

An  
Coimisiún  
Pleanála

**Commission Order  
PL-501732-DR-26**

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

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

**Planning Register Reference Number: D26A/0333/WEB**

**Appeal** by Barry and Andrea Napier against the decision made on the 24<sup>th</sup> day of June 2026, by Dún Laoghaire-Rathdown County Council to refuse permission for the proposed development.

**Proposed Development:** The development will consist of the following: alteration to previously approved planning permission Dún Laoghaire-Rathdown County Council register reference number: D25A/0018/WEB comprising retention permission for the demolition of the remaining two-storey structure (229 square metres) which was to be retained and the reconstruction of the house (229 square metres) to the original design, extent and floor levels with associated site development works above and below ground all at Rarc-An-Ilan, number 22 Coliemore Road, Dalkey, 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 residential zoning of the site, the established pattern of development in the area and the poor structural and uninhabitable condition of the existing dwelling on the site, it is considered that the proposed development and the development proposed to be retained would be in accordance 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 by reason of a strong justification for demolition and replacement and would not seriously injure the visual or residential amenities of the area or of properties in the vicinity. 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. Apart from any departures specifically authorised by this permission, the development shall comply with the conditions of the parent permission, Dún Laoghaire-Rathdown County Council register reference number: D25A/0018/WEB unless the conditions set out hereunder specify otherwise. This permission shall expire on the same date as the parent permission.

**Reason:** In the interest of clarity and to ensure that the overall development is carried out in accordance with the previous permission.

3. 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.

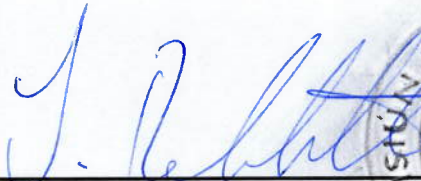
**Reason:** To prevent flooding and in the interests of sustainable drainage.

4. 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.

5. 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.

  
\_\_\_\_\_  
**Tom Rabbette**

**Planning Commissioner of An Coimisiún**

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

Dated this 16<sup>th</sup> day of Sept. 2026