford Urban Framework Plan Area and that is provided, or that it is intended will be provided, by or on behalf of Dún Laoghaire-Rathdown County Council, regardless of other sources of funding for the infrastructure and facilities.

3.3. The level of contribution in respect of which payment is to be required under planning permission shall be determined in accordance with the Scheme.

3.4. Contributions in respect of which payment is required under planning permission in accordance with the Scheme are to be paid in respect of three different classes of public infrastructure and facilities, namely Class 1: Community, Parks & Recreational amenities, Class 2: Transport Infrastructure, and Class3: Surface Water Infrastructure. Each contribution collected in respect of each of the foregoing classes of public infrastructure are to only be applied as capital for the class of public infrastructure and facilities in respect of which the contribution concerned was collected.

3.5. For the avoidance of doubt, contributions payable in respect of development in the Cherrywood Planning Scheme Area shall be determined and collected in accordance with the development contribution scheme in respect of development in the Cherrywood Planning Scheme Area for the time being in effect and not under this Scheme.

4. **LEVEL OF CONTRIBUTION**

4.1. The level of contributions to be levied and paid (except where and insofar as an exemption or reduction applies in accordance with Article 7 of the Scheme) in respect of the different classes of public infrastructure and facilities benefitting development throughout the County of Dún Laoghaire-Rathdown (including, for the avoidance of doubt, in the Sandyford Urban Framework Plan Area) are set out in Table A below.

4.2. The level of contributions to be levied and paid (except where and insofar as an exemption or reduction applies in accordance with Article 7 of the Scheme) in respect of the different classes of public infrastructure and facilities benefitting development in the Sandyford Urban Framework Plan Area are set out in Table B below.

Table A: Countywide

Classes of Public Infrastructure	**€ per unit of Residential Development**	**€ per square metre of Domestic Extensions in excess of 40 sq.m**	**€ per square metre of Commercial class of Development**
Class 1: Community & Parks facilities & Recreational amenities	€10,990.14	€94.91	€94.91
Class 2: Transport Infrastructure	€1,962.53	€16.95	€16.95
Class 3: Surface Water Infrastructure	€130.83	€1.13	€1.13
Total of Contributions Payable	**€13,083.50**	**€112.99**	**€112.99**

Table B: Sandyford Urban Framework Plan Area

Classes of Public Infrastructure	€ per unit of Residential Development	€ per square metre of Domestic Extensions in excess of 40 sq.m	€ per square metre Office Commercial Development	€ per square metre Other Commercial Development
Class 1: Community & Parks facilities & Recreational amenities	€4,414.94	€0	€19.33	€10.27
Class 2: Transport Infrastructure	€1,892.11	€0	€72.70	€38.64
Total of Contributions Payable	**€6,307.05**	**€0**	**€92.03**	**€48.91**

4.3. The County of Dún Laoghaire-Rathdown (ie. Countywide area) in which development is subject to the countywide contribution rates included at Table A above is shown on drawing no. PL-23-044, at Schedule 1 to the Scheme.

4.4. The "**Sandyford Urban Framework Plan Area**" in which development is subject to **both** the countywide contribution rates included at Table A above and the Sandyford Urban Framework Plan Area rates included at Table B above, is shown shaded in blue on drawing no. PL-23-013, at Schedule 2 to the Scheme.

4.5. Car Parking in the Sandyford Urban Framework Plan Area will be levied at Countywide rates only.

4.6. 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 (Domestic Extension Rate, Table A above) per square metre on all areas greater than 150m^2 within a unit. The area will be measured from the internal walls and including the space occupied by any walls, shafts, ducts or structure within the space being measured. This does not apply to apartments or duplexes.

4.7. On the 1st of January 2025, and on the 1st of January every year thereafter throughout the lifetime of the Scheme, 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. For the avoidance of doubt, the rates set forth in Tables A and B are effective from the date on which the Scheme comes into effect. Notwithstanding that the Scheme may be revoked or replaced, indexation shall continue to be applied in respect of all outstanding contribution payments until the contributions have been paid in full.

4.8. Should a geographical area require a higher level of financing for new services and infrastructure than is envisaged within the Scheme, then the Council reserves the right to prepare and adopt a separate scheme under section 48 of the 2000 Act in respect of that particular area or an alternative funding mechanism. Any separate section 48 scheme will include the Countywide contribution as set out in Table A above.

All retention permissions will be charged a multiple of 1.25 times the applicable rates outlined in the Tables above (as index-adjusted from time to time in accordance with the Scheme). Contributions due in respect of permission for retention will become payable immediately upon the issue of the final grant of permission unless otherwise agreed in writing with the Council. No exemptions or reductions under Article 7 of the Scheme shall apply to any development subject to retention permission other than the following list of exemptions, 7.1 - iv. v. vi. vii, viii. ix, x, xv & xvi as detailed below.

5. **Operation of Scheme**

5.1. The Scheme replaces the Dún Laoghaire-Rathdown County Council Development Contribution Scheme 2016-2020 in respect of development in County of Dún Laoghaire-Rathdown (including the Sandyford Urban Framework Plan Area). For the avoidance of doubt, the Scheme does not affect the section 48 scheme in respect of the Cherrywood Planning Scheme Area for the time being in effect.

5.2. Exemptions and reductions provided for by Article 7 of the Scheme shall not apply to any special development contribution(s) in respect of which payment is required pursuant to section 48 (2)(c) of the 2000 Act.

5.3. As noted in Article 1.1.3 of the Scheme, any development (including, for the avoidance of doubt, change of use) that is not residential in nature will be classified as commercial development.

5.4. Contributions collected for each class of public infrastructure i.e. Class 1: Community & Parks Facilities & Recreational amenities, Class 2: Transport Infrastructure and Class 3: Surface Water Infrastructure, shall only be used as capital for the development of the class of public infrastructure concerned.

5.5. Contributions collected in respect of public infrastructure and facilities benefitting development throughout the County of Dún Laoghaire-Rathdown shall only be used to fund that class of public infrastructure and facilities that benefits countywide development, ie. the relevant class of projects listed in Appendix II to the Scheme.

5.6. Contributions collected in respect of public infrastructure and facilities benefitting development in the Sandyford Urban Framework Plan Area only shall only be used to fund that class of public infrastructure and facilities that benefit development in the Sandyford Urban Framework Plan Area only, ie. the relevant class of projects listed in Appendix III to the Scheme.

5.7. Any decision to modify or amend planning permission where there is no additional liable area or unit as per the Scheme, no further contributions will be applied. Any additional floor area or unit will have contributions applied in accordance with the Scheme.

6. **Contribution in Lieu of Public Open Space**

6.1. The Dun Laoghaire-Rathdown County Development Plan 2022 – 2028 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.

6.2. Where the Planning Authority considers that the standards for public open space referred to in the County Development Plan are not met and/or that open space cannot be facilitated within the development

concerned, an additional financial contribution of €7,500,000 per hectare shall be 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.

