

An
Coimisiún
Pleanála

**Commission Order
PL-501722-DR-26**

Planning and Development Act 2000, as amended

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D26A/0322/WEB

Appeal by Elona Dervishi against the decision made on the 23rd day of June 2026, by Dún Laoghaire-Rathdown County Council to refuse permission for the proposed development.

Proposed Development: (1) Retention permission for demolition works comprising the original dwelling, boiler house, and garden shed; (2) Permission for: (i) demolition of an existing porch, (ii) the construction of a new two storey dwelling (to the final design & finishes permitted by Dún Laoghaire-Rathdown County Council register reference number: D25B/0657/WEB); and (iii) associated site works at Mountain View, Blackglen Road, Sandyford, 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.

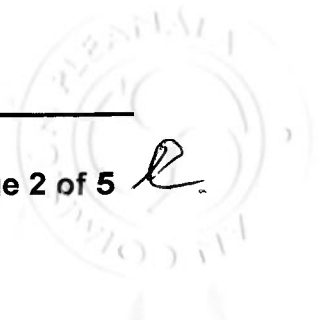
Reasons and Considerations

Having regard to the Objective A residential zoning of the site, the established pattern of development in the area and the poor structural condition of the existing dwelling on the site as evidenced in the assessments provided, it is considered that the development proposed to be retained and proposed development including demolition works would be justified and would not seriously injure the visual or residential amenities of the area or of properties in the vicinity and would not conflict with Policy Objective CA6: Retrofit and Reuse of Buildings and Section 12.3.9 (Demolition and Replacement Dwellings) of the Dún Laoghaire Rathdown County Development Plan 2022-2028. The proposed development and the development proposed to be retained would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained, 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 retained, carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.



2. The glazing to the bathroom and en-suite windows at the eastern elevation ground floor and first floor 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.

3. The proposed development shall be amended as follows:
 - (a) The window serving the first-floor bedroom on the eastern elevation ('Bedroom 3') shall be a minimum of 1.8 metres from the floor level.

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 interest of residential amenity.

4. All external finishes, including roof tiles/slates, shall harmonise in material, colour and texture with the existing dwelling on site.

Reason: In the interest of visual amenity.

5. 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.

6. The boundary treatment for the site shall be defined and landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of residential and visual amenity.

7. All necessary measures should be taken by the applicant and contractor to prevent the spillage or deposit of clay, rubble or other debris on the public road network, repair any damage to the public road arising from carrying out works and avoid conflict with between construction activities and pedestrian and vehicular movements on the surrounding public roads.

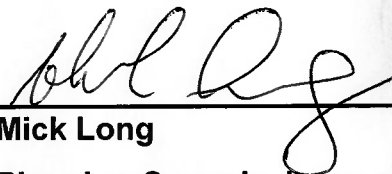
Reason: In the interests of amenities, public health and safety and environmental protection.

8. Site development and building works shall be carried out between the hours of 0700 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours 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. 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.



Mick Long

Planning Commissioner of An Coimisiún

**Pleanála duly authorised to authenticate
the seal of the Commission.**

Dated this 28th day of September 2026