

The Secretary,  
An Coimisiun Pleanála  
64 Marlborough Street,  
Dublin 1.  
D01 V902

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| AN COIMISIÚN PLEANÁLA |                |
| LDG-                  | 090056-26      |
| ACP-                  |                |
| 21 AUG 2026           |                |
| Fee: €                | 270 Type: CARZ |
| Time: 9:27            | By: LANC       |

Apartment 67,  
Wyckham Place,  
Dundrum,  
Dublin 16  
D16 KP97

21 August 2026

**Planning Authority Reference: LRD26A/0406/WEB**  
**Marmalade Lane – 531 no. ‘build to rent’ apartments Dundrum, Dublin 16. Dundrum, Dublin 16. [SHD Marmalade Lane 2] for 531 no. ‘build to rent’ apartments**

**Reason for decision to Appeal.**

Our basic concerns remain as in our previous objection in 2022, specifically the unsustainability of allowing the use of a private road as the main (and only) vehicular access route into the Gort Muire apartment development. Because of its private status, the council and gardai are unable to regulate/control on-street parking as they would if the road was declared a public road. The propensity for on-street car parking to take place (**Photos 6, 7 and 8 at rear Appendix refer**) on this private road (and indeed outside cars not connected with Wyckham Place and Wyckham Point apartments to enter in and park in our private car parks) is already being experienced as a result of overspill parking demand resulting from the now built Wall Garden SHD of 142 units, where, like the Lioncor LRD development, there is only approval for 1 on-site car space to serve 3 units. This poorly thought through decision by DLRCoCo on permitting only limited on site car parking is disastrous and assumes a complete modal shift in transport with Build to Rent developments, whereas the reality is that there is little sign of a modal shift in transport usage by those residents, certainly in the completed Walled Garden development.

Overspill car parking is being experienced in adjacent residential estates such as Parkvale and Wesley Lawns, but at least in those instances the estate roads have been taken in charge and DLR operates a clamping regime which somewhat mitigates the parking problem. In short, the serious parking under provision in large apartment developments is not sustainable



and this is a central contention of this appeal as regards it has a knock-on effect our neighbouring apartment complexes.

At the time of our previous objection in January 2022 to **ABP312170 (SHD Marmalade Lane 2)**, the original main gated/pillar entrance to Gort Muire, erected in 2003 when the new access road into the Carmelite property was constructed. Any planning notices were affixed to one of the granite gate pillars meaning these notices were clearly visible to the public, even from a distance from the turn-offs to our apartment complexes. Consequently, the site notice/signage in 2022 was fit for purpose in terms of visibility and positioning, and clearly highlighted the existence of a planning application

Our most recent objection was in relation to **LRD26A/0406/WEB**, which mirrored three previous recent applications **LRD25A/0818/WEB (invalid)**, **LRD25A/0849/WEB**, and **LRD26A/0375/WEB (invalid)**.

We had objected to **LRD25A/0849WEB**, which application was lodged 7.11.2025 but were just outside of the statutory period to object. In that instance our objection was based on the combined negative consequences of failures by both the applicant and the council planning department. In all 3 applications the applicant omitted to erect a key notice at the public road intersection of Wyckham Place with Wyckham By-Pass roundabout (they only erected 3 rather than 4 notices). The Council for its part seemingly failed to notice. The intended 4 locations for the site notices, which we have identified as **A, B, C D** on Lioncor's site notice location map. (MAP 1 at rear).

**Basis for this Third-Party Appeal against DLR's decision to grant planning application Ref. LRD26A/0406/WEB.**

**Missing and/or Non-compliant Site Notices:**

- 1. Omitted Site Notice at most critical location A (see photos 1 and 2) at corner of Wyckham Way.** Only three site notices were actually erected by Lioncor (ref **B, C, D** on their site notice location map accompanying the current application - see Map 1 at rear) which were replicated for all four planning applications **LRD25A/0818/WEB** and **LRD25A/0849/WEB**, **LRD26A/0375/WEB** and



**LRD26A/0406/WEB.** The site notice location maps for all four planning applications were identical and were affixed at three locations on the perimeter of the site. The intended notice for the most critical position – Location A – identified in Lioncor’s site notice location map, was never erected, either in the instant application nor in the three preceding applications.

2. Site Notice at Location B, apart from being slightly wrongly located on Map 1, was not visible from the roundabout at the neighbouring Wyckham Place/Wyckham point apartments: In 2024 the main gates and pillars at the entrance to the Gort Muire site were deconstructed and reinstated at 90 degrees on the RHS to provide continued access into the Carmelite’s remaining property. The original gates into the Lioncor development site were then replaced by a gated mobile barrier and a security hut, with green plastic coated metal fencing on the northern side of this. The site notice location at **the temporary builder’s service entrance, (Location B)** consequently became invisible from Wyckham Place or Point apartments due to the 90-degree rotational shift in the orientation of the notice which was affixed on the temporary fencing. The notices for all four planning applications at Location B were further hidden in plain sight by inserting them within a line of pre-existing unrelated site notices, **(see photo 3 and photo 4)** thus rendering the site notice for the planning application almost invisible. **Photo 5** shows the same notice at **Location C.** with the same date defacement Even if Lioncor had affixed the notices to the front wall of the security cabin, full visibility would have been maintained.
3. Non-compliant/defective notices: In the case of **LRD25A/0849/WEB**, which is obvious from our already referenced **photos 3, 4, and 5** that the date on the 3 site notices that were erected at had been partially deleted by what appears to have been an intentional obscuring of the date at the production stage by dark green digital overwriting, thus making them unreadable. Again, this seems to have been either ignored or not discovered by the planner at inspection stage. It is also pertinent to note that DLRCoCo took a decision in two of the four recent planning applications,



**LRD25A/0818/WEB and LRD26A/0375/WEB**, in rejecting them as being invalid, yet oddly, not in the instant application.

**Failure of adequate diligence on the part of the council:** We also point to what we consider to be an obvious failure by DLRCoCo to identify any of the above shortcomings at the date of planning inspection.

On two occasions DLRCO wrote to us, by letters dated 29<sup>th</sup>. January 2026 and on 9<sup>th</sup>. June 2026, both relating to LRD25A/0849/WEB. **(See Appendix at rear.)** In the January letter one suggestion offered by the council was to raise a complaint regarding the planning process, by contacting the Office of the Planning Regulator. We would tend to regard our concerns as something that could have been resolved without have to raise such a complaint, but we have noted same as a further option if required.

### **Request for an oral hearing in this Appeal.**

In the context of the import of what is outlined above, and in the wider context set out below, we are respectively asking An Coimisiun Pleanala that they will deal with this appeal by way of an Oral Hearing, so that we can canvas and explain our case as fully as possible.

### **Overarching concerns beyond the present third-party appeal issues already set out above.**

**Protection of Rights to property enshrined in the Irish Constitution.** The consultative provisions contained Irish planning legislation for the benefit of third parties are clearly intended to ensure as far as possible that the protections of property rights enshrined in the Irish Constitution are intended to safeguard the rights of third-party property owners in a situation that an owner believes that an adjacent property development, if unchallenged, would infringe and cause harm to that owner's property rights. Thus, the objection/appeals process must operate in such a way that it safeguards these legal rights. The effect of the shortcomings identified above clearly shows that such safeguards were not in place, not least by reason of what we assert was the lack of diligence by the council in following the normal procedures.



Thank you for your attention in this matter. We attach the stipulated cost of making this third-party appeal and also our request for an oral hearing, a total of €270, paid for at the offices on ACP at time of lodgement of our submission on 21<sup>st</sup>. August.

Yours sincerely

Allen Morgan FRICS, FSCS  
Wyckham Place owner.

Lorna Murphy  
Director, Wyckham Point OMC



Senior Executive Officer  
Planning Department  
Dún Laoghaire-Rathdown  
County Hall, Marine Road  
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A96 K6C9

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Apartment 67  
Wyckham Place  
Dundrum  
Dublin 16  
D16 KP97

Date: 3<sup>rd</sup>. July 2026

**Subject: Planning Observation: Large-Scale Residential Development (LRD) Application**

**Planning Authority Ref: LRD26A/0406/WEB**

**Re: Approved amendment to DLRCoCo under LRD25A/0849/WEB to Parent Permission ABP-312170-21 [SHD Marmalade Lane 2] for 531 no. 'Build-to-Rent' apartments at Gort Muire, Dundrum, Dublin 16.**

Dear Sirs,

We refer to the above-referenced Large-Scale Residential Development (LRD) application and wish to formally submit an observation in relation to the proposal.

**1. Context and Affected Communities**

The large-scale development currently proceeding on Lioncor's Gort Muire site directly impacts over 600 existing residential units across the adjacent Wyckham Place and Wyckham Point apartment complexes.

**2. Key Concerns: Private Road Management and Access**

The primary concerns of the local residents centre on the long-term management and structural strain on the private road serving Gort Muire, which also acts as the vital access route for Wyckham Place and Wyckham Point. These critical issues were previously detailed in the submission to An Bord Pleanála dated 4th January 2022 re **ABP 312170** (attached for reference).

Wyckham Place currently serves as the sole vehicular access point into the Gort Muire lands. A critical section of this access road is now under the ownership of the applicant, Lioncor. Given the scale of the development, residents have repeatedly raised serious concerns regarding the urgent need for Dún Laoghaire-Rathdown County Council to take the remaining section of Wyckham Place—specifically the short section located immediately outside the Gort Muire apartment lands—in charge as a public road.

**3. Brief Summary of Site Planning History - Sources.**

[https://www.pleanala.ie/en-  
ie/cases?authority=06D&address=marmalade%20lane&lodgedto=2026-06-04](https://www.pleanala.ie/en-ie/cases?authority=06D&address=marmalade%20lane&lodgedto=2026-06-04)



<https://planning.agileapplications.ie/dunlaoghaire/search-applications/results?criteria=%7B%22openApplications%22:false,%22location%22:%22marmalade%20lane%22%7D&page=1>

To provide necessary context to this observation, the planning history of Lioncor's Gort Muire site is summarised below:

- **ABP-TC06D.306506:** (24.1.2020) **730** apartment units. Consultation with ABP. Response -requires further consultation/amendment (5.5.2020).
- **ABP-308157-20 (SHD):** (11.9.2020.) "Marmalade Lane". **628** apartment units total. **Granted** (14.3.2022) for a reduced 446 apartments. **Quashed by High Court.** Location of site notices – 4 no.
- **ABP-TC06D.312170:** (5.7.2021) "Marmalade Lane". **574** apartment units. Consultation with ABP. Response -requires further consultation/amendment (29.11.2021).
- **ABP-312170-21 (SHD2):** (10.12.2021.) "Marmalade Lane 2". **531** apartment units and 171 car parking spaces. **Granted** (8.4.2022) subject to 28 no. Conditions. Location of site notices on site map – 4 no. Two conditions - *Condition 13 - Car parking and Condition 25 Management refer. No condition relating to Taking in Charge of areas.*

<https://planningapi.agileapplications.ie/api/application/document/DLR/SB6XY5JCGD97C3G6FG4K24K5BKDZB7CAEAJNA483N8VHV94A38LENDLTUF7VHVZMGMTQKD7CF5FTME5GWWLZ7WQ>

