



An
Coimisiún
Pleanála

**Commission Order
PL-501140-DR-26**

Planning and Development Act 2000, as amended

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D25A/0837/WEB

Appeal by Lawrence and Jane Chmara and by Alison Condrón against the decision made on the 13th day of March 2026, by Dún Laoghaire-Rathdown County Council to grant, subject to conditions, a permission to Yvonne Rosenkranz Bourke in accordance with plans and particulars lodged with the said Council.

Proposed Development: The proposed development will consist of: (a) Demolition of existing conservatory, garden shed, side stairs and landing (circa 44.6 square metres); (b) Subdivision of the main dwelling, Charleville House (Protected Structure RPS: 1385) into two duplex units that consist of one number two-bedroom duplex unit on the ground and first floor and one number three-bedroom duplex unit on the ground and first floor each with their own independent entrances and their own private gardens; (c) Construction of a new one number one storey, three-bedroom dwelling to be accessed via the existing site entrance; (d) 47.7 square metres of private open space for the new dwelling in the form of a paved patio area, courtyard and garden; (e) Communal amenity space of 206.17 square metres; (f) Three number car

parking spaces; (g) Six number bicycle parking spaces; (h) One number bin store; (i) All associated site development works and service provision above and below ground on a site of 0.068 hectares, all at Charleville, 131 Newtownpark Avenue, Blackrock, County Dublin.

Decision

REFUSE permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations set out below.

Reasons and Considerations

It is considered, by reason of the siting of the additional dwelling within the curtilage of, and to the front of, the Protected Structure and having regard to Policy Objective HER 8 - Work to Protected Structures of the Dún Laoghaire-Rathdown County Development Plan 2022 - 2028, that the proposed development is not sensitively sited and designed, would negatively impact the special character and appearance of the Protected Structure and would, therefore, seriously injure the amenities of the area and be contrary to the proper planning and sustainable development of the area.

Having regard to section 12.3.7.1(i) of the County Development Plan, the proposed access arrangements for Duplex 1 and the design of the proposed porch, it is considered that the introduction of a new porch and sliding doors would detract from the symmetry, balance and proportions of the facade of the Protected Structure, would form an incongruous feature on the principle facade, would not complement the facade of the Protected Structure and would be contrary to the proper planning and sustainable development of the area.

Having regard to the restricted nature and shape of the site of the proposed new dwelling to the front of the Protected Structure and to the established pattern of development in the surrounding neighbourhood, it is considered that the construction of a new dwelling to the front of the Protected Structure, when combined with the subdivision of the main dwelling, would constitute overdevelopment of the site, would be visually obtrusive when viewed from the streetscape and out of character with development in the vicinity, and would not protect the existing residential amenity contrary to the Zoning objective A and Section 12.3.7.7 Infill of the County Development Plan. The proposed development would, therefore, seriously injure the amenities of the area and would be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Commission was not satisfied that the design, aspect, location and siting of the new dwelling to the front of the Protected Structure and the design and layout of the access arrangements for Duplex 1 would not result in an incongruous structure within the curtilage of the Protected Structure and would negatively impact on its special character and appearance.


Marie O'Connor

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



Dated this 11th day of August 2026.