First Party Appeal

Proposed Development at Karuna Wood, Sandyford Road, Sandyford, Dublin 18

On behalf of

Rycroft Realty Sandyford Limited.

DLRCC Ref. D26A/0647/WEB

November 2026

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1 Executive Summary

This First Party Appeal is submitted on behalf of Rycroft Realty Sandyford Limited against the decision of Dún Laoghaire-Rathdown County Council to refuse permission for amendments to the previously permitted residential development at Glenina and Karuna, Sandyford Road, Sandyford, Dublin 18, under Planning Reg. Ref. D26A/0647/WEB.

The subject lands benefit from an extant permission granted under ABP Ref. 321220-24 for a residential development comprising 67 no. dwellings, consisting of 54 no. apartments and 13 no. houses, at a density of approximately 80.8 units per hectare. This permission followed a comprehensive assessment of the site's development potential, including its residential density, building height, layout, relationship with adjoining residential properties and accessibility. The current application does not seek to revisit the fundamental principles established through that permission but rather proposes a series of amendments arising from the detailed design development of the apartment buildings.

The proposed amendments would increase the overall residential provision from 67 to 69 no. dwellings through the reconfiguration of accommodation within Blocks A and B, together with the omission of the previously permitted penthouse level to Block B. Significantly, while the amendments would provide two additional apartments, they would also reduce the overall gross floor area of the development by approximately 248sq.m and reduce the height and upper-level massing of Block B. The 13 no. permitted houses, principal access arrangements, communal open space and overall development layout remain substantially unchanged.

Notwithstanding these improvements to the permitted scheme, the Council refused permission on 22 October 2026 for one reason relating solely to residential density. The Council considered that the proposed density of 83.23 units per hectare exceeded the generally recommended range of 40–80 units per hectare applicable to a City – Suburban/Urban Extension location and that, having regard to the site's location and accessibility, the exceedance had not been adequately justified.

We respectfully disagree with this conclusion and consider that the Council has adopted an overly restrictive approach to the assessment of residential density in this instance. The Sustainable Residential Development and Compact Settlements Guidelines 2024 expressly recognise that densities outside the generally recommended ranges may be appropriate in exceptional circumstances, subject to a reasoned planning justification. Importantly, the Inspector's assessment of the parent permission acknowledged this flexibility and considered a density of approximately 80.8 units per hectare acceptable on the subject lands, notwithstanding their peripheral accessibility classification. The Inspector also recognised that the originally proposed density of approximately 88 units per hectare should not necessarily be considered unacceptable solely because it exceeded the recommended parameters.

We consider that the particular circumstances of the current application provide a strong justification for the modest increase in density proposed. The additional two apartments would be accommodated within an established residential development while reducing the overall amount of built floorspace and upper-level massing. Furthermore, the Council's own planner's report acknowledges the reduction in height and massing of Block B and does not identify unacceptable additional overlooking, overbearing, daylight or sunlight impacts arising from the proposed amendments. In these circumstances, we consider that the conclusion that the development would constitute overdevelopment is difficult to reconcile with the nature and extent of the changes proposed.

Having regard to the established permission, the limited nature of the amendments, the reduction in overall building scale and the flexibility provided under the national planning guidelines, we respectfully submit that the proposed development represents an appropriate refinement of the permitted residential scheme and would not compromise the proper planning and sustainable development of the area.

We therefore request that An Coimisiún Pleanála overturn the decision of Dún Laoghaire-Rathdown County Council and grant permission for the proposed amendments, subject to appropriate conditions.

2 Introduction

We, Brock McClure, Planning & Development Consultants, 63 York Road, Dun Laoghaire, Co. Dublin, have been instructed by our client Rycroft Realty Sandyford Limited, to present this First Party Appeal against the decision of Dún Laoghaire-Rathdown County Council to refuse permission for amendments to the previously permitted residential development at lands known as Glenina and Karuna, Sandyford Road, Sandyford, Dublin 18.

