



HOLLY PARK STUDIO

ARCHITECTS

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

AN COIMISIÚN PLEANÁLA
LDG- FEB-DAY-004486
ACP- _____
10 SEP 2026
Fee: € 220 Type: CAND
Time: 2:37 By: LIAND

9th September 2026

Re: Appeal against the Decision to Grant Permission for Development at 26 Wilson Road, Mount Merrion, County Dublin, A94 R8X3, by Dun Laoghaire-Rathdown County Council, for the following Development:

Demolition of the existing garage; construction of a single storey extension to the rear and side; Conversion of the existing attic space; Modification of the existing roof with dormer; Front porch extension; Construction of rooflights to the proposed roof and proposed rear flat roof; Widening the entrance to 3.5m; All associated site works.

Order Number: P/1651/26, Date of Order: 25-Jun-2026, Register Ref: D26A/0480/WEB

Dear Sir or Madam,

We have been appointed by Mr and Mrs Prionnsias and Joan Ó Duinn, of 28 Wilson Road, A94 K2N5 and Ms Róisín McEvoy of 21 Wilson Road, A94 A6X9, to submit an appeal against the above named Decision to Grant Planning Permission.

This will be the third appeal we have prepared in relation to an application seeking Planning Permission submitted to the Planning Authority of Dunlaoghaire Rathdown County Council by the owner of 26 Wilson Road.

As in the case of the earlier Planning Applications Register Reference Numbers D25B/0807/WEB and D25B/0100/WEB, the Planning Authority has Decided to Grant Planning Permission for a proposal which varies little from earlier proposals and is in fact more imposing than the proposal contained in application Ref. No: D25B/0807/WEB and pays little heed to the concerns expressed by An Coimisiún Pleanála in their decision to refuse permission as explained in the following extract from that decision as copied hereunder:

Having regard to the nature and scale of the proposed development, to the slope within the rear garden area at the subject site and the drawing detail submitted with the application which is not considered to be sufficiently clear on the precise final ground levels (as altered) within the rear garden area upon which the extension will be positioned, it is considered that the proposed development, by reason of the length and height of the flat roofed extension to the rear of the dwelling and as shown in the application documentation, would seriously injure the residential amenity of adjoining properties due to massing and overbearance. In the context of the application as submitted, the proposed development would not protect existing residential amenities, contrary to the A zoning objective, policy objective PHP35 and Section 12.3.7.1 (ii) Extensions to the Rear of Dwellings of the Dun Laoghaire Rathdown County Council County Development Plan, 2022-2028, and would, therefore, be contrary to the proper planning and sustainable development of the area.

In considering how we might approach this third appeal we are faced with the reality that the Planning Authority decided to validate the application in spite of simple and obvious errors and omissions in the information submitted by the applicant.

The grounds for this appeal are prefaced with our understanding of purpose of the following in so far as they are important to the Planning Process:

1. The Public and Site Notices.

The purpose of the required Public and Site notices is to explain, in simple and clear language what it is that an applicant wishes to do on any particular site.

Traditionally Planning Authorities have been strict on the manner in which these notices are worded, often invalidating applications because of the lack of clarity. In many other cases the Planning Authorities have, during the Pre-Planning consultation process, assisted in adjusting such notices, in the interest of clarity, prior to their publication.

In the case of the notices submitted and posted in respect of the present application a study of the documents, submitted with the planning application, leaves no doubt but that the notices give a misleading description of the proposed works, as will be explained in this appeal.

Regardless, the Local Authority has accepted the notices as being valid in spite of their having been advised to the contrary.

2. The Planning Application Form.

For the purpose of a planning application, the Application Form itself is a standardised means of setting out the details of a proposed development and includes a declaration by the applicant that the information provided in the application is correct.

In the case of the present application, not only does the applicant repeat the inaccurate description of the proposed works, as in the case of the site and public notices but, fails to correctly indicate the proposed increase in Gross Floor area, a fact that was raised in our clients' observation letter.

Of greater significance is the fact that the Application / Declaration Form is not signed by the applicant.

This is yet another, but more serious, oversight on the part of those in the Planning Authority who have validated the application.

3. Drafting Standards.

The National Standards Authority of Ireland ([NSAI](#)) directly adopts and adheres to international and regional standards for the production of technical drawn documentation, both engineering and architectural.

Increasingly it is being observed that there is a decline in the standard of drawn information being submitted as part of some planning applications and yet this decline goes unquestioned by our Planning Authorities.

Drawings whose accuracy would have been a reason for their rejection by the Planning Authority, a number of years ago, are now flowing through the planning process.

For instance, in the case of the present Planning application, drawn elevations representing the existing and adjoining properties on Wilson Road bear no relationship to their actual appearance.

This repeated lack of detail and inaccurate dimensioning has been highlighted in our clients' various submissions to the Planning Authority, including their most recent submission related to the present application.

The most regrettable aspect of this poor drafting is that Condition 1 of the present Decision to Grant Permission states that:

The development shall be carried out in its entirety in accordance with the plans, particulars and specifications lodged with the application.

Unfortunately, similar wording is now being cut and pasted to almost every Grant of Permission, regardless of the quality of the information contained in the Planning Application, whether or not details and specifications have been included with the application.

In the case of the present application related to 26 Wilson Road, any competent construction professional or contractor will confirm that it is not possible to construct what is described on the Planning Drawings in the absence of significant modification.

