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AN COIMISIUN PLEANALA
LDG- FEE-PAY-004074
ACP-
17 AUG 2026
Fee: € 220 Type: CASH
Time: 12:38 By: LLAND.

14-08-2026

The Secretary,
An Coimisiún Pleanala,
64 Marlborough Street,
Dublin 1

Planning Reference: D26A/0393
Proposal Description:
I, C. Manson, intend to apply for Permission for development at this site: Charlemont, Avoca Avenue, Blackrock, Co. Dublin, A94 Y6P4. The development will consist of: 1.) The construction of new recessed vehicular and pedestrian entrance gates to serve the existing detached house off Avoca Avenue. The gates are set back from existing front boundary wall with new pillars, minor landscaping and boundary treatments, site and ground works necessary to facilities the works.
2.) New boundary wall to the side and boundary fence to the rear of the existing house to allow for the sub-division of the house from the site to the side and rear (site in separate ownership). Site accessed off Avoca Avenue via the existing vehicular entrance.
Location: Charlemont, Avoca Avenue, Blackrock, Co. Dublin, A94Y6P4
Decision Date: 20th July 2026
Appeal By: 17th August 2026

RE: FIRST PARTY PLANNING APPEAL

Dear Secretary,

This is a first party planning appeal on behalf of the applicant, **Christina Manson, Charlemont, Avoca Avenue, Blackrock, Co. Dublin, A94Y6P4** against the notification of decision to refuse planning permission by Dun Laoghaire Rathdown County Council for the above proposed development. We attach a copy of the Council's decision and payment of €220. The planning authority has incorrectly conflated our client's proposal with an adjoining scheme thus obstructing our client's reasonable requirement for an independent vehicular access at her home, which would be the same as every other private dwelling house at Avoca Avenue. The Commission is asked to overturn the decision and grant planning permission for the proposed development which facilitates the separation of the existing dwelling from the neighbouring development site.

The reason for refusal was as follows:

1. ***The proposed development which comprises the creation of a new vehicular entrance and boundary treatment to a site which is currently served by an existing vehicular entrance, would constitute piecemeal and haphazard development contrary to the provision of the Dun Laoghaire-Rathdown County Development Plan 2022-2028. Therefore, to permit the development as proposed would be contrary to the proper planning and sustainable development of the area.***

This is our client's second refusal for vehicular access at Charlemont, coming roughly 2 months after her first refusal - see Planning Reference: D26A/0178. As the basis for the latest reason for refusal could have been easily addressed by a request for further information, it is considered she has to appeal to your office instead of filing a third application to the Council for vehicular access.

By way of background, on the 13th February 2026, Charlemont, Avoca Avenue, Blackrock was purchased by Brinnin Holdings Limited – a company wholly unrelated to the appellant. The property consisted of a detached

house sitting on a large under-utilised site of approximately 3,065 square meters in area. The property is entered via a single entrance off Avoca Avenue and has roughly 36.8 meters of road frontage at Avoca Avenue.

Our client had viewed the property when it was on the market but informed the sales agent of her preference to only purchase the house and some of the attendant grounds. As a result, subsequent to Brinnin Holdings Ltd. purchase, the appellant reached an agreement to purchase the appeal site. This legal transfer was finalised on the 26th May 2026 - see letter from Gaffney Mullins Solicitors enclosed / Land registry Map / Stamp Certificate as proof of purchase.

Brinnin Holdings Ltd. retained the rest of the lands (approximately 2,010sqm) to the west and north of the existing house as "Development Land". The existing entrance served the "development land" and a temporary right-of-way was provided to our client to access the house via the existing entrance until such time as a new entrance was put in place.

In March 2026 our client submitted the first planning application, (Planning ref: D26A/0178) which was refused by the local authority. In May 2026 our client submitted a second planning application, (Planning ref: D26A/0393), that is subject of this first party appeal. The portion of land in both applications was clearly highlighted in red. The "development land" which is not in our client's ownership or control, was therefore not highlighted in Blue. We remained puzzled by the local authority approach whereas our client is deeply frustrated with the unnecessary delay in obtaining planning permission.

Both applications were refused. In the first refusal the local authority (planning reference D26A/0178) said it was premature to decide on the site as there was no information submitted as to how the "development land" was to be developed. This was despite our client clearly stating that they did not have any connection to the "Development Land" and the application drawings confirmed no ownership or control of the "development land".

