

Extend Architectural  
Services Limited  
14, Castle Street  
Dalkey  
Dublin  
A96PF25

20-Jul-2026

**NOTIFICATION OF DECISION TO REFUSE PERMISSION**  
**Planning & Development Act 2000, as amended**

|                                                |                                  |
|------------------------------------------------|----------------------------------|
| <b>Order Number</b> P/1463/26                  | <b>Date of Order</b> 17-Jul-2026 |
| <b>Register Reference</b><br>D26A/0397/WEB     | <b>Date Received</b> 28-May-2026 |
| <b>National Portal Reference:</b> 120000101103 |                                  |

**Applicant:**  
**Development**

Brinnin Holdings Limited

(i) Modification and widening of vehicular entrance (ii) the construction of 8 no. dwelling units comprising 2 no. semi-detached three-storey three bedroom dwellings (127 sq. m. and 138 sq. m.) ) and 6 no. detached three-storey four bedroom dwellings (4 no. @ 184 sq. m. each and 2 no. @ 202 sq. m. each) (iii) 1 no. on curtilage car parking space and 2 no. cycle parking space per dwelling (iv) repair and part replacement of existing damaged boundary walls and new fence over portion and, (v) landscaping, planting and boundary treatments, infrastructure, lighting, foul/surface drainage and all associated works on a c. 0.2013 ha. site

**Location:**

Charlemont, Avoca Avenue, Blackrock, Co Dublin, A94Y6P4

**Floor Area:**

**Time Extension up to and including:**  
**Additional Information**  
**Requested/Received:**

Dear Sir / Madam

In pursuance of its functions under the above mentioned Act, Dún Laoghaire-Rathdown County Council, being the Planning Authority, did by Order dated as above make a decision to **REFUSE PERMISSION** in respect of 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.

For the reason(s) on the attached numbered pages.

Please note that, in accordance with Section 251 of the Planning and Development Act 2000, as amended, "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**".

Signed on behalf of Dún Laoghaire-Rathdown County Council.

*Sharon Peppard*

for Senior Executive Officer

1. Having regard to the location of the proposed development within an established residential area, the residential zoning objective 'A' of the Dún Laoghaire-Rathdown County Development Plan 2022–2028, which seeks "to provide residential development and improve residential amenity while protecting the existing residential amenities", and having regard to the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024), it is considered that the proposed development, by reason of the scale, footprint and detached housing typology proposed, together with the overall height, massing and site layout configuration, has resulted in an inappropriate form of development that exceeds the capacity of the site to successfully absorb the proposed design scheme. In particular, the proposed arrangement would give rise to unacceptable overbearing and overshadowing impacts on adjoining residential properties, resulting in a significant diminution in residential amenity afforded to existing dwellings, including 2 no. Protected Structures, which would be contrary to Policy PHP 18 of the County Development Plan 2022-2028. Accordingly to permit the proposed development would be contrary to the proper planning and sustainable development of the area.

2. The Planning Authority considers that the proposed development, comprising 8 dwellings at a density of approximately 39.7 units per hectare, fails to achieve the density anticipated for a 'Suburban-Intermediate' location, which seeks a density range of 40-150uph and therefore, does not make efficient use of a serviced and accessible residential site. The proposed development would therefore be contrary to the residential zoning objective of the County Development Plan, the principles of compact growth and sustainable residential development set out in the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024), and would be contrary to the proper planning and sustainable development of the area.

## **SUBMISSIONS/OBSERVATIONS**

**NOTE (1):** In deciding this planning application, the planning authority, in accordance with Section 34 (3) of the Planning & Development Act, 2000, as amended, has had regard to any submissions or observations received in accordance with the Planning and Development Regulations 2001 - 2010, pertaining to this application.

## REMOVAL OF SITE NOTICE

**NOTE (2):** The applicant is reminded that in accordance with Article 20 of the Planning and Development Regulations 2001 – 2012, any site notice erected or fixed pertaining to this application shall be removed (if not already done so) following receipt of this notification.

## **FURTHER NOTES**

### **APPEALS**

This decision of the Planning Authority does not authorise works to commence and may be appealed to An Bord Pleanála by an Applicant or any person who made submissions or observations in writing in relation to this application to the Planning Authority.

A person who has an interest in adjoining lands in respect of which permission has been granted and who did not make a submission or observation under Section 37(6)(a) of the Planning and Development Act, 2000, as amended, may apply to the Board for leave to appeal the decision of the Planning Authority. Appeals should be sent to:

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

**Tel: 01-8588100**

Every appeal must be made in writing and must state the subject matter and full grounds of appeal. It must be fully complete from the start.

The Board must receive an appeal within four weeks, beginning on the date of the decision set out above. A Third Party appeal will be invalid unless accompanied by the prescribed fee and a copy of the receipt from the Planning Authority in respect of a submission/observation.

### **GRANT OF PERMISSION**

In the case of a notification of a decision to Grant Permission, where no appeal is received by An Bord Pleanála against the decision, a PERMISSION will be granted by the Council as soon as may be after the expiration of the period for the making of an appeal.

### **REFUND OF FEES – REPEAT PLANNING APPLICATION**

Provision is made for a partial refund of fees in the case of certain repeat applications submitted within a period of twelve months where the full standard fee was paid in respect of the first application where both applications relate to developments of the same character or description and to the same site. An application for a refund must be made in writing to the Planning Authority and received by them within a period of 8 weeks beginning on the date of Planning Authority's decision on the second application. Please consult the Planning & Development Regulations, 2001-2010, for full details of fees, refunds and exemptions.