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AN COIMISIÚN PLEANÁLA	
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ACP-	_____
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Time: <u>17:21</u>	By: <u>Kiano</u>

An Coimisiún Pleanála,
64 Marlborough Street,
Dublin 1

22 October 2026

Re

Planning authority: Dún Laoghaire-Rathdown County Council

Planning application ref. no. D26B/0459/WEB

Proposed development at no.42 Glengara Park, Glenageary, County Dublin,
A96D6C2

Dear Sir/Madam,

In the matter of the above application/decision we hereby lodge an appeal on behalf of Lousie Fry and Richard Kilcoyne, no. 42 Glengara Park, Glenageary, County Dublin A96D6C2. Please find attached the Grounds of Appeal together with the requisite fee.

Yours faithfully,


Diarmuid Ó Gráda

GROUND OF APPEAL

**PLANNING AUTHORITY:
DÚN LAOGHAIRE-RATHDOWN
COUNTY COUNCIL**

**APPLICATION REF. NO.
D26B/0459/WEB**

**PROPOSED DEVELOPMENT
AT NO.42 GLENGARA PARK,
GLENAGEARY,
COUNTY DUBLIN
A96D6C2**

DIARMUID Ó GRÁDA

OCTOBER 2026

1 CONTEXT/PROPOSAL

1.1 The application site is located to the south-east of Dún Laoghaire town centre, on the north-west side of Glenageary. Glengara Park is a mature housing estate and it is reached from Eden Road Upper. It comprises detached and semi-detached houses that are laid out around a broad triangular open space.

The subject site, no.42 Glengara Park, is situated towards the southern end of the estate and it is occupied by a detached dwelling. It can be seen at the centre of the photo below.



PHOTO NO.1

The applicant's dwelling is a gable-fronted bungalow, as is the adjoining dwelling on the east side (no.41) while there is a two-storey ridge-roofed house on the opposite side (no.43), i.e. the parents' house. Photo no. 2 below shows the rear garden view.



PHOTO NO.2

We believe that photo no.2 explains the context as well showing the potential for a measured addition. That is confirmed by the presence of no.43 which appears on the left in this view.

1.2 The application is for planning permission to alter and extend the residential accommodation. It is officially described as follows:

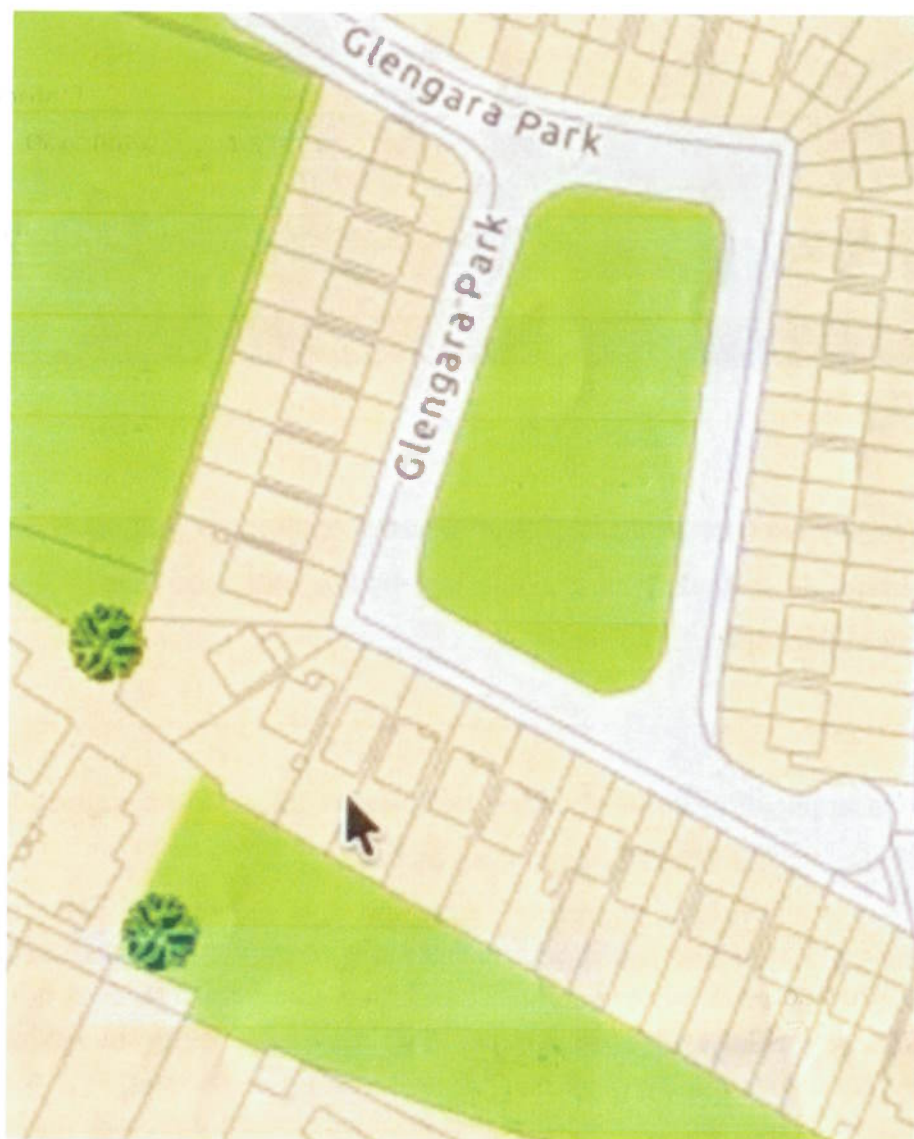
Layout alterations, extension, upgrade and associated site works including elimination of side passage on west side, addition of first floor to accommodate bedrooms area and associated bath/shower rooms. Entrance relocated to front and kitchen/dining area relocated to the rear, external restyling to match adjacent two storey dwelling with roof height increase giving standard ceiling height throughout ground and first floor levels and associated site works.