It is regrettable that our clients must appeal against a decision to Grant Permission for development based on a planning application which was should not have been validated.

Appeal against the Decision to Grant Permission for Development at 26 Wilson Road, Mount Merrion, County Dublin,

Our clients' observations regarding Planning Application, Register Ref: D26A/0480/WEB, were submitted to the Planning Authority on the 20th of July 2026. A copy of that letter is attached hereto, as Appendix 1 item C, and forms a significant part of this appeal

Also attached as part of this appeal is a copy of the appeal letter submitted on behalf of Róisín McEvoy regarding the previous Planning application for 26 Wilson Road, Register Ref: D25B/0807/WEB. Many of the observations contained in that letter remain relevant to the present Appeal. See Appendix 1 item D.

The Planning History of 26 Wilson Road is extensive and on the submission of each Planning Application the Local Authority has issued a Decision to Grant Planning Permission.

Each Decision has been subsequently refused by An Bord Pleanála / An Coimisiún Pleanála as recorded in the Planning Report No. P/1651/26 included in the online record of the present Planning Application.

The reasons for the refusals on appeal have been specific and easily understood, as copied above. However, those reasons appear to have been ignored, in respect of the present application, by both the applicant and the Planning Authority.

Our clients' have always been concerned about, and will support, all reasonable development in the vicinity of Wilson Road provided such development respects the character of the area and complies with the requirements of the County Development Plan and Building Regulations.

More importantly, their concern is that all developments must respect the rights of neighbouring property owners.

Planning Application Register Ref: D26A/0480/WEB, in respect of 26 Wilson Road, seeks permission for a development the mass of which is greater than that of the earlier applications.

Unfortunately, decision order P/1651/26 issued by Dun Laoghaire Rathdown County Council County is now essentially denying third parties, including our clients, the right to express their opinions on any changes which might be proposed as a result of that decision.

Observations.

The Site Notice, the Public Notice and the Planning Application all state that permission was sought for the:

Demolition of the existing garage; construction of a single storey extension to the rear and side; Conversion of the existing attic space; Modification of the existing roof with dormer; Front porch extension; Construction of rooflights to the proposed roof and proposed rear flat roof; Widening the entrance to 3.5m; All associated site works.

The following observations are significant:

1. The applicant was specific in stating that the application was for a single storey extension to the rear and side of the property and while a single storey extension to a Bungalow might reasonably be interpreted as including an extension of the existing pitched roof, that is not the case in this instance.

Approximately 55% of the proposed extension is to have a flat roof while the balance is to be constructed under an elaborate new first floor structure described as being a 'Modification of the existing roof'.

2. The Applicant was specific in stating that permission was being sought for the conversion of the 'existing attic'.

The 'existing attic' is incapable of being converted to habitable accommodation of the scale proposed and in compliance with Building Regulations by virtue of its limited Height.

The proposed development, as interpreted from the planning drawings, but not explicitly described, will require the complete demolition of the existing roof structure, the replacement of the ground floor ceiling structure and the construction of a new flat roofed structure at first floor level with sloping side roofs at a pitch of approximately 40 degrees

What is proposed is not an attic conversion, but the construction of a completely new first floor structure, out of keeping and character with the adjacent buildings.

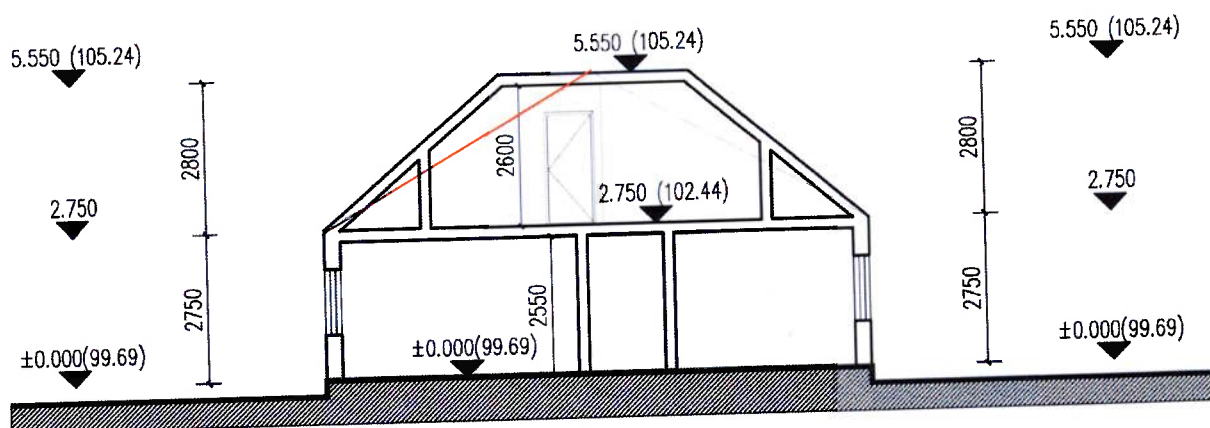
3. The new first floor structure / roof extends further northward than the existing roof, and nowhere is it mentioned that permission was being sought to extend the existing attic or roof structure.
4. The Gross Floor area of the proposed works is described on the planning application Form as being 88.29 square metres. That figure represents only the increased floor area of the Ground floor.

