



An
Coimisiún
Pleanála

Commission Direction
CD-001130
PL-501228-DR-26

The submissions on this file and the Inspector's report were considered at a meeting held on 24 August 2026.

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

Planning Commissioner:

Liam McGree

Date:

24th day of August 2026

DRAFT WORDING FOR ORDER

Reasons and Considerations

Having regard to the appeal and submissions on file, the provisions of the Dun Laoghaire-Rathdown County Development Plan 2022-2028, including the Land Use Zoning 'Objective A' of the subject site and adjacent properties, which seeks to protect and/or improve residential amenity, and having regard to the planning

history of the subject site and the adjacent lands, including planning permission reference 4794/74 (modified under 12127/82), the conditions attaching to planning permission reference PR494/91 (modified under planning permission reference 258/93) and the reasons for refusal of permission under planning reference D98A/1097, it is considered that the subject development is located within an area identified as open space to serve the existing apartments in 2 Proby Square, and that the site was conditioned to be open space associated with the said permitted apartments development. It is further considered that the consequences of permitting the proposed development would include not only the loss of the area to the north of the fence as communal open space, but also the diminution of the amenity benefits of the remaining communal open space area to the south of the fence. The Commission therefore considers that to permit the proposed development, would materially contravene a previous planning permission on the lands, and would be contrary to the Land Use Zoning 'Objective A' of the subject site and adjacent properties. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.