7. EXEMPTIONS AND REDUCTIONS

7.1. The following categories of development will be exempted from the requirement to pay development contributions under the Scheme: -

i. The first 40 square metres of any domestic extension (including, for the avoidance of doubt, any floor area that is exempted development under the Planning and Development Regulations 2001, Schedule 2, Part 1, Class 1), including granny flats and/or any building that is physically separate/detached from the principal building but located within the curtilage thereof. This exemption is cumulative and limited to 40 square metres in total per unit (including any physically separate building). The exemption hereby provided will not apply to the area of any domestic extension insofar as it exceeds 40 square metres, including granny flats (whether physically connected to the principal building or not), in respect of which development contributions shall be determined and charged in accordance with the Scheme calculated per square metre of development subject to a maximum contribution equivalent that is payable in respect of 1 residential unit.

ii. Domestic extensions for the purpose of providing accommodation for disabled person(s), irrespective of gross floor area, provided that a Housing Adaptation Grant for People with a Disability has been granted under the appropriate scheme; and/or,

   a. in the case of a modification to accommodate the needs of a disabled child under the age of 16 years, the applicant or a member of their household is in receipt of a domiciliary care allowance; and/or,

   b. in the case of a modification to accommodate the needs of an adult, the adult concerned qualifies for an exemption from VAT pursuant to the Value Added Tax (Refund of Tax) (No. 15) Order 1981.

   Note: Where an exemption is claimed on the basis of VAT-exemption status the planning authority may require the applicant to produce a letter of confirmation issued by the Revenue Commissioners.

iii. Attic Conversions and garage conversions attached to the rear or to the side of an existing house.

iv. Embassies.

v. Developments by organisations having exemption from income tax and corporation tax under Section 207 of the Taxes Consolidation Act 1997 and currently holding an exemption certificate from the Revenue Commissioners, including registered charities provided that the development is exclusively for the primary purpose of the organisation/charity. The Council may require production of an affidavit to confirm that the body concerned is entitled to claim this exemption.

vi. Primary schools and post primary schools, non-commercial community centres, youth centres, and similar non-commercial community-related developments.

vii. Social and affordable housing if funding for same is being provided by Central Government on terms that specifically exclude the requirement for the payment of development contributions under a scheme such as the Scheme, and;

a. the housing units that are provided in accordance with an agreement made under Part V of the 2000 Act; and/or

b. the housing units are built by, or on behalf of the Council; and/or

c. the housing units are built by or on behalf of the Land Development Agency, an Approved Housing Body as defined in Section 1 of the Housing (Miscellaneous Provisions) Act, 1992 (as amended), Voluntary or Co-Operative Housing Body reserving tenancy nomination rights to the Council,

provided always that the Housing Department of the Council has confirmed that the development contributions are not due.

The Council may require the applicant for an exemption hereunder produce an affidavit confirming that it is eligible for same.

Where a Part V agreement(s) has not been executed prior to the lodgment of a commencement notice, this exemption shall not apply and the full contribution payable under the permission concerned will remain payable unless and until a Part V agreement(s) is executed.

The exemption shall not apply in respect of housing units provided to the Council, the Land Development Agency or an Approved Housing Body under a lease or similar arrangement.

viii. The non-built elements of recreational facilities (e.g., playing pitches, golf courses).

ix. Broadband Infrastructure (i.e., masts and antennae).

x. Initial afforestation.

xi. Carparking is exempt in the following circumstances:

a. Carparking in residential developments.

b. Carparking integrated within a structure when ancillary to the proposed use of the structure. (When not exempt, i.e. when use is non-ancillary, it will be measured on the basis of the gross floor area.)

c. Designated accessible carparking spaces in accordance with Technical Guidance Document M in all developments shall be exempt from contributions, all designated accessible carparking spaces will be measured at 25 metres square.

Surface car parking is leviable at 25% of the Countywide commercial rate only and will be assessed on the basis of each car parking space being 12 square metres.

xii. Renovations to restore/refurbish structures included in the record of “Protected Structures” in the County Development Plan for the time being in force, but only where the Council is satisfied that the works

substantially contribute to the conservation or restoration of the structure. This exemption shall not apply to any additional floor area that is to be added to a protected structure (including where physically separate from the principal building but within the curtilage thereof) and any such development will be levied at the appropriate rate determined in accordance with the Scheme.

xiii. Agricultural buildings.

xiv. Change of use of an existing premises, including "Living Over The Shop". For clarification purposes this exemption shall not apply to any additional floor area that is to be added (including where physically separate from the principal building but within the curtilage thereof) and any such development will be levied at the appropriate rate determined in accordance with the Scheme.

xv. Substations/Switch Rooms

xvi. Ancillary plant rooms (where plant is not the core activity/operation)

xvii. The first 100 square metres of a 'shop' as defined in Article 1.3 of the Scheme. This exemption will only be applicable where the floor area is described as a shop in the Planning Application form and will only apply to one shop unit per Planning Application. For the avoidance of doubt, any development of a 'shop' shall, insofar and to the extent that it exceeds a gross floor area of 100 square metres, be levied at the appropriate rates of contribution determined in accordance with the Scheme.

xviii. Renewable energy development with a capacity up to 0.5MW. Any such development with a capacity greater than 0.5MW will be charged at a rate of €1,000 per each 0.1 MW above an installed capacity of 0.5MW. The applicant will be required to demonstrate that the development qualifies for this exemption.

7.2. Contributions to be paid in respect of the following shall be reduced in the manner indicated: -

i. 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. Therefore, by way of example, if a 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.

ii. Where existing commercial development is demolished and replaced by new commercial 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. Therefore, by way of example, if 100 square metres of existing commercial development is demolished and replaced by 500 square metres of commercial development, the contributions payable shall be reduced by the equivalent of 50% of the contribution payable in respect of 100 square metres of commercial development.

The reductions at i. and ii. above apply on a 'like for like' basis only and therefore, for the avoidance of doubt, no reduction shall apply where commercial development replaces existing residential development or vice versa.

iii. Contributions in respect of temporary permissions shall be reduced on the following basis:

a. 33% of normal rate for permissions of up to 3 years
b. 50% of normal rate for permissions of up to 5 years
c. 66% of normal rate for permissions of up to 10 years.

When a combination of temporary permissions is granted, any contributions previously paid in connection with that development will be credited against the appropriate contribution owing under any subsequent permission for the same development. Further, in the event that a subsequent application for full planning permission is granted, any contributions previously paid in accordance with temporary permission(s) for that development will be credited against the appropriate contribution owing.

iv. Temporary park-and-ride permissions shall be levied at 25% of the Countywide commercial rate only and will be assessed on the basis of each car parking space being 12 square metres.

v. Where an existing single occupancy house is subdivided into a maximum of two separate residential dwellings, this shall be charged at 50% of the residential development rate in table A only (subject to indexation as per clause 4.7 of the Scheme) any additional floor area will be charged at the applicable rate, subject to the provision of clause 7.1(i)

8. **PAYMENT OF CONTRIBUTION**

8.1. Conditions requiring payment of the contributions provided for in the Scheme will be included in all decisions to grant planning permission made on or after the date on which the Scheme comes into effect.