5. There is no mention of the approximately 96 square metres of additional first floor area which, when combined with the new Ground floor area, gives a total increased floor area of 184.29 square metres.

As a result the total floor area of the finished development will increase from 100.9 Sq M to 285.19 Sq M.

In terms of the Gross Floor area of the proposed works, the application form is, therefore, misleading and such an oversight should have been noted by the Planning Authority prior to validating the application.

6. Rather than consisting of a 'Modification to the existing roof, a New roof Structure is proposed as indicated in the Planning documents, Drawing P02, Section 22, as copied hereunder.



As drawn and dimensioned, the new first floor structure would be unstable, unsafe and incapable of complying with Building Regulations. Making the structure safe would require a substantial increase in structural dimensions and support, the potential impact of which is clearly being ignored by both the Applicant and the Planning Authority

The new Structure makes the most significant contribution to the intrusive massing of the proposal and its impact on neighbouring properties.

The pitch of the existing roof, as drawn and highlighted in red on the copied drawing above is interpreted as being 29 degrees while the pitch of the new roof, as drawn, appears to be 40 degrees.

Nowhere on the planning documents is this very significant information in respect of roof pitches identified or confirmed and therefore unreasonably accepted by the Planning Authority.

An alteration of the magnitude implied on the applicant's drawings will increase the perceived height of the roof as observed from the properties to the East and West as being approximately 700mm higher than the existing.

This apparent increase in height together with the actual shifting of the ridge position will have an impact on the morning and evening daylight as it reaches the properties to the East and West of 26 Wilson Road.

Condition 2 of the Decision to Grant Planning Permission.

Prior to commencement of development, the Applicant shall submit for written approval of the Planning Authority, revised plans showing that the first floor element has been reduced by no less than 2 metres in depth.

While neither the site notice, the public notice or the planning application form make reference to the inclusion of an extension to the attic floor space, the Planning Authority appears to accept its inclusion, given their reference to 'the first floor element' in the wording of Condition 2 of the Decision.

Unfortunately, the language of that Condition is nonspecific and open to interpretation, for example:

Is the 'first floor element' of the proposal to be reduced on the North, South, East or West sides?

Is the gabled style of the Proposed Northern elevation, as represented in the application documents acceptable to the Planning Authority, or should the Hipped, and less intrusive, style of the existing roof be adopted?

The adoption of either will have differing, but significant, impacts on the neighbouring properties.

Based on Condition number 2 of the Decision to Grant Permission, the Planning Authority has decided that the final decision on the shape and massing of the development will be made by the applicant and no one other than the Planning Authority will be permitted to make any observation as to its acceptability or otherwise.

By way of observation at this stage, the Planning Authority has, to date, had no qualms about approving whatever the owner/applicant of 26 Wilson Road has applied for, regardless of concerns expressed by An Coimisiún Pleanála or our clients.

Those most affected by what might be constructed in an adjoining garden, as a consequence of Condition 2, are to be excluded from commenting or expressing their opinion.

The modification requested in Condition 2 of the Decision is very significant and is being inappropriately dealt with in terms of the Planning Process.

In the event that the application continues to be accepted as valid, the fairest way for the Local Authority to have dealt with this application would have been to seek to have the revisions they require indicated on revised drawings to have been submitted in response to a request for additional information.

In that way the Planning system could have been shown to be fair to all parties concerned.

Commentary on Planning Report No. P/1651/26

The Planning report makes interesting reading when it comes to the matter of overshadowing.

1. Page 10 of the report comments extensively on the height of the proposed ground floor extension and determines that the extension, at 3 metres in height, will not result in undue overbearing impacts on adjoining residential properties.

2. The writer of the report appears to have failed to note that approximately 45% of the ground floor extension is roofed by a new structure, the height of which is indicated on the Planning Documents as being 10 metres above ground level.

This lack of observation reflects poorly on the writer of the report.

With regard to potential overshadowing by a new roof/first floor structure, one can only wonder why the report makes no reference to the significant overshadowing such a structure might cause, particularly when such emphasis is placed on the fact that, as described above:

'the extension at 3 metres in height will not result in undue overbearing impacts on adjoining residential properties'.

The writer appears to completely ignore the County's Development Plan which deals with overshadowing as follows:

Roof heights and angles should be carefully designed to prevent casting dark shadows over your neighbour's windows or outdoor areas.

3. The reduced length of the extension is also commented upon, acknowledging that it has been reduced from 10m to 8.7m.

However, it is to be noted that the length of the extension in a Northward direction from the rear of the existing building line is still excessive when compared to the maximum average northward projection of extensions, in close proximity to 26 Wilson Road, at approximately 4.5 metres.

4. Page 12 of the report deals with the 'roof modification' and indeed the 'proposed attic extension', of which there is no mention in the Planning Application.

The writer does not appear to have realized that rather than being a modification to the existing roof, what is shown on the planning drawings is a completely new first floor structure.

Had the writer of the report inspected the property, and understood what is indicated on the drawings, they might justifiably have described concerns over the ability of the existing 75 year old house walls, already showing signs of settlement, to carry the load and stresses of such an elaborate new first floor structure.

Surely it would have been more appropriate for the writer of the report to have considered the impact of the Scale and Mass of the development in its setting rather than discussing the size of the applicant's proposed office or playroom.

Indeed the writer of the report might more reasonably have questioned the logic of breaking out the eastern wall of the existing structure to construct a significant new window within 800mm of the site boundary, for a proposed cinema room which is proposed to be roof-lit.

