

An Coimisiún Pleanála
64 Marlborough Street
Dublin 1

AN COIMISIÚN PLEANÁLA	
LDG-	<u>PEE-PAY-004579</u>
ACP-	
21 SEP 2026	
Fee: €	<u>220</u> Type: <u>CARD</u>
Time:	<u>10:07</u> By: <u>HAND</u>

55 Deerpark Road
Mount Merrion
Blackrock
Co. Dublin
20/09/2026

RE: Planning Application D26A/0493
57 Deerpark Road, Mount Merrion

Dear Sirs,

We the undersigned wish to appeal to An Coimisiún Pleanála the decision by Dun Laoghaire Rathdown County Council (DLRCoCo) on 24/08/2026 to grant planning permission D26A/0493. We lodged observations on the 29th of July 2026 with regard to this planning application. We attach copy of our receipt for submission from DLR COCO. We now wish to lodge an appeal to the decision of DLR CoCo.

01 Traffic and parking issues.

DLRCoCo is aware, through representations made by residents, local businesses and other regular users of the street, of the current dangerous level of traffic, shortage of parking and the prevalence of illegal parking in the area. These existing problems arise from the normal day-to-day activity on Deerpark Road and would be further exacerbated by the proposed development. The development does not include any proposal for parking for residents, staff or customers of the development and will exacerbate what is already a pinch point for retail/schools/church/playground and park related commuting. Further the planning application does not contain any construction management plan (CMP) and the conditions set out by DLR CoCo do not seek a CMP. The failure by DLRCoCo requires your intervention to protect the day to day living experience of local residents.

02 The structural safety of 55 Deerpark Road.

The proposed development is bounded to the west by our home 55 Deerpark Road. The application drawings omit key details and ignore the important interface constraints between the two properties. The application did not contain any CMP and the CEMP that DLRCoCo called for does not refer to structural safety. The drawings submitted do not highlight the significant level difference between the ground floor of 55 Deerpark road and finished level of the proposed development at 57. In addition the necessary excavation proposed at the rear of 57, will create an exposed level of circa. 3m. No detail is shown in the submitted drawings as to how this work will be carried out, how any retention/retaining walls will be constructed, and how the safety of the structure of 55 Deerpark road, or indeed what encroachment will be required into the lands of 55 Deerpark road while construction is being completed. The planning permission by DLRCoCo does not set out any constraints upon the applicant to protect the existing structures at 55 Deerpark Road. And will if permitted likely to cause structural damage to the property at 55 Deerpark Road.

Finally our appeal is being supported by Mount Merrion Residents Association (MMRA), and we enclose a copy of their views on the application. We are in agreement with the sentiments expressed therein. We request that you consider same as part of our appeal.


Matt & Bróna Nyland.

Brona and Matt Nyland
55, Deerpark Road
Mount Merrion
Co Dublin

Receipt for Submission

Date: 29-Jul-2026

Register Ref:
Development:

D26A/0493/WEB

Date Recd: 30-Jun-2026

The development will include the demolition of - the existing end of terrace part single-storey rear storage structure, front outdoor seating glass screen, garage door, roof hip and chimney. The development will consist of reconfiguration and extension of - an existing mixed-use unit currently consisting of a restaurant at ground floor and 3-bedroom own-door apartment at first floor into a retail unit at ground floor and 2 no. triplex own-door 2-bedroom apartments at ground floor, first floor and attic level, with a flat roof rear extension at first floor level and winter garden glass structures, and lowering of first floor. Attic conversion with 2 no. dormers windows to the rear of the existing block to serve the proposed triplex units. The development will consist of construction of - a two-storey infill duplex apartment unit to the rear. Each residential unit will have access to private amenity spaces at ground and first floor level, bicycle storage and bin stores in curtilage of apartments, a communal external store in the courtyard, and all associated site development works

Location:
Applicant:
App. Type:

