



An
Coimisiún
Pleanála

Commission Order
ACP-323434-25

Planning and Development Act 2000, as amended

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D25A/0445/WEB

Appeal by Conor Sheeran care of Armstrong Planning of 12 Clarinda Park, Dún Laoghaire, County Dublin against the decision made on the 23rd day of July, 2025 by Dún Laoghaire-Rathdown County Council to refuse permission for the proposed development.

Proposed Development: The demolition of existing two-storey (over partial basement), four-bedroom detached dwelling and detached single-storey garage. The construction of three number two-storey (over basement), four-bedroom detached dwellings, each with terraces at first-floor level, a vehicular and pedestrian entrance to Granville Road and two number off-street car parking spaces, together with all associated site and boundary works necessary to facilitate the development at Thornberry, 4 Granville Road, Blackrock, County Dublin.

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 residential land use zoning objective pertaining to the site as indicated in the Dún Laoghaire-Rathdown County Development Plan 2022 - 2028, the established residential use on the site, the nature, scale, design and site layout of the proposed development, the separation distances between the proposed dwellings and existing neighbouring dwellings, and the orientation of the dwellings on the site relative to existing neighbouring dwellings, it is considered that, subject to compliance with the conditions set out below, the proposed development would not adversely impact on the residential amenities of the area by way of overlooking, overshadowing or overbearance, would not adversely impact on the visual amenities of the receiving environment and would be acceptable in terms of traffic and pedestrian safety and convenience. The proposed development would be consistent with national, regional and local planning policies and objectives supporting compact urban growth, densification and intensification of use of existing built-up serviced, zoned lands. 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 recommendation to refuse permission, the Commission is satisfied that, subject to condition, there would be no significant adverse impacts on neighbouring dwellings by reason of overshadowing, overbearance or overlooking. Given the orientation of the nearest dwelling (Unit 4C) to Number 2 Granville Road, which is to the southeast of Number 2, and also having regard to the height and separation distance between the existing and proposed dwellings, the Commission is satisfied that there would be no undue overshadowing of that existing neighbouring property that would warrant refusal of permission. Likewise, given the orientation of proposed Unit 4A relative to Number 6 Granville Road

and the separation distances between that proposed unit and Number 6, and also having regard to the mature planting along the site boundaries, the Commission is satisfied that no undue overshadowing would occur on Number 6. The Commission further noted that concerns regarding potential overshadowing of Number 2 and Number 6 were not raised in the observer submissions to the planning authority at application stage and the planning authority did not cite overshadowing of neighbouring properties in their reasons for refusal. Given the relatively low density of the proposed development in a low-density suburban receiving environment, the Commission is satisfied that a site-specific overshadowing analysis was not warranted or necessary and there was sufficient information on file to assess potential overshadowing. Given the alternative design submitted with the grounds of appeal, the Commission is satisfied that the additional mitigations introduce, for example, planters at first floor rear balconies, reduction in glazing, introduction of wintergardens, would further protect existing neighbouring residential amenities to an acceptable level. The Commission is satisfied that the enclosed nature, including the use of high-level opaque glass louvers, at the first-floor terrace in proposed Unit Number 4A would obviate overlooking of Number 6 Granville Road. Given the ridge heights of existing neighbouring properties, the ridge heights of the proposed units, the separation distances involved and the design treatment of the proposed units, the Commission is satisfied that there would be no undue overbearance impacts on neighbouring properties and that the proposed height, massing and siting are acceptable. On all other matters the Commission agreed with the Inspector's assessment.

In addition, the Commission considered that the proposed development contributes to, and is consistent with, the strategic county outcomes, aims, and policy objectives for compact growth, consolidation, densification and re-intensification of infill/brownfield sites in the county as cited throughout the Dún Laoghaire-Rathdown County Development Plan 2022 - 2028, and, specifically at:

- Table 1.4 (strategic county outcomes numbers 1,2 and 3)
- section 2.6.2.1 (i) 'Compact Growth'
- section 2.6.2.1 (ii) 'Brownfield and infill lands'
- Policy Objective CS11 'Compact Growth'
- Section 4.3.1 'Delivering and Improving Homes'
- Section 12.3.7.7 'Infill'
- Policy Objective PHP18: 'Residential Density' and
- Policy Objective PHP19: 'Existing Housing Stock – Adaptation'

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 An Coimisiún Pleanála on the 19th day of August 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.

2. The site layout, including the site entrance proposal, and the design of the three number dwellings shall be as indicated in the plans and particulars received by An Coimisiún Pleanála on the 19th day of August 2025, except as may otherwise be required in order to comply with the following conditions.

Reason: In the interest of clarity.

3. The external finish of the dwellings shall be as set out in the plans and particulars submitted with the application unless otherwise agreed in writing with the planning authority prior to the commencement of development. All en-suite and bathroom windows shall be fitted with obscure glazing.

Reason: In the interests of visual and residential amenities and of clarity.

4. 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 and residential amenity.

5. Site development and building works shall be carried out only between the hours of 0700 and 1900 from Mondays to Friday inclusive, between 0800 and 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will 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.

6. The attenuation and 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.

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

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

8. 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 the following:

- (a) A plan to scale of not less than 1:500 showing –
 - (i) Existing trees, hedgerows, shrubs, specifying which are proposed for retention as features of the site landscaping
 - (ii) The measures to be put in place for the protection of these landscape features during the construction period
 - (iii) The species, variety, number, size and locations of all proposed trees and shrubs
 - (iv) Details of boundary treatments
 - (v) The relocation of the proposed bin stores to positions behind the front building line of the proposed dwellings.
- (b) A timescale for implementation

All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interests of residential and visual amenity..

9. Prior to commencement of works, the developer shall submit to, and agree in writing with, the planning authority, a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the development, including noise and dust management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and amenity.

10. Prior to the commencement of development, the developer or any agent acting on its behalf, shall prepare a Resource Waste Management Plan (RWMP), as set out in the Environmental Planning Authority's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness; these details shall be placed on the file and retained as part of the public record. The RWMP must be submitted to the planning authority for written agreement prior to the commencement of development. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

Reason: In the interest of proper planning and sustainable development.

11. 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 3rd day of Dec. 2025.