Conclusion.

It is our clients' opinion that while the overall development proposed for 26 Wilson Road is excessive in Scale and does not change significantly from the earlier proposal, refused on appeal, the wording of Condition 2 contained in the Decision to Grant Permission excludes them from having any further say in what the applicant may be allowed to construct.

Our clients' have always been of the opinion, as elaborated upon above, that the application should have been deemed as Invalid by the Planning Authority.

However, if its Validity is to go unquestioned, at the very least, the Decision to Grant Permission should be replaced by a Request for Further Information to include details of the modifications implied by Condition 2 as well as the production of a detailed structural section and Engineers report related to the feasibility of the proposed new first floor structure, thereby allowing for third party observation.

In the event that such a modification is not possible it is our clients' opinion that the Decision to Grant Permission should be overturned not only because of its excessive mass, but also by reason of its being invalid and lacking in correct detail and description.

As a consequence of a rejection of the Decision to Grant Permission, the applicant might be permitted to submit a modified application correctly describing, drawing and specifying what is being applied for and including the modifications implied by Condition 2.

Our Client can only rely on the Professionalism of your good offices to ensure that an appropriate level clarity and control will be applied through the Planning Process as it applies to development at 26 Wilson Road.

Yours Sincerely



Eamon Hedderman FRIAI
For Holly Park Studio Ltd

Encls.

Appendix 1.

- A Copy of Receipt for Submission issued by Dunlaoghaire Rathdown County Council on the 21st of July 2026.
- B Photograph of the Front page of Planning Submission stamped as received on the 20th of July 2026.
- C Planning Submission lodged the 20th July 2026.
- D Copy of Appeal letter of the 15th of January 2026 related to Planning application Register Reference Numbers D25B/0807/WEB

A Copy of Receipt for Submission issued by Dunlaoghaire Rathdown County Council on the 21st of July 2026.

HollyPark Studio Architects on behalf of Ó'Duinn & McEvoy
Holly Park Studio
Newtownpark Ave
Blackrock
Co Dublin
A94R6P7

Receipt for Submission

Date: 21-Jul-2026

Register Ref: D26A/0480/WEB **Date Recd:** 25-Jun-2026
Development: Demolition of the existing garage; construction of a single storey extension to the rear and side; Conversion of the existing attic space; Modification of the existing roof with dormer; Front porch extension; Construction of rooflights to the proposed roof and proposed rear flat roof; Widening the entrance to 3.5m; All associated site works.
Location: 26, Wilson Road, Mount Merrion, Blackrock, Co Dublin, A94R8X3
Applicant: Sen Heng
App. Type: Permission

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 24th 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

Tricia Reidy

for SENIOR EXECUTIVE OFFICER

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

- B Photograph of the Front page of Planning Submission stamped as received on the 20th of July 2026.



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20th July 2026

The Planning Department
Dun Laoghaire Rathdown County Council
County Hall
Marine Road,
Dun Laoghaire
A96 K6C9

Dún Laoghaire Rathdown County Council
COUNTER
20 JUL 2026
RECEIVED PLANNING DEPARTMENT

Re: Submission of Observations and Comments in respect of Planning Application
Reference No. D26A/0480/WEB

Demolition of the existing garage; construction of a single storey extension to the rear and side; Conversion of the existing attic space; Modification of the existing roof with dormer; Front porch extension; Construction of rooflights to the proposed roof and proposed rear flat roof; Widening the entrance to 3.5m; All associated site works.

Dear Sir or Madam,

We have been requested by our clients:

Mr and Mrs Prionnsias and Joan Ó Duinn, of 28 Wilson Road, A94 K2N5 and Ms Róisín McEvoy of 21 Wilson Road, A94 A6X9, to submit an observation on their behalf related to the above named development and to strenuously object to the repeated attempts by the applicant to seek planning permission for similar ill-considered and increasingly overbearing development.

The present planning application follows the decision by An Coimisin Pleanála to refuse planning permission for two previous planning applications at 26 Wilson Road namely: planning applications Reference No. D25B/0199/WEB in 2025 and Reference No. D25A/0807/WEB earlier this year.

Except for an increase on volume, the Scale and External appearance of the present application differs little from that of application Reference No. D25A/0807/WEB and the applicant appears to ignore the concerns expressed in the decision of An Coimisin Pleanála, namely;

'it is considered that the proposed development, by reason of the length and height of the flat roofed extension to the rear of the dwelling and as shown in the application documentation, would seriously injure the residential amenity of adjoining properties due to massing and overbearance. In the context of the application documentation as submitted, the proposed development would not protect existing residential amenities, contrary to the A zoning objective, policy objective PHP35 and 'Section 12.3.7.1 (ii) Extensions to the Rear of Dwellings of the Dún Laoghaire Rathdown County Council County Development Plan, 2022-2028, and would, therefore, be contrary to the proper planning and sustainable development of the area.'

C Planning Submission lodged the 20th July 2026.



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20th July 2026

The Planning Department
Dun Laoghaire Rathdown County Council
County Hall
Marine Road,
Dun Laoghaire
A96 K6C9

Re: Submission of Observations and Comments in respect of Planning Application
Reference No. D26A/0480/WEB

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In addition to the above, we note the following:

Project Description.