- **LRD25A/0818/WEB (28.10.2025). Amendment Application.** *The amendment proposed will replace permitted Block E in the south-west corner of the site (which comprised a total of 68 no. units) with 8 no. semi-detached, 3 storey houses. All associated works to accommodate this change are proposed including car and cycle parking, public open space and associated ancillary works.*  
**Decision (31.10.2025) Declare Application Invalid – Reasons** a) *Incorrect fee.* b) *The application does not comply with Article 26(3)(b) which requires where, following consideration of an application under sub-article (1)(b), a planning authority considers that the notice in the newspaper or the site notice, because of its content or for any other reason, is misleading or inadequate for the information of the public, the planning application shall be invalid. Note:-The newspaper notice submitted with this application does not indicate the name and the date of publication as required.*  
**My Note:** *This application followed an agreement in July 2024 reached between Lioncor and a local residents association in the shadow of an active third-party Judicial Review*
- **LRD25A/0849/WEB:** (7.11.2025.) **Amendment Application - see above.** **Granted** 4.2.2026. It was subject to 25 Conditions. Location of site notices stated to be 4 no. but only 3 actually erected. (see print of PA location map) On this occasion, because the most visually critical 4<sup>th</sup> sign was not erected as promised, i.e. beside the public road at the junction with the Wyckham By-



pass, we did not become aware of the application until the period for observations had expired on 11.12.2025, the Planners had made their inspection on 8.12.2025, and the Decision to Grant issued 19.12.2025. We did point this out in our email of 17.12.2025 to DLRCoCo Planning dept, where we also attached photos of the Sign showing that the Date on all 3 of the Notices that were erected were defective, and had obliterated the date of the Notice with computer-generated black overprinting. (see copy photo of defective notices – all 3 erected)

<https://planningapi.agileapplications.ie/api/application/document/DLR/SB6XY5JCGDQBCUUWYRXD3JM96T6CLAGQB72DVHUX3KRFBK5CP2D7XF93XLGP5ZKXKZ69NDVR3FYZ8YSFU3ZDFDQ>

Condition 19 refers to conditions to **Taking in Charge/Building Control**:

*19. Prior to the commencement of development, the Applicant shall submit for written agreement with the Planning Authority:*

*a) Certificate of Incorporation of a legally constituted Owners Management Company.*

*b) Memorandum and Articles of Association (Constitution) of the Owners Management Company with reference made to the Multi Unit Development Act 2011.*

*c) A site planning (sic), [obviously an erratum for 'Plan'], showing clear delineation of the areas under ownership of the owners' management company, privately owned area, and proposed areas for Taking in Charge, as applicable.*

*d) A management scheme providing adequate measures for the future maintenance of roads and communal areas.*

*Any areas within the development to be Taken-In-Charge shall comply with Dun Laoghaire-Rathdown County Council [DLRCC] requirements, and which shall include compliance with the following documents: 'Taking In Charge Policy for Residential Developments' May 2022 (as amended) and 'Taking In Charge Development Standards' Guidance Document' June 2022 (as amended). REASON: In the interest of orderly development.*

- **LRD26A/0375/WEB (19.5.2026) Amendment of internal layouts and increase in unit numbers. Location of site notices – 4 no. Declare Application Invalid (22.5.2026) – Reasons** a) *The application does not comply with Article 26(3)(b) which requires where, following consideration of an application under sub-article (1)(b), a planning authority considers that the notice in the newspaper or the site notice, because of its content or for any other reason, is misleading or inadequate for the information of the public, the planning application shall be invalid. Note: Website provided in the public notices shows incorrect content in relation to the proposed development.* b) *The application does not comply with Article 23(1)(b) which requires other plans, elevations and sections shall be drawn to a scale of not less than 1:200 (which shall*



*be indicated thereon), or such other scale as may be agreed with the planning authority prior to the submission of the application in any particular case.*

- **LRD26A/0406/WEB (2.6.2026) Amendment of internal layouts and increase in unit numbers. See above Invalid application for detail which appears to be an identical application. Decision due on 27.7.2026.**

### **Objection/observation on instant application - LRD26A/0406/WEB**

Applicant seeks approval for an additional 2 apartment units (bringing the total to 473) with no change in total number of car spaces – 171.

#### **Observation 1 – non-conforming planning signage/Site Notices at the application stage.**

In our view, the Council correctly stated that the earlier invalidated application failed to comply with Article 26(3)(b) of the Planning and Development Regulations. The site plan clearly identified the location of 4 no. planning notices. (**see location map A, B, C, D**). Only 3 (**B, C, D**) were erected, the missing notice (**A**) which the location map stated was to be affixed to the stone boundary wall just beside the public road, adjacent to the main Wyckham Place roundabout was also noted in respect of the preceding application **LRD25A/0849/WEB** in December 2025. The main consequence of this missing fourth notice **A** was that this would have been the only notice, that would have alerted the residents of Wyckham Place to the planning application relating to Gort Muire as it is in a location that would have had the highest exposure. The notice directly outside of the main gate of Gort Muire, **B**, was hidden in plain sight on the northern fence at the site entrance amongst a line of site compliance notices and thus effectively invisible. All four notices in this application were non-compliant in that the date was totally obscured by heavy green overlay rendering it unreadable. In addition, the placing of the newspaper advertisement in a minor newspaper with very limited circulation means that by doing so it ensured that the application was unlikely to come to the attention of the public.

Further, we would agree with the council's statement in **LRD26A/0375/WEB** that incorrect website content was provided in the public notices, and that the developer failed to supply adequate and non-misleading information to the public thus rendering the application invalid.

#### **Observation 2 – The absence of a comprehensive site plan clearly indicating precisely what areas, roads etc., are intended to be taken in charge by DLRCoCo.**

Looking back at the Site Location Map over both the instant applications, and previous applications, in which the Applicant has supplied the same location map, it is noted that the entirety of Wyckham Place Road is included. If this map is accurate, this is encouraging as it would indicate that Lioncor are intending that the entire road be taken in charge. This needs to be clarified by the Council and Lioncor. It would help greatly if the map contained identification of the road sections involved (e.g. AB, CD, etc.) to make it absolutely clear what is intended for transfer to the Council.



**Observation 3 - Total inadequacy of on-site parking provision within the Lioncor development – the ratio of spaces to number of apartment units.**

Both Wyckham Place and Wyckham Point apartment complexes have a 1:1 ratio of car park provision plus a number of unallocated visitor spaces in both. The Lioncor LRD development in Gort Muire does not.

If the earlier planning permission for the Gort Muire development, 308157-20, had been acted upon, that permission would have resulted in a total of 446 apartments being served by 278 car spaces, equating to a ratio of 1.6 apts. per car space, still inadequate but far better than what is now proposed.

This latest amendment if approved would only serve to add to the severe imbalance between the total number of units within the Gort Muire development, and the associated car parking provision. The information relating to the current application fails to clarify the information deficit in the preceding application **LRD26A/0375/WEB** which was identified by DLRCoCo in their recent decision 22nd May 2026 to invalidate same.

**Compounding the parking deficit:** Adding another 2 units to the approved 471-unit complex would further increase the already unacceptable under-provision of on-site car parking.

- **Parking Ratio:** Analysed as 0.36 of a car space per unit, or
- **Apartment-to-Space Allocation:** 2.75 apartments obliged to share a single car space.

This severe parking deficit within the Lioncor development is wholly unsustainable and directly impacts upon the adjacent private roads and surrounding community infrastructure causing overspill roadside car parking, both onto Wesley Lawns estate roads and onto the sole access road serving Gort Muire which will be the inevitable result. Photos are available (if required), which clearly demonstrate the extent of unregulated parking on this private road. But at least the estate roads in the other adjacent estates, Wesley Lawns and Parkvale have been taken in charge by the council for many years and have a clamping regime, double yellow line markings and pay-parking in operation.

In summary the specific and severe impacts of the Lioncor development on the residents of Wyckham Place and Wyckham Point remain unaddressed.

**Observation 4. DLR suggested options to pursue further** in relation to the above applications and to the role played by DLR in their decision-making processes.

As residents living in Wyckham Place/Wyckham point for many years we were conscious of the need to monitor the development proposals for the Gort Muire lands. It has been clearly stated in the documents provided by the applicants, that there should have been 4 site notices for the benefit of alerting those who would be most directly impacted. The most crucial notice (to be affixed to the wall of Wyckham Place apartments where it meets the roundabout at the Wyckham Bypass) was never erected, meaning it was almost certain that most people would never know that an application was in train. Furthermore, of the remaining three notices that



were erected in November 2025 under LRD25A/0849/WEB, the date on the sign was obscured and unreadable by dark green overprinting, seemingly by whoever produced the site notices. Photos of this defective signage were sent to DLRCO.Co by email on 21.1.2025. We would intend to include these again in any submission to the Office of the Planning Regulator, with copy to Planning Enforcement section in DLR.

We respectfully submit that for the reasons as set out above, that the latest application ref. no. LRD26A/0406/WEB should be rejected, and permission refused. Payment of the requisite fee of €20 is being made the offices of Dun Laoghaire Rathdown County Council.

Allen Morgan FSCS, FRICS  
Wyckham Place OMC member  
086-8036659

Lorna Murphy  
Wyckham Point  
OMC Director



The Secretary,  
An Bord Pleanála,  
64 Marlborough Street,  
Dublin 1.

Apartment 67,  
Wyckham Place,  
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D16 KP97  
4<sup>th</sup> Jan 2022

**Subject: ABP 312170 – SHD – Marmalade Lane – 531 no. 'build to rent' apartments Dundrum, Dublin 16.**

**Application submitted to ABP by Lioncor for revised SHD apartment development at Gort Muire, Wyckham Place, Dublin 16.**

Dear Secretary,

I refer to the above application, the notice for which appeared on a side wall beside the main gates of Gort Muire on 10<sup>th</sup> December 2021, only a week before the SHD scheme finally closes mainly because it was overwhelmed by public outrage and multiple successful Judicial Reviews.

**Recent planning history - applications/development, both on subject site and adjacent sites.**

Lioncor purchase subject site from Carmelites for reported €35m with stated intentions to apply for planning permission for **730 apartment units**. Irish Times report of July 2019 (see attached pdf) and link to IT report of Feb 2020. <https://www.irishtimes.com/business/commercial-property/plans-for-730-apartments-in-dundrum-afoot-1.4161868>



Sale of Gort Muire  
land - pending July 2

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**First Lioncor planning application ABP 306506-20SHD (May 2020.) For 730 apartment units.**

<https://www.pleanala.ie/anbordpleanala/media/abp/cases/other/306/k306506.pdf>

<https://www.pleanala.ie/anbordpleanala/media/abp/cases/records/306/p306506.pdf>

<https://www.pleanala.ie/anbordpleanala/media/abp/cases/directions/306/s306506.pdf?r=658213>

Consultations

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**Second Lioncor planning application 308157-20. Marmalade Lane SHD. For 628 apartment units.**

<https://www.pleanala.ie/anbordpleanala/media/abp/cases/reports/308/r308157.pdf?r=326105849245012066>

<https://www.pleanala.ie/anbordpleanala/media/abp/cases/orders/308/d308157.pdf?r=304795725926>

<https://www.pleanala.ie/anbordpleanala/media/abp/cases/directions/308/s308157.pdf?r=153055081911>



The ABP inspector's report on the previous May 2020 application – see above links – referred to **Dun Laoghaire Rathdown County Council's recommendation for refusal on 7 grounds**, backed up by similar concerns of local councillors. (see extracts below).

