



An  
Coimisiún  
Pleanála

Commission Order  
PL-501578-DR-26

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**Planning and Development Act 2000, as amended**

**Planning Authority: Dún Laoghaire-Rathdown County Council**

**Planning Register Reference Number: D26A/0099/WEB**

**Appeal by** Niamh Donnelly and others against the decision made on the 25<sup>th</sup> day of May, 2026 by Dún Laoghaire-Rathdown County Council to grant, subject to conditions, a permission to Gavan Ryan in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** (a) Demolition of existing single storey detached garage and steel shed, (b) construction of a new single storey two bedroom dwelling, with covered canopies to the front and side. The dwelling will be 72 square metres of total habitable floor area, (c) new vehicular entrance to Saint Kevin's Park, to allow for one number off street car parking space and (d) all associated site and landscaping works at site to the rear of 33, 33a and 33b Dale Road/Saint Kevin's Park, Stillorgan, County 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 County Development Plan 2022-2028, to the zoning of the site for residential purposes, to the design and the layout and siting of the proposed development, it is considered that, subject to compliance with conditions set out below, the proposed development would not seriously injure the character of the area or the residential or visual amenities of property in the vicinity and would, therefore, 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 the planning authority on the 29<sup>th</sup> day of April, 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. The proposed dwelling shall be used as a single dwelling unit and shall not be sub-divided in any manner or used as two or more separate habitable units.

**Reason:** To prevent unauthorised development.

3. 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.

4. Details of the materials, colours and textures of all the external finishes to the proposed dwelling 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.

5. The parking area serving the residential unit shall be provided with a functional electric vehicle charging point.

**Reason:** In the interest of sustainable transportation.

6. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Friday inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will 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. Prior to commencement of works, the developer shall submit to, and agree in writing with the planning authority, a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the development, including noise and dust management measures and off-site disposal of construction/demolition waste.

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

8. All necessary measures shall be undertaken by the developer 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, and
  - (c) avoid conflict between construction activities and pedestrian/vehicular movements on the surrounding public roads during the construction works.

**Reason:** In the interest of orderly development.

9. (a) Prior to commencement of the development, the developer shall agree in writing with the planning authority, drainage arrangements, including the attenuation and disposal of surface water, shall comply 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 sewer. This can be via a soakaway, raingarden, rainwater harvesting system, permeable paving designed with an allowance for roof discharge (e.g. Diffuser box) etc. If the developer does not consider infiltration a feasible solution, the developer shall prove that by submitting a report, signed by a Chartered Engineer, showing an infiltration test (with results, photos, etc) and shall propose an alternative SuDs measure, in writing where necessary, of the planning authority for such works and services.
- (b) Any changes to parking and hardstanding areas shall be constructed in accordance with the recommendations of the Greater Dublin Strategic Drainage study for sustainable urban drainage systems (SuDs) i.e. permeable surfacing, and in accordance with Section 12.4.8.3 Driveways/Hardstanding Areas of the Dún Laoghaire-Rathdown County Development Plan 2022-2028. Appropriate measures shall be included to prevent runoff from driveways entering onto the public realm as required. Where unbound material is proposed for driveway, parking or hardstanding areas, it shall be contained in such a way to ensure that it does not transfer onto the public road or footpath on road safety grounds.

**Reason:** In the interest of public health.

10. Prior to the commencement of development, the developer shall enter into a Connection Agreement with Uisce Éireann (Irish Water) to provide for a service connection(s) to the public water supply and/or wastewater collection network.

**Reason:** In the interest of public health and to ensure adequate water/wastewater facilities.

11. The footpath in front of the proposed vehicular entrance shall be dished and strengthened at the developer'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. With regard to both the dishing and strengthening of the footpath, the developer shall contact the Road Maintenance and Control Section to ascertain the required specifications for such works and any required permits.

**Reason:** In the interest of orderly development.

12. Development described in Classes 1 or 3 of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001, or any statutory provision modifying or replacing them, shall not be carried out within the curtilage of the proposed dwelling without a prior grant of planning permission.

**Reason:** In order to ensure that a reasonable amount of private open space is provided for the benefit of the occupants of the proposed dwelling.

13. 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.

  

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Declan Moore

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

Dated this 14<sup>th</sup> day of September 2026.