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

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

**Planning Register Reference Number: D25B/0430/WEB**

**Appeal** by Padraig and Cliona McKeever against the decision made on the 22<sup>nd</sup> day of September, 2025 by Dún Laoghaire-Rathdown County Council to grant permission, subject to conditions, in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Permission is sought for single storey rear extension, two storey side extension with extension of existing roof line over, alterations to the front entrance, velux type of windows to the front and side roof, dormer type of window to the rear, roof some internal alterations and associated site works at 45 Tudor Lawns, Foxrock, Dublin.

### **Decision**

Having regard to the nature of the condition the subject of the appeal, the Commission is satisfied that the determination by the Commission of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to REMOVE condition number 2 and the reason therefor and to ATTACH condition number 3 and the reason therefor.

## Reasons and Considerations

Having regard to the residential zoning of the site, the established pattern and character of development in the area, and the nature and scale of the proposed extensions, it is considered that the proposed first floor rear/side extension, as originally submitted, by reason of its form and the very limited projection above the existing eaves line, would not detract from the character of the existing dwelling or the visual amenities of the area. The modest technical build up required for the flat roof element is a construction necessity and does not materially alter the appearance of the dwelling or give rise to adverse impacts on neighbouring properties. In this regard, condition number 2 of the planning authority's decision, requiring the set-down of the first floor rear/side extension below eaves level, is not warranted.

In respect of condition number 3, while the dormer window was referenced in the development description, it was not meaningfully illustrated in the drawings submitted with the application. As a result, adjoining residents were not afforded a reasonable opportunity to assess its scale, design or potential impacts during the statutory consultation period. To accept revised drawings at appeal stage would undermine procedural transparency and public participation. Furthermore, the appeal documentation does not demonstrate a functional planning need for the dormer, which appears to serve a non-habitable attic/storage/office space. In the absence of clear justification and in the absence of proper public consultation, it is considered appropriate that condition number 3 be retained to ensure that any future proposal for a dormer can be fully assessed by the planning authority in the first instance.

*Eamonn James Kelly*

**Eamonn James Kelly**

**Planning Commissioner of An Coimisiún**

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

**Dated this 12<sup>th</sup> day of February, 2026.**