In the second application our client liaised with Brinnin Holdings Limited so that they were submitted in the same week so that the local authority could assess the proposals together - as requested. Again, the local authority refused the application stating that it 'would constitute piecemeal and haphazard development contrary to the provision of the Dun Laoghaire-Rathdown County Development Plan 2022-2028'. This is an irrational and unreasonable attitude by the Council when our client has directly addressed the issue raised in the first refusal.
The "development land" was also refused planning permission on the 17th of July 2026 (planning reference D26A/0397/WEB) and we understand that decision has been appealed to your office.

From the single reason for refusal, it is claimed that the proposal "**would constitute piecemeal and haphazard development contrary to the provision of the Dun Laoghaire-Rathdown County Development Plan 2022-2028**". The planning officer's report does not identify a single development plan provision that this proposal would contravene; not one! Furthermore, In both planning applications the transportation planning department of DLRCOCO *"have no objection to the proposed development subject to the following conditions:*

1. *The applicant shall ensure to liaise with the relevant utility company and the Planning Authority's Public Lighting Section for written agreement, at applicant's own expense, indicating that the required tree removal is deemed acceptable to the relevant utility company and the Planning Authority's Public Lighting Section in order to accommodate the gate entrance and the required sightlines within the visibility.*
2. *The footpath in front of the proposed widened vehicular entrance shall be dished and strengthened at the Applicant's own expense including any moving / adjustment of any water cocks /chamber covers. With regard to both the dishing and strengthening of the footpath and the grass verge in front of the proposed widened vehicular entrance, the Applicant shall contact the Road Maintenance & Control Section to ascertain the required specifications for such works and any required permits.*
3. *All necessary measures shall be taken by the Applicant and Contractor to:*
   a) *prevent any mud, dirt, debris or building material being carried onto or placed on the public road or adjoining properties as a result of the site construction works,*

b) repair any damage to the public road arising from carrying out the works,
c) avoid conflict between construction activities and pedestrian/vehicular movements on the surrounding public roads during construction works.

There is nothing piecemeal or hazardous about our client's proposal. The Transportation Planning department has stated no objection to the proposal, so it's clearly not hazardous. In this appeal, we have provided the required legal documentation confirming our client's ownership of the appeal site and that she categorically has no legal interest in the adjoining "development land". It must therefore follow that the proposal is also not piecemeal. Despite no third party observations, our client has been subject to two planning refusals, which is not only wasting her time but has also created unnecessary legal problems providing a vehicular access to her new home and putting a defined boundary around her garden. Surely this type of development should be encouraged by the local authority as it releases land for residential development.

Despite our clarification on the recent application, the local authority continues to incorrectly assume that our client has control over the "development land". The local authority could have sought clarification on ownership by requesting 'further information' however in both cases they have unnecessarily refused permission. We therefore felt it was necessary to appeal the decision.

We therefore request that the Commission overturn the local authority decision and **grant** permission for the proposed development.

We await a decision in due course. Please acknowledge receipt of this appeal and direct all correspondence to this office.

Yours Sincerely,

Ray Donohoe B.Arch
RD Design

Enclosures:
1. Copy of the local authority decision
2. Payment of €220 being the appeal fee
3. Letter from Gaffney Mullins Solicitors
4. Land Registry Map
5. Stamp Duty Certificate

Comhairle Contae County Council

Comhairle Contae Dhún Laoghaire-Ráth an Dúin, Halla an Chontae, Dún Laoghaire, Co. Átha Cliath, Éire A96 K6C9
Dun Laoghaire Rathdown County Council, County Hall, Dun Laoghaire, Co Dublin, Ireland A96 K6C9
T: 01 205 4700 E: info@dlrcoco.ie W: www.dlrcoco.ie

Ray Donohoe/RD Design
RD Design
St. Anthony's
Monadreen
Thurles
Co. Tipperary

20-Jul-2026

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

Order Number P/1467/26	**Date of Order** 20-Jul-2026
Register Reference D26A/0393	**Date Received** 27-May-2026
National Portal Reference:	

Applicant: C. Manson

Development 1.) The construction of new recessed vehicular and pedestrian entrance gates to serve the existing detached house off Avoca Avenue. The gates are set back from existing front boundary wall with new pillars, minor landscaping and boundary treatments, site and ground works necessary to facilitate the works. 2.) New boundary wall to the side and boundary fence to the rear of the existing house to allow for the sub-division of the house from the site to the side and rear (site in separate ownership). Site accessed off Avoca Avenue via the existing vehicular entrance.