It is our clients' opinion that the proposed development has not been properly described on the Site Notice, the Newspaper notice or on the Planning application form.

The Applicant states that the existing attic space is to be converted but, fails to highlight the fact that the attic space is being extended northwards. The effect of that attic extension is to render the description of the development as being a single storey extension inaccurate given that the development is substantially larger than a single storey extension.

The additional Floor area of the Attic Extension does not appear to be included on the planning Application Form.

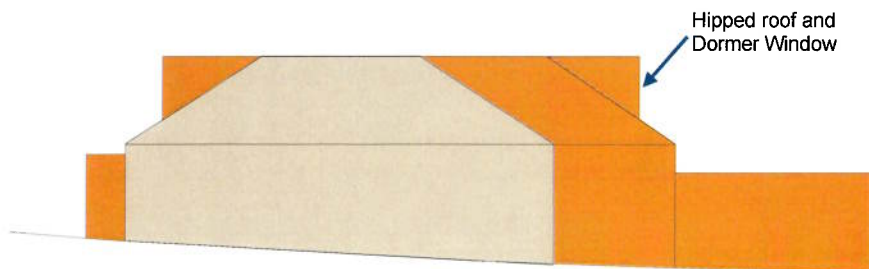
As such the planning application should have been declared invalid by virtue of a misleading description.

Comparison of Massing.

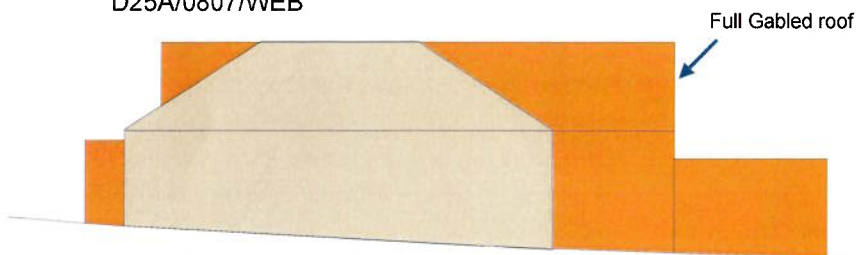
Colour Key

Brown represents Existing building block

Red represents extensions



Massing of Extensions in application
D25A/0807/WEB



Massing of Extensions in application
D26A/0480/WEB

While it is noted that the single storey, flat-roofed extension to the north of the proposed development has been cut back to 8.950 metres from the existing building line as compared to the 10.130 metre extension of the earlier proposal. This is still considerably larger than other similar ground floor extensions in the immediate vicinity.

However, the change to the northern elevation from a hipped roof extension and dormer window to a full gabled roof on the same extended line will provide considerably greater overshadowing of our client's property.

As stated in the County Development plan

Overshadowing: Roof heights and angles should be carefully designed to prevent casting dark shadows over your neighbour's windows or outdoor areas.

In this instance, by increasing the Mass and Scale of the roof construction, the applicant is blatantly ignoring the concerns expressed in the Development Plan which seeks to protect the residential amenity of neighbouring properties. In this instance, the neighbouring home of our clients, Mr and Mrs Ó Duinn, who's property, number 28 Wilson, is to the west of 26 Wilson Road, will be seriously impacted.

Based on the dimensions and levels indicated on the applicant's Drawing Numbered P02, specifically, the Proposed East Elevation, the ground level at the northern limit of the Gabled Roof Extension, indicated on the drawings as being 4 meters from the northern wall of the existing building, is 95.200M. The same Drawing indicates the Ridge height of the roof as being 105.24M.

Consequently, at a point 4 meters from the northern face of their property, and while there is presently no structure to the eastern side of our client's garden, the proposed development will impose a new structure the ridge height of which, based on the dimensional information provided by the applicant, will be 10.04 metres above ground level.

Such a development is excessive, intrusive and will deprive our clients of access to eastern morning light.

While the reality of the overshadowing will be dramatic, the psychological impact of the development on our clients will have greater consequence, given their long-term ownership and enjoyment of their Home and Gardens.

Consulting with Neighbours

While it is always advisable to consult with neighbouring property owners prior to submitting a planning Application, in the instance the applicant has been less than fair to his neighbours.

The application was registered with the Planning Authority on the 25th of June 2026 following which an email was received from the applicant by Mr and Mrs Ó Duinn, at 21.06 on the evening of the 25th of June, including the following text:

I would like to let you know that I will be submitting a planning application again soon. I understand that neighbours may wish to seek a second opinion through An Bord Pleanála, but before that I would like to see whether there is anything I can do to address your concerns directly.

This time, the flat roof extension will be shorter, and the set-back from your side has been increased from 0.8m to 1.4m.

Having already submitted the application the applicant is being less than honest about any intention of addressing his neighbours' concerns.

The time to consult with neighbours is prior to the submission of Planning Documents, not after the event.

The applicant appears to be playing the Planning Authority off against An Coimisun Pleanála.

The applicant is being untruthful is stating that the set-back has been increased as it was already defined as being 1.4m in his earlier planning application, Reference No. D25A/0807/WEB.

Our clients have many other concerns related to this application, some of which are included in Appendix 1 to this letter.

However, we ask that in this instance the Planning Authority consider seriously the views expressed above and by An Coimisun Pleanála in respect of the earlier application Reference No. D25A/0807/WEB and refuse the present application as being less acceptable than the earlier application.