2 DEVELOPMENT PLAN

2.1 In the County Development Plan Glengara Park is included in the A zone where the stated objective of the Council is to provide residential development and to improve

residential amenity while protecting the existing residential amenities. The central open space is included in the F zone where the objective is to preserve and provide for open space and to provide for ancillary recreational amenities.

Our photo below shows the relevant zoning context as included in the County Plan. The application site is identified by an arrow on that map.



2.2 The Plan contains policies and objectives relating to the extension and modernization of dwellings and these are addressed below.

3 PLANNING AUTHORITY DECISION

3.1 Dún Laoghaire-Rathdown County Council decided to refuse permission for a single reason viz.,

Having regard to the nature of the proposed development, which comprises the substantial and almost complete demolition and reconstruction of a residential dwelling, would not be in accordance with Policy Objective CA6: Retrofit and Reuse of Buildings and Policy Objective PHP19: Existing Housing Stock – Adaptation, nor would it accord with the provisions of Section 12.3.9 Demolition and Replacement Dwellings of the Dun Laoghaire Rathdown County Development Plan 2022-2028, as varied, as a strong justification has not been provided for the significant scope of demolition works proposed on site nor has it been justified that the existing dwelling is uninhabitable. Furthermore, the proposed development, if permitted, would set an undesirable precedent for the demolition of existing habitable dwellings and would, therefore, be contrary to the provisions of the Dún Laoghaire-Rathdown County Development Plan 2022-2028, as varied, and to the proper planning and sustainable development of the area.

3.2 We invite An Coimisiún to find the Council's decision was based on one narrow element of the proposal. All the basic aspects relating to the scale, design and layout of the intended development were found to be acceptable. Thus, the proposal was deemed to be entirely consistent with the proper planning and sustainable development of the area. Yet, however, the scheme was deemed unacceptable because of the means of construction put forward.

The appellant was very disappointed with the Council's decision because the issues raised could have been addressed in a request for further information.

4 OBSERVATION

One observation was lodged within the appropriate period. It was submitted by the family at no.43 Glengara Park, i.e. the parents of the co-applicant Louise Fry and it strongly supported the proposal. It stated that the design, scale and layout would be satisfactory and there were no concerns regarding the impact on no. 43.

As a matter of public record therefore we can confirm that no adverse comment was recorded during the public consultation period. We see that as a significantly positive reflection on the proposal.

5 PLANNING HISTORY

Several houses at Glengara Park have been substantially extended. At no.50 a comparable proposal in terms of design and layout was granted permission in 2024 (ref. D23A/0462, ABP ref. ABP-318085).

6 PLANNING CONSIDERATIONS

6.1 PURPOSE OF THE APPLICATION

The applicant wanted to move closer to no.43, the home of the parents of co-applicant Louise Fry. The current proposal was drawn up for that purpose, i.e. enabling better engagement with family members at no.43 while minimising the impact of the upgrading works. Ultimately, the outcome will be a practical home that substantially matches the overall design of no.43. That outcome will simultaneously ensure a harmonious arrangement that protects residential amenity. Ample lateral separation is allowed on either side, as can be seen in the front elevation drawing below.



