

An
Coimisiún
Pleanála

Commission Order
PL-501312-DR-26

Planning and Development Act 2000, as amended

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D26A/0135/WEB

Appeal by Enderly OMC Limited and by others against the decision made on the 15th day of April 2026 by Dún Laoghaire-Rathdown County Council to grant, subject to conditions, a permission to Katy and Johny Janssens in accordance with plans and particulars lodged with the said Council.

Proposed Development: The proposed development will consist of a new single-storey front-facing side extension to replace an existing side extension to be demolished; a new single-storey side extension to the rear of the existing single-storey entrance lobby to allow level access; a new consolidated single storey rear-facing extension in place of existing sun room to be demolished; the introduction of two new sash windows to the front elevation addressing Cunningham Road; demolition of two existing chimney stacks; the formation of a new recessed vehicular entrance gate in place of the existing vehicular access gates addressing Cunningham Road; revised landscaping measures to the front garden to allow the formation of improved parking facilities; the introduction of a new pedestrian access gate to the rear garden addressing Cunningham Drive; the introduction of three new roof-lights to the roof of the existing dwelling; modification of some existing opes to

the perimeter of the property to accommodate new window/door proposals;
outbuildings to the rear garden and all associated site works

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 provisions of the Dún Laoghaire-Rathdown County Development Plan 2022-2028, to the zoning of the subject site as Objective A, which has the purpose of improving residential amenity while protecting existing residential and visual amenities, to policy objective HER21 (Nineteenth and Twentieth Century Buildings, Estates and Features) and to subsections (ii) and (iii) of Section 12.3.7.1 (Extensions to Dwellings), it is considered that, subject to the conditions set out below, the extensions to the rear and to both sides of the existing dwelling, the alterations to the fenestration and other ancillary works within the curtilage of the property, including hard landscaping, the alterations to the vehicular entrance and the insertion of a pedestrian gate along the western boundary wall, would be in keeping with the character of the area, and would not give rise to a negative impact on the residential or visual amenities of the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Whilst noting the recommendation of the Inspector to omit, by condition, the proposed alterations to the vehicular entrance to the subject site, the Commission also noted that the subject property is not a protected structure, and that there was broad support from the planning authority for these proposed alterations. Having considered the nature and scale of the proposed

alterations to the vehicular entrance, which were considered to be minor, and having also noted the location of the entrance in close proximity to the junction with Cunningham Drive, the Commission considered that such works would offer an improvement to the vehicular entrance and would have no material effect on the architectural heritage of the area. The Commission therefore considered that the proposed alterations to the vehicular entrance to the subject site, would be in accordance with Objective HER 21 of the development plan.

The Commission noted and agreed with the observations of the inspector regarding issues raised in the appeal, in relation to the ownership of the boundary wall. The Commission considered it appropriate to grant permission for the proposed development, subject to conditions, having regard to Section 34(13) of the Planning and Development Act 2000, as amended, which states that: 'A person shall not be entitled solely by reason of a permission under this section to carry out any development'.

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 proposed gate at the western boundary wall of the subject site, onto Cunningham Drive, shall be used for pedestrian purposes only.

Reason: In the interest of the residential amenities of the area.

3. Any other development not specified in the description of development, shall be omitted, including the proposed green house and shed in the rear garden of Arranmore, and the railings atop the boundary walls. Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority, prior to commencement of development.

Reason: In the interests of visual amenity.

4. The footpath in front of the proposed widened vehicular entrance to the subject site, shall be dishd and strengthened at the applicant's own expense, including any moving/adjustment of any water cocks/chamber covers and all to the satisfaction of the appropriate utility company and the planning authority.

Reason: In the interest of orderly development.

5. Site development and building works shall be carried out between the hours of 0700 and 1900 Monday to Friday, and 0800 to 1400 hours on Saturdays, and not at all on Sundays or public holidays, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of the protection of residential amenity.

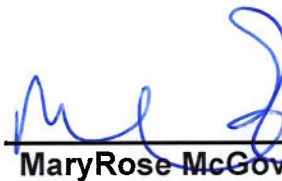
6. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of

development. This plan shall provide details of intended construction practice for the development, including noise management measures, measures to prevent the deposit of dirt and debris on the public road, construction traffic management measures and offsite disposal of construction/demolition waste.

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

7. Prior to the commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.

Reason: To prevent flooding and in the interests of sustainable drainage.



MaryRose McGovern

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

Dated this 9th day of September 2026