8.2. Contributions under the Scheme shall be payable prior to commencement of development (including, for the avoidance of doubt, the demolition of any building in accordance with the permission) unless otherwise agreed in writing with the Council. The conditions requiring payment of contributions included by the Planning Authority when granting permission for development to which the Scheme applies shall include a requirement that the contribution concerned be paid prior to commencement of development (including, for the avoidance of doubt, the demolition of any building in accordance with the permission) unless otherwise agreed in writing with the Council.

8.3. Contributions shall be payable at the index-adjusted rate pertaining to the year in which implementation of the planning permission (including, for the avoidance of doubt, the demolition of any building in accordance with the permission) is commenced. Where a contribution that is payable has not been paid in full, the balance outstanding as of the 1st of January each year shall be subject to indexation and adjusted accordingly until the contribution has been paid in full.

8.4. The Council may enter into an agreement to facilitate the phased payment of contributions (a "**phasing agreement**"), and the Council may require the giving of security to ensure payment of contributions. A phasing agreement shall be made in writing between the Council and the developer(s) carrying out development in accordance with a planning permission and shall provide for the payment of all contributions payable under the planning permission concerned. The Council shall enter into only one phasing agreement per planning permission to which all developers under the permission must be a party and which shall provide for the payment of all development contributions in respect of which payment is required by a condition(s) of the permission.

8.5. In accordance with s. 48(15)(c) of the 2000 Act, the Council may recover as a simple contract debt in a court of competent jurisdiction any contribution (including interest and legal costs) that is payable under planning permission in accordance with the Scheme.

8.6. Further or in the alternative, in accordance with Part VIII of the 2000 Act, the Council may institute enforcement action in respect of unauthorised development, comprising development carried out, otherwise that is in conformity with permission pertaining to that development or any condition to which the permission is subject, including but not limited to a condition requiring the payment of a contribution under the Scheme.

8.7. For the avoidance of doubt should a person, including a developer or landowner, deliver or construct any of the public infrastructure and facilities set out in Appendix II or Appendix III of the Scheme, those works shall be at the person's own expense and risk unless the contrary is provided for by a binding legal agreement made in writing between the Council and the person concerned in respect of the delivery and/or construction of the public infrastructure and facilities in question in advance of any works being carried out. For the avoidance of doubt, this will not be by way of offset of contributions.

9. APPEAL TO AN BORD PLEANÁLA (the "Board")

9.1. In accordance with s. 48(10(b) of the 2000 Act, an appeal may be brought to the Board where the applicant for planning permission under s. 34 of the 2000 Act considers that the terms of the Scheme have not been properly applied in respect of any conditions laid down by the Council.

10. REVIEW OF SCHEME

10.1. The Scheme may be reviewed from time to time by the Council having regard to prevailing circumstances. The Council will endeavor to make a new scheme prior to the 31st of December 2028, but the Scheme shall continue in full force and effect until such time as a new scheme comes into effect or the Scheme is revoked by the Members of the Council, whether before or after the 31st of December 2028.

11. SPECIAL DEVELOPMENT CONTRIBUTIONS

11.1. In accordance with section 48 of the 2000 Act, when granting planning permission, the Council may require payment of a special contribution in respect of a particular development where specific exceptional costs not covered by the Scheme are incurred by the Council in respect of public infrastructure or facilities that benefit the proposed development to which the permission relates. The public infrastructure and facilities to which the special contribution relates will be specified in the planning conditions when special development contributions are levied. Only development that will benefit from the public infrastructure or facilities in question will be liable to pay a special development contribution. Conditions imposing special contributions may be appealed to the Board.

12. EFFECTIVE DATE

12.1. The Scheme shall come into effect on the later of the following dates:-

i. 14 days after the Scheme is made by the Elected Members of the Council; or,
ii. the first day of the month immediately following the month in which the Scheme is made by the Elected Members of the Council.

13. CITATION

13.1. The Scheme may be cited as the Dún Laoghaire-Rathdown County Council Development Contribution Scheme (2023-2028)

APPENDIX I

Tables C & D show the costs attributable in the lifetime of the Scheme to the classes of infrastructure and facilities:-

TABLE C: COSTS INCLUDED IN SCHEME (COUNTYWIDE)

	Cost Included in Scheme (Millions)	**Contributions Allocated (Millions)**	**% Contributions Allocated**
Class 1 Community & Parks & Recreational facilities and amenities	€289,761,609	€151,842,204	84%
Class 2 Transport Infrastructure	€170,332,234	€27,560,664	15%
Class 3 Surface Water infrastructure and facilities	€7,667,000	€652,160	1%
Total costs included in Scheme	**€467,760,843**	**€180,055,028**	**100%**

TABLE D: COSTS INCLUDED IN SCHEME (SANDYFORD URBAN FRAMEWORK PLAN AREA)

	Cost Included in Scheme (Millions)	**Contributions Allocated (Millions)**	**% Contributions Allocated**
Class 1 Community & Parks & Recreational facilities and amenities	€16,150,000	€14,167,000	28%
Class 2 Transport Infrastructure	€36,261,400	€36,261,400	72%
Total costs included in Scheme	**€52,411,400**	**€50,428,400**	**100%**

TABLES E & F : PROJECTED DEVELOPMENT (BOTH COUNTYWIDE AND SANDYFORD URBAN FRAMEWORK PLAN AREA)

Units of projected residential development and projected industrial/commercial development and projected domestic extension development in excess of 40 square metres (in the period to 31 December 2028): -

Table E: PROJECTED DEVELOPMENT COUNTYWIDE

Residential	Commercial	Domestic Extensions in excess of 40 sq.m.
10,800 units	463,000 sq.m	54,000 sq.m

Table F: PROJECTED DEVELOPMENT SANDYFORD URBAN FRAMEWORK PLAN AREA

Residential	Commercial Office	Commercial Other
1,000 units	237,000 sq.m	12,000 sq.m

APPENDIX II

PUBLIC INFRASTRUCTURE AND FACILITIES PROJECTS BENEFITTING DEVELOPMENT THROUGHOUT THE COUNTY OF DUN LAOGHAIRE-RATHDOWN

Class 1: Community & Parks & Recreational Facilities

Hudson Road Park

Killiney Hill Accessible Entrance

Pavement Improvement Programme (Parks)

Sports Facilities

Grass Pitch Refurbishment

Wetlands + Attenuation East Area & West Area

Blackrock Park Masterplan

Cabinteely Park Projects

Corke Abbey Woodbrook Glen Improvements (also includes Corke Abbey Valley New Bridge Access)

