

An  
Coimisiún  
Pleanála

Commission Order  
ABP-319774-24

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**Planning and Development Act 2000, as amended**

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

**Planning Register Reference Number: D24A/0133**

**Appeal** by Prinjen Limited care of Thornton O'Connor Town Planning of No. 1 Kilmacud Road Upper, Dundrum, Dublin 14 against the decision made on the 29<sup>th</sup> day of April 2024 by Dún Laoghaire-Rathdown County Council to refuse a permission for the proposed development.

**Proposed Development:** The development principally consists of the repair, restoration and refurbishment of the derelict Roebuck Grove House and the construction of a four number storey over lower ground floor level (viewed as part four number to part five number storey) extension to the rear to provide a 29-bedroom hostel (totalling 1,515 square metres gross floor area). The development will also include internal alterations and reconfigurations including minor demolitions to facilitate opes, partial demolition of an external wall, removal of existing temporary structures and elevational alterations. The development also comprises: A kitchen facility, dining/lounge areas, three number car parking spaces, bicycle parking including cargo spaces, motorcycle parking, bin store, plant, hard and soft landscaping, boundary treatments, lighting, green roofs, PV panels, lift overrun and all other associated above and below ground works to facilitate the development at Roebuck Grove House, Our Lady's Grove, Goatstown Road, Dublin 14.

## **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 land use zoning objective pertaining to the site, to the use proposed, and also having regard to the nature, scale and height of the proposed development, as amended in the grounds of appeal submitted by the applicant, it is considered that, subject to compliance with the conditions set out below, the proposed development would not adversely impact on the visual or residential amenities of the receiving environment, would provide for an appropriate residential use on this serviced, underutilised, derelict, urban site, would be acceptable in terms of traffic and pedestrian safety and convenience, and would constitute a positive impact on the local architectural heritage by way of the restoration and reuse of the derelict Roebuck Grove House. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommended refusal reason number 1, the Commission considered that the amended scheme submitted with the grounds of appeal, that reduced the height of the proposed development, in addition to the 'saw-tooth' plan form and external finish of the extension (as indicated in section 04 of 'Architectural Design Statement' received by the planning authority on the 5<sup>th</sup> day of March 2024), would appropriately mitigate visual and overbearance impacts to an acceptable level when viewed from Number 22 The Grove. In addition, further mitigation in relation to visual impacts can be provided by way of a condition requiring landscaping to be provided between the southern elevation of the extension and the boundary with Number 22 The Grove at ground level. Furthermore, in relation to recommended refusal reason number 1, the Commission did not consider that



the proposed communal amenity space, in the form of the external courtyard, would seriously injure the residential amenity of Number 22 The Grove by reason of disturbance. In this regard the Commission noted that the proposed external courtyard area is at a lower level than the rear garden of Number 22 The Grove and is located to the rear of the application site. The Commission considered that the differences in levels and distribution of the courtyard space across the rear of the site are sufficient mitigations to ensure there is no undue disturbance on Number 22 The Grove. As there is no specific standard or guidance for the quantum of communal open space for the use proposed, either in the statutory plan for the area or in national guidance, the Commission considered that it may be considered unreasonable to refuse permission in relation to this matter. The Commission noted circa 70 square metres of communal external open space is being provided on site and that the development is within walking distance of public open spaces, including Rosemount Green.

In deciding not to accept the Inspector's recommended refusal reason number 2, the Commission considered that this matter could be appropriately addressed by way of condition that requires the applicant to provide management facilities within the development.

## 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 submitted with the grounds of appeal, specifically, the development shall be as indicated in 'Option 2' submitted with the grounds of appeal that omits one number floor plan reducing the height of the scheme to three number storeys over lower ground floor level, 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, architectural heritage protection and the visual and residential amenities of the receiving environment.

2. Prior to the commencement of the development the developer shall submit to the planning authority, for written agreement, an amended upper ground floor plan that omits unit 1B\_02 as indicated on drawing titled 'Upper Ground Floor GA Plan – Option 2' submitted with the grounds of appeal and this unit shall be redesigned to provide for appropriate management facilities required for the management of the development.

**Reason:** To provide for appropriate management facilities for the development as referred to in 'General Standards & Provisions' of the 'Guidelines for Development of New Emergency Accommodation' (Department of Housing, Planning and Local Government September 2022).



3. The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include for screen planting proposals for the area between the southern elevation of the proposed extension and the shared boundary with Number 22 The Grove at ground level.

**Reason:** In the interest of visual amenity and to mitigate overbearance impacts on Number 22 The Grove to the south of the site.

4. Prior to the commencement of development, on Roebuck Grove House, samples of materials and workmanship shall be submitted for the written agreement of the planning authority, and all works shall be carried out in accordance with this written agreement. In the event of agreement not being reached between the developer and the planning authority, the matter may be referred to An Coimisiún Pleanála for determination, and all works shall be carried out in accordance with any determination made resulting from such referral.

**Reason:** In the interest of the protection of architectural heritage in accordance with the provisions of the Architectural Heritage Protection Guidelines for Planning Authorities.

5. The disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.

**Reason:** In the interest of public health.

6. Prior to the commencement of development, the developer shall enter into Connection Agreements with Uisce Éireann (Irish Water) to provide for a service connection to the public water supply and wastewater collection network.

**Reason:** In the interest of public health and to ensure adequate water/wastewater facilities.

7. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

**Reason:** In the interests of visual amenity.

8. A Construction and Environmental Management Plan (CEMP) shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. The CEMP shall include but not be limited to construction phase controls for dust, noise and vibration, waste management, protection of soils, groundwaters, and surface waters, site housekeeping, emergency response planning, site environmental policy, and project roles and responsibilities.

**Reason:** In the interest of environmental protection, residential amenities, public health and safety.

9. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays, inclusive, between 0900 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall 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. During the operational phase of the proposed development the noise level shall not exceed

(a) 55 dB(A) rated sound level between the hours of 0700 to 2300, and

(b) 45 dB(A) 15min and 60 dB LAfmax, 15min at all other times,

(corrected for a tonal or impulsive component) as measured at the nearest dwelling.

Procedures for the purpose of determining compliance with this limit shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** To protect the residential amenities of property in the vicinity of the site.

10. 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

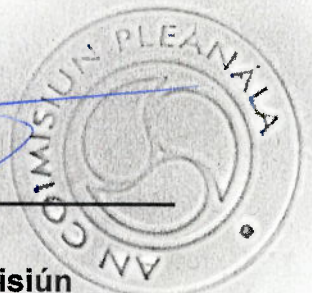
payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

**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.



**Tom Rabbette**

**Planning Commissioner of An Coimisiún  
Pleanála duly authorised to authenticate  
the seal of the Commission.**



Dated this 2<sup>nd</sup> day of Sept 2025.