

An  
Coimisiún  
Pleanála

**Commission Order  
PL-500070-DR**

---

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

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

**Planning Register Reference Number: D25A/0612/WEB**

**Appeal** by David Gillespie and by Others against the decision made on the 29<sup>th</sup> day of September, 2025 by Dun Laoghaire Rathdown County Council to grant, subject to conditions, a permission to Evan McLaughlin in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** The development will consist of the removal of the timber post and rail fence and the erection of a new two-storey pitched roof dwelling with balcony, a new garden wall/fence, the lowering of the existing block wall facing Newtown Park and all associated site works, at the Corner of Hawthorn Manor and Newtown Park, 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 site's location on urban land, the residential zoning objective under the Dun Laoghaire Rathdown County Development Plan 2022- 2028 which applies to this site, the pattern of development in the area, Development Standard 12.3.7.7 of the development plan relating to Infill Development and Policy Objective PHP19, it is considered that, subject to compliance with the conditions as set out below, the proposed development would constitute an acceptable form of development on an infill site, would be acceptable in terms of residential amenity for future residents, traffic and pedestrian safety and would not adversely impact on the visual or residential amenities of the area. The proposed development would therefore be in accordance with the proper planning and sustainable development of the area.

## 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. The entire dwelling shall be used as a single dwelling unit and shall not be sub-divided in any manner or used as two or more habitable units.

**Reason:** To prevent unauthorised development.

3. All opes on the western façade shall open inward as to not encroach on or overhang the public footpath serving Hawthorn Manor, unless otherwise agreed in writing with the planning authority.

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

4. The material finishes development shall be as per the submitted drawings, shall otherwise be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

5. 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 and neighbouring residential amenities.

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. The developer shall enter into a Connection Agreement(s) with Uisce Éireann to provide for a service connection(s) to the public water supply and/or wastewater collection network and adhere to the standards and conditions set out in that agreement. All development shall be carried out in compliance with Uisce Éireann's Standard Details and Codes of Practice. Uisce Éireann does not permit Build Over of its assets. Where the applicant proposes to build over or divert existing water or wastewater services the applicant shall have received written Confirmation of Feasibility (COF) of Diversion(s) from Uisce Éireann prior to any works commencing.

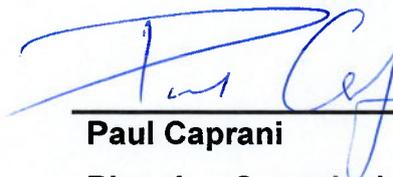
**Reason:** To provide adequate water and wastewater facilities.

8. All necessary measures shall be taken by the developer to:
- (i) prevent any mud, dirt, debris or building material being carried onto or placed on the public road or adjoining properties as a result of the site construction works,
  - (ii) repair any damage to the public road arising from carrying out the works, and
  - (iii) avoid conflict between construction activities and pedestrian/vehicular movements on the surrounding public roads during construction works.

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

9. 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.



**Paul Caprani**

**Planning Commissioner of An Coimisiún**

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



Dated this 25<sup>th</sup> day of February 2026