The application, submitted under DLRCC Reg. Ref. D26A/0647/WEB, sought permission for amendments to the residential development previously granted under DLRCC Reg. Ref. D24A/0424/WEB / ABP Ref. 321220-24. The amendments principally involve the internal reconfiguration of Blocks A and B, revisions to ancillary accommodation and the omission of the permitted penthouse level to Block B. The resulting development would comprise 69 no. residential units, an increase of two apartments over the permitted scheme, while reducing the overall gross floor area by approximately 248 sq.m.

Dún Laoghaire-Rathdown County Council issued a decision to refuse permission on 22 October 2026 for one reason relating to residential density. The Council considered that the proposed density of 83.23 units per hectare exceeded the anticipated range of 40–80 units per hectare applicable to the site and that sufficient justification had not been provided for the proposed exceedance.

Having reviewed the Council's decision, the accompanying planner's report and the established planning history of the lands, we consider that there are substantial grounds to overturn the refusal. In particular, we consider that the Council has placed undue emphasis on the numerical increase in residential density without sufficient consideration of the existing permission, the limited nature of the amendments and the reduction in the overall scale and massing of the proposed development.

This appeal therefore focuses on the Council's interpretation and application of the residential density provisions, the findings of the previous Inspector in respect of the parent permission and the particular circumstances which we consider justify the proposed density. Reference is also made to relevant planning precedents and the Council's own assessment of the proposed amendments.

For the purposes of this appeal, we respectfully request that An Coimisiún Pleanála have regard to the full planning application documentation submitted under DLRCC Reg. Ref. D26A/0647/WEB, together with the planning justification presented herein.

2.1 Formal Details

We can confirm the following formal details for this appeal:

Appeal:	First Party Appeal against a Refusal of Permission.
Planning Authority:	Dún Laoghaire-Rathdown County Council
Reg. Ref:	D26A/0647/WEB
Decision Date:	22nd October 2026
Appeal Deadline:	18th November 2026
Applicant / Appellant:	Rycroft Realty Sandyford Limited
Applicant Address:	Rycroft, Ardee House, River Road, Blanchardstown, Dublin 15
Agent Name:	Brock McClure Planning & Development Consultants
Agent Address:	63 York Road, Dún Laoghaire, Co. Dublin, A96 T0H4
Development Address:	Lands at Glenina and Karuna, Sandyford Road, Sandyford. Dublin 18
Parent Permission:	DLRCC Reg.Ref D24A/0424 WEB & ABP Ref.321220-24

2.2 Development Description

The development description, as set out in the application and the Council's Notification of Decision, is as follows:

Rycroft Realty Sandyford Limited intends to apply for permission for development at lands comprising the former residential properties known as 'Glenina' and 'Karuna', Sandyford Road, Sandyford, Dublin 18.

The development will consist of amendments to the residential development permitted under DLRCC Reg. Ref. D24A/0424/WEB / ABP Ref. 321220-24. The proposed amendments principally comprise the reconfiguration of Blocks A and B, increasing the apartment provision from 54 no. to 56 no. apartments; omission of the permitted fifth-floor/penthouse level and 4-bedroom apartment from Block B; revisions to apartment layouts and ancillary accommodation; revised rooftop plant and water-tank arrangements; associated elevational, balcony and terrace amendments; and consequential amendments to bicycle parking and ancillary works.

The amended development will comprise 69 no. residential units in total, consisting of 13 no. houses and 56 no. apartments (10 no. 1-bedroom, 37 no. 2-bedroom and 9 no. 3-bedroom apartments). The 13 no. permitted houses remain unchanged. The permitted 74 no. car-parking spaces will be retained, and 162 no. bicycle-parking spaces proposed, together with all associated site development works.

