

An  
Coimisiún  
Pleanála

**Commission Order  
PL-500008-DS**

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

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: WEB2644/25**

**Appeal** by PAJC Garville Limited against the decision made on the 4<sup>th</sup> day of September, 2025 by Dublin City Council to refuse permission.

**Proposed Development:** Removal of existing fencing, gates and site clearance, construction of two number two-storey, two-bedroom dwellings, cycle parking and bin storage, all associated site works, including all boundary treatments, hard and soft landscaping, associated external alterations and connections to services and utilities, all on a site to the rear of 58 and 60 Garville Avenue Upper, accessed from Garville Lane Upper, Rathgar, Dublin.

## **Decision**

**GRANT permission for the above proposed development based on the reasons and considerations under and subject to the conditions set out below.**

## Reasons and Considerations

Having regard to the Dublin City Development Plan 2022-2028, in particular provisions for access for mews developments, the site-specific facts relating to this case, in particular the position of the site on the mews lane in close proximity to Rathgar Avenue and local services, the fact that no car parking spaces are proposed, and the details included in the Access and Movement Strategy submitted with the planning application, and notwithstanding the limited width of the mews lane, it is considered that the applicant has demonstrated that the site can be adequately serviced and would be in accordance with Section 15.13.5.4 (Access) of the development plan. It is considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with the Z2 zoning of the site, and that the design of the proposed houses would not give rise to undue adverse impacts on the residential or visual amenity of adjoining property. 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 considered that due to the site-specific characteristics of this case, including the proximity of the site to the junction, the proximity of services to the site, the availability of parking on adjoining roads, no car parking being proposed, the proposed cycle facilities, and the Access and Movement Strategy submitted by the applicant, the proposed development would be acceptable and would be in accordance with the development plan and, therefore, the Commission did not concur with the Inspector's recommendation to refuse permission.

## Conditions

1. 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 proposed development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. The developer shall submit for the written agreement of the planning authority details of the proposed surfacing materials for the area between the front building line and the mews lane and any proposed boundary treatment.

**Reason:** In the interest of orderly development.

3. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements, in writing where necessary, of the planning authority for such works and services.

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

4. Prior to commencement of development, the developer shall enter into a connection agreement with Uisce Éireann to provide for a service connection to the public water supply and/or wastewater collection network.

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

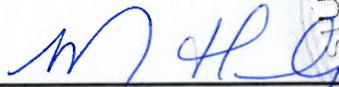
5. Prior to commencement of development, the developer shall submit to, and agree in writing with, the planning authority a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the proposed development, including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

**Reason:** In the interest of public safety and amenity.

6. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground.

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

7. 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.



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**Mary Henchy**

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

Dated this 6<sup>th</sup> day of March 2026.