The proposal is to upgrade the existing house and to render it more suited to the needs of the new household. The existing floor area, at 97 sq. metres, is modest in relation to the plot area (0.04 hectare) and the proposed alterations/additions would raise the floor area to just 147 sq. metres. There is clearly ample space for that addition and that has already been acknowledged by the Council.

6.2 RATIONALE FOR REMOVING SOME WALLS

6.2.1 As drawing no. 442/01-101P shows the existing internal layout is rather cramped and not well arranged to meet the needs of the growing family. It includes three bedrooms grouped together in a combined area of 27 sq. metres, with bedroom no.3 having a floor area of 7.8 sq. metres.

In strong contrast to that closely-confined layout the current proposal will yield 4 bedrooms, with greatly enhanced dimensions. For example, the main bedroom will have a floor area of almost 28 sq. metres, including an ensuite bathroom. Thus, we see how the master bedroom will equal the combined space of all the existing bedrooms. That, we believe, provides a telling example of the upgraded

accommodation to be achieved by this proposal. We also wish to clarify that c.30 per cent of the exterior wall will be retained.

6.2.1 There are three distinct reasons for removal/relocation of walls. Firstly, the lateral extensions make better use of the potential space available to the side and rear. Secondly, the internal layout alterations suit the living area that replaces bedrooms. Thirdly, it allows the main entrance to be relocated to the front, thereby improving privacy/amenity and also enhancing security.

We would add that these combined changes, based on the deep retrofit, will yield greatly enhanced energy performance, allowing an upgrade of no.42 to an A-rated dwelling (approaching Passive or Net Zero Carbon Design standards). That will be in line with SEAI criteria. It will, in addition, facilitate working from home by the applicant, something that is necessary for part of the week.

6.3 DESIGN DETAILS

Clearly, the addition of the first floor level (103.5 sq. metres) will be new work and that comprises a substantial proportion of the intended works. It is, moreover, going to serve normal family needs i.e. 4 bedrooms. There can be no concern therefore over the carbon footprint as it comprises the rational use of the potential space available in a manner consistent with the stated policies of the Council.

6.4 COUNCIL PLANNER'S REPORT

6.4.1 The Council planner's report found that the proposal would accord with the floor space and internal area provisions of the *Quality Housing For Sustainable Communities – Best Practice Guidelines* (DEHLG 2007)). In noting the intended overall height of the dwelling the Council found it would resemble that of no.43 (immediately next door). In terms of scale and design (including the brick and render finishes) as well as height, the Council accepted the proposed site layout. In doing so

it commented that the rear garden would extend to 110 metres squared, which is over twice the stated requirement for a four bedroom dwelling. There was no concern either regarding building lines, overshadowing or overlooking (to the rear). It was found that any potential overlooking from the intended side window (serving bedroom no.4) could be addressed by the use of opaque glazing. Ultimately, the Council found the proposal would be consistent with its setting at Glengara Park.

6.4.2 We acknowledge that the Council assessment of the residential amenity issues was comprehensive. It took into account the receiving environment in terms of the necessary harmonization with the immediately concerned houses, as well as the wider setting within Glengara Park.

This proposal represents enhancement of the existing use. The site is located in a suburban area close to main town centre with all related services and amenities. It will improve the quality of life for residents, while securing long-term sustainability of the overall development. It allows the property to adapt to meet changing needs over the life of the building.

6.5 DEVELOPMENT PLAN POLICY/OBJECTIVES

6.5.1 GUIDELINES

Section 5.7.4 of the County Development Plan addresses energy performance in buildings. Under Policy Objective CA5 the Council supports high levels of energy conservation and energy efficiency, as well as the use of renewable energy sources, including retrofitting of energy efficiency measures in the existing building stock.

Under Policy Objective CA6 the Council supports the retrofitting and reuse of existing buildings where possible, recognising the embedded energy in existing buildings and thereby reducing the overall embedded energy in construction as set out in the *Urban Design Manual* (Department of Environment Heritage and Local Government, 2009). For new build and repair or retrofit, the Council supports the use of materials that are sustainably sourced, combined with the reuse/recycling of existing materials.

Where an existing building cannot be incorporated into a new layout and the development facilitates a significant increase in accommodation, as in this case, demolition may be considered to be acceptable. We fully concur with the central objective of reducing the carbon footprint of housing construction. The outcome in this instance will be a substantially enhanced family home with greatly improved energy conservation features.

6.5.2 NEIGHBOURHOOD ISSUES AND EXISTING HOUSING STOCK

We also wish to cite the Plan policies (Section 5.7) relating to neighbourhood issues and existing housing stock, including the important issue of adapting existing houses to yield greater floor areas in an enhanced and more sustainable manner. Under Policy Objective PHP19 the adaptation/improvement of existing housing stock will be permitted and infill will also be encouraged. In our opinion the current proposal is supported by those provisions.