57, Deerpark Road, Mount Merrion, Dublin, A94F761
Gareth Staunton
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

Mary Quinlan

for SENIOR EXECUTIVE OFFICER

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

**ACKNOWLEDGEMENT OF RECEIPT OF SUBMISSION OR OBSERVATION
ON A PLANNING APPLICATION**

THIS IS AN IMPORTANT DOCUMENT

Keep this document safely. You will be required to produce this acknowledgement to An Coimisiún Pleanála if you wish to appeal the decision of the Planning Authority. It is the only form of evidence which will be accepted by An Coimisiún Pleanála that a Submission or Observation has been made to the Planning Authority on the Planning Application.

DÚN LAOGHAIRE RATHDOWN COUNTY COUNCIL

Planning Application Reference Number: D26A/0493/WEB

A Submission/Observation in writing has been received from:

Brona and Matt Nyland
55, Deerpark Road
Mount Merrion
Co Dublin

On: 29/07/2026 in relation to the above planning application.

The appropriate fee of €20 has been paid. (fee not applicable to prescribed bodies / Local Authority Elected Members).

The submission/observation is in accordance with the appropriate provisions of the Planning and Development Regulations 2001, (as amended) and will be taken into account by the Planning Authority in its determination of the planning application.

Date 29/07/2026

Mary Quinlan

For Senior Executive Officer

Planning Authority Stamp

29/07/2026

Brona and Matt Nyland
55 Deerpark Road
Mount Merrion
Blackrock
Co Dublin

C/O 90 The Rise
Mount Merrion
Blackrock
Co Dublin
18/09/2026

RE: Planning Application D26A/0493
57 Deerpark Road, Mount Merrion
Appeal to An Coimisiún Pleanála

Dear Brona and Matt

The Mount Merrion Merrion Residents Association, (MMRA), (founded in 1935), wish to support your appeal to An Coimisiún Pleanála in respect of the decision by Dun Laoghaire Rathdown County Council (DLRCoCo) on 24/08/2026 to grant Planning Permission D26A/0493.

We note that you had lodged Observations on 29/07/2026, within the designated time and thus, are entitled to lodge an appeal.

1. Introduction

MMRA has over many years worked on behalf of local residents to maintain and enhance, where possible, the general amenity of the area so that residents can continue to experience a decent quality of living in their local area. MMRA would acknowledge that often DLRCoCo has contributed to protecting the general amenity of the area but not in this particular matter.

Further, MMRA wish to clarify for the benefit of An Coimisiún Pleanála, the omission and deficiencies in the Planning Application documentation in respect of the potential adverse effects on your property which adjoins the subject site. MMRA is prompted to do this since the Planning Authority, DLRCoCo has clearly in this instance, failed to provide the necessary support and protection to you and your property. MMRA would be hopeful that An Coimisiún Pleanála would take full account of the omissions and deficiencies in the current Planning Application and the Decision by DLRCoCo. It would be noted that the Conditions applied by DLRCoCo fail to address any of the shortcomings.

2. General Amenity

For many years significant traffic and parking issues have existed on the Eastern half of Deerpark Road – the subject site is located within the worst section of the ongoing problem. DLRCoCo has been made well aware of these issues through written and verbal communications by local residents, local business operators and by DLRCoCo's own employees who from time to time take action over illegal parking.

However, despite the pleas by local residents in this Planning Application, the Report by DLRCoCo Transportation Planning Section, (Mobolaji Ajiboro, Executive Engineer 28/07/2025) completely ignored the very real concerns and makes a statement "1(c)" that is simply impossible to comply with i.e. "avoid conflict between construction activities and pedestrian/vehicular movements on the surrounding public roads during construction

works". The word 'avoid' is simply not possible in an area where there is (and has been) very significant traffic/parking issue for many years.

