

Planning and Development Act 2000, as amended

Planning Authority: Dublin City Council

Planning Register Reference Number: WEB2756/25

Appeal by Susan Russell and Lorcan Walshe against the decision made on the 19th day of September, 2025 by Dublin City Council in relation to the application by Niamh and Perry Sammon for permission for development comprising demolition of non-original extension to rear, construction of proposed single and two storey extension to rear, replacement of existing rooflights to original roof and new rooflight to existing return roof, new solar panels, proposed single storey garden room structure to rear of garden, new boundary wall treatment, modifications to opes and elevation treatment and all necessary associated site works and services at 12 Tower Avenue, Rathgar, Dublin in accordance with the plans and particulars lodged with the said Council (which decision was to grant subject to conditions a permission for demolition of non-original extension to rear, construction of proposed single extension to rear, replacement of existing rooflights to original roof and new rooflight to existing return roof, new solar panels, proposed single storey garden room structure to rear of garden, new boundary wall treatment, modifications to opes and elevation treatment and all necessary associated site works and services and to refuse permission for the first floor extension).

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 information submitted with the application and the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would comply the zoning objective for the site and polices with respect to residential extensions as set out in the Dublin City Development Plan 2022-2028, would not seriously injure the visual or residential amenities of the area or to adjoining properties and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out 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. This permission excludes the first-floor extension of the development.

Reason: To clarify the scope of the permission.

3. The garden store shall be used for purposes ancillary to the use of the main dwelling on the site as a single dwelling unit. It shall not be separated from the main house by sale or lease, used for sleeping accommodation or used for any commercial purposes without a separate grant of planning permission

Reason: In the interest of residential amenity.

4. External finishes shall be indicated on the plans submitted unless otherwise agreed in writing with the planning authority prior to commencement of the development.

Reason: In the interest of visual amenity.

5. Surface water drainage arrangements shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, details of the proposed surface water drainage system shall be submitted to, and agreed in writing with, the planning authority.

Reason: In the interest of public health.

6. Surface water drainage arrangements shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

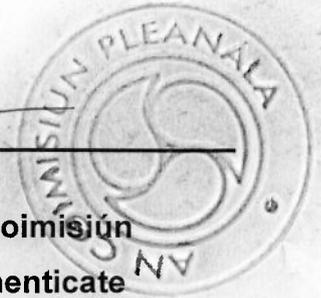
7. Site development and building works shall be carried out only between the hours of 0800 to 1900 Monday to Fridays, between 0800 and 1400 hours on Saturday and not at all on Sundays and Public Holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: To safeguard the residential amenities of adjoining property in the vicinity.



Paul Caprani

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



Dated this 5th day of February 2026.