For the avoidance of doubt, this appeal relates to the amendments proposed under DLRCC Reg. Ref. D26A/0647/WEB and seeks permission for the development as submitted to Dún Laoghaire-Rathdown County Council on 28 August 2026. The existing parent permission under DLRCC Reg. Ref. D24A/0424/WEB / ABP Ref. 321220-24 remains the established planning baseline against which the proposed amendments are to be considered.

We respectfully request that An Coimisiún Pleanála consider the full application documentation submitted to the Planning Authority, together with the grounds and supporting information presented in this First Party Appeal, in its determination of the application.

3 Planning History

The subject lands have an extensive planning history, having been the subject of several residential development proposals over recent years. This history is particularly relevant to the current appeal, as it demonstrates that the principle of substantial residential redevelopment has been established on the lands and that the appropriate scale, density and layout of development have already been considered in considerable detail by both Dún Laoghaire-Rathdown County Council and An Bord Pleanála (now An Coimisiún Pleanála).

The most relevant permission is that granted under DLRCC Reg. Ref. D24A/0424/WEB / ABP Ref. 321220-24, which provides for 67 no. residential units comprising 54 no. apartments and 13 no. houses. This permission establishes the planning baseline for the current amendment application, and we consider that the assessment undertaken in reaching that decision is of particular importance when considering whether the additional two apartments now proposed would result in an unacceptable form of development.

For the benefit of An Coimisiún Pleanála, we have focused on the parent permission and the Inspector's assessment of residential density, together with a brief overview of other relevant permissions on the lands and along Sandyford Road.

3.1 Previous Planning Permissions – Subject Site

ABP REF. TA06D.313443 – Strategic Housing Development

Prior to the granting of the current parent permission, the subject lands were the subject of a Strategic Housing Development application for the demolition of the existing dwellings known as Glenina and Karuna and the construction of a residential development comprising 137 no. apartments, together with associated site development works.

On 9 August 2023, An Bord Pleanála granted permission for a reduced development comprising 116 no. apartments, subject to 26 no. conditions.

This earlier permission is significant in establishing that the subject lands have previously been considered suitable for substantial residential redevelopment, incorporating a considerably greater number of apartments than either the current parent permission or the amendments now proposed.

We fully acknowledge that the earlier Strategic Housing Development permission was assessed having regard to the particular circumstances and planning policy framework applicable at that time, and that it does not establish an entitlement to any particular residential density under the current policy provisions. Nevertheless, it forms part of the established planning history of the lands and provides relevant context to the consideration of the site's potential to accommodate apartment development.

DLRCC Reg. Ref. D24A/0424/WEB & ABP Ref. 321220-24 – Parent Permission

The most significant planning history relates to the parent application submitted in 2024, which sought permission for the demolition of the existing residential properties and associated boundary structures and the construction of a residential development comprising 73 no. dwellings, consisting of 60 no. apartments and 13 no. houses at a density of approximately 88 units per hectare.

During the assessment of the application, Dún Laoghaire-Rathdown County Council raised a number of matters requiring further consideration, including residential density, the scale and arrangement of the apartment buildings, the relationship with adjoining residential properties, traffic and access arrangements and the provision of residential amenity facilities. The design team subsequently made substantial amendments at Further Information stage, reducing the development to 67 no. residential units, comprising 54 no. apartments and 13 no. houses.

The revisions also included a reduction in the height of Block A, amendments to the houses along the eastern boundary, the removal of the northern vehicular access and improvements to the pedestrian and cycling infrastructure along Sandyford Road. The overall approach of concentrating the apartment

buildings along Sandyford Road, with lower-scale housing providing a transition to the adjoining residential properties, was retained.

Following consideration of the Further Information response, Dún Laoghaire-Rathdown County Council decided to grant permission in October 2024. The decision was subsequently appealed, with An Bord Pleanála granting permission in February 2025 under ABP Ref. 321220-24.

The permitted development comprises 67 no. residential units on a net developable area of 0.829 hectares, resulting in a density of approximately 80.8 units per hectare. This is already marginally above the generally recommended range of 40–80 units per hectare identified for City – Suburban/Urban Extension locations under the Sustainable Residential Development and Compact Settlements Guidelines 2024.

