



An
Coimisiún
Pleanála

Commission Direction
CD-000255
PL-500415-DR-25

The submissions on this file and the Inspector's report were considered at a meeting held on 10 March 2026.

The Commission decided to grant permission, for the following reasons and considerations, and subject to the following conditions.

Planning Commissioner:

Patricia Calleary

Patricia Calleary

Date:

11th day of March 2026

DRAFT WORDING FOR ORDER

Reasons and Considerations

Having regard to the design and appearance of the development that is proposed to be retained and completed, to the pattern of development in the vicinity, and to the policy support for detached habitable rooms providing ancillary accommodation for the main residence, as set out in Section 12.3.7.4 of the Dún Laoghaire-Rathdown County Development Plan 2022-2028, the Commission

was satisfied that, subject to compliance with conditions set out below including a condition to reduce the size of the structure to ensure that the floor area and scale are appropriate, the development proposed would be acceptable, would not seriously injure the visual amenities of the area or residential amenities of property in the vicinity and would not adversely impact on the character of the area. The development to be retained and completed 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 the planning authority on the 16th day of October 2025, 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 and to regulate the form of development.

2.

(i) Within three months of the date of the final grant of planning permission, the applicant/developer shall submit for the written agreement of the Planning Authority, revised accurately prepared, scaled and clearly dimensioned architectural drawings and details showing:

(a) garden room structure as built to date (current)

(b) proposals for reduction in size and scale of the garden room by the removal of the external walls of the structure highlighted in yellow/green/blue on the drawings received by the planning authority on the 16th day of October 2025;

(c) proposals for removal of the concrete floor slab and foundation supporting the walls to be demolished as set out in (a) above and the ground to be re-instated and grassed over;

(d) removal/block up of all rear (north east) facing door ope and windows;

(e) removal of internal corridor so that all windows and doors, including any additional window or door, shall be on the south west elevation of the structure facing the rear of the host house;

(f) details of proposed materials, roof profile and

(g) accurate site layout of the revised development proposals.

(ii) Within three months of agreement reached with the planning authority the above, the applicant/developer shall furnish photographic evidence of compliance of the removal/demolition elements consistent with the drawings and details agreed in writing with the planning authority. For the avoidance of doubt this includes items 2(i) b-e of this condition.

(iii) Within one month of completion of the works to be retained and completed (the smaller scale garden room structure), photographic evidence of the completed structure shall be furnished to the planning authority.

Reason: To prevent overdevelopment of the subject site and in the interests of orderly development.

3. The use of the Garden Room shall be restricted to a residential use directly associated with the use of the existing house on the site for such purposes, and the structure shall not be sub-divided from the existing house, either by way of sale or letting or otherwise, and shall not be used to provide residential accommodation for a family member/ granny flat or used for commercial purposes.

Reason: To ensure the development complies with the terms of the permission and in the interests of orderly development.

4. The disposal of surface water shall be in accordance with the requirements of the Planning Authority as follows: The surface water runoff generated by the development shall not be discharged to the public surface water sewer but shall be collected locally and contained within the property curtilage, as indicated in the application.

Reason: In the interest of sustainable drainage.

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

Reason: To safeguard the amenity of property in the vicinity.

6. Attach a S.48 Condition

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'.

In deciding not to accept the inspector's recommendation to refuse permission, the Commission had regard to the concerns raised by the inspector in relation to potential impacts on the residential amenities of adjoining properties, including property number 58 Landscape Park, and that the structure would result in overlooking of adjoining properties at no.s 75A and 70 Braemor road. The inspector also expressed concerns in relation to the size and scale of the structure and the negative precedent that would arise from the approval of a dual aspect building.

The Commission acknowledged these concerns, however, was satisfied that the issues would be adequately addressed by requiring the size and scale of the structure to be reduced and the windows and door positioned to the rear/north east to be omitted. The Commission accordingly attached a condition to regulate these issues (Condition 2 refers).

Subject to this condition, the Commission was satisfied that the proposed development, comprising a modest scale single storey garden room/shed, would

be consistent with policy relating to detached habitable rooms providing ancillary accommodation for the main residence, as set out in Section 12.3.7.4 of the Dún Laoghaire-Rathdown County Development Plan 2022-2028. The Commission also concluded that, with the attachment of the condition, the development proposed would not seriously injure the visual amenities of the area or residential amenities of property in the vicinity and would not adversely impact on the character of the area. Accordingly, the Commission did not refuse the permission in accordance with the inspector's recommendation.