

Planning and Development Act 2000, as amended

Planning Authority: Dun Laoghaire-Rathdown County Council

Planning Register Reference Number: D25A/0817/WEB

Appeal by Colm Mac Giolla Phadraig against the decision made on the 17th day of December, 2025 by Dun Laoghaire-Rathdown County Council in relation to an application for development comprising conversion of existing attic space comprising of modification of existing roof structure, two number roof windows to the front and flat roof dormer to the rear, new vehicular entrance to the rear of existing dwelling from the adjacent road, Ferncarrig Rise, and dishing of existing footpath, all at 24 Ferncarrig Avenue, Ferncarrig, Dublin in accordance with plans and particulars lodged with the said Council (which decision was to grant subject to conditions permission for conversion of existing attic space comprising of modification of existing roof structure, two number roof windows to the front and flat roof dormer to the rear and to refuse permission for new vehicular entrance to the rear of existing dwelling from the adjacent road, Ferncarrig Rise, and dishing of existing footpath).

P.C.

Decision

GRANT permission for conversion of existing attic space comprising of modification of existing roof structure, two number roof windows to the front and flat roof dormer to the rear in accordance with the said plans and particulars based on the reasons and considerations marked (1) under and subject to the conditions set out below. REFUSE permission for new vehicular entrance to the rear of existing dwelling from the adjacent road, Ferncarrig Rise, and dishing of existing footpath for the reasons and considerations marked (2) under.

Reasons and Considerations (1)

Having regard to the residential land use zoning of the site in the Dun Laoghaire-Rathdown County Development Plan 2022-2028, the support in the development plan for improvements to and adaptation of existing homes, the development management criteria for alterations to roof profiles and dormers as set out in Section 12.3.7.1 of the development plan, the location of the proposed development, and the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed attic use and design of the proposed development would be in accordance with the character of the dwelling, would not detract from the surrounding area, and would not have a negative 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 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 proposed development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2.
 - (a) The proposed attic space shall be used for purposes associated with the subject dwelling only.
 - (b) The subject dwelling shall be retained and operated as a single dwelling unit and shall not be sub-divided into two or more units.

Reason: In the interest of clarity.

3. The external finishes of the proposed alterations to the existing dwelling shall be the same as those of the existing dwelling in respect of colour and texture. Samples of the proposed materials shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

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

Reason: In the interest of public health.

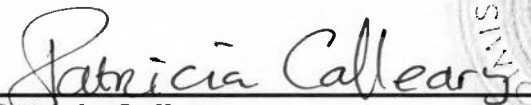
5. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays, inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior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

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

Reasons and Considerations (2)

1. Subsection 12.4.8.1 (General Specifications) of Section 12.4.8 (Vehicular Entrances and Hardstanding Areas) of the Dun Laoghaire-Rathdown County Development Plan 2022-2028 requires, inter alia, that 'proper provision shall be made for sightlines at the exit from driveways' in accordance with the requirements of the Design Manual for Urban Roads and Streets, and 'as appropriate to the particular road type, and speed being accessed' and 'vehicle entrances and exits shall be designed to avoid traffic hazard for pedestrians and passing traffic'. Sightlines at the proposed entrance are compromised by the unregulated roadside parking regime for Ferncarrig Rise at the location of the proposed access. Having regard also to the need for vehicles to cross the pedestrian footpath located immediately adjacent to the proposed access, and the lack of capacity for a turning area within the site and the consequent need for reversing manoeuvres out of the site, it is considered that the proposed development would endanger traffic and pedestrian safety, and would be contrary to the aforementioned provisions of the development plan. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Subsection 12.8.3.3(i) (Private Open Space for Houses) of Section 12.8.3 (Open Space Quantity for Residential Development) of the Dun Laoghaire-Rathdown County Development Plan 2022-2028 includes a minimum private open space requirement of 75 square metres for houses with four bedrooms or more. The private open space that would remain after the minimum parking space dimensions of 5.5 metres by three metres to serve the proposed access, and after the areas occupied by the two existing sheds in the rear garden are discounted, would be significantly below the specified minimum threshold. The proposed development would result in substandard amenities serving the subject dwelling, would be contrary to the aforementioned provisions of the development plan, and would, therefore, be contrary to the proper planning and sustainable development of the area.



Patricia Calleary

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

Dated this *28th* day of *April* 2026.