Under Policy Objective PHP20: Protection of Existing Residential Amenity the Council aims to ensure that the residential amenity of existing homes in the built-up areas is protected where they are adjacent to greater height infill developments. The Council will encourage the retention and deep retrofit of structurally sound, habitable dwellings in good condition as opposed to demolition and replacement.

The current proposal is promoted, inter alia, on the basis that the layout of no. 42 is cellular and that its current floor area and accommodation arrangement offer limited spatial efficiency. Consequently, the bungalow would not readily achieve modern energy performance targets without substantial reconstruction of the fabric. We wish to emphasise that the proposed development will employ solar panels, a heat pump and mechanical ventilation. These measures would increase the thermal efficiency and energy saving features of the building. There will, in addition, be a very high degree of materials reuse, to be based on a property-specific waste management plan to maximise embodied carbon recovery.

Having regard to the extent of refurbishment required for the bungalow as it stands, especially the limited scope to achieve modern energy performance targets, we submit the proposal is worthy of support.

6.6 RETROFITTING AND REUSE

6.6.1 Under Policy Objective CA6 the Council will seek the retrofitting and reuse of buildings, instead of demolition. That policy also states that where an existing building cannot be incorporated into a new layout and the development facilitates a significant increase in density, demolition may be acceptable.

We believe that Section 3.4.1 is relevant in that context also, i.e. that the Council will consider demolition to be acceptable where it facilitates a significant increase in density. We submit that the proposed 52% increase in floor area would equate to a doubling of the density in terms of accommodation, and that increase would be accompanied by a significant use/reuse of materials aimed to upgrade/enhance insulation, together comprising significantly positive aspects of the proposal.

The re-use of stripped out materials would be normal in cases like this. Stripped out wall blockwork would be crushed and reused particularly in the build-up beneath subfloor for underfloor heating network at ground floor and also for backfilling around foundations. Almost all of the roof timbers will be suitable for re-use in the new roof. In addition, any excess waste for disposal is removed and handled by licensed operators (Construction & Demolition). Waste is segregated for recycling to the extent that very little actually remains for ultimate disposal.

6.6.2 Policy Objective CA8 promotes the improvement of accommodation standards by allowing dwellings to be flexible and adaptable in terms of layout and design. The current proposal is closely allied to that objective. It fits in with Policy Objective PHP19 (adaptation of existing housing stock) where the Council seeks to improve housing stock through appropriate improvements/adaptations.

We submit that retention of the inadequate bungalow would frustrate the efforts of the applicant to provide ample and appropriate accommodation for the family involved. In strong contrast to that, the current proposal will yield an entirely sustainable structure considerably designed to harmonise with the receiving environment. In our opinion, this proposal makes the best use of the potential at no.42.

6.7 DLR APPLICATION REF. D25A/0545/WEB

Earlier this year An Coimisiún Pleanála granted planning permission for a proposal, also within Dún Laoghaire-Rathdown, where similar policy issues were addressed. That was application ref. D25A/0545/WEB, at no.23 Louvain, Ardilea, Clonskeagh, D14.

The proposal was to demolish an existing house and replace it with two houses. The appeal decision, ref. PL-500134-DR, stated the following:

Having regard to the site's location on urban land, to the residential zoning objective under the Dún Laoghaire-Rathdown County Development Plan 2022- 2028 which applies to this site, to the scale, mass and form of the subject proposal, to the pattern of development in the area, and to Policy Objective PHP19 and development standard 12.3.7.7 of the Development Plan relating to Infill Development, it is considered that, subject to compliance with the conditions as set out below, the proposed development would constitute an acceptable form of development, would retain the physical character of the area and would not seriously injure the visual or residential amenities of the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

7 CONTINGENCY SUBMISSION

We note the opinion expressed by the Council in regard to the side-facing window serving proposed bedroom no.4. The appellant agrees that can be enhanced by the use of obscure glass and our client would accept a condition requiring that provision.

8 CONCLUSION

We request An Coimisiún to grant permission based on the Reasons and Considerations set out below.

Having regard to the site's location on urban land, to the residential zoning objective under the Dún Laoghaire-Rathdown County Development Plan 2022- 2028 which applies to this site, to the scale, mass and form of the

subject proposal, to the pattern of development in the area, and to Policy Objective PHP19 and development standard 12.3.7.7 of the Development Plan relating to Infill Development, it is considered that, subject to compliance with the conditions as set out below, the proposed development would constitute an acceptable form of development, would retain the physical character of the area and would not seriously injure the visual or residential amenities of the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