Woodbrook College Pitches

Dalkey Island (Upgrade Tower & Gun Battery)

Jamestown Park Projects

Play Space Development (East & West)

Finsbury Park

Running track & associated facilities - St. Thomas Estate (Phase 2)

Myrtle Square & Convent Lane Greening

Mounttown Boxing Hall

Kilbogget Park – Sports Hub

Stonebridge Road Changing Rooms

Parks and Cemetery Depots

Oatlands All Weather Pitch

Killiney Hill/Dalkey Quarry/Roches Hill

TEK FC Deansgrange

Fernhill Masterplan

Marlay Masterplan

Shanganagh Masterplan

Cabinteely Masterplan

Dún Laoghaire Baths

Library development programme

Shanganagh Castle

Recreational Facilities and Pitches

Upgrade of Meadowbrook Astro pitches

Glenalbyn Pool Replacement

Samuel Beckett Campus

Stepaside Sports Hub

Urban Parks & Open Spaces Regeneration

Public Realm

Village Improvement Schemes

Stillorgan Library

Shankill & Cabinteely Libraries (Carnegie) Conservation

Library & Community Buildings Programme of Works

Climate Action & Greening

Carrickmines Castle

Williamstown Martello Tower

Marlay and Cabinteely Houses

Projects to enable public access to archaeological sites

Deansgrange Cemetery

Distributed Museum

Marine rewilding

Development our riparian corridors

Dundrum Masterplan and advance public realm works

Dundrum Community, Cultural & Civic Centre

Ballinteer Community Centre

National Watersports Centre Campus

Harbour Recreational facilities

Sun Shelter on East Pier

Harbour Green Parklet

The Gut – Masterplan

Coast & Beaches Regeneration

Public Recreational berth

Accommodation Way Boardwalk

Class 2: Transport Infrastructure

Traffic Management/Sustainable Travel

Annual Traffic Works Programmes to include the following:

Walking & Permeability

New traffic signals and ITS strategy

Junction upgrades

Residential Speed Limits and Slow Zones

Road Safety

School Zones

Cycle Network Infrastructure and Initiatives including Sutton to Sandycove

Greenways

Traffic Management Studies and Implementation

Sustainable Travel

DMURS (Delivery of Principles of the Design Manual for Urban Roads and Streets within existing road network)

Stillorgan Village Movement Framework Plan

Minor Road Reconstruction

Road and Footpath Improvements

Dundrum Wood/Simpsons Hospital Wall

40 Foot Accessibility works

Quinns Road

Major Road Improvement Schemes

Leopardstown Link Road and Roundabout Reconfiguration

Leopardstown Link Road (Phase 2)

Leopardstown Link Road (Phase 3) - aka Murphystown Link Road

Foxrock Village Carpark

Blackglen Road/Harold's Grange Road

M50 Foot/Cycle Bridge

Rochestown Avenue/Abbey Road

Shanganagh Road

Kilgobbin Road

Hillcrest Road

Cherrywood Road Upgrade

Woodbrook/Shanganagh Access Road

Blackrock Main Street & Environs

Blackrock Seafront & Public Realm

Cherrywood to Shankill Greenway

Sandyford/Enniskerry Road (Coolkill to Aiken's Village)

Kilternan/Glenamuck LAP Associated Works (Exclusive of Section 49 Scheme)

Strategic Transportation Feasibility Studies

R118 Cherrywood to Dun Laoghaire

Cherrywood SDZ Kilternan Link Road

Assessment of Strategic Road Network Performance - Cherrywood SDZ Area

Provision of direct/dedicated walking/cycling link between Bray and the Cherrywood SDZ Area

Provision of improved walking/cycling links between N11 Corridor and the Cherrywood SDZ Area

Provision of additional traffic and demand management measures onto the M50

Provision of direct/dedicated walking/cycling link between Sandyford Business District and the Cherrywood SDZ

Provision of traffic and demand management measures countywide

Brennanstown Road

Class 3: Surface Water

Screen upgrades, including cameras

SW Pipe Installation

Flood Risk Assessments

River Bank Upgrades / Stabilisation

River Gauge Installation

Flood Relief Newtownsmith

OPW Minor Works Contribution

Medium / Major Scheme Cost, including design

CCTV Surveys

Dundrum Slang: M50 Jn13 Environs Flood Storage/Ballinteer Roundabout Enhanced Flood Storage

Carysfort Maretimo Stream

Fernhill Park Flood Storage

Booterstown Park Wetland

Clonkeen Park Wetland

Cabinteely Park Wetland

Cabinteely Park Flood Storage for Climate Adaption

SuDS Retrofit in Urban Environs w/Active Travel

Naturalisation of Rivers (removing culverts, concrete channels, weirs)