Location: Charlemont, Avoca Avenue, Blackrock, Co. Dublin, A94Y6P4

Floor Area:
Time Extensionup 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 **1** reason(s) on the attached numbered pages.

Comhairle Contae County Council
Comhairle Contae Dhún Laoghaire-Rath an Duin, Halla an Chontae, Dun Laoghaire, Co. Átha Cliath, Éire. A96 K6C9
Dun Laoghaire Rathdown County Council, County Hall, Dun Laoghaire, Co. Dublin, Ireland. A96 K6C9
T: 01 205 4700 E: info@dlrcoco.ie W: www.dlrcoco.ie

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 24th 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. The proposed development which comprises the creation of a new vehicular entrance and boundary treatment to a site which is currently served by an existing vehicular entrance, would constitute piecemeal and haphazard development contrary to the provision of the Dun Laoghaire-Rathdown County Development Plan 2022-2028. Therefore, to permit the development as proposed 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.

dlr
Comhairle Contae County Council
Comhairle Contae Dhún Laoghaire-Rath an Duin, Halla an Chontae, Dun Laoghaire, Co. Átha Cliath, Éire. Ag6 K6C9
Dun Laoghaire Rathdown County Council, County Hall, Dun Laoghaire, Co. Dublin, Ireland. Ag6 K6C9
T: 01 205 4700 E: info@dlrcoco.ie W: www.dlrcoco.ie

FURTHER NOTES

APPEALS

This decision of the Planning Authority does not authorise works to commence and may be appealed to An Bord Pleanala 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 Pleanala,
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 Pleanala 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.

Formerly Gaffney Halligan & Co.

Gaffney Mullins & Co.
Solicitors
RAHENY

Our Ref: PM/CH/R44720 Your Ref: Date: 13/08/2026

An Bord Pleanála
64 Marlborough Street
Dublin 1

Re: Our clients: Liam Brennan & Christina Manson
Property: Charlemont, Avoca Avenue, Blackrock, Co. Dublin

Dear Sir/Madam

I refer to the above matter and confirm that we acted for Liam Brennan and Christina Manson in the purchase of the above-mentioned property which completed on the 26th May 2026.

I attach herewith a copy of the site that my clients have purchased the above mentioned property from Brinnin Holdings Limited, the owner of the site adjoining my clients' property. You will see my clients' property outlined in red and I confirm that my clients have no connection with Brinnin Holdings Limited and the site outlined in red in the map attached is fully independent and solely in the ownership of my clients.

Yours sincerely,

Pádraig Mullins

PÁDRAIG MULLINS
GAFFNEY MULLINS & CO.
Email: pmullins@gaffneymullins.com

Raheny Office
413 Howth Road,
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Dublin 5 D05 KD54.
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01 831 2470

Partners: Niall Gaffney, Pádraig Mullins
Solicitors: Aislinn Greene, Niall MacCarthy
Legal Executives: Maria Crawford, June McCormack

Email: info@gaffneymullins.com
Web: www.gaffneymullins.com

Land Registry Compliant Map

0 10 20 30 40 Metres

0 20 40 60 80 100 Feet

OUTPUT SCALE: 1:1,000

CAPTURE RESOLUTION:
The map objects are only accurate to the resolution at which they were captured. Output scale is not indicative of data capture scale. Further information is available at: www.tailte.ie; search 'Capture Resolution'

LEGEND:
To view the legend visit www.tailte.ie and search for 'Large Scale Legend'

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ITM 720407,728899

PUBLISHED: 23/09/2025

ORDER NO.: 50492207_1

MAP SERIES: 1:1,000

MAP SHEETS: 3393-01

COMPILED AND PUBLISHED BY:
Tailte Éireann,
Phoenix Park,
Dublin 8,
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D08F6E4

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Stamp Certificate ID:	26-1847062-B1CA-260526-C	Notice Number:	50806114-68329O
Duty:	€ 50,000.00		
Interest:	€ 540.00		
Total:	**€ 50,540.00**		
Date of Execution of Instrument:	26/05/2026		
Parties From:	BRINNIN HOLDINGS LIMITED		
Parties To:	LIAM BRENNAN CHRISTINA MANSON		
Property	CHARLEMONT, AVOCA AVE, BLACKROCK, Dublin Residential: Chargeable Consideration: € 2,000,000.00 Duty: € 50,000.00		

Revenue