*"There are serious concerns regarding the principle of developing a large-scale residential development that relies heavily on connections to neighbouring lands, with no agreement in place from the neighbouring landowners.*

*Materially contravenes Policy UD6 Appendix 9 of the CDP that allows for heights of 6 storeys in this area.*

*Proposal fails to consider the surrounding context of two-storey dwellings within adjacent estates. Submitted CGIs clearly show that these existing dwellings will be heavily affected by the overbearing and dominant nature of the proposed development. Serious concerns regarding overall scale, bulk, massing, height and physical dominance of the development and its impact on the surrounding area including Gort Muire.*

*The proposed site is subject to the 'INST' designation and a requirement for the retention of trees and the open character of these former institutional lands. Given the scale of the development, including the footprint of the 7 blocks, the open character of the site is entirely lost and further to this, the required 25% of the site should be reserved for public open space, which has not been delivered.*

*Proposed development does not provide convenient access to quality public transport and lies outside the requisite one-kilometre catchment.*

*Serious concerns regarding the standard of apartments proposed, in particular the use of corner windows as dual-aspect units. This is not acceptable and the figures put forward within the submitted documentation should be disregarded.*

*The large-scale level of development with little meaningful open space and reliance on a strip of land outside the control of the applicant for connectivity and permeability to nearby Ballawley Park is premature and ill-considered at this stage of the development process. There is no certainty that the developer can or will carry out works outside their redline area.*

*Considers that the mix of units in terms of unit sizes is not appropriate for this location and that a wider spectrum of unit types, including 3+ bedrooms would be appropriate.*

*Site has ability to provide a higher density development; densities higher than 50 units/ha could be acceptable in principle however proposed density of 180uph is indicative of overdevelopment.*



**Refusal of permission recommended by DLRCC for seven reasons, summarised below as follows:**

- (i) Height would seriously detract from visual and residential amenities of property in the vicinity...materially contravene Policy UD6
- (ii) ...scale, bulk and height of proposed development and its proximity to site boundaries...would seriously injure the residential amenities and depreciate the value of property in vicinity, materially contravening stated zoning objective...
- (iii) ... scale, height, dominant form and insufficient transition provision would seriously detract from and be detrimental to the character of the surrounding area and would significantly compromise the amenities of institutional, recreational, educational and residential property, including Protected Structures, by reason of visual dominance....considered not to be in accordance with section 8.1.1. of CDP
- (iv) ...fails to retain a minimum of 25% of open space of the total site area and fails to maintain the open character of these lands, materially contravening ABP-308157-20 Inspector's Report Page 24 of 112 Policy RES5 and section 8.2.3.4(xi) of the CDP. In addition...density proposed far exceeds the average net densities outlined in Policy RES5, section 2.1.3.5 of CDP. Furthermore...failed to provide a masterplan for the overall institutional lands, as required by section 8.2.3.4(xi) of the CDP...the proposed development fails to address the site's current policy status as institutional lands.
- (v) The number of units described as dual aspect but are in fact single aspect with projecting windows results in a development which fails to accord with Specific Planning Policy Requirement 4 of the Sustainable Urban Housing: Design Standards for New Apartments...the proposed development would therefore fail to provide an adequate level of residential amenity for future occupants of the scheme...
- (vi) ...proposed car parking/car storage provision...is significantly deficient by reference to Table 8.2.3...and is inconsistent with the standards set out in the Sustainable Urban Housing: Design Standards for New Apartments...would give rise to unacceptable levels of on-street parking and overspill in the surrounding area, seriously injuring the residential amenities of the area and endangering public safety by reason of traffic hazard and by the obstruction of road users
- (vii) Proposed mix of units...is not appropriate for the site's context, which is currently weighted towards smaller type units ...contrary to CDP Sustainable Communities Strategy.

The report includes a summary of the views of relevant Elected Members, as expressed at the Dundrum Area Committee meeting held on 11th September 2020 and are summarised below and shall be expanded upon further during the course of my assessment:

- Quantum of development
- Visual impacts
- Car parking and traffic
- Impacts on residential amenity
- Impacts on heritage
- Ecology



- *Other issues.*

An Taisce, in their observations also expressed similar concerns, with a particular focus on the importance of protecting cautioned that the general accessibility was dependent upon the protection of the curtilage of the two RPS buildings on the Carmelite holding alongside.

The NTA in their observations were generally supportive in terms of site and public transport accessibility but cautioned that accessibility to Ballawley Park (which would need the agreement of the owners, DLRCoco, and that as shown the access was confined to pedestrian only whereas they would recommend that this should include cycling as well.

The ABP inspector summarised here views on the proposed development, stating that

***"the issues of height, density, scale and massing of the proposal are inter-related. It is the sum of all these parts that, amongst other assessments, determines the appropriateness or otherwise of the proposal. While I do not have issue with the overall height of the proposal per se, I do have reservations that the proposal before me represents overdevelopment of the site and requires amendment to constitute an appropriate form of development."***

***The question therefore arises as to whether the open character of the lands is being retained in this proposal. I note RES5 in this regard which states that 'A minimum open space provision of 25% of the total site area (or a population-based provision in accordance with Section 8.2.8.2 whichever is the greater) will be required on Institutional Lands ..... I am satisfied that the proposal meets the quantum of open space required under the Development Plan, namely 25% open space, in particular when the wider landholding of Gort Muire is included in the calculations. I concur with the applicants that the proposal is not a material contravention of the operative County Development Plan in this regard. However, notwithstanding this, I concur with the planning authority in relation to the quality of the public/communal open space provision and I too consider that, as proposed it will not provide a high level of residential amenity for future or existing residents, contrary to the site's zoning objective. I have serious reservations in this regard and I consider that the open character of the lands is not being retained in this instance. While I concur with the applicants that lands surrounding the Carmelite Centre are retaining their open nature/character, I consider, that as has been forward in other elements of the documentation submitted, the open space provision associated with the Gort Muire does not read as part of this development. They read as two separate sites. They are two separate sites. It appears to me that the lands associated with the Gort Muire house are not available for use by the wider public. I therefore consider that the open character also needs to be retained on these lands within the red line boundary and this is not currently being achieved.***

***I would agree with the planning authority that the omission of Block D would aid in the retention of the open character. I am also of the opinion that the omission of Block E and an increase in separation distances between Blocks F and G would further aid in retaining this open character and would provide a greater visual connection, together with a greater sense of openness."***



**Note:** Whilst the inspector in her report noted a demand by third party objectors that Block C also should be omitted, this was not spelled out in her report and its omission subsequently was a determination of the Bord in its final decision to omit both **Blocks C and D** (but with no mention of **Block E** - as had been recommended by their inspector.)

**In summary, the ABP inspector reiterated the council's recommendation for refusal, restating many of its reasons in her own recommendation to the Bord for refusal – which stated:**

**'Refuse permission for the above proposed development based on the reasons and considerations set out below. Matters Considered In making its decision, the Bord had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions'.**

***Inspector's Reasons and Considerations for recommending refusal:***

1. ***The subject site has an 'INST' (Institutional Land) designation as listed on the County Development Plan Map Index under 'Other Objectives', which seeks 'to protect and/or provide for Institutional Use in open lands'. Policy RES5 and section 8.2.3.4(xi) of the Dun Laoghaire- Rathdown County Development Plan 2016 seeks to, inter alia, retain the open character and/or recreational amenity of such institutional lands. The proposal, by reason of its excessive scale, massing, development footprint and lack of meaningful open space provision fails to comply with this policy of the aforementioned Plan and the open character of the lands is not being sufficiently retained. The proposal is therefore considered to represent a material contravention of the Dun Laoghaire Rathdown County Development Plan 2016 in this regard.***

***In addition, the applicant has failed to submit a masterplan for the overall institutional lands, as required by section 8.2.3.4(xi) of the Dun Laoghaire Rathdown County Development Plan 2016. Having regard to all of the above, the proposal is considered to be unacceptable and inconsistent with the proper planning and sustainable development of the area***

2. ***It is considered that the proposed design strategy, by reason of its excessive scale, massing, dominant form, overbearing impacts and insufficient transition provision, proximate to an architecturally sensitive site 'Gort Muire' and domestic scale dwellings, does not provide the optimal design solution for the site having regard to the site's locational context and is considered not to be in compliance with Criteria No. 1 'Context' of the Urban Design Manual, published by the Department of Environment, Heritage and Local Government, 2009. The proposal is considered not to respect the form of buildings and landscape around the site's edges and the amenity enjoyed by neighbouring users and the development does not positively contribute to the character and identity the urban neighbourhood at this location. Having regard to all of the above, the proposal is considered to be unacceptable and contrary to the proper planning and sustainable development of the area.'***

**Final Outcome-ABP's decision – The Bord's decision (overruling their own inspector's recommendation to refuse permission) was to grant permission for a reduced total number of 446**



apartments, with 2 blocks comprising 182 units, representing a reduction of approx. 30% of the original total of 628 units applied for – specifically the entire of Blocks C and D – being omitted.

**Judicial Review** - Successful application was made to the courts by third party objectors for a Judicial Review against the ABP approval. Hearing listed in the courts for March 2022.

**Concluding comment:** I am fully in support of the views of both DLRCoCo and the ABP planning inspector that they were correct in recommending refusal for this previous application which makes the Bord's contra-decision to grant permission, albeit for a reduced development size, worrying and puzzling.

\*\*\*\*\*

**Third Marmalade Lane SHD. ABP310751-21. Nov. 2021, for 574 apartments units.**  
Pre-submission consultations by Lioncor with ABP.

<https://www.pleanala.ie/en-ie/case/310751>

<https://www.pleanala.ie/anbordpleanala/media/abp/cases/reports/310/r310751.pdf?r=825211939465>

<https://www.pleanala.ie/anbordpleanala/media/abp/cases/directions/310/s310751.pdf?r=158329982140>

<https://www.pleanala.ie/anbordpleanala/media/abp/cases/other/310/k310751.pdf?r=741600927297>

<https://www.pleanala.ie/anbordpleanala/media/abp/cases/records/310/p310751.pdf?r=515120682923>

**Outcome of consultations** – Lioncor were advised by ABP in early December 2021 that some planning issues remained unaddressed from their 1<sup>st</sup> application and more recent pre-submission consultations and that they should address the planning issues identified to them and resubmit asap.