Yours Sincerely on behalf of Mr and Mrs Prionnsías and Joan Ó Duinn and Ms Róisín McEvoy.

Eamon Hedderman,

FRIAI, Conservation Architect Grade 1

For Holly Park Studio Limited.

HOLLY PARK STUDIO LIMITED ARCHITECTS
HOLLY PARK STUDIO
NEWTOWNPARK AVENUE
BLACKROCK
CO DUBLIN
A94 R6F7

STANDING OFFICER: JOHN KENNETH ANDERSON, B.Arch, Dip. Arch, MRIAI
CONSULTANT: EDWARD J. HEDDERMAN, B.Arch, FRIAI,
ARCHITECT ACCREDITED IN CONSERVATION, GRADE 1
DIP. PROJECT MANAGEMENT

Appendix 1

To

Observations and Comments in respect of Planning Application
Reference No. D26A/0480/WEB

Drafting Standards related to Planning Application Reference No. D26A/0480/WEB

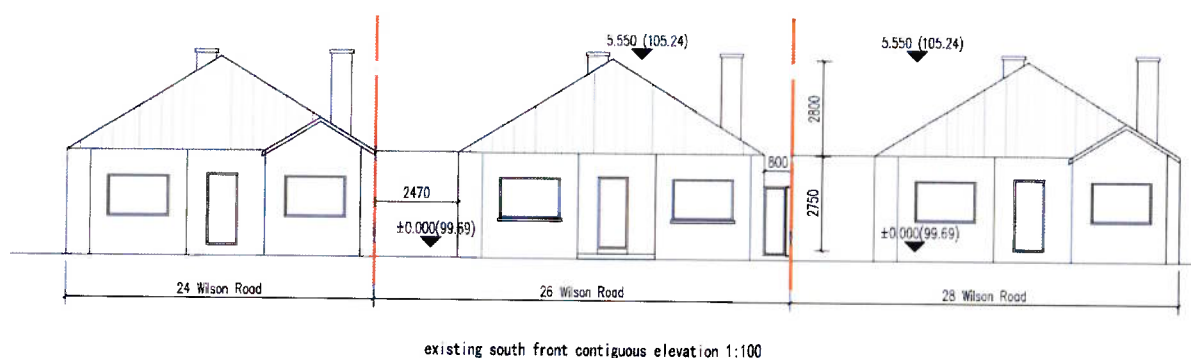
Our clients wish to highlight the inadequacy of the submitted planning documents and the obvious construction problems which the poor quality of the planning drawings appear to highlight.

Condition 1 of the Decision to Grant Permission for application D25B/0807/WEB stated that

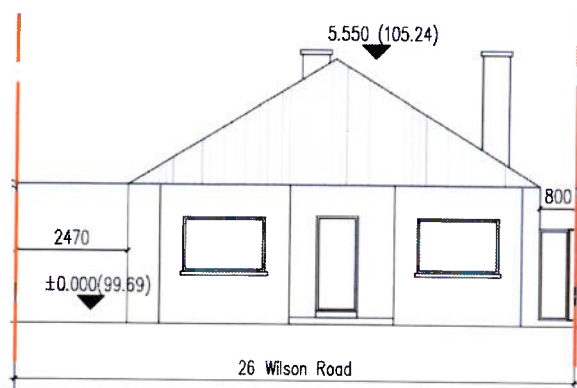
'The development shall be carried out in its entirety in accordance with the plans, particulars and specifications lodged with the application, save as may be required by the other conditions attached hereto or as otherwise agreed in writing by the Planning Authority.'

It is noted that the present application contains no Specification and that the drawings are of a very poor quality.

If a similar condition were to be applied to the present application one can only hope that the Planning Office will have sought clarifications by way of an additional information request.



For example, the above south facing contiguous elevation, copied from the application drawings submitted, shows childish cookie cutter type houses without eaves, garages or fenestration of any type.



Applicant's representation of existing elevation



Correct representation of existing elevation

Surely the purpose of requiring the submission of Contiguous elevations is to show a reasonably accurate representation of the existing buildings and the proposals being considered. This is particularly important given that the applicant proposes the introduction of a south facing dormer window, the precise detail of which requires consideration in the context of the street scape.

Structure

Dimensions indicated on the section 1-1 on Drawing P02 clearly indicate that the thickness of all roof and floor structures is to be 200mm

Given the spans indicated and the need to comply with the insulation standards required by relevant Building Regulations, the section as drawn is impossible to construct and is a further indication of the incompetence of the designer of the proposed development.

Correcting this error will require substantially increased roof and floor thicknesses resulting in modifications to the building heights if Building Regulations are to be complied with.

It should not be left to the adjoining property owners, or indeed the planning authority, to guess what the increased heights will be and it behoves the planning authority to ensure that all drawings are corrected to take adequate account of any necessary structural heights.

Any increase in height will impact the adjoining property owners and any planning decision will have to ensure that the permitted heights are clearly defined.

Professional Advice.

It is noted that the Applicant employed the services of an Engineering firm for the preparation of two of his earlier Planning Applications and then appears to have chosen to prepare documentation for all recent applications, including the present application, himself.

The Documents submitted do not display any reasonable level of design competence.

Our client is concerned that, given the absence proper detailing at this stage of the project, the construction stage, if permission is granted, might not be properly detailed, supervised or certified.