Lakelands Climate Change Adaption Pond and Storage

APPENDIX III

PUBLIC INFRASTRUCTURE AND FACILITIES PROJECTS BENEFITTING DEVELOPMENT IN THE SANDYFORD UBRAN FRAMEWORK PLAN AREA

Class 1: Community, Parks & Recreational facilities

Benildus Park

Town Centre Civic Park

Class 2: Transport Infrastructure

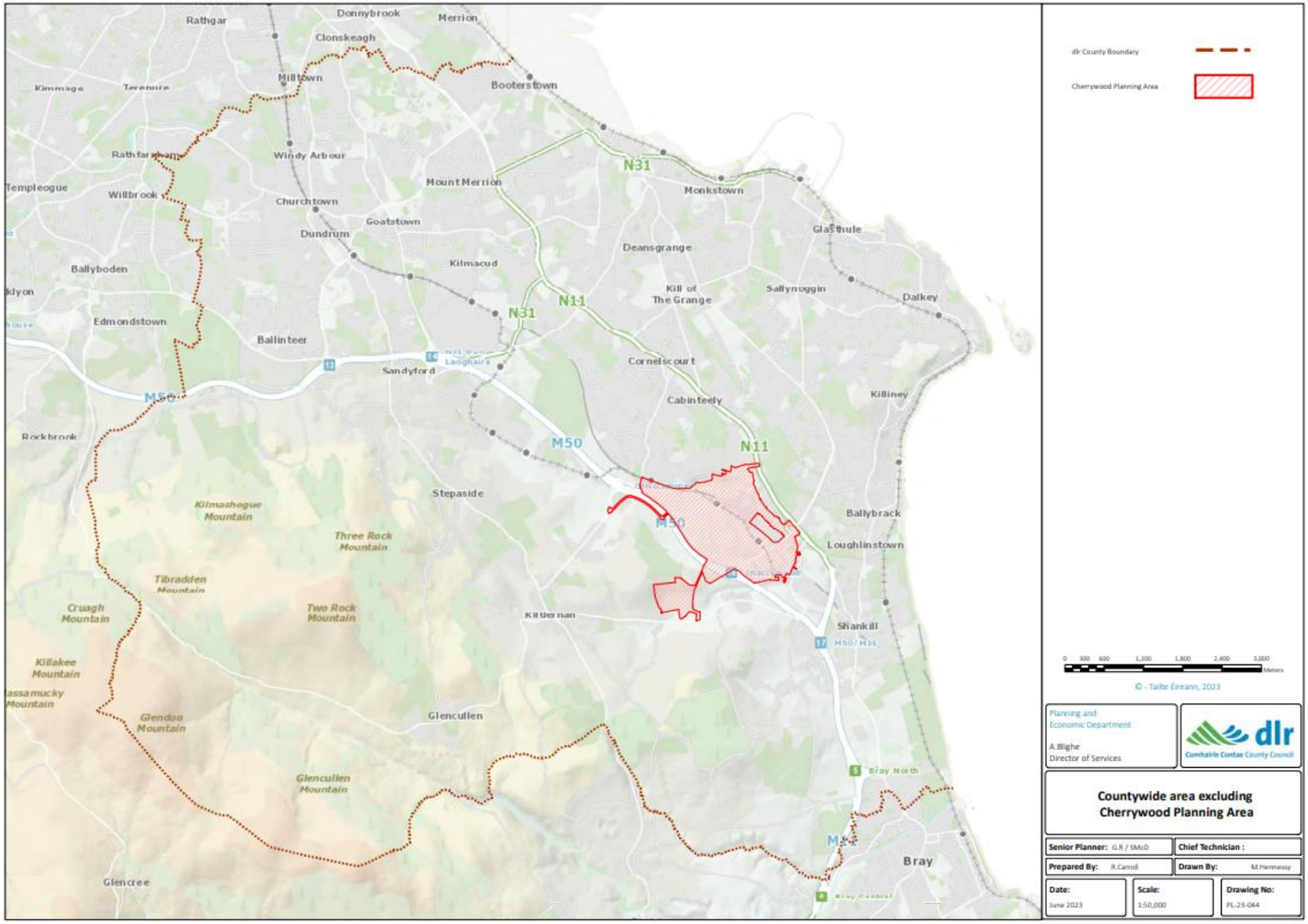
Traffic Management/Sustainable Travel

ESB Link Road

Bracken Link Road

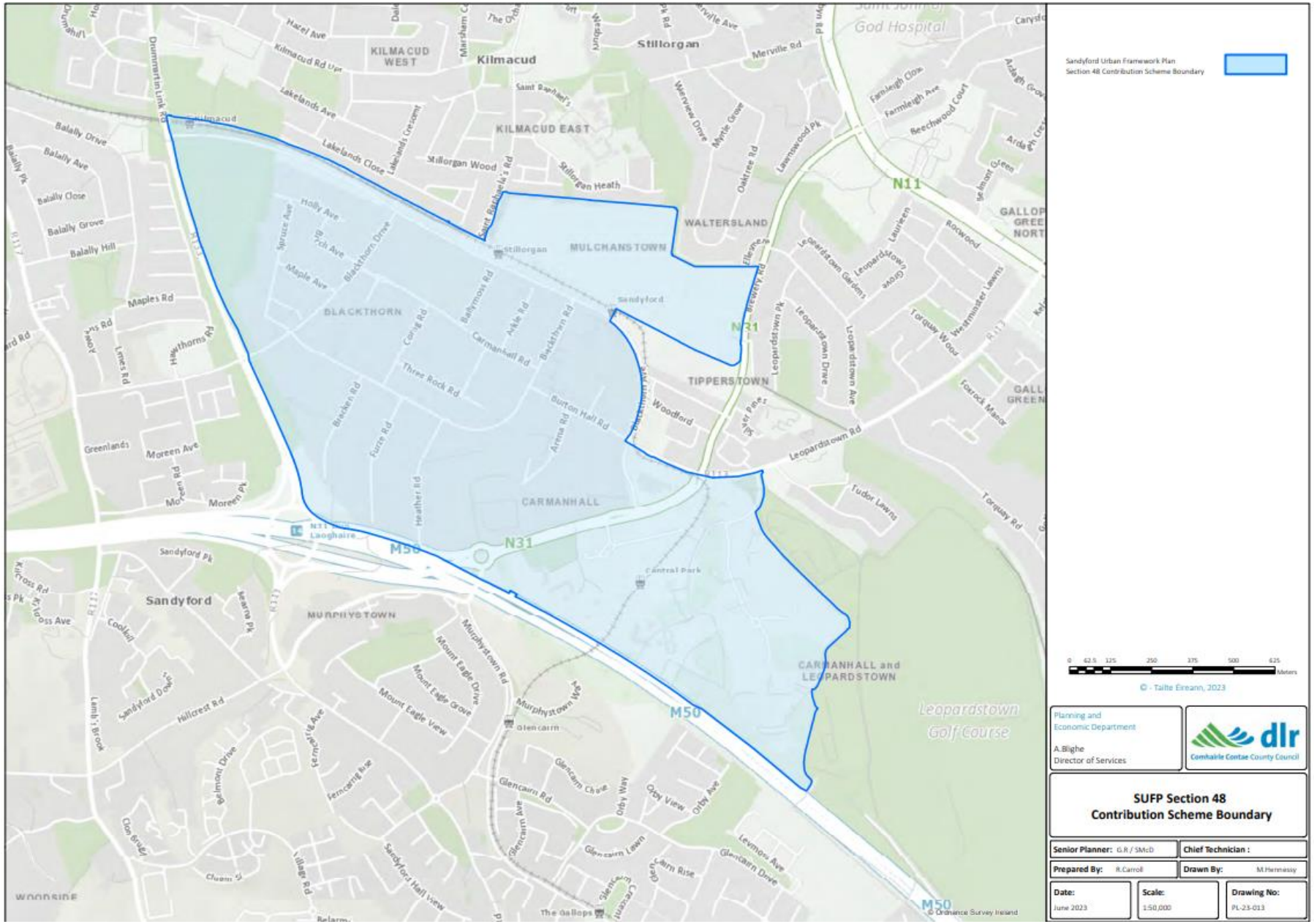
Infrastructure that is identified and incorporated as part of any future statutorily revised Sandyford Urban Framework Plan.