\*\*\*\*\*

**Latest Marmalade Lane SHD2. ABP 312170. (Date 10.12.2021) for 531 apartment units.**

Note: As of the current date, the removal from the Lioncor website of the first scheme lodged under 308157-20, which is still listed for JR hearing in the courts in March 2022, would suggest, (but which has not been confirmed), that it may have been formally withdrawn by Lioncor. In this context, the applicants' planning consultant McGill, confirms in a supplementary report dated 16 Dec 2021 - <https://www.marmaladelaneshd2.ie/sites/default/files/docs/Planning%20Report.pdf>

- **that this current application is indeed a fresh standalone application** and not an amendment to the previous application now under JR. McGill states in this report, inter alia, that:

*'A previous SHD permission on this site (Ref ABP- 308157-20) is noted. This current application is not proposed as an amendment to the previous permission but is a stand-alone planning application. However it does take into consideration the design and layout*



*principles for the site established in the previous permission (as conditioned by ABP) and **also provides for 5 no. apartment blocks laid out in a similar manner and** also providing a significant quantum and quality of open space, whilst optimising connectivity and permeability to adjoining areas.*

*The report goes on to restate the ABP inspector's reasons for recommending refusal in the previous application, namely that he will address her concerns, namely:*

*'The inspector also acknowledges the context of the site, which is transitional in nature moving from a low density, two-storey suburban area to a more urban area with a mix of heights and densities. This is typified by the Wyckham Place and Wyckham Point apartment developments to the north-west of the application site which range from 5 – 8 storeys in height, the recently permitted walled garden site with a height of six storeys and the development at and in the vicinity of Dundrum Town Centre and Balally Luas stop, a relatively short distance from the application site.*

*The inspector states that they "do not have issue with the overall height of the proposal per se....I am of the opinion that the lack of appropriate transitions in scale, to both the domestic scale dwellings and the Protected Structure raises concerns for me in relation to the height proposed." The inspector identifies the inter-related nature of height, density, scale and massing. She also highlights concerns about the nature of the retention of the open character of the proposal. The conclusion is that "the overall footprint of the development requires reduction so as to aid in retaining the open character of the lands, aiding compliance with the 'INST' designation, providing a development more appropriate to this location. I consider that the proposal before me is excessive in terms of scale, massing and lack of adequate transitions in heights and because of the 'INST' designation of the site, I am of the opinion that the site does not have the capacity to accommodate a development of the scale proposed."*

*I have set out my objections to this application in the notext that his latest application merits refusal for the reasons that applied in the case of the earlier SHD planning application.*

\*\*\*\*\*

**Reasons for the necessity to object to latest and largely unchanged Lioncor SHD Planning Application ABP 312170. These reflect from the outcome of the earlier Lioncor application SHD 308157-20, and notably the concerns expressed by DLRCC, ABP, and third-party observations regarding same.**

### **Preamble**

Taking into account the planning background set out above, the author to this objection is therefore obliged make a number of assumptions:

1. That unless/until **SHD 308157-20** is formally withdrawn by Lioncor that it is still a live application under which these developers could choose to proceed if this was their decision.



2. Equally if Lioncor is successful in its latest application under ABP 312170-21, it could decide to develop under this permission instead. It is noted that as a template for development this latest proposal by Lioncor is very similar in many aspects of the original proposal and that therefore the observations of both DLRCC and An Bord Pleanala on that original submission remains pertinent and relevant to the current one.
3. At this stage, since Lioncor purchased the property, at which point newspaper reports mentioned an expected development density for the site of about 400 units, Lioncor has had **three rounds of pre-application** meetings with the council and Bord Pleanala, all aimed at squeezing in the maximum number of units from the site that they can get permission for.
4. The nett position at this juncture is that as matters stand, the current/latest application for permission is effectively slipstreaming the first permission which is decided by the Bord (subject to the outcome of the Judicial Review) at 446 units, down from 628 units, and down from 730 units originally.
5. Despite the three pre-submission consultations referred to at 3 above, and having been granted permission for a reduced development size of 446 units under the previous application, Lioncor is still continuing to look for permission for 531 units under a fresh planning application, equating to an increase of 86 units or approx. 20% above what has been permitted.
6. This objection contends that the basic Lioncor proposal has remained unchanged and that the concerns previously expressed by the council and An Bord Pleanala still pertain to the subject application. Specifically, it is contended that the latest block that replaced Block E on the earlier application should be omitted (as per the recommendation of the An Bord Pleanala inspectors report.) In addition, that tallest blocks should be conditioned down to a maximum 8 storeys by the deletion of the associated number of units to achieve this reduction.
7. It is the remit of the Bord, in making its decision on the present application, to determine whether or not Lioncor have addressed/met the previous concerns of DLRCC, An Bord Pleanala, third party objections and indeed addressed the council's recommendations for refusal on 7 grounds. The author of this objection must assume that Lioncor believes it has addressed these matters to the point that the Bord might grant either a full permission or a conditional permission. Obviously in those circumstances and if a permission is granted, it is more likely than not that a further Judicial Review by concerned third parties will be pursued in the courts. I would be one such objector.

## **Headings of Objections**

### **A Excessive Height (by reference, inter alia, to precedents).**

**Precedent i. Walled Garden Marlet SHD proposals, a) 304590 b) 306686**

<https://www.pleanala.ie/en-ie/case/304590> (116 apartments over 5 floors)



<https://www.pleanala.ie/en-ie/case/306686> (revised application for **142 apts. over 6 floors**).

However it is important to note that the Walled Garden development by comparison with the proposed Lioncor development is located at a point where the ground level is at least 3 metres lower. In addition, the Walled Garden development is approved and built to a height of 6 storeys and no under-croft parking level.

***Precedent ii. Wyckham Point and Wyckham Place apartments.*** The ABP inspectors report on SHD 308157-20 refers to building heights of up to 8-storeys in adjoining developments - Wyckham Point apartments and Wyckham Place a maximum of 6 storeys. However, in both these cases this maximum height is confined to a landmark location adjacent to the main road roundabout junction into Wyckham Avenue from Wyckham Way (aka the Wyckham by-pass). In those circumstances the height of max 8 storeys which was permitted is clearly excessive. Furthermore, in contrast with the Gort Muire SHD site, with its elevated profile, and the visual impact of the distant views of the proposed scheme, set it apart from the Wyckham Point and Wyckham Place apartment developments which are built in a relative hollow, meaning that the visual impact of these developments on their surrounding developments, even at a max of 8 storeys at one point, is far less intrusive and overbearing.

In sharp contrast, the site profile of the Gort Muire land now owned by Lioncor is visually dominant, being on a prominent elevated site, where under Lioncor's latest application, permission is being sought for a building height of up to 10 storeys over 2 levels of under-croft parking). If permitted such a development would create a very serious visual intrusion/impact across all of the surrounding existing residential developments.

With a maximum of 9 storeys over under-croft car parking, even the previous Lioncor application SHD 308157-20, is also in excess of the 8 storey height precedent so the most recent fresh Lioncor application actually represents a worsening of the excessive height situation rather than an improvement over the previous application as one would have expected, if lessons were to be learned by Lioncor from concerns raised by the authorities to the first application at the time.

## **B Density**

The ABP inspector states, inter alia "The operative County Development Plan recognises that higher densities should be provided in appropriate locations. Section 8.2.3.2 recognises that minimum residential densities should be 35 dwellings per hectare and that significant parts of the existing built-up area of the County are, however, readily accessible to public transport corridors – QBCs, Luas, DART. In these circumstances Government guidance is to provide densities at higher than 50 dwellings per hectare.

The density proposed in this instance is 180 units/ha (nett). They (the Planning Authority) state that higher densities in excess of 50 units/ha could be acceptable in principle on the lands, however the proposed development at 180 units/ha is at the very least indicative of overdevelopment.

**I also note the densities of recently permitted developments in the wider area."**

The inspector also notes the absence of a Master plan for the overall development.

## **C Scale/Bulk/Massing**

The planning inspector basically repeats the concerns of the local authority planning dept under an amalgam of these headings, which as he points out are closely interrelated. Other than the overall proposed size or scale, the bulk/massing is clearly related to the disposition and bulk of the blocks



themselves within the site and their relationship and overlooking of the existing mainly two-storey mature residential developments that surround it to the east and south-east.

#### **D Traffic/Limited Access**

The sole vehicular access point into the Lioncor proposed development is the private road, Wyckham Place, which connects at a roundabout with the main public road, Wyckham Way, which connect Dundrum with the M50 interchange - Junction 13. This access road into their site, as planned by Lioncor and which they have renamed as Marmalade Lane in their application, will need to cater for both vehicular, cycling and pedestrian users.

**Lioncor traffic audit report, Dec 2021 – see link below**

<https://www.marmaladelaneshd2.ie/sites/default/files/docs/Quality%20Audit.pdf>

The ABP inspector's comment on this issue in her report on 308157-20. Marmalade Lane SHD (see above quote) was in this author's view superficial in that it accepted the status quo at face value did not look in depth at the negative consequences that flow from Wyckham Avenue's status as a private road. Wyckham Avenue is was a realigned and straightened access road which was built in 2003 for the Carmelites in Gort Muire by Dorville Homes, the developers of Wyckham Place and Point. <https://planning.agileapplications.ie/dunlaoghaire/application-details/26849>

This new road was never taken in charge by DLRCC since it was constructed almost 20 years ago. This is still a Private Road, not taken in charge and therefore the 'no parking' signage and road markings are completely unenforceable by the council and garda authorities. Thus, as seems inevitable as it will constitute the only access road into the Lioncor development, if approved, unauthorised on street parking generated by this new major development would seem inevitable.

*'I didn't observe issues of overspill parking along Wyckham Place, during my site visit. It is unlikely given the lack of meaningful pedestrian links that there would be overspill parking within Parkvale or Wesley developments.*

*On-street parking controls were evident along Wyckham Place, with double yellow lines along its length. These parking controls would prevent overspill parking into the immediate areas. The existing two apartment complexes accessing onto Wyckham Place are both gated developments. Issues of illegal parking are a matter for law enforcement, outside the remit of this planning application.'*

\*\*\*\*\*

#### **Other relevant recent planning history**

##### **Carmelites' Planning application DLRCC planning reference D21A/0016. ABP ref 310932-21**

This application sought revised and extended parking arrangements within their remaining land holding alongside the lands which the Carmelites sold to Lioncor in 2019.

<https://planning.agileapplications.ie/dunlaoghaire/application-details/88321>

This application, lodged on behalf of the Carmelites by McGill, the same planning consultants acting for Lioncor, was refused by DLRCC in July 2021, one reason being because of the proximity of the proposed carparking to the RPS buildings. The Carmelites then proceeded, through McGill, to lodge



an appeal to ABP against this refusal. ABP have advised that a decision can be expected before 19<sup>th</sup> January 2022.

Map of access attached to the above application was incorrect and does not show the existing one-way circular road system which has for many years served the Carmelite site.

\*\*\*\*\*

### **The DLRCC-owned T.A. 3-bay halting site, Wyckham Avenue (off Wyckham Place.)**

Wyckham Avenue is a short cul de sac private road off Wyckham Place. This serves a 3-bay Halting Site which was constructed by Dorville Homes in 2005 as part of their Part V Social Housing obligations related to the development of Wyckham Place apartments. The TA development is built on lands previously owned by the Carmelites and ceded by them to DLRCC, apparently on a pro bono basis.

This TA site is now seriously overlooked and dominated by Walled Garden SHD development immediately alongside it – (see A, Height - Precedent ii below.) No account was apparently taken by Dun Laoghaire Rathdown County Council, as the owners of the TA site, to mitigate this serious overlooking situation into this property which the 6-storey development has caused to its social tenants who reside in the TA site. Equally viewed from the new Walled Development aspect over and into the TA site, this situation is equally undesirable.

