



An
Coimisiún
Pleanála

Direction
CD-020886-25
ACP-322796-25

The submissions on this file and the Inspector's report were considered at a meeting held on 03/10/2025.

The Commission decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

Planning

Commissioner:

Patricia Calleary
Patricia Calleary

Date: 06/10/2025

DRAFT WORDING FOR ORDER

Reasons and Considerations

1. The development as proposed is located within the root protection zone of a tree/cluster of trees which is the subject of a specific objective for the protection of trees and woodlands as indicated on the County Development Plan zoning map for the area that included the appeal site. In the absence of an arboricultural assessment of the relevant tree(s) and an evaluation of the impacts and any required mitigation, it has not been demonstrated that the development could be carried out without adverse impacts on the relevant tree(s) on site. The proposed development would be contrary to this objective

and to Section 12.8.11 (Existing Trees and Hedgerows) of the Development plan which seeks to protect and preserve trees and woodlands.

Note:

In arriving at its decision, the Commission had concerns that hardstanding elements of the development have real potential to adversely affect the setting and amenity of the protected structure and in this regard noted a discrepancy between the submitted site layout plan and the works completed onsite to date. Furthermore, in the absence of any appraisal of the existing landscape character and how the proposed development, including areas of hardstand carried out on site, or any intended landscaping proposals, would integrate with the curtilage associated with the protected structure. The commission was not satisfied that the proposed development including the hardstand elements of the works carried out, would align with good conservation practice or accord with the conservation of the setting and amenity of the curtilage of the protected structure as required under Section 12.11.2.3 of the Dun Laoghaire Rathdown County Council 2022-2028.

As this was a new issue in the context of the appeal, and while it was open to the Commission to seek further information on this matter, having regard to the substantive reason for refusal set out, the Commission did not pursue this matter further.

The Board did not share the inspector's recommended reason number one on the basis of resultant excess parking, having regard to the nature of the application which seeks permission for a shed in a rear garden for purposes incidental to the enjoyment of the house and furthermore taking account of the relevant planning history (ABP-319888-24) whereby permission was previously granted by the Commission for a vehicular entrance to the site and having regard to the size and scale of the protected structure and the available space within the site.