SCHEDULE 1



As adopted 9th October 2023

SCHEDULE 2


Sandyford Urban Framework Plan
Section 48 Contribution Scheme Boundary
KILMACUD WEST
Kilmacud
KILMACUD EAST
Stillorgan
MULCHANSTOWN
WALTERSLAND
BLACKTHORN
TIPPERSTOWN
CARMANHALL
CARMANHALL and LEOPARDSTOWN
Sandyford
MURPHYSTOWN
N11
N31
M50
Leopardstown Golf Course
Central Park
Planning and Economic Department
A.Bighe
Director of Services
Comhairle Contae County Council
SUFP Section 48
Contribution Scheme Boundary
Senior Planner: G.R / SMcD
Chief Technician :
Prepared By: R.Carroll
Drawn By: M.Hennessy
Date: June 2023
Scale: 1:50,000
Drawing No: PL-23-013
© Ordnance Survey Ireland

Appendix E: DLR Supplementary Development Contribution Scheme

PLANNING AND DEVELOPMENT ACT, 2000

SECTION 49 – SUPPLEMENTARY DEVELOPMENT CONTRIBUTION SCHEME

For

EXTENSION OF LUAS LINE B1 – SANDYFORD TO CHERRYWOOD

Adopted by the Dun Laoghaire Rathdown County Council on 13 January 2003

(incorporating amendments to Clause 13(in bold italics) as adopted by the County Council at it's meeting on 13th May, 2013 – to be effective for all decisions from 14th May, 2013)

PLANNING AND DEVELOPMENT ACT, 2000
SECTION 49 – SUPPLEMENTARY DEVELOPMENT CONTRIBUTION SCHEME

EXTENSION OF LUAS LINE B1 – SANDYFORD TO CHERRYWOOD

PREAMBLE :

1. Section 49 of the Planning and Development Act, 2000 enables a Planning Authority when granting planning permission pursuant to Section 34 of the Act to attach a condition to a planning permission requiring payment of a financial contribution in respect of any public infrastructure service or project hereafter referred to as a "Supplementary Development Contribution Scheme" (SDCS).

2. Subsection 1 of section 49 specifies that the project or service shall be specified in a SDCS made by the Planning Authority. The making of such a SDCS is a reserved function of the elected members. The project or service shall be provided either by the Planning Authority or pursuant to an agreement with the Local Authority or may be carried out by any other person. In addition the project or service shall benefit the development to which the planning permission relates, when carried out.

3. The supplementary development contribution scheme shall determine the amount and the manner of payment of the contribution. The SDCS shall specify the area or areas within the functional area of the planning authority to which it relates and the particular public infrastructure project or service to which it relates. More than one SDCS may be made in respect of a particular area. The SDCS may provide for different contributions to be made in respect of different classes or descriptions of development.

4. The SDCS is required to state the basis on which the contributions have been determined and the estimated cost of providing the project or service. There is provision within the legislation for the phasing of payments and the payment of reduced or no contributions.

5. A planning authority may enter into an agreement with any person in relation to the carrying out or the provision of a public infrastructure project or service as may be appropriate. Such an agreement may make provision for any or all of the following:

(a) The manner in which the service or project is to be provided or carried out including provision and maintenance of any infrastructure and operation of any service or facility.
(b) Arrangements regarding financing of the project or service and the manner in which contributions paid or owed to the planning authority pursuant to a planning condition relating to an SDCS may be applied in respect of that project or service.
(c) Entry into such further agreements as may be necessary with any other person regarding the financing and provision of such service or carrying out such service.
(d) The entry into force, duration and monitoring of the agreement; including the resolution of disputes.

6. Amendments can be brought to the level of contribution if the actual cost of provision of the project is less than estimated. The making of such an amendment to the scheme is a reserved function of the Planning Authority.

DEFINITIONS

7. Section 49(7) of the Planning and Development Act, 2000 defines a public infrastructure project or service to mean:

a) the provision of particular rail, light rail or other public transport infrastructure, including car parks and other ancillary development,
b) the provision of particular new roads,
c) the provision of particular new sewers, waste water and water treatment facilities, drains or water mains and ancillary infrastructure.

SUPPLEMENTARY DEVELOPMENT CONTRIBUTION SCHEME IN RESPECT OF A PARTICULAR LIGHT RAIL INFRASTRUCTURE, INCLUDING CAR PARKS AND OTHER ANCILLARY DEVELOPMENT

THE PROJECT

8. The particular light rail project is the extension of the LUAS LINE B from the Sandyford Luas Depot (under construction) to Cherrywood. This light rail project will consist of a light railway works some seven kilometres in length and which is defined in the Alignment Map (Drawing No PL – 02 – 084). Line B1 will run from the Line B LRT depot at Sandyford Industrial Estate, with stops at Central Park, Glencairn, The Gallops, Leopardstown Valley, Ballyogan Wood, Racecourse, Carrickmines, Laughanstown and the terminal stop at Cherrywood.

9. The estimated capital cost is €264 million. This figure includes the provision of property for the line, works, track/infrastructure, the diversion of utilities, structures (bridges), the alterations to a depot and the provision of rolling stock. It is inclusive of VAT.

AREA TO WHICH THIS SCHEME SHALL APPLY

10. The scheme shall apply within an area of 1,992 hectares, which is a catchment area approximately one kilometre on either side of the proposed LUAS BI line. The extent of the area represents a reasonable walking distance to stops along the proposed line. The area is identified on the Scheme Map (Drawing No. PL-02-084) attached to this document. Some 530 hectares of land situated within this catchment area is potentially available for development.

11. There are a number of areas that will benefit directly from the scheme. These areas are located within the catchment and are subject of different land use zoning objectives in the *Dun Laoghaire – Rathdown County Development Plan 1998*. The main areas within the catchment are listed below with the land uses likely to be developed in each area in brackets.

- Sandyford Industrial Estate (offices • office based industry)
- Stepaside (residential)
- Carrickmines/Glenamuck (residential • office based industry/retail park)
- Cherrywood (science/technology • office industry, residential, retail).

Each of these areas can be developed in a sustainable manner to a high density in accordance with sustainable development principles, Residential Density Guidelines and County Development Plan policies. Residential densities at an average of 50 units per hectare are attainable. Average commercial plot ratios of 1:1.4 are also attainable.

The SDCS shall apply to all planning permissions granted for development within this area as and from the date of adoption of this scheme by the Planning Authority.

12. In addition to the primary catchment area which is defined by an approximate one kilometre distance from the LRT line and which constitutes a reasonable walking distance to stops along the proposed line, and to which this supplementary development contribution scheme will apply, the project will provide additional service and associated resulting public and private benefit to the entire administrative area of the County by reason of the fact that it will be possible to access the LRT stops via the public road system and there will be connecting bus services with the LRT line serving the wider catchment area of the County of Dun Laoghaire – Rathdown. It is also envisaged that the LRT Line B1 will be fully integrated with bus based public transport services and thereby also with The Dublin Area Rapid Transit DART rail network. However, and in accordance with the provisions of Section 48(3)(c) of the Act, any benefit which accrues to existing development shall not be included in the determination of any contribution pursuant to the supplementary development contribution scheme.