Further, the Planning Application documentation does not contain any Construction Management Plan (CMP) and the conditions set out by DLRCoCo do not seek such a CMP. Condition 7 seeks submission of "a simple Construction Environmental Management Plan (CEMP)" which specifically does not mention Opening up of the existing foundations of No 55/ Construction Techniques to secure the Structural integrity of No 55/ Construction Machinery/ Traffic Management/ times scales etc.

The ongoing failure by DLRCoCo to protect the amenity of the area in traffic and parking and again in respect of D26A/0493 requires the intervention of An Coimisiún Pleanála to protect the day to day "living" experience of local residents.

3.0 Omissions and Deficiencies in Planning Application

By design or otherwise the Planning Application Form and the accompanying drawings fall short in many respects as set out below. MMRA respectfully call upon An Coimisiún Pleanála to direct that DLRCoCo failed in its duty to "protect and enhance" the amenity of the local residents.

3.1 Planning Application Form

Item 19 of the form asks if there has been pre- Application Consultation. The Applicant had stated **No**. However, the DLRCoCo Planners Report confirms "PAC/98/22 – Advice sought for the re-development of the site"

Item 22 of the Form "Declaration – information given on this form is correct" requires a signature. The form is **not signed**.

3.2 The subject site is bounded to the East by a commercial property within the existing terrace building. The subject site is bounded to the west by the residential dwelling No 55 Deerpark Road. The proposed Development, if approved in its present form would have major impacts on the structural safety of No. 55.

However, the application Drawings omit key details/dimensions, ignore the important interface constraints that should have been clearly set out. Further, the Application did not contain any Construction Management Plan (CMP) and DLRCoCo in its Decision to approve did not seek any CMP for necessary Construction Solutions. The CEMP that DLRCoCo called for in Condition 7 refers only to matters such as "noise and dirt...." Not structural safety!.

The omissions and defects in Drawings are set out below.

3.3. 3.0 101 Proposed Site Plan

- Neighbouring dwelling No. 55 Deerpark Road not identified by name.
- The dimension 1346 mm shown on the Drawing at the North-West corner of the site is misleading – the actual dimension at the front (North –West) corner is 900mm.
- The Drawing 3.0_101 and Drawing 2.2_103 proposed Ground Floor plan shows a Blockwork wall at least 12.0m long forming the site boundary with the No. 55 site (at least 1.0 m alongside the structure of No.55).
- None of the other drawings show the major level difference between the ground floor of the existing No.55 and the finished level of the proposed Development at the rear of No.57 – the subject site. It is at least 2.20 m. Further, the necessary excavation for practical development at the rear of No.57 will create an exposed level difference of

approximately 3.00 m (i.e. 2.20m + 0.7 m). This will occur alongside at least 1.0 m long of the Eastern gable at No.57 and along at least 11.0m of the garden of No.57.

None of the other Drawings show how this will be carried out, how the final retaining wall will be constructed or what temporary works will be required to ensure the full safety of the structure of the existing No.55 or indeed what encroachment will be required into the lands of No.55..

3.4 The Remaining Planning Drawings 103, 111, 113, 116, 117 and 120.

All of these Drawings contain information and dimensions related to the proposed development of No.57. None of them show any details of the major level difference and the very close neighbouring two storey dwelling that is No.55. None of them show any solutions of the issues raised in 3.3 above.

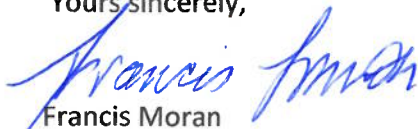
4.0 Conclusion

The Planning Decision by DLRCoCo does not seem to set out any constraints upon the Applicant to protect the long standing dwelling of the resident.

The adverse effects if permitted by the Planning Authorities are likely to cause structural cracking/ structural collapse / loss of property Insurance etc for No 55.

Hence, MMRA would respectfully ask An Coimisiún Pleanála to determine that in its present form this Planning Application should not be granted.

Yours sincerely,



Francis Moran

(on behalf of Mount Merrion Residents Association)

