



AN ARD-CHÚIRT
THE HIGH COURT

PLANNING & ENVIRONMENT

2026 907 JR

Monday the 27th day of July 2026

BEFORE MS JUSTICE EMILY FARRELL

**IN THE MATTER OF AN APPLICATION PURSUANT TO SECTIONS 50 50A AND
50B OF THE PLANNING AND DEVELOPMENT ACT 2000 AS AMENDED**

BETWEEN/

KAREN HEHIR

**LONGFORD TERRACE RESIDENTS ASSOCIATION COMPANY LIMITED BY
GUARANTEE**

APPLICANTS

-AND-

DUN LAOGHAIRE RATHDOWN COUNTY COUNCIL

MINISTER FOR HOUSING LOCAL GOVERNMENT AND HERITAGE

IRELAND

THE ATTORNEY GENERAL

RESPONDENTS

-AND-

ROSS MORROW

EMMA MORROW

NOTICE PARTIES

The Motion of Counsel for the Applicants having come before the Court *ex parte* on the 6th day of July 2026 pursuant to the Statement of Grounds filed herein on the 23rd day of June 2026 seeking the following reliefs:

1. “An Order of Certiorari by way of application for judicial review quashing a purported decision of the First Respondent, dated 31 March 2026, file reference D26A/0068, to

grant permission for redevelopment of a protected structure, a dwelling, at 10 Longford Terrace, Monkstown, County Dublin.

2. An Order of Certiorari by way of application for judicial review quashing a purported grant of permission by the First Respondent to the Notice Parties, dated 7 May 2026, file reference D26A/0068, for redevelopment of a protected structure, a dwelling, at 10 Longford Terrace, Monkstown, County Dublin.
3. A Declaration that S37(1), S127(1) and / or S127(2) of the Planning and Development Act 2000 as amended, are unconstitutional insofar as they fail to make any provision for extension of the deadline for filing an appeal where the justice of the matter so demands.
4. Such Declaration(s) of the legal rights and/or legal position of the Applicants and (if and insofar as legally permissible and appropriate) persons similarly situated and/or of the legal duties and/or legal position of the Respondents as the court considers appropriate.
5. A Declaratory Order pursuant to S7 of the Environment (Miscellaneous Provisions) Act 2011 as amended, Order 99 of the Rules of the Superior Courts as amended, the inherent jurisdiction of the Court, Article 47 of the Charter on Fundamental Rights of the European Union, Articles 4(3) and 19(1) of the Treaty on European Union, and/ or Article 9 of the Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters done at Aarhus, Denmark, on 25 June 1998 (the Aarhus Convention), confirming that Section 50B of the Planning and Development Act 2000 as amended and/ or Sections 3 and 4 of the Environment (Miscellaneous Provisions) Act 2011 apply to the Grounds set out at Part E hereof.

6. A stay on the carrying out of the development the subject of the purported grant of permission at paragraph 2 above.
7. An extension of time for bringing the present proceedings, pursuant to O84 R21 of the Rules of the Superior Courts as amended.
8. Further or other orders.
9. Costs.”

And upon reading said Statement and the Affidavit of Martha O Neill filed on the 23rd day of June 2026 and the Affidavit of Alana McGee filed on the 2nd day of July 2026 and the Order dated the 6th day of July 2026 granting leave to apply by way of application for Judicial Review and the documents and exhibits in said Affidavit referred to

And the Court being informed that agreement has been reached herein

And the matter coming on accordingly on this day in the presence of Counsel for the Applicants and Counsel for the First Named Respondent and Counsel for the Second Third and Fourth Named Respondents and Counsel for the Notice Parties

And on hearing said Respective Counsel

And the Court being informed and noting that in respect of planning application register reference D26A/0068/WEB for development at 10 Longford Terrace in Monkstown in the County of Dublin A94XY98 and the decision of Dún Laoghaire Rathdown County Council (the “Council”) dated the 30th day of March 2026 (Register Reference: D26A/0068/WEB) impugned in these proceedings and on the basis of Core Ground 1 of the Statement of Grounds filed on the 23rd day of June 2026 namely that the Council’s decision impugned in these proceedings is invalid because it was not notified to those who had made submissions on the application for permission contrary to regulation 31 of the Planning and Development Regulations 2001 as amended and for the purposes only of the Council re-signing and re

dating its decision dated the 30th day of March 2026 (Register Reference: D26A/0068/WEB) so that it may be notified in accordance with law and for the avoidance of doubt not revisiting any of the substantive merits of any part of that decision

THE COURT DOTH GRANT an Order of *Certiorari* (in the terms of Relief B(1) of the Statement of Grounds filed on the 23rd day of June 2026) quashing the Council's Decision dated the 30th day of March 2026 (Register Reference: D26A/0068/WEB) and the subsequent notification dated the 31st day of March 2026 (Register Reference: D26A/0068/WEB)

And in lieu of directing that an Order of *Certiorari* do issue IT IS ORDERED that the aforesaid Decision dated the 30th day of March 2026 and all records and entries relating thereto be quashed without further Order

THE COURT DOTH GRANT an Order of *Certiorari* (in the terms of Relief B(2) of the Statement of Grounds filed on the 23rd day of June 2026) quashing the Grant dated the 6th day of May 2026 (Register Reference: D26A/0068/WEB) and the subsequent notification dated the 7th day of May 2026 (Register Reference: D26A/0068/WEB)

And in lieu of directing that an Order of *Certiorari* do issue IT IS ORDERED that the aforesaid Grant dated the 6th day of May 2026 and all records and entries relating thereto be quashed without further Order

IT IS ORDERED that the time period set out in section 34(8)(a) of the Planning and Development Act 2000 (as amended) shall in respect of planning application register

reference D26A/0068/WEB received on the 6th day of February 2026 expire 3 days from the date of the perfection of the Orders made herein

IT IS FURTHER ORDERED that the matter be remitted to the Council to resign and redate its Decision on planning application register reference D26A/0068/WEB within 3 days of the date on which it receives the perfected Order herein

AND THE COURT DOTH MAKE no Order in respect of the balance of the reliefs sought pursuant to the Motion herein without prejudice to the parties' rights to advance the same or a similar claim or issue in any future proceedings

AND IT IS ORDERED that the First Named Respondent do pay to the Applicants the costs of the proceedings to include reserved costs said costs to be adjudicated in default of agreement

KATE WALSH
REGISTRAR
PERFECTED 10/08/2026

Ken Kennedy Law
Solicitors for the Applicants

Dun Laoghaire- Rathdown County Council
Solicitors for the First Named Respondent

Chief State Solicitor's Office
Solicitors for the Second Third and Fourth Named Respondents

Addleshaw Goddard Ireland LLP
Solicitors for the First and Second Named Notice Parties