LEVEL OF CONTRIBUTION

13. The following developments will be exempt from the supplementary development contribution levy: house extensions; a granny flat where it is a condition that it be used as a family unit; public utilities i.e. schools, community centres, youth centres etc; organisations which have been granted exemptions from Income tax/Corporation Tax under the provisions of section 20 of the Taxes Consolidation Act 1997 and are currently in receipt of an exemption certificate ***including registered charities provided that the development is for the purposes of use by the body or charity for it's main purposes***. Large-scale recreational developments (e.g. golf courses, sports pitches, tennis complexes, etc.), excluding buildings and ancillary facilities, shall also be exempt from the supplementary development contribution levy.

- ***only net additional development (in hectares) in the case of commercial redevelopment projects will be levied,***

- ***change of use from commercial to an alternative commercial use will be exempt,***

- ***change of use from commercial to residential and from residential to commercial will be exempt where the change of use does not lead to significant intensification of demand for the Luas service,***

- ***temporary Luas 'park and ride' facilities will be exempt,***

- ***replacement dwellings will be levied at 20% of the charge for 'one off' housing,***

- ***the following reduced rates will apply for temporary permissions:***

  - ***33% of normal rate for permissions of up to 3 years***
  - ***50% of normal rate for permissions of up to 5 years and***
  - ***66% of normal rate for permissions of up to 10 years***

- ***renovations to existing buildings to restore/refurbish structures deemed to be 'Protected Structures' in the County Development Plan, where the Council is satisfied that the works substantially contribute to the conservation or restoration of the structure, will be exempt,***

- ***broadband infrastructure, sub-station switch rooms and ancillary plant rooms will be exempt,***

- ***renewable energy developments with a capacity up to 0.5MW will be exempt. Larger capacity developments will be charged at €1,000 per each 0.1MW above an installed capacity of 0.5MW,***

- ***'one off' housing will be assessed on the area of the curtilage of the premises as determined by the Planning Authority.***

The following levels of supplementary development levies are proposed

Residential : A contribution rate of €250,000 per gross site hectare.
Commercial : A contribution rate of €570,000 per gross site hectare.

14. The development contribution levy rates are considered reasonable given the benefits the LUAS B1 extension will bring to the area defined area in paragraph 10. LRT Line B1 will improve the area's attractiveness and marketability for both residential and commercial developments and will result in significant added value to property and land.

MANNER OF PAYMENT

15. The supplementary development contribution will be attached as a Condition of Planning Permission at the above rates. Such contributions will be attached to all planning permissions issued within the scheme area as defined above at paragraph 10, following the adoption of the scheme by the Council. Levies on development, following the adoption of this scheme, cannot be subsequently appealed to An Bord Pleanala unless the Applicant considers that the levies have not been properly applied.

16. The Planning Authority will collect the levies and transfer the monies collected, within one month after receipt of payment, to the Rail Procurement Agency who will construct the rail line.

17. Pending completion of a legal agreement between Dun Laoghaire Rathdown County Council and the Rail Procurement Agency any monies collected by the Council under the terms of the levy scheme will be retained by it and placed on investment with an investment company. Decisions relating to the investment of retained monies will be made by the Council with the objective of maximising returns with minimum risk.

18. Following completion of all the necessary legal documentation between Dun Laoghaire Rathdown County Council and the Rail Procurement Agency and subject to the Council's Law Agent confirming such documentation to be in order, all monies collected by the planning authority to that date, together with accumulated interest, will be transferred to the Railway Procurement Agency. Thereafter levies collected will be transferred to the RPA within one month after receipt of payment.

In the event of the construction of the LUAS Line B1 not proceeding, contributions received on foot of the Scheme will be returned to the relevant parties, together with an appropriate element of interest. In this regard all monies collected will be retained by the Planning Authority pending commencement of the Scheme.

19. The levy under this supplementary development contribution scheme shall be payable at the commencement of development or in a phased manner to be agreed with the Planning Authority and at the rate pertaining to the particular year in which implementation of the planning permission is commenced. The detail of the payment mechanism will be as set out in the legal agreement between Dun Laoghaire Rathdown County Council and the Railway procurement Agency.

DURATION OF THE SUPPLEMENTARY DEVELOPMENT CONTRIBUTION SCHEME

20. This supplementary development contribution scheme shall take effect upon the formal adoption of this scheme by the Council of the County of Dun Laoghaire Rathdown. The duration of the SDCS shall be for a period of 25 years from that date unless and until some other period of time shall be substituted for that period by order of the Dun Laoghaire Rathdown County Council.

The level of contributions received will be monitored on a regular basis, and if the anticipated contribution generated by the Scheme is realised earlier than 25 years, then proposals in this regard will be submitted to the elected members of Dun Laoghaire Rathdown County Council.

MONITORING AND REVIEW

21. This supplementary development contribution scheme provides a level of contribution that shall be updated each year during the life of the scheme at a fixed compound interest rate of 5% per annum. The supplementary development contribution scheme may be reviewed from time to time by the Planning Authority having regard to circumstances prevailing at that time. Where it is proposed to *reduce* the level of contributions payable this may be attained by an amendment to the existing scheme when agreed upon by the elected members. Any *increase* in contributions will require the adoption of a new or amended scheme by the Council of the County of Dun Laoghaire Rathdown.

22. Procedures will be agreed between Dun Laoghaire Rathdown County Council and the Rail Procurement Agency to allow for the settlement of any disagreements, which may arise, relating to the collection and transfer of levies collected. This may be either by means of Arbitration or Mediation as set out in the procedure. Procedures will also be agreed providing for the auditing of levies received under the scheme.

Appendix F: DLR Assessment Detail of Development Contributions relating to D26A/0132/WEB

Assessment Detail

Reg Ref	RCN	Owner	Location
D26A/0132WEB	RCN14076	West Group Investments Limited	3, Kilbogget Villas, Old Bray Road, Cabinteely, Dublin 18

Proposed Development
The proposed development seeks permission for the demolition of the existing building façade on site and the erection of a part two, part three storey building with the taller element located to the rear, comprising a ground floor café/restaurant unit (c. 310 sq.m) with 3 no. 2-bedroom apartments above, internal courtyard, roof terrace, private amenity space provided by balconies, refuse storage, cycle storage and all other ancillary works. A basement is proposed to provide for ancillary storage and services to both the restaurant and residential uses.