Residential density was considered in detail by the Inspector during the appeal. At Sections 7.2.7–7.2.9 of the Inspector's Report, it was acknowledged that the site did not meet the accessibility criteria for the higher-density ranges under the Guidelines. However, the Inspector recognised that the density ranges were not intended to operate as absolute limits and that there was scope to exercise discretion having regard to the particular circumstances of the site.

In accepting the density of 80.8 units per hectare, the Inspector had regard to the public transport services available in the area, the proximity of Sandyford Village, Sandyford Business Park and Dundrum, and the changing character of Sandyford Road, where a number of higher-density residential developments had been permitted. The Inspector also referred to the relatively modest site coverage and plot ratio of the development.

Of particular interest to the current appeal is the Inspector's consideration of the original 73-unit proposal, which would have resulted in a density of approximately 88 units per hectare. While permission was ultimately granted for the reduced development, the Inspector indicated that the original density should not necessarily be considered unacceptable simply because it exceeded the recommended range.

This is an important point for the current appeal. The Commission has already granted permission for 67 units at a density of 80.8 units per hectare, having considered the site's accessibility and the flexibility available under the national Guidelines. The present application seeks to increase the development by just two apartments, bringing the density to 83.23 units per hectare, while removing the permitted penthouse from Block B and reducing the overall gross floor area by approximately 248 sq.m.

The applicant is not seeking to return to the original 73-unit scheme or reinstate the building height and other design elements which were previously removed. Instead, the proposed amendments retain the overall layout and development strategy accepted under the parent permission, with the additional apartments accommodated through revisions to the internal layouts of Blocks A and B.

3.2 Surrounding Planning History

The surrounding planning history also provides useful context, particularly given the changing character of Sandyford Road and the number of apartment developments permitted along this corridor in recent years.

Immediately south of the subject site, permission was granted for 27 no. apartments at The Pastures under DLRCC Reg. Ref. D21A/0595 / ABP Ref. 312990-22, at a residential density of approximately 85 units per hectare. This is particularly relevant given the site's immediate proximity to Glenina and the fact that the permitted density exceeds the 83.23 units per hectare now proposed.

On the opposite side of Sandyford Road, permission was granted for 65 no. apartments at Whinsfield under DLRCC Reg. Ref. D17A/1003 / ABP Ref. 302954-18, at a density of approximately 60 units per hectare.

More recently, in December 2025, An Coimisiún Pleanála granted permission for the redevelopment of Crohamhurst at Lamb's Cross under ABP Ref. 319621-24, comprising 80 no. apartments together with a neighbourhood centre and associated commercial and community uses, at a net residential density of approximately 131.6 units per hectare.

These permissions demonstrate the range of residential densities which have been considered acceptable along Sandyford Road and reflect the gradual change in the character of the area. While the earlier

permissions were assessed under different national planning guidance, the Crohamhurst decision is particularly relevant as it was granted following consideration of the 2024 Compact Settlement Guidelines. The Commission ultimately assessed that development within the City – Suburban/Urban Extension classification and accepted a density substantially above the generally recommended range, having regard to the particular circumstances of the site.

The significance of the Crohamhurst decision, including the Inspector's assessment of residential density and the flexibility available under the national Guidelines, is considered further in the Grounds of Appeal.

4 Application Decision

Dún Laoghaire-Rathdown County Council issued a decision to refuse permission on 22 October 2026 under Reg. Ref. D26A/0647/WEB, for one reason relating to residential density.

Having reviewed the Council's planner's report, we note that while the Planning Authority ultimately recommended refusal on density grounds, the assessment was generally favourable in relation to the other aspects of the proposed amendments, including building height, residential amenity, daylight and sunlight, and the retention of the permitted site layout and open-space arrangements.

We consider these findings relevant