

An
Coimisiún
Pleanála

Commission Order
LV-501782-DR

Planning and Development Act 2000, as amended

Planning Authority: Dun Laoghaire-Rathdown County Council

Planning Register Reference Number: D26B/0281/WEB

Application for Leave to Appeal against the decision of the planning authority by Thérèse Canavan having an interest in land adjoining the land in respect of which Dun Laoghaire-Rathdown County Council decided on the 2nd day of July, 2026 to grant subject to conditions a permission to Arthur and Geraldine Grady.

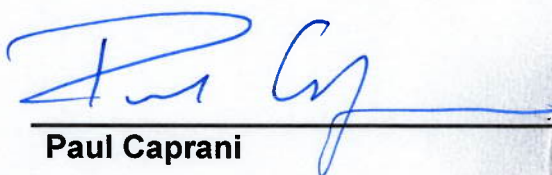
Proposed Development: Construction of an extensions and alter elevations (attic conversion) and construction of a garden shed, all as per drawing documentation submitted, together with all ancillary site works and services, all at 50 Knocknashee, Goatstown, County Dublin.

Decision

REFUSE leave to appeal under section 37(6) of the Planning and Development Act 2000, as amended, based on the reasons and considerations set out below.

Reasons and Considerations

It is considered that it has not been shown that the development, in respect of which a decision to grant permission has been made, will differ materially from the development as set out in the application for permission by reason of conditions imposed by the planning authority to which the grant is subject. In reaching its determination, the Commission considered the totality of the documentation on file. The Commission acknowledged the expressed concerns of the applicant for leave; however Section 37(6) of the Act is confined to a context wherein a decision to grant permission has changed materially from the development, as set out in the application for permission, by reasons of condition(s) imposed and that the material difference within the condition(s) is the cause of a material effect on the enjoyment of the land or a reduction of the value of land of the applicant for leave. The imposition of condition number 2 of the planning authority's decision results in the reduction in size of the dormer extension and also sets the extension 0.5 meters further from the applicant for leave to appeals' dwelling. The imposition of condition number 2, therefore, will not cause a material effect on the enjoyment of the land or result in a reduction in the value of the land as stipulated by Section 37(6). In the current case, the development, as granted by the planning authority, is not materially different as a consequence of any condition imposed from that, as originally proposed, and in this context, the Commission must refuse leave to appeal for the current case.



Paul Caprani

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



Dated this 20th day of August 2026.