



An  
Bord  
Pleanála

Board Order  
ABP-319565-24

---

## Planning and Development Acts 2000 to 2022

**Planning Authority:** Dún Laoghaire-Rathdown County Council

**Planning Register Reference Number:** D24A/0059

**Appeal** by Dearbhaile Byrne care of Tom Phillips and Associates of 80 Harcourt Street, Dublin against the decision made on the 25<sup>th</sup> day of March, 2024 by Dún Laoghaire-Rathdown County Council to refuse permission for the proposed development.

**Proposed Development:** Redesign of the permitted number 40 Thornhill Oaks (Dun Laoghaire-Rathdown County Council Register Reference D20A/0432; An Bord Pleanála Reference ABP-308150-20) to provide a part single/part two storey dwelling at 40 Thornhill Oaks, Mount Merrion, Blackrock, County Dublin. No works are proposed to Thornhill House, a protected structure (RPS number 936).

## 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.**

## Reasons and Considerations

Having regard to the provisions of the Dún Laoghaire-Rathdown County Development Plan 2022-2028, the location of the site in residential zoning 'A', the planning history of the overall Thornhill Oaks development and previously permitted dwelling at the site, and the nature, scale and design of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual or residential amenities of the neighbourhood, would not be visually incongruous at this location, and would provide acceptable residential amenity to future residents, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board considered the planning history of the site which provides for a dwelling at this location with a substantially similar footprint and layout of private open/amenity space areas and further considered that in totality the overall quantum and quality of private amenity space was acceptable and would accord with Section 12.8.3.3(i) of the Dún Laoghaire-Rathdown County Development Plan 2022-2028 and the Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities, issued by the Department of Housing, Local Government and Heritage in January 2024.

## Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application 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. Apart from any departures specifically authorised by this permission, the development shall comply with the conditions of the parent permission (An Bord Pleanála Reference ABP-300244-17), and subsequent amendment permissions Planning Authority Reference D19A/0748, An Bord Pleanála Reference ABP-308150-20, An Bord Pleanála Reference ABP-310285-24 and Planning Authority Reference D24B/0425/WEB). This permission shall expire on the same date as the parent permission.

**Reason:** In the interest of clarity and to ensure that the overall development is carried out in accordance with the previous permissions.



Mary Gurrie

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

Dated this 31 day of January 2025