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A94E3F8

18-Aug-2026

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

Order Number P/1654/26	Date of Order 18-Aug-2026
Register Reference D26A/0470/WEB	Date Received 24-Jun-2026
National Portal Reference: 120000103371	

Applicant:
Development

Nicholas Jones
The demolition of an existing car sales facility (185.27sq.m) and the construction of a three storey building on the site of an existing car sales facility with a Commercial Unit (416.71sq.m) at Ground Floor (Local Area Shop) and ten residential units on subsequent upper floors.

Location:

55b, Patrick Street, Dun Laoghaire, Co. Dublin, A96N240

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 **2** 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 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. Having regard to the nature and scale of the proposed development, it is considered that the proposal, by reason of its design and layout, would offer a substandard level of internal residential amenity for future occupants. The proposal would be contrary to Policy Objectives PHP18, PHP35 and Section 12.3 of the Development Plan, and to SPPR 3 of the 2025 Apartment Guidelines. In addition, the scale, visual bulk, massing and design of the development would have a significant and negative impact on the amenity of neighbouring houses, by way of overlooking, overshadowing, and overbearing visual appearance. The proposed development would therefore be contrary to Policy Objective PHP42 and the 'A' zoning objective of the site, and would therefore be contrary to the proper planning and sustainable development of the area.

2. The applicant has not identified a requirement for the provision of retail space of the scale proposed at this location, on 'A' zoned lands. The proposed retail space provision, outside the core shopping area of Dún Laoghaire and in the absence of a demonstrated deficiency in retail floorspace in the area, would prejudice the overall retail function of Dún Laoghaire town centre, and would be contrary to Policy Objectives RET5 and RET8. The proposed development would therefore 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.