It would be helpful if the Planning Authority were to condition and remind the applicant of the requirement contained in the Building Regulations related to the level of expertise required of the Project Supervisor at both Detail Design and Construction stages of the project.

Pre-Planning Consultation.

It is noted that at no time over the course of many applications in relation to this project, has the applicant sought or held a Pre-Planning Consultation with the Planning Authority where he would have received guidance as to how he might adjust his proposals in a manner acceptable to the Planning Authority.

- D Copy of Appeal letter of the 15th of January 2026 related to Planning application Register Reference Numbers D25B/0807/WEB



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15th January 2026

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

Re: Appeal against the Notification of Decision to Grant Permission for Development at 26 Wilson Road, Mount Merrion, County Dublin, A94 R8X3, by Dun Laoghaire-Rathdown County Council, for the following Development:

Demolition of the existing garage; construction of a single storey extension to the rear and side; Conversion of attic space; Modification of the existing roof to Mansard type roof with front and rear dormer; Front porch extension; Construction of rooflights to the mansard roof and proposed rear flat roof; Widening the existing entrance to 3.5m.

**Order Number: P/2319/25
Date of Order: 16-Dec-2025
Register Ref: D25A/0807/WEB**

Dear Sir or Madam,

On behalf of our client, Ms Roisin McEvoy of 21 Wilson Road, Mount Merrion, County Dublin, A94 A6X9, we hereby submit the following appeal against the above named Decision to Grant Planning Permission.

Ms McEvoy's observations in respect of the above Planning Application were submitted on the 24th of November 2025 and a copy of her observation letter is attached hereto as Appendix 1, and is to be recorded as a significant part of this appeal.

While Dunlaoghaire-Rathdown County Council's Planning Officer has completed an extensive report in relation to the planning application under consideration, that report pays little attention to the quality of the information provided by the applicant in terms of its accuracy or the practicality of its possible construction.

The Planner's report lists multiple developments on Wilson Road as precedent but fails to highlight the fact that none of those developments extend 10.150meters northward of the existing building line. Observation suggests that the maximum average northward extensions in close proximity to 26 Wilson Road is approximately 4.5 meters.

This fact can be related to the decision of An Coimisiún Pleanála, that the scale of the same development in an earlier application was unacceptable. This fact was perhaps missed by the Planning Authority because of the manner in which the plans were submitted, omitting to show the plan relationship between the proposed development and the adjoining properties.

As the site plan below indicates, not only does the ground floor plan extend 10.150meters beyond the Northern building line, but the upper floor pitched roof also extends well beyond the building line, a fact not described in the planning notice.

That extended pitched roof, while obviously missed by the Planning Authority would not have been easily noticed by neighbours because of the absence of contiguous roof plans. It is also an element of the project which will impact on the adjoining properties as a consequence of the significant downward slope northern rear gardens.

The development will create a very real sense of overshadowing or as the Local Authority like to describe it, the 'Perception of Overlooking and Overshadowing.'



Contiguous Site Plan

Concerns related to Condition 1 of the Decision to Grant Permission

Our client's submission to the Local Authority endeavoured to highlight the errors contained in the submitted planning documents and the obvious construction problems which the poor quality of the planning drawings appeared to highlight.

While the Planner's report notes some of the concerns raised, they are not commented upon with the result that Condition 1 of the planning decision states as follows:

'The development shall be carried out in its entirety in accordance with the plans, particulars and specifications lodged with the application, save as may be required by the other conditions attached hereto or as otherwise agreed in writing by the Planning Authority.'

It is our client's opinion that this condition makes little sense based on the fact that the plans submitted contain obvious errors, which should be corrected, and that no specifications of any type were submitted with the application leaving the Planner and the Public in the position of having to guess as to the Applicant's intentions.

It is also possible, as described above, that the Application should have been declared invalid because of the failure to highlight the fact that the pitched roof of the building was also being extended Northwards.

At the very least, the Planning Office should have sought clarifications by way of an additional information requests.

Concerns related to Condition 3 of the Decision to Grant Permission

In the absence of any Specification for the materials to be used in the Development, Condition 3 reads as follows:

'All external finishes, including roof tiles/slates, shall harmonise in material, colour and texture with the existing dwelling on site.'

It is our client's opinion that it should be the responsibility of the Applicant to indicate the materials to be used on the exterior of any development in order to allow the Planner to decide whether the proposed materials are acceptable or not.

