

An  
Coimisiún  
Pleanála

Commission Order  
ABP-322457-25

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

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

**Planning Register Reference Number: D25A/0108/WEB**

**Appeal** by Laura Holton care of Brian Rowe Architects of 6 Newtownsmith, Sandycove, County Dublin against the decision made on the 7<sup>th</sup> day of April 2025 by Dún Laoghaire-Rathdown County Council to refuse permission for development comprising of demolition of car garage and plant room, sub division of side garden to form two additional house plots, construction of two two-storey houses, interior alterations and single story extension to existing house, widening and subdivision of existing car gateway to provide hard standing for three cars, and a new vehicular entrance off Cornelscourt Hill, at 1 Kerrymount Green, Cornelscourt, Dublin 18.

## **Decision**

**GRANT permission for the demolition of garage and plant room and alterations to existing dwelling (single storey extension) and associated site works in accordance with the said plans and particulars based on the reasons and considerations marked (1) under and subject to the conditions set out below. REFUSE permission for refuse permission for widening and subdivision of existing car gateway to provide for three cars, new vehicular entrance off Cornelscourt Hill, sub division of side garden to form two additional house plots and construction of two dwellings and associated site works for the reasons and considerations marked (2) under.**

## **Reasons and Considerations (1)**

Having regard to location of the site within an area with the Zoning Objective A of the Dún Laoghaire-Rathdown County Development Plan 2022-2028, the nature and extent of this element of the proposed development and the character of the area, it is considered that, subject to compliance with the conditions set out below, this element of the proposed development would not seriously injure the amenities of the area or property in the vicinity. This element of the proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.



## Conditions

1. This element of the proposed 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. The external finishes of the proposed extension (including roof tiles/slates) shall harmonise with those of the existing dwelling in respect of colour and texture.

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

3. 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 for the written agreement of the planning authority.

**Reason:** In the interest of achieving a sustainable disposal of surface water.

4. Site development and building works shall be carried out only between the hours of 0700 and 1900 Mondays to Fridays, inclusive, between 0800 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 residential amenities of property in the vicinity.

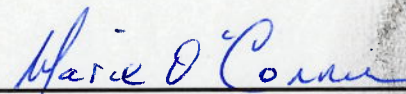
5. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000. The contribution shall be paid prior to the 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 the Board to determine the proper application of the terms of the Scheme.

**Reason:** It is a requirement of the Planning and Development Act 2000 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.



## Reasons and Considerations (2)

Having regard to the restricted nature and prominent location of this corner site, and the established pattern of development in the surrounding neighbourhood, it is considered that this element of the proposed development by reason of its layout, massing, form, design, boundary treatment, impact on adjoining public space and street trees, would constitute overdevelopment of a limited site area, would seriously injure the amenities of adjoining residential property and would be visually obtrusive on the streetscape and out of character with development in the vicinity. As such, the proposed development of two dwellings would be contrary to the Zoning Objective 'A' for the lands, to Sections 12.3.7.5 Corner/Side Garden Sites and 12.3.7.7 Infill of the Dún Laoghaire Rathdown County Development Plan 2022-2028 and to SPPR 1 Separation Distances of Compact Settlements Guidelines 2024. This element of the proposed development would set an undesirable precedent for similar haphazard development and would, therefore, be contrary to the proper planning and sustainable development of the area.



**Marie O'Connor**

**Planning Commissioner of An Coimisiún**

**Pleanála duly authorised to authenticate  
the seal of the Commission.**

Dated this 01<sup>st</sup> day of September 2025