An Coimisiún Pleanála

Commission Order
PL-501639-DR-26

Planning and Development Act 2000, as amended

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D26A/0286/WEB

Appeal by Kate Candon and Kieran Harte against the decision made on the 5th day of June, 2026 by Dún Laoghaire-Rathdown County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: Increasing the height of the boundary wall/fence along Newtownpark Avenue and Meadow Close at the front and side of the house; also to move the vehicular access from Newtownpark Avenue to Meadow Close while maintaining a pedestrian entrance onto Newtownpark Avenue all at Lough Bawn, Newtownpark Avenue, Blackrock, County Dublin.

Decision

Having regard to the nature of the condition the subject of the appeal, the Commission is satisfied that the determination by the Commission of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to AMEND condition number 2 so that it shall be as follows for the reason set out.

2. Reconstructed boundary walls along Newtownpark Avenue and Meadow Close shall not exceed 1.5 metres in height, with a maximum height of entrance pillars of 1.7 metres. Revised details of proposed site boundary walls, including details of proposed material and finishes, shall be submitted for the written agreement of the planning authority prior to the commencement of development.

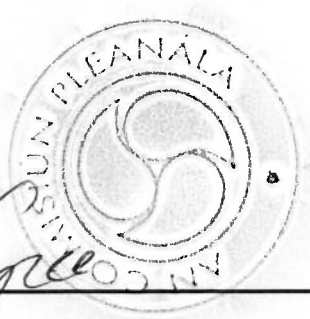
Reason: In the interest of visual and residential amenity.

Reasons and Considerations

Having regard to the 'A' zoning for the area as set out in the Dun Laoghaire-Rathdown Development Plan 2022-2028, to the siting and configuration of the subject dwelling, and to the established pattern of development in the vicinity, it is considered that a significant increase in the height of the proposed front and side boundary walls could not be justified by the applicant's concerns regarding overlooking of the property from adjacent public areas, and that a significant increase in the height of the side and front boundary walls would diminish the existing visual and residential amenities of the wider area, and would be likely to set a precedent for further such enclosed and defensible semi-private front gardens, to the general detriment of the public realm in this established suburban residential area.

In deciding not to accept the inspectors recommendation, the Commission considered that a significant increase in the height of the proposed front and side boundary walls could not be justified by the applicant's concerns regarding overlooking of the property from adjacent public areas, and that such an approach could set a precedent for further such enclosed and

defensible semi-private front gardens, to the general detriment of the public realm, where alternative solutions such as site landscaping and window treatments might provide more appropriate solutions to concerns regarding privacy and overlooking without the need to enclose residential properties behind high walls and fences.



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

Dated this 15TH **day of** OCTOBER **2026**