\*\*\*\*\*

### **Review of overall demand for car-parking associated with the above developments.**

**Total car/user spaces linked to all of the existing and proposed developments which will need to use Wyckham Place as the only access road.**

- Wyckham Place Apartments – 96 units served by **112** on-site car parking spaces.
- Wyckham Point Apartments – 505 units in total served by **520** on-site car parking spaces
- Walled Garden Apartment development - 142 units to be served by **25** on-site car parking spaces. Note: the earlier approval for 116 units had permission for **36** on-site car parking spaces. **Parking Ratio is thus 1 CPS per 5.68 apartments.**
- Local Authority TA site – 3 units served approx. **8** on-site car- parking spaces plus irregular car parking on the private road alongside.
- Carmelite property – Gort Muire – **49** on-site car parking spaces with current application for additional spaces.
- Lioncor property – Marmalade Lane 2 SHD - latest application, if approved, possibly up to 531 units with up to **171** carparking spaces (down from **278** car parking spaces in previous application. **Parking Ratio is thus 1 CPS per 3.1 apartments.**

In summary, close to 1,000 cars (plus drop-off traffic to a creche in Wyckham Point) are likely to be using this private road daily, plus multiple deliveries. The existing developments of Wyckham Place and Wyckham Point have an already tight car parking ratio of 1:1 – car spaces per unit. Worryingly, both the Walled Garden development and the Lioncor development will have much restrictive carparking provision at ratios, respectively, of 1 CPS : 5.65 and 3.1 apartments. Overall, it will mean that potentially a total of 485 car owners living in these two developments will be without



associated spaces within their developments and are likely to endeavour to park cars in external locations, most likely unregulated overspill car parking on surrounding roads/estates. Given that there will be significant opposition from other surrounding residential developments to allow percolation from the Gort Muire development, this parking overspill will almost certainly be concentrated on Wyckham Place. Even with builders' vans and cars currently using this road for parking during construction, they rarely exceed 40 vehicles in total, meaning that if we are dealing with a multiplier of 10 times the numbers of car owners seeking long-term off-street parking this will create chaos, and will hinder emergency service access to the new developments. As has been pointed out the Wyckham Place Road has double-yellow no-parking markings along both sides but this enforcement by the LA of no parking is unenforceable due to the private ownership of this road.

Unless the latest application is rejected by the planning authority there seems to be no certainty as to where this matter will end up other than a further application to the court for a fresh Judicial Review as objections by surrounding developments have if anything hardened.

\*\*\*\*\*

## **Broader Planning Issues - Context and Commentary**

### **The demise of the whole SHD process**

The Lioncor application is only one of large numbers of last-minute submission (see media reports) for SHD development applications coming up to the closing date of 17<sup>th</sup> December 2021 for this ill-fated and poorly thought-out scheme. The entire SHD process was fundamentally flawed and undemocratic, being skewed in favour of developers for projects which often exceeded the limits of council's own development plans.

Essentially, we are witnessing the death throes of this unfair and developer-skewed process (and the cutting out of local authority planning regulation) which must be welcomed. Hopefully it will bring an end to the high level of Judicial Reviews, and their attendant legal/planning costs to third party objectors. Clearly the high success rate in the courts of Judicial Reviews played no small part in the failure of the SHD scheme played no small part.

Early indications and media reports are that the government will attempt to revert to the previous normal planning process but with third party objector rights greatly curtailed or truncated.

The behaviour of the ABP Board is noted in the context there have been a number of reported instances where reports of their own inspectors have been overruled or disregarded. This cannot bring credit to the regulatory process.

It is note that a new authority, The Office of the Planning Regulator, is being instigated t the moment, and it would be hoped that this might bring order and fairness to the present planning situation.

### **The ongoing public housing debacle.**

Self-regulation entrusted to developers led to the scandals of regulatory failures in many major apartment developments such as Priory Hall, The Beacon apartments being high profile example of a fundamental failures of governance and accountability. There are many others.

Dun Laoghaire Rathdown County Council, like so many other councils, effectively abandoned its primary role as a housing authority in the 1990's. No largescale public housing has been developed



since the 1980's, using public land. The private sector, with its profit-driven motivation was invited to step in. In the risk averse councils, internal professional expertise in LA's was either lost or hollowed out to a point where they are only ineffective 'shell' organisations. Instead, the private sector was invited to take over housing development with rents for social units in new developments offered to council's, rents which frequently exceeded the cost of councils building the same numbers of units using direct procurement. The following are just a couple of examples of the excessive cost which can be found in media reports:

<https://www.irishtimes.com/business/commercial-property/council-rejects-social-housing-lease-deal-for-135m-blackrock-build-to-rent-scheme-1.4656206>

[https://www.dlrcoco.ie/sites/default/files/atoms/files/final\\_faqs\\_herbert\\_hill\\_housing.pdf](https://www.dlrcoco.ie/sites/default/files/atoms/files/final_faqs_herbert_hill_housing.pdf)

<https://www.independent.ie/business/irish/council-pays-up-to-3000-a-month-to-rent-plush-flats-off-cuckoo-fund-38740107.html>

Yours sincerely,

*Allen Morgan*

Allen Morgan.

Wyckham Place OMC member.





PHOTO 1

17/10/20

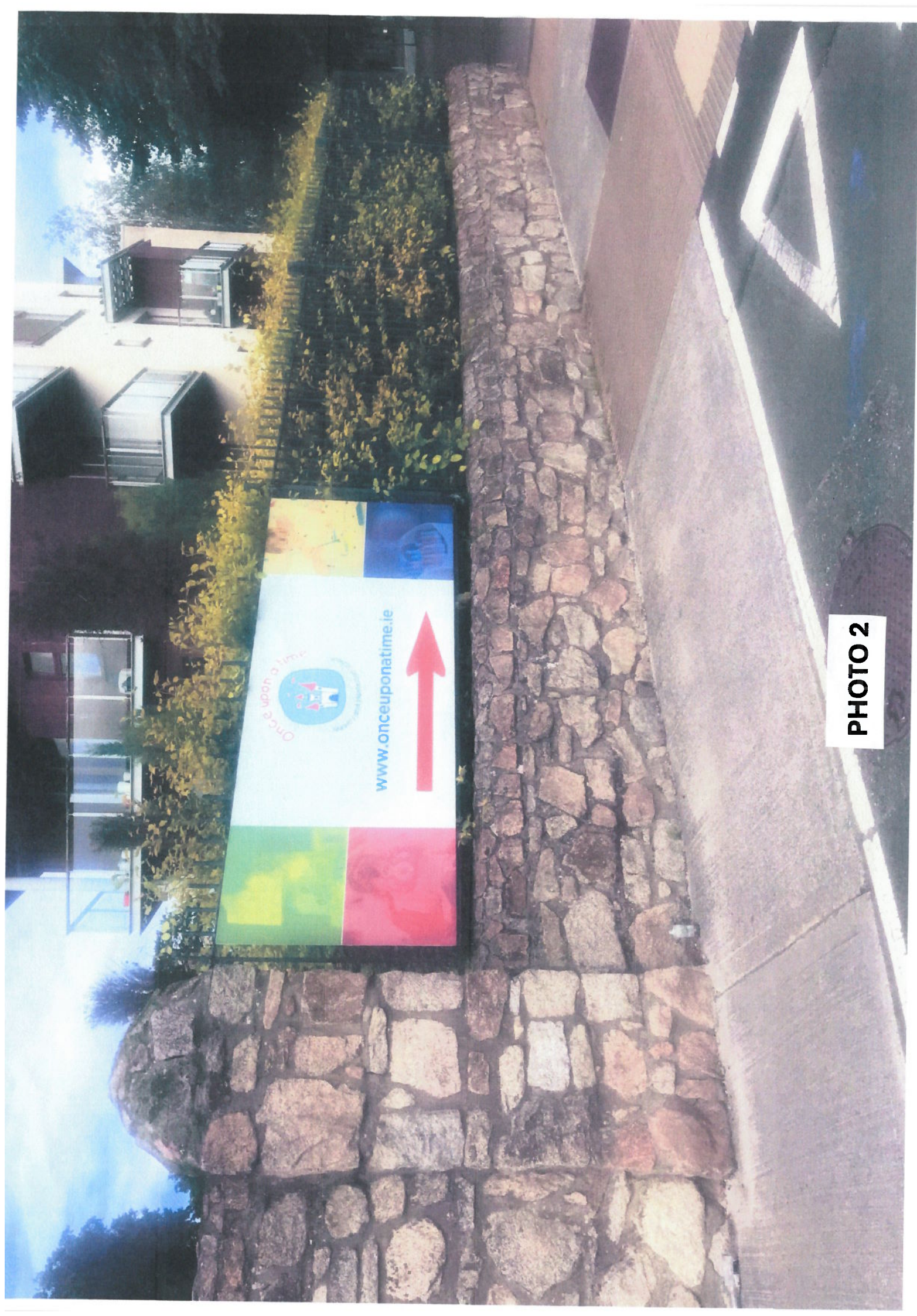


PHOTO 2



PHOTO 3

## DUN LAOGHAIRE RATHDOWN COUNTY COUNCIL SITE NOTICE LARGE SCALE RESIDENTIAL DEVELOPMENT

1 Wyckham Land Limited intend to apply for Permission for a Large-Scale Residential Development (LRD) at this site, "Marmalade Lane", Wyckham Avenue, Dúnrum, Dublin 16. The application site includes lands formerly part of/owned by the Gort Muires Carmelite Centre and is located adjacent to Protected Structure (RPS No. 1453). The site is located to the north of Westley Lanes, to the east of Gort Muires, to the west of Parkvale and Ballyway Park and to the south of St Tiernan's Community School.

The proposed development will amend permitted Strategic Housing Development (SHD) ACP Reg. Ref.: S12170-22 which was granted for 531 no. residential units within 5 blocks A-E along with accesses, car, motorcycle and cycle parking, residential amenity and public and communal open space along with all associated works.

The amendment proposed will replace permitted Block E in the south-west corner of the site (which comprised a total of 68 no. units) with 6 no. semi-detached, 3 storey houses. All associated works to accommodate this change are proposed including car and cycle parking, public open space and associated ancillary works.

There is no change proposed to permitted Blocks A-D and all aspects of the development as per Reg Ref ACP-S12170-22 will be completed as permitted. A total of 421 no. units, 6D no. less than permitted, will be delivered as a result of this proposed development.

A Natura Impact Statement (NIS) have been prepared in respect of the proposed development. All application documentation and information is available to view online at the following website set up by the applicant: <https://www.marmaladelane.ie/development/>

The Planning Application, and Natura Impact Statement, may be inspected or purchased at a fee not exceeding the reasonable cost of making a copy, at the offices of Dún Laoghaire Rathdown County Council, Planning Authority, Marine Road, Dún Laoghaire, Co. Dublin, during its public opening hours of Monday to Friday from 10:00am to 4:00pm or on Dún Laoghaire Rathdown County Council Website: <https://www.drcoco.ie/planning>

A submission or observation in relation to the application may be made in writing to the Planning Authority, on payment of a fee of €20 within 5 weeks of receipt of the application by the Planning Authority and such submissions or observations will be considered by the Planning Authority in making a decision on the application. The Planning Authority may grant permission subject to or without conditions or may refuse to grant permission.