Assessment Detail						
Scheme	**Development Type**	**Condition**	**Condition No**	**Measure**	**Unit Price**	**Total**
SURFACE WATER						
Section 48 Scheme (2023-2028)	Residential Development	SURFACE WATER	12	3.00000	€138.76	€416.28
Section 48 Scheme (2023-2028)	Commercial Development	SURFACE WATER	12	310.00000	€1.20	€372.00
					Condition total = €788.28	
TRANSPORTATION						
Section 48 Scheme (2023-2028)	Residential Development	TRANSPORTATION	13	3.00000	€2,081.44	€6,244.32
Section 48 Scheme (2023-2028)	Commercial Development	TRANSPORTATION	13	310.00000	€17.98	€5,573.80
					Condition total = €11,818.12	
LUAS						
SECTION 49 - LUAS	Residential Development	LUAS	16	0.45000	€351,774.00	€158,298.30
					Condition total = €158,298.30	
Community & Parks Facilities & Recreational Amenities						
Section 48 Scheme (2023-2028)	Residential Development	Community & Parks Facilities & Recreational Amenities	14	3.00000	€11,656.04	€34,968.12
Section 48 Scheme (2023-2028)	Commercial Development	Community & Parks Facilities & Recreational Amenities	14	310.00000	€100.66	€31,204.60
					Condition total = €66,172.72	
Total						**€237,077.42**

Bonds - Total Records: 4				
Name	**File Ref**	**Lodged**	**Req. Amount**	**Expiry**
Standard Cash	RBN1243		€0.00	
Insurance Bond	RBN1243		€0.00	
Standard Cash	RBN1243		€17,200.00	
Insurance Bond	RBN1243		€28,000.00	

Calculation Details
3 New Units (102sqm, 77sqm and 76sqm) = 3 Units Commercial Floor Area = Cafe 310sqm No Demo

Appendix G: Correspondence from DLR acknowledging miscalculation of development contributions

Brian Coughlan

From: Peppard Sharon <speppard@DLRCOCO.IE>
Sent: Monday 12 October 2026 16:41
To: Brian Coughlan
Cc: Brewer Norma
Subject: RE: D26A/0132/WEB - An Coimisiún Pleanála

Categories: Fees

Dear Mr Coughlan

I refer to your email below and wish to advise that our Drawing Office have measured the site area and have confirmed that it is .045 The amount on the assessment was a typo and resulted in the incorrect levy. We will arrange for a S146A to amend the Luas Levy, once the appeal has been decided.

The correct amount of the Luas levy is **€15,829.83.**

I apologies for any inconvenience caused

Kind Regards

Sharon Peppard
Oifigeach Sinsearach Foirne - Senior Staff Officer
An Roinn Pleaanla - Planning Department
Planning Registry & Decisions
DLR Co Co, Bothar Na Mara, Dún Laoghaire , A96 K6C9
Dún Laoghaire – Rathdown County Council
Marine Road, Dún Laoghaire A96 K6C9

From: Levy Compliance <levycompliance@DLRCOCO.IE>
Sent: Monday 12 October 2026 15:38
To: Peppard Sharon <speppard@DLRCOCO.IE>
Subject: FW: D26A/0132/WEB - An Coimisiún Pleanála

Hi Sharon,
the agent is querying the LUAS measurement and feels there was an error in the original DLR assessment, I would be obliged if you could review for direct reply please,

Thank you,

Norma Brewer
Bonds and Contributions Section

From: Brian Coughlan < >
Sent: Monday 12 October 2026 14:27
To: Levy Compliance <levycompliance@DLRCOCO.IE>
Subject: RE: D26A/0132/WEB - An Coimisiún Pleanála

Hi Norma,

Can I check one of the figures on this application if possible?

I note the section 49 contributions are based off the site area.

The site area is 0.044ha.

The Luas line on the attached refers to a unit of 0.45. Does this figure refer to the site area? If so, I believe it is incorrect and the contribution for the luas is 10x what it should be.

Am I correct in my interpretation?

Kind regards,
Brian

Brian Coughlan
Senior Associate Director

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bcoughlan@jsaplanning.ie
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Dublin | Cork

39 Fitzwilliam Place, Dublin 2, D02 ND61

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From: Levy Compliance <levycompliance@DLRCOCO.IE>
Sent: Monday 12 October 2026 12:54
To: Brian Coughlan <bcoughlan@jsaplanning.ie>; Levy Compliance <levycompliance@DLRCOCO.IE>
Subject: RE: D26A/0132/WEB - An Coimisiún Pleanála

Hello Brian,
The contributions due are clearly outlined on the Dún Laoghaire grant, available for public viewing here:
https://planningapi.agileapplications.ie/api/application/document/DLR/SB6XY5JCGGKYZLPLSNFKE662S3LUG68QTF7XYNE4J87DQD7DM5PZH92SF44X443UB85NT2ZG7P89B77KHGHV3NA

I have attached the original assessment sheet, but as this grant has gone on appeal, the grant and conditions attached are subject to change.

Thank you,
Norma

Norma Brewer
Bonds and Contributions Section
An Roinn Pleanála | *Planning Department*
Comhairle Contae Dhún Laoghaire-Ráth an Dúin | *Dun Laoghaire-Rathdown County Council*
Halla an Chontae, Bóthar na Mara, Dún Laoghaire | *County Hall, Marine Road, Dun Laoghaire*
Contact number: 01 205 4867

From: Brian Coughlan <bcoughlan@jsaplanning.ie>
Sent: Monday 12 October 2026 12:30
To: Levy Compliance <levycompliance@DLRCOCO.IE>
Subject: RE: D26A/0132/WEB - An Coimisiún Pleanála

Dear Ms Brewer,

As I understand it I still have a right to submit a contributions appeal in addition to responding to the third-party appeal. I may exercise that right and submit that appeal. A breakdown of the contributions would assist me in that decision.

Alternatively, if I don't submit that contributions appeal and the third-party appeal is withdrawn, I will have no opportunity to appeal the contributions. Is that correct?

Kind regards,
Brian

Brian Coughlan
Senior Associate Director

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From: Levy Compliance <levycompliance@DLRCOCO.IE>
Sent: Monday 12 October 2026 12:25
To: Brian Coughlan <bcoughlan@jsaplanning.ie>; Levy Compliance <levycompliance@DLRCOCO.IE>
Subject: RE: D26A/0132/WEB - An Coimisiún Pleanála

Dear Mr. Coughlan,

I wish to acknowledge receipt of your correspondence below.

Please be advised that planning application D26A/0132/WEB is currently under appeal to An Coimisiún Pleanála.

As the appeal remains under consideration, the development contributions outlined in the original Dún Laoghaire-Rathdown County Council grant may be amended by the final decision.

Accordingly, pending the outcome of the appeal, I am unable to confirm the development contributions payable.

Sincerely,

Norma Brewer
Bonds and Contributions Section
An Roinn Pleanála | *Planning Department*
Comhairle Contae Dhún Laoghaire-Ráth an Dúin | *Dun Laoghaire-Rathdown County Council*

From: Brian Coughlan <bcoughlan@jsaplanning.ie>
Sent: Monday 12 October 2026 11:53
To: Levy Compliance <levycompliance@DLRCOCO.IE>
Subject: D26A/0132/WEB

EXTERNAL EMAIL: This email originated from outside Dún Laoghaire-Rathdown County Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Good morning,

I am the agent for the above-mentioned application.

I wondered if it is possible to the workings out of the development contribution calculations in conditions 12, 13, 14 and 14 of the recent grant.

I appreciate your assistance. Please feel free to contact me if anything further is required.

Kind regards,
Brian

Brian Coughlan
Senior Associate Director

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