

An
Coimisiún
Pleanála

**Commission Order
PL-500427-DN-25**

Planning and Development Act 2000, as amended

Planning Authority: Dublin City Council

Planning Register Reference Number: 3391/25

Appeal by Eamon Morris against the decision made on the 13th day of November, 2025 by Dublin City Council to refuse permission for the proposed development.

Proposed Development: The construction of a new two storey apartment block under pitched roof consisting of two number one-bedroom own door apartments with one balcony at first floor level and one private terrace at ground floor level. Two number new pedestrian and vehicular accesses, on site parking for two vehicles, secure bicycle storage and bin storage. Alterations to site levels plus all associated site works, at a site adjacent to 39 and 41A Edenmore Crescent, Raheny, 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 scale, massing, design and height of the proposed apartment block, adjacent existing two-storey dwellings of similar scale, massing and height, and also having regard to the siting and orientation of the proposed development, and the proposed internal layout, relative to adjacent dwellings, it is considered that, subject to compliance with the conditions set out below, the proposed development would not adversely impact on the visual amenities of the receiving built environment, would not adversely impact on neighbouring residential amenities by reason of overlooking or overshadowing and would provide for two additional residential units on this vacant infill residentially zoned site which is supported by policies QHSN6 and QHSN04 of the Dublin City Development Plan 2022-2028. 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 the proposed development, being similar in its scale, massing and height to adjacent existing dwellings in Edenmore Crescent, is of design compatibility with adjacent dwellings, does not adversely impact on the established character of the surrounding area. The Commission also considered that the design of the proposal successfully integrates with the surrounding area (notwithstanding that the established building line to the west would be breached, for which, the Commission noted, there are precedents in the wider area) and therefore generally complies with policy QHSN10 and section 15.5.2 (Infill Development) and section 15.13.3 (Infill/Side Garden Housing Developments) of the Dublin City Development Plan 2022-2028. While the Commission agrees with the Inspector that the proposed development will change the outlook from a limited number of existing dwellings to the west of the application site, the Commission noted that there are no protected views in the Dublin City Development Plan 2022-2028 from those dwellings and the impact on the outlook is limited and does

not warrant a refusal of permission. The Commission considered that a grant of permission in this instance contributes to the densification and consolidation of this built-up area and represents an efficient and sustainable use of a well-located, serviced, vacant, brownfield site, such development is supported by national, regional and local planning and transport policies. The Commission agreed with the Inspector that the proposed apartments comply with residential design standards at national and local policy level.

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 external finishes of the apartment block (including the roof finish) shall be consistent with the finishes to the existing adjacent dwellings. Details of the materials, colours and textures of all the external finishes to the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity and to protect the character of the area.

3. The layout of the vehicular entrances, works to the public footpath, dishing to the existing kerb and layout of the car parking spaces serving the proposed development, shall be in accordance with the detailed construction standards of the planning authority for such works.

Reason: In the interests of sustainable development and of traffic and pedestrian safety.

4. Detailed design proposals for the screening of the bin storage in the front garden areas for each residential unit, and detailed design proposals for the secure bike storage shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development.

Reason: In the interests of visual and residential amenities.

5. Prior to the commencement of development, the applicant shall submit to, and agree in writing with, the planning authority, a Noise Impact Assessment that shall include mitigation proposals if applicable, to obviate noise impacts having regard to the development's location within the noise zones of Dublin Airport.

Reason: In the interest of residential amenity of the future occupants of the development.

6. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health and surface water management.

7. Prior to the commencement of development, the developer shall enter into a Connection Agreements with Uisce Éireann (Irish Water) to provide for service connections to the public water supply and/or wastewater collection network.

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

8. A plan containing details for the management of waste within the development, including the provision of facilities for the storage, separation and collection of the waste (in particular mixed dry recyclables, organic waste and residual waste) shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the agreed waste facilities shall be maintained and waste shall be managed in accordance with the agreed plan.

Reason: To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment and the amenities of properties in the vicinity.

9. The site shall be landscaped in accordance with landscaping proposals that shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. 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.

10. The glazing to the bathroom and kitchen windows shall be manufactured opaque or frosted glass and shall be permanently maintained. The application of film to the surface of clear glass is not acceptable.

Reason: In the interest of residential amenity.

11. The management and maintenance of the proposed development, following completion, shall be the responsibility of a legally constituted management company, which shall be established by the developer. A management scheme, providing adequate measures for the future maintenance of the development, including the external fabric of the building, open spaces, landscaping, roads, paths, parking areas, lighting, waste storage facilities and sanitary services, shall be submitted to, and agreed in writing with, the planning authority, before the residential units are made available for occupation.

Reason: To provide for the future maintenance of this private apartment development in the interest of residential amenity and orderly development.

12. Proposals for the development name and apartment numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. Thereafter, all signs and apartment numbers shall be provided in accordance with the agreed scheme. No advertisements/marketing signage relating to the name of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name.

Reason: In the interest of urban legibility.

13. 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.

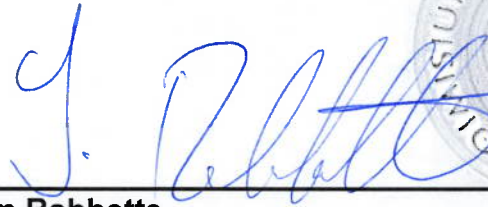
Reason: In the interests of visual and residential amenity.

14. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 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: To safeguard the amenity of property in the vicinity.

15. 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 21st day of April 2026.