Signed:

*Brenda Butterly*

Brenda Butterly

Address: McGill Planning, 9 Pembroke Street Upper, Dublin 2, D02 KR83  
Date of Erection of Site Notice: 22/10/2022

TREE





PHOTO 4





PHOTO 5



PHOTO 6

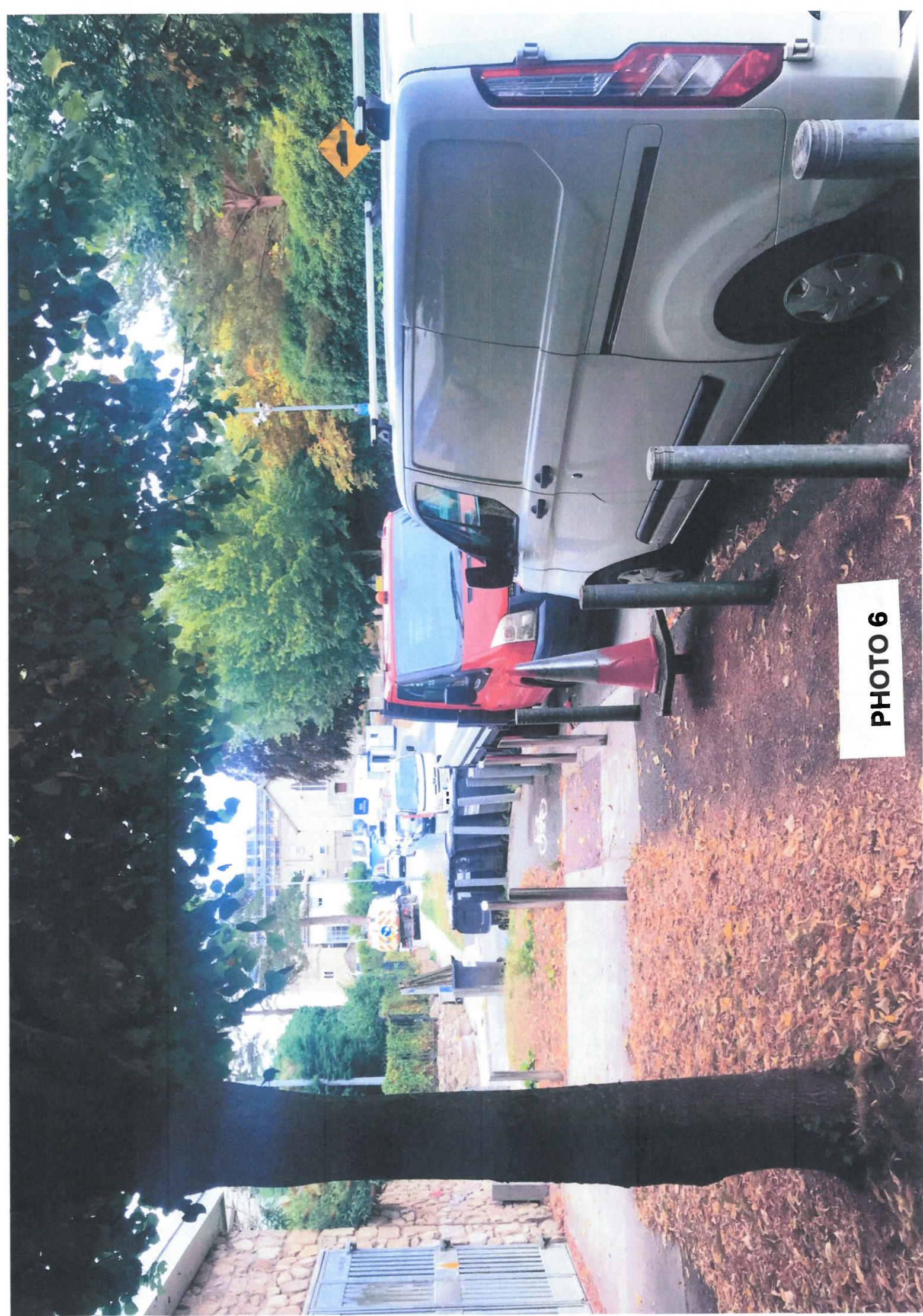
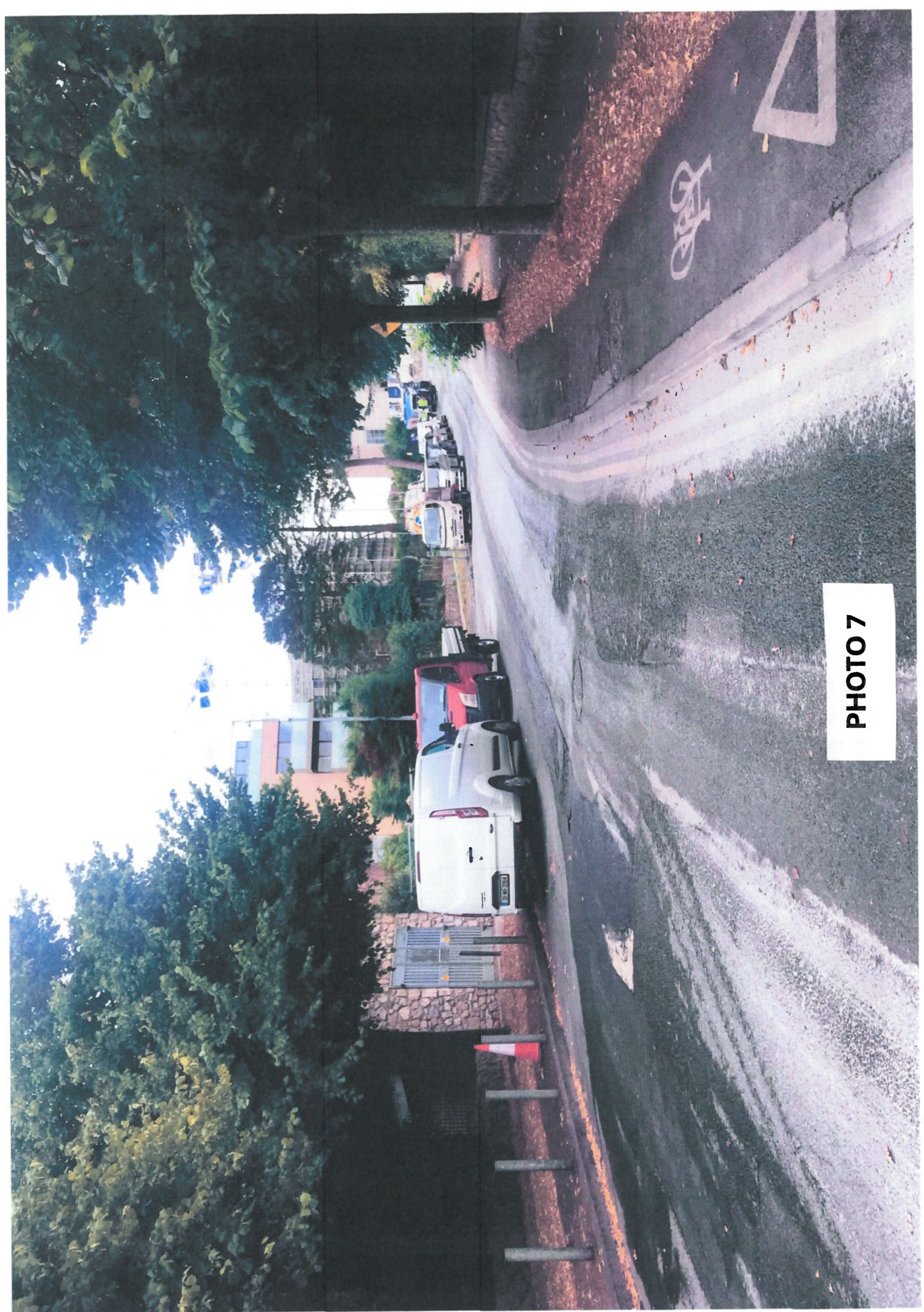