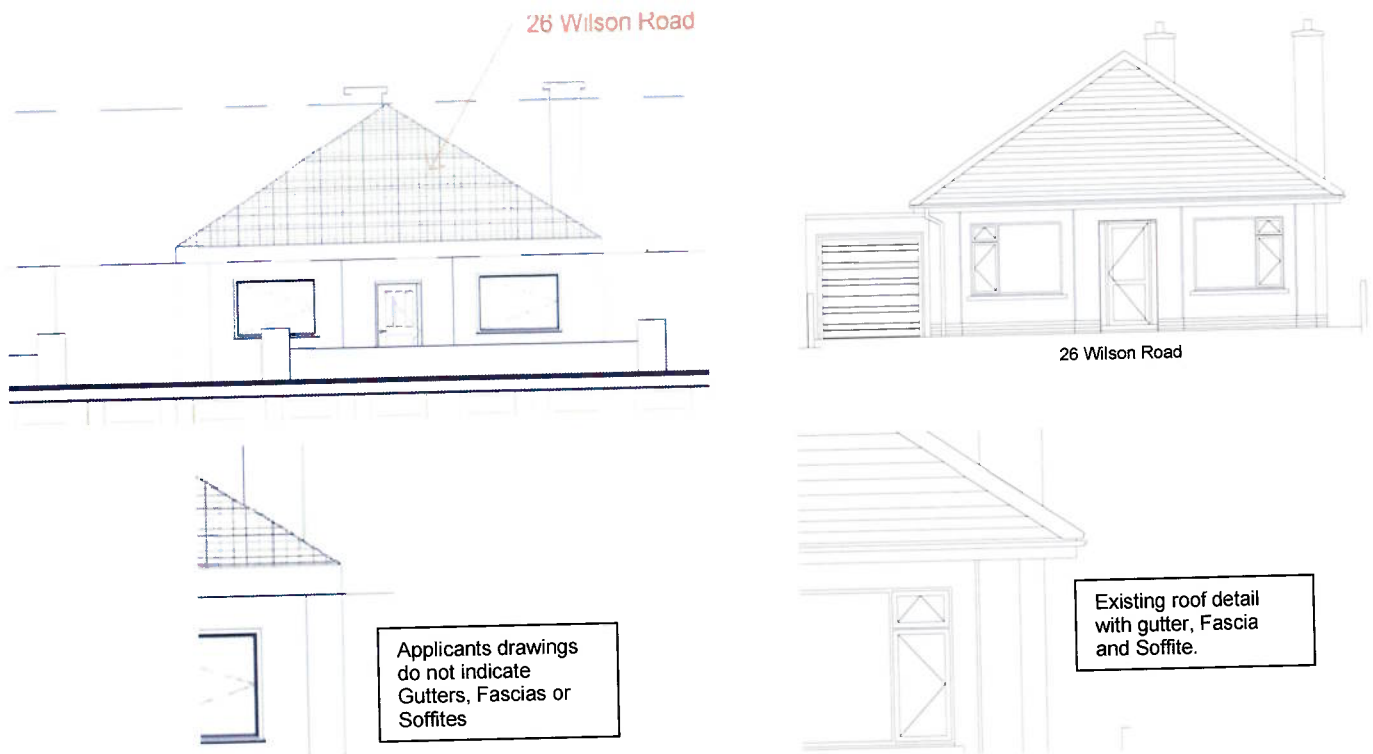
Such a requirement might have been made known to the Applicant had a pre-planning consultation taken place.

However, having taken the decision to issue condition 3, other questions now arise.

If roof tiles are to be used as the roof finish, in order to 'harmonise with the existing dwelling', does that imply that overhanging Fascias and Soffit's are to be constructed. They are not proposed on the Planning Drawings.

While all dwellings on Wilson Road have Fascias and Soffits the planning drawings fail to indicate that the detail also applies to the contiguous dwellings. Failing to indicate that detail gives misleading impression of the proposal. Surely the purpose of the requirement to submit contiguous elevations with every planning application is to demonstrate how any proposal will relate to its neighbours. The obvious inaccuracy in the preparation of the contiguous elevations for this application should surely have been a concern for the Planner reviewing the project.

The existing southern elevation of 26 Wilson Road is indicated on the planning documents as copied hereunder on the left, while a more correct elevation of 26 Wilson Road is as drawn on the right.



If condition 3 implies that Fascias and Soffits should be constructed as part of the development, in order to 'harmonise' with the existing, the implications for the scale of the roof might be significant.

While the proposed elevation does not indicate that Fascias and Soffits are intended, their construction would effectively increase the plan size of the proposed roof. In addition, if the pitch of the roof is to be retained, the increased width of the roof would result in an increase in the height of the roof.

Who is to determine whether such modifications might be acceptable.

Surely there is a need to have the revised elevations approved by the Local Authority and the public made aware of such approval.

If not, and if such changes were to impact on the neighbouring properties, would Planning Enforcement take the view that an increase in the roof height is covered by condition 3 and that therefore the neighbours objecting to an increase in the roof height is a civil matter.

As has been the case in other such cases the planners may advise that they do not engage in Civil disputes and that it is up to the individuals to sort things out among themselves.

Surely, the Planner Authority must have some active control over what will be constructed.

Finally, with reference to our client's original submission to the Planning Authority, a copy of which is attached hereto as Appendix 1 and forms part of this appeal, you will note that concern is expressed regarding the fact that the Planning Drawings, as submitted, raise questions as to whether the sections and heights indicated can be made to comply with Building regulations. In the event that heights have to be increased in order to comply with such regulations, who is to determine whether such changes are acceptable.

It is our client's opinion that while the overall development proposed for 26 Wilson Road is excessive in Scale and does not change significantly from the earlier proposal, refused on appeal, there are too many unknowns in relation to the present proposal to allow the decision to Grant permission to stand.

Our Client must rely on the Professionalism of your good offices to ensure that there is appropriate clarity and control in respect of this proposal.

Yours Sincerely

Eamon Hedderman FRIAI
For Holly Park Studio Ltd

Encls.

Appendix 1.

- a. Planning Submission lodged the 24th November 2025.
- b. Front page of letter stamped as received on the 24th of November 2025.
- c. Emailed Receipt of submission issued by Dunlaoghaire Rathdown County Council and dated the 24th of November 2025.

