



An
Coimisiún
Pleanála

Commission Order
PL-500489-DR-25

Planning and Development Act 2000, as amended

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D25B/0546/WEB

Appeal by Shane O’Leary and Barry O’Fiacháin against the decision made on the 21st day of November 2025, by Dún Laoghaire-Rathdown County Council to grant, subject to conditions, a permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: Works to include the following: (i) demolition of the existing single storey shed to the side of existing dwelling; (ii) construction of new single storey flat roof shed to the side-west of existing dwelling; (iii) the construction of two storey pitched roof extension with attic to the rear of existing two storey dwelling; (iv) bay window to the rear at ground floor level; (v) new attic staircase access, (vi) new dormer window facing rear at attic level; (vii) new rooflights to the rear, sides and front, (viii) new windows and amendments to existing fenestration, internal modifications, landscaping, SUDS drainage and all associated works necessary to facilitate the development at number 33, Finsbury Park, Churchtown, 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:

- (a) the zoning of the site under Objective A of the Dún Laoghaire-Rathdown County Development Plan 2022-2028, to provide residential development and improve residential amenity while protecting existing residential amenities,
- (b) planning policies and objectives set out under Section 12 of the Dún Laoghaire-Rathdown County Development Plan 2022-2028, guidance on Extensions to the Rear, Alterations to Roofs/Attics, Dormer Extensions to Roofs, Private Open Space and Sustainable Drainage,
- (c) the nature, scale and design of the proposed development,
- (d) the grounds of appeal submitted by both first and third parties, and
- (e) the existing pattern of development in the vicinity,

it is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable in terms of the visual and residential amenities of the area and would accord with the provisions of the Dún Laoghaire Rathdown County 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 for the extension elements of the proposed development, the Commission was satisfied that any overshadowing/overbearing impacts would not be significant, given the condition attached to reduce the length of the extension at first and attic floor, combined with the use of a hipped roof structure.

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

Reason: In the interest of clarity.

2. Prior to the commencement of development, the applicant shall submit for written agreement of the planning authority:
 - (a) revised section, elevation, and plan drawings which show a reduction in the first floor and attic level's extension, beyond the existing rear boundary line by 1.0 metres, resulting in a final projection of 3.0 metres beyond the rear elevation,
 - (b) a revised roof design to hipped instead of gable,

- (c) site layout plans and accompanying commentary that outlines how the applicant proposes to dispose of surface water run-off generated by the development. The applicant shall demonstrate that their proposal is in accordance with Section 10.2.2.6 Policy Objective EI6: Sustainable Drainage Systems of the Dún Laoghaire Rathdown County Development Plan 2022-2028, specifically, that all surface water run-off generated by the development is infiltrated or reused locally within the property curtilage with no overflow to the public sewers,
- (d) the applicant shall also demonstrate that their proposal is in accordance with Section 12.4.8.3 Driveways/Hardstanding Areas of the Dún Laoghaire-Rathdown County Development Plan 2022-2028, specifically, that all proposed hardstanding areas are shown to be permeable surfaces, such as gravel or a specifically designed permeable paving stone/asphalt system.

Reason: In the interests of clarity, sustainable development and to protect adjacent residential amenities.

3. The subject dwelling shall be used as a single dwelling unit and shall not be subdivided in any manner or used as two or more separate habitable units, and the flat roof above the approved ground floor rear extension shall not to be accessible, other than for maintenance, and is not to be used as a balcony.

Reason: To prevent unauthorised development.

4. All external finishes shall harmonise in material, colour and texture with the existing dwelling on site.

Reason: In the interest of visual amenity.

5. All necessary measures shall be taken by the applicant and contractor to 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, repair any damage to the public road arising from carrying out the works, and avoid conflict between construction activities and pedestrian/vehicular movements on the surrounding public roads during construction works.

Reason: In the interests of public safety and residential amenity.

6. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviations from these times shall only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

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



Declan Moore

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

Dated this *15th* day of *APRIL* 2026