PHOTO 7





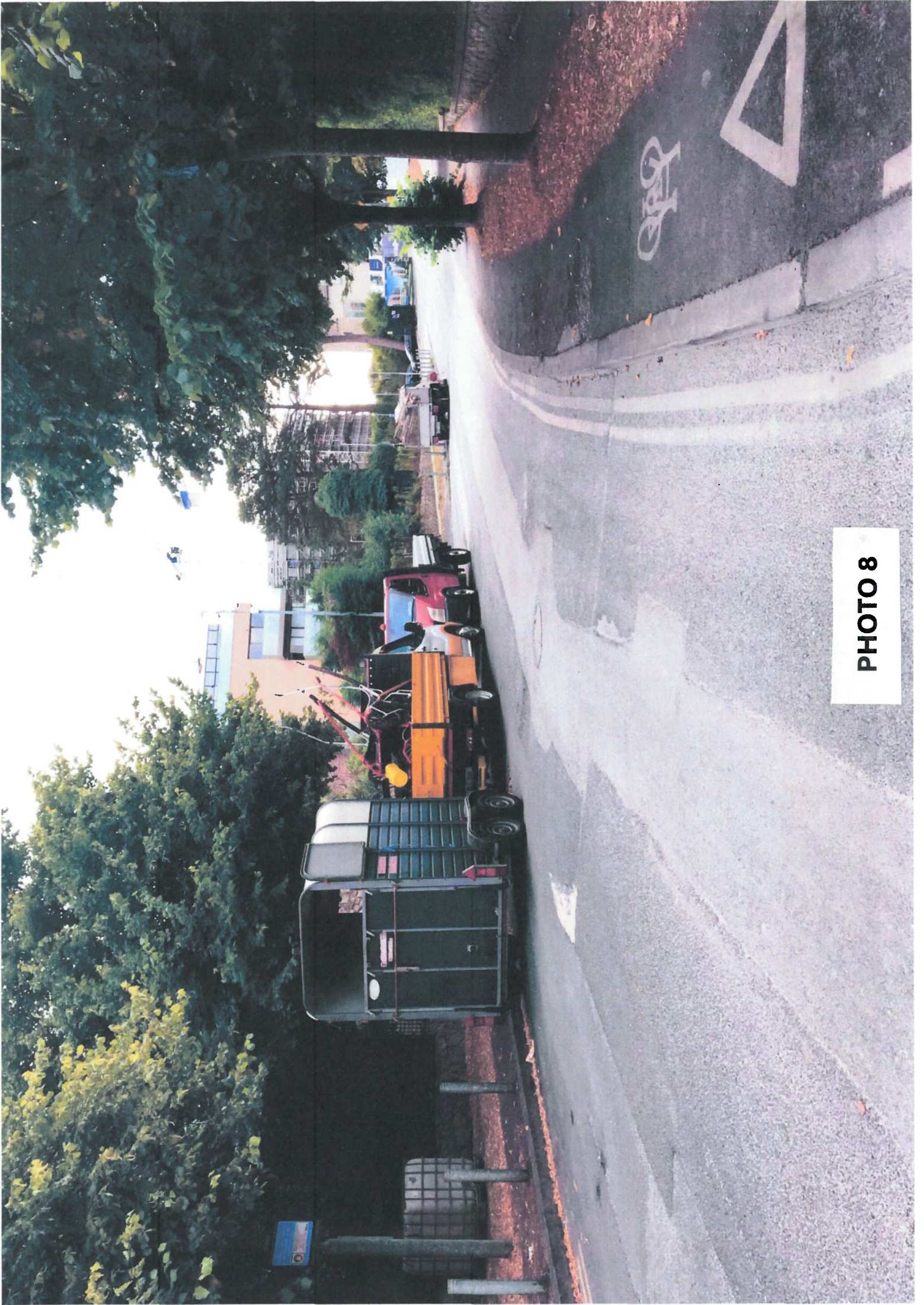


PHOTO 8



LOCATION  
OF ENTRANCE  
to CANT MINE

**PHOTO 6, PHOTO 7, PHOTO 8**  
**Unregulated parking on private road**

**Photos 3. PHOTO 4**  
**Both of signage at location B**

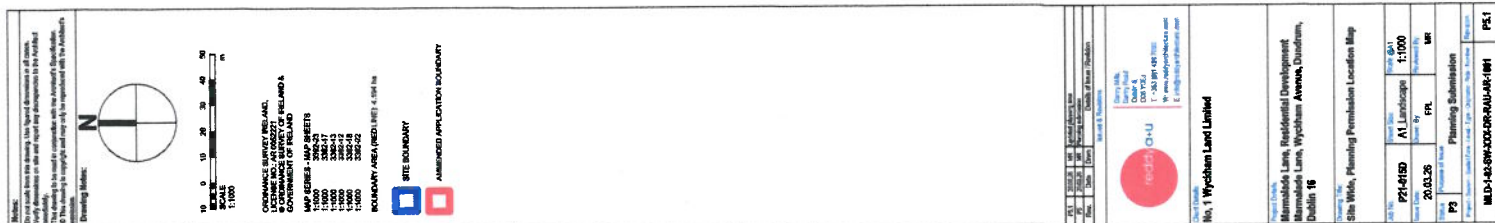
22

**PHOTO 5**  
**Signage at location C**



**SITE NOTICE LOCATION MAP ACCOMPANYING  
LRD25A/0849/WEB**

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Allen Morgan  
Apartment 67  
Wyckham Place  
Dundrum  
Dublin 16  
D16 KP97

### Receipt for Submission

**Date:** 06-Jul-2026

**Register Ref:** LRD26A/0406/WEB **Date Recd:** 02-Jun-2026

**Development:** 1 Wyckham Land Limited intend to apply for Permission for a Large-Scale Residential Development (LRD) at this site, 'Marmalade Lane', Wyckham Avenue, Dundrum, Dublin 16. The application site is adjacent to Protected Structures (RPS No. 1453). The site is located to the north of Wesley Lawns, to the east of Gort Muire, to the west of Parkvale and Ballawley Park and to the south of St Tiernan's Community School.

The proposed development will amend the internal layout of Block B of the permitted Strategic Housing Development (SHD) ACP Reg. Ref.: 312170-21. The changes consist of:

- Replace 6 no. one bedroom apartment with 6 no. two bedroom apartment by omitting one lift shaft.
- Inclusion of 3 no. one bedroom apartments at ground floor level in place of 1 no. two bed apartment and c. 241sqm residential amenity space.
- Inclusion of a pergola at roof level amenity space

These alterations will result in a net increase of 2 no. apartments within Block B (permitted 168 no. Units, proposed 170 no. Units). Minor alterations to the elevations, along with all other works required, are also proposed to facilitate these changes. There is no proposed changed to the building height, massing or footprint as a result of these alterations. A total of 473 no. units will be delivered as a result of this proposed amendment.

All other aspects of the development will be completed in accordance with Reg Ref ABP-312170-21 as amended by Reg. Ref. LRD25A/0849/WEB as permitted.

All application documentation and information are available to view online at the following website set up by the applicant:  
<https://www.marmaladelaneblockb.ie/>.

**Location:** Site at "Marmalade Lane", Wyckham Avenue, Dundrum, Dublin 16



**Applicant:** 1 Wyckham Land Limited  
**App. Type:** Permission (LRD)

Dear Sir/Madam

I wish to acknowledge receipt of your submission/observation in relation to the above planning application.

All documents are available to view on-line.

You will be notified of the Council's decision in due course.

Please note that, in accordance with Section 251 of the Planning and Development Act, 2000, "where calculating any appropriate period or other time limit referred to in this Act or in any regulations made under this Act, **the period between the 24<sup>th</sup> Day of December and the first day of January, both days inclusive, shall be disregarded**".

Please note, in accordance with Article 35 of the Planning and Development Regulations 2001 – 2012, persons who made a submission or observation on a planning application will only be notified of the receipt of Further Information(FI) or Clarification of Further Information (CFI), where that FI or CFI is considered significant and requires new public notices.

**PLEASE RETAIN THE ATTACHED ACKNOWLEDGEMENT OF RECEIPT OF SUBMISSION OR OBSERVATION. A PERSON MAKING AN APPEAL TO AN COIMISIUN PLEANALA MUST INCLUDE IN THEIR APPEAL THIS ACKNOWLEDGEMENT BY THE PLANNING AUTHORITY OF RECEIPT OF THE SUBMISSION/OBSERVATION.**

Yours faithfully

Mary Quinlan

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for SENIOR EXECUTIVE OFFICER

(email: [planning@dlrcoco.ie](mailto:planning@dlrcoco.ie) telephone: 01-2054863)

last date for appeal  
DBP. 24/7/2026

**ACKNOWLEDGEMENT OF RECEIPT OF SUBMISSION OR OBSERVATION  
ON A PLANNING APPLICATION**

**THIS IS AN IMPORTANT DOCUMENT**

**Keep this document safely.** You will be required to produce this acknowledgement to An Coimisiun Pleanála if you wish to appeal the decision of the Planning Authority. It is the only form of evidence which will be accepted by An Coimisiun Pleanála that a Submission or Observation has been made to the Planning Authority on the Planning Application.

**DÚN LAOGHAIRE RATHDOWN COUNTY COUNCIL**

**Planning Application Reference Number:** LRD26A/0406/WEB

**A Submission/Observation in writing has been received from:**

Allen Morgan  
Apartment 67  
Wyckham Place  
Dundrum  
Dublin 16  
D16 KP97

**On: 03/07/2026** in relation to the above planning application.

**The appropriate fee of €20 has been paid. (fee not applicable to prescribed bodies / Local Authority Elected Members).**

The submission/observation is in accordance with the appropriate provisions of the Planning and Development Regulations 2001, (as amended) and will be taken into account by the Planning Authority in its determination of the planning application.

Date 03/07/2026

Mary Quinlan  
For Senior Executive Officer

Planning Authority Stamp

03/07/2026



Allen Morgan  
Apartment 67  
Wyckham Place  
Dundrum  
Dublin 16  
D16 KP97

**Date:** 28-Jul-2026

**Register Ref:** LRD26A/0406/WEB **Date Recd:** 02-Jun-2026  
**Development:** 1 Wyckham Land Limited intend to apply for Permission for a Large-Scale Residential Development (LRD) at this site, 'Marmalade Lane', Wyckham Avenue, Dundrum, Dublin 16. The application site is adjacent to Protected Structures (RPS No. 1453). The site is located to the north of Wesley Lawns, to the east of Gort Muire, to the west of Parkvale and Ballawley Park and to the south of St Tiernan's Community School.

The proposed development will amend the internal layout of Block B of the permitted Strategic Housing Development (SHD) ACP Reg. Ref.: 312170-21. The changes consist of:

- Replace 6 no. one bedroom apartment with 6 no. two bedroom apartment by omitting one lift shaft.
- Inclusion of 3 no. one bedroom apartments at ground floor level in place of 1 no. two bed apartment and c. 241sqm residential amenity space.
- Inclusion of a pergola at roof level amenity space

These alterations will result in a net increase of 2 no. apartments within Block B (permitted 168 no. Units, proposed 170 no. Units). Minor alterations to the elevations, along with all other works required, are also proposed to facilitate these changes. There is no proposed change to the building height, massing or footprint as a result of these alterations. A total of 473 no. units will be delivered as a result of this proposed amendment.

All other aspects of the development will be completed in accordance with Reg Ref ABP-312170-21 as amended by Reg. Ref. LRD25A/0849/WEB as permitted.

All application documentation and information are available to view online at the following website set up by the applicant:  
<https://www.marmaladelaneblockb.ie/>.

**Location:** Site at "Marmalade Lane", Wyckham Avenue, Dundrum, Dublin 16  
**Applicant:** 1 Wyckham Land Limited  
**App. Type:** Permission (LRD)

Dear Sir/Madam

1. Name  
2. Address  
3. City  
4. State  
5. Zip

6. Telephone

7. E-mail Address

8. Date of Birth  
9. Sex  
10. Marital Status  
11. Number of Children  
12. Education  
13. Occupation  
14. Annual Income  
15. Home Ownership  
16. Vehicle Ownership  
17. Credit Rating  
18. Other Information

19. How long have you lived in your current home?  
20. How long have you lived in your current neighborhood?

21. How long have you lived in your current city?  
22. How long have you lived in your current state?

23. How long have you lived in your current country?  
24. How long have you lived in your current continent?

25. How long have you lived in your current hemisphere?

26. How long have you lived in your current country?  
27. How long have you lived in your current state?  
28. How long have you lived in your current city?  
29. How long have you lived in your current neighborhood?  
30. How long have you lived in your current home?

31. How long have you lived in your current country?  
32. How long have you lived in your current state?  
33. How long have you lived in your current city?  
34. How long have you lived in your current neighborhood?  
35. How long have you lived in your current home?

36. How long have you lived in your current country?  
37. How long have you lived in your current state?  
38. How long have you lived in your current city?  
39. How long have you lived in your current neighborhood?  
40. How long have you lived in your current home?

41. Name  
42. Address  
43. City  
44. State  
45. Zip

46. Date of Birth  
47. Sex  
48. Marital Status  
49. Number of Children  
50. Education  
51. Occupation  
52. Annual Income  
53. Home Ownership  
54. Vehicle Ownership  
55. Credit Rating  
56. Other Information

57. Name  
58. Address  
59. City  
60. State  
61. Zip

62. Date of Birth  
63. Sex  
64. Marital Status  
65. Number of Children  
66. Education  
67. Occupation  
68. Annual Income  
69. Home Ownership  
70. Vehicle Ownership  
71. Credit Rating  
72. Other Information

I wish to inform you that by Order dated **27-Jul-2026** it was decided to **GRANT PERMISSION** for the above proposal.

For the avoidance of doubt the reasons and recommendations set out in the planners report were generally adopted as set out in the Executive Order, this can be viewed at the Council Offices or the Council website.

