

An
Coimisiún
Pleanála

Commission Order
PL-501352-DR-26

Planning and Development Acts 2000, as amended

Planning Authority: Dún Laoghaire-Rathdown County Council

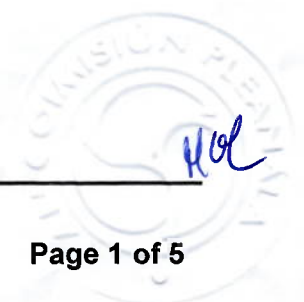
Planning Register Reference Number: D26A/0145/WEB

Appeal by Monarch Contracts and Property Services Limited against the decision made on the 22nd day of April 2026 by Dún Laoghaire-Rathdown County Council to refuse permission for the proposed development.

Proposed Development: The proposed development will consist of the subdivision of the existing site to enable the construction of a new four bed two storey detached dwelling of circa 233 square metres, in the rear backland of the existing house, number 37 Churchtown Road Lower, together with all ancillary site drainage and landscape works necessary to facilitate the development, including but not limited to the provision of; alterations to the site entrance to enable access, separating boundary fence, parking area, bike and bin store, all at number 37, Churchtown Road Lower, 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 the provisions of the Dún Laoghaire-Rathdown Development Plan 2022-2028, the guidance set out in Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024), the size, nature, character, and location of the site, it is considered that the proposed development, subject to compliance with the conditions set out below, would not seriously injure the residential amenity of properties in the vicinity, and would be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by An Coimisiún Pleanála on the 18th day of May 2026 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. A full set of elevation drawings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of clarity.

3. Details of the materials, colours and textures of all the external finishes to the proposed dwelling, and details of the boundary treatments and gate(s) 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 ensure an appropriate high standard of development.

4. No flat roof shall be used as a terrace or balcony.

Reason: In the interest of neighbouring residential amenity, and to clarify the extent of the permission.

5. The glazing to all bathroom and en-suite 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.

6. Prior to the commencement of development, the developer shall enter into Connection Agreements with Uisce Éireann 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.

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.

8. Site development and building works shall be carried out between the hours of 0700 and 1900 Mondays to Fridays inclusive, between 0800 and 1400 on Saturdays and not at all on Sundays and 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 amenity of property in the vicinity.

9. All necessary measures shall be taken by the Applicant and Contractor to:
- (a) 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,
 - (b) repair any damage to the public road arising from carrying out the works,
 - (c) avoid conflict between construction activities and pedestrian/vehicular movements on the surrounding public roads during construction works.

Reason: To protect the amenities of the area and in the interests of road safety.

10. 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.

Marie O'Connor

Marie O'Connor

Planning Commissioner of An Coimisiún

Pleanála duly authorised to authenticate

the seal of the Commission.

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