#### First Schedule

##### Reasons And Considerations

Having regard to the Objective A and F zoning of the site, and policies and objectives as set out in the 2022-2028 Dún Laoghaire-Rathdown County Development Plan, it is considered that the development would not detract from the amenities of the area and is consistent with the provisions of the current Development Plan, and is therefore considered to be in accordance with the proper planning and sustainable development of the area subject to conditions.

##### Appropriate Assessment Screening

The proposed development has been screened for AA (report on file) and having regard to the nature and scale of the development proposed, it has been determined that the proposed development would not significantly impact upon a Natura 2000 Site.

##### Environmental Impact Assessment Screening

Having regard to the nature, scale and location of the proposed amendments, the characteristics of the site and the findings of the EIAR Addendum Report submitted with the application, it is considered that the proposed development would not be likely to give rise to significant effects on the environment. The proposed amendments do not alter the conclusions of the environmental assessment previously undertaken in respect of the parent development

#### Second Schedule

##### Conditions

1. Save for amendments granted on foot of this permission and conditions set out herein, the development shall otherwise be carried out in strict accordance with the terms and conditions of Planning Permission Reg. Ref. ABP-312170-21 and, save as may be required by the other conditions attached hereto.

REASON: In the interest of the proper planning and sustainable development of the area.

2. The subject units shall be used as single dwelling units and shall not be sub-divided in any manner or used as two or more separate habitable units.

REASON: To prevent unauthorised development.

##### Countywide Surface Water

3. The Developer shall, prior to commencement or as otherwise agreed in writing with the Planning Authority, pay the sum of €277.52 to the Planning Authority as a contribution towards expenditure that was/or is proposed to be incurred by the Local Authority in respect of the provision of Surface Water Infrastructure benefiting development in the area of the Planning Authority, as provided for in the Development Contribution Scheme 2023-2028 made by Dún Laoghaire-Rathdown County Council on the 9th of October 2023. These rates of contribution shall be updated effective from 1 January each year during the life of the Scheme in accordance with the SCSi Tender Price Index commencing from 1st January 2025. Contributions shall be payable at the index-adjusted rate pertaining to the year in which implementation of the planning permission is commenced, as provided for in Article 4.7 of the Scheme. Outstanding balances as of the 1st of January each year shall be subject to indexation and adjusted accordingly until the contribution has been paid in full.



(See Article 8.3 of the Scheme).

**REASON:** It is considered reasonable that the payment of a contribution be required in respect of the provision of the Surface Water Infrastructure benefiting development in the area of the Planning Authority and that is provided, or that is intended will be provided, by or on behalf of the Local Authority.

**Note on above Condition:** Please note that with effect from 1st January 2014 Uisce Éireann are now the statutory body responsible for both water and wastewater services. Accordingly, the contribution payable has been reduced by the amount of the contribution associated with these services. Further details/clarification can be obtained from Uisce Éireann at Tel. 1800 278 278.

#### Countywide Transport Infrastructure

4. The Developer shall, prior to commencement or as otherwise agreed in writing with the Planning Authority, pay the sum of €4, 162.88 to the Planning Authority as a contribution towards expenditure that was/or is proposed to be incurred by the Local Authority in respect of the provision of the Transport Infrastructure benefiting development in the area of the Planning Authority, as provided for in the Development Contribution Scheme 2023-2028 made by Dún Laoghaire-Rathdown County Council on the 9th of October 2023. These rates of contribution shall be updated effective from 1 January each year during the life of the Scheme in accordance with the SCSi Tender Price Index commencing from 1st January 2025. Contributions shall be payable at the index-adjusted rate pertaining to the year in which implementation of the planning permission is commenced, as provided for in Article 4.7 of the Scheme. Outstanding balances as of the 1st of January each year shall be subject to indexation and adjusted accordingly until the contribution has been paid in full. (See Article 8.3 of the Scheme) .

**REASON:** It is considered reasonable that the payment of a contribution be required in respect of the provision of the Transport Infrastructure benefiting development in the area of the Planning Authority and that is provided, or that is intended will be provided, by or on behalf of the Local Authority.

#### Countywide Community & Parks facilities & Recreational amenities

5. The Developer shall, prior to commencement or as otherwise agreed in writing with the Planning Authority, pay the sum of €23, 312.08 to the Planning Authority as a contribution towards expenditure that was/or is proposed to be incurred by the Local Authority in respect of the provision of the Community & Parks facilities & Recreational amenities benefiting development in the area of the Planning Authority, as provided for in the Development Contribution Scheme 2023-2028 made by Dún Laoghaire-Rathdown County Council on the 9th of October 2023. These rates of contribution shall be updated effective from 1 January each year during the life of the Scheme in accordance with the SCSi Tender Price Index commencing from 1st January 2025. Contributions shall be payable at the index-adjusted rate pertaining to the year in which implementation of the planning permission is commenced, as provided for in Article 4.7 of the Scheme. Outstanding balances as of the 1st of January each year shall be subject to indexation and adjusted accordingly until the contribution has been paid in full. (See Article 8.3 of the Scheme)

**REASON:** It is considered reasonable that the payment of a contribution be required in respect of the provision of the Community & Parks facilities & Recreational amenities benefiting development in the area of the Planning Authority and that is provided, or that is intended will be provided, by or on behalf of the Local Authority.

6. No development on foot of this permission shall commence until security for the provision and satisfactory completion of services (including roads, footpaths, open spaces, public lighting, sewers, watermains and drains) in accordance with the Plans and particulars lodged with the application, has been given by:



a) Lodgement with the Council of an approved Insurance Company Bond in the sum of €5, 800.00 which shall be kept in force by the Developer until such time as Roads, Open Spaces, Car Parks, Sewers, Watermains and Drains are completed to the satisfaction of the Council OR/...

b) Lodgement with the Council of a Cash Sum of €3, 600.00 to be applied by the Council at its absolute discretion if such services are not duly provided to its satisfaction on the provision and completion of such services to standard specifications.

REASON: To ensure that a ready sanction may be available to the Council to induce the provision of services and prevent disamenity in the development.

7. This development shall not be carried out without prior agreement, in writing, between the Applicant and the Planning Authority relating to the payment of development contributions.

REASON: Investment by Dún Laoghaire-Rathdown County Council in Local Authority works has facilitated and will facilitate the proposed development. It is considered appropriate and reasonable that the developer should contribute to the cost of same.

NOTE: The attention of the applicant is drawn to Section 34(13) of the Planning and Development Act 2000, which relates as follows- 'A person shall not be entitled solely by reason of a permission under this section to carry out any development'.

NOTE: This permission does not imply any consent or approval for the structural stability and/or habitability of the works carried out and does not imply that the structure complies with the Building Regulations.

NOTE: Any alterations to the drainage systems within the site are a matter for compliance with the Building Regulation.

NOTE: The proposed development shall accord with the requirements of Uisce Éireann.

NOTE: The applicant is advised that in the event of encroachment or oversailing of the adjoining property, the consent of the adjoining property owner is required. If this written agreement is not obtained the proposed development shall be modified only insofar as is required to do this.

NOTE: Any attic floorspace which does not comply with Building Regulations in relation to habitable standards shall not be used for human habitation.

In deciding this planning application, the Planning Authority, in accordance with Section 34 (3) of the Planning & Development Act, as amended, has had regard to any submissions / observations received in accordance with the Planning & Development Regulations, 2001 – 2012 pertaining to this application.

If a decision has been made to Grant or Refuse the application, you may appeal to An Coimisiún Pleanála against the Council's decision within 4 weeks beginning on the date of the decision. An appeal made to An Coimisiún Pleanála by a third party will be invalid unless it is fully complete and accompanied by the correct fee and the Receipt of Acknowledgement issued by the Planning Authority in respect of your Submission/observation on the planning application.

All correspondence in relation to appeals should be addressed to:  
The Secretary, An Coimisiún Pleanála, 64 Marlborough Street, Dublin 1.



Please note that, in accordance with Section 251 of the Planning and Development Act, 2000, "where calculating any appropriate period or other time limit referred to in this Act or in any regulations made under this Act, **the period between the 24<sup>th</sup> Day of December and the first day of January, both days inclusive, shall be disregarded**".

Yours faithfully

*Tricia Reidy*

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for Senior Executive Officer



Sharon Peppard  
Senior Staff Officer  
Planning Department  
Dun Laoghaire - Rathdown County Council  
County Hall  
Dun Laoghaire

29<sup>th</sup> January 2026

Mr. Allen Morgan  
Apartment 67  
Wyckham Place  
Dundrum  
Dublin 16  
D16 KP97

29<sup>th</sup> January 2026

**Re: Planning Reg. Ref LRD25A/0849/WEB**

Dear Mr. Morgan,

I am responding to your letter dated the 23<sup>rd</sup> January 2026 and previous correspondence in relation to Planning Reg. Ref LRD25A/0849/WEB.

As previously indicated to you in my e-mail of January 8<sup>th</sup> last, the decision on this application issued on the 19<sup>th</sup> of December 2025. While I acknowledge the points raised by you in previous correspondence, I wish to point out as per the planners report for LRD25A/0849/WEB which is available to view at the following url link;

<https://planning.agileapplications.ie/dunlaoghaire/application-details/104029#documents>

The Planner has made reference to the site notice being in place and legible on the 08/12/2025. Unfortunately, there is nothing further for me to say on this matter. If you wish to make a complaint regarding the planning process, you may do so by contacting the Office of the Planning Regulator online <https://www.opr.ie/complaints/>

Or in writing to

**Office of the Planning Regulator**  
Park House.  
Grangegorman,  
191-193A North Circular Road,  
Dublin 7  
D07 EWV4

Kind Regards  
*Sharon Peppard*

**COUNCIL LETTER 29.1.2026**



**Planning and Economic Development Department**  
**An Roinn Pleanála agus Forbairt Eacnamaíochta**  
Marine Road, Dun Laoghaire, Co. Dublin  
Email: [planningcompliances@dlrcoco.ie](mailto:planningcompliances@dlrcoco.ie)  
Tel: 01 205 4864

9<sup>th</sup> June 2026

Mr. Allen Morgan,  
Apartment 67,  
Dundrum,  
Dublin 16,  
D16 KP97

Dear Mr. Morgan,

I refer to your letter dated 8 June 2026. This matter has been forwarded to the Planning Compliance Section in response to your queries regarding decisions on planning conditions.

Any details relating to compliance submissions for this permission are available online at the below link: <https://planning.agileapplications.ie/dunlaoghaire> by using the Register Reference numbers you provided (LRD25A/0849/WEB and ABP31217021).

The 'Proposal Description' outlines the condition number submitted, e.g. "Compliance with Condition No. X of Reg. Ref. No. XXX." The corresponding decision is also provided. Please continue to check the online portal, as submissions will be visible once they have been processed.

Searches can also be carried out at the planning counter, between 10 am and 4 pm Monday to Friday.

Having regard to the above, if you have concerns regarding compliance with conditions of the planning permission, I would recommend that you contact our Planning Enforcement section at [planenforce@DLRCOCO.IE](mailto:planenforce@DLRCOCO.IE) with relevant details for review and follow up.

Yours sincerely,

*Aoife O'Neill*

**Aoife O'Neill**  
**Staff Officer | Planning Compliances | Planning Department**

**COUNCIL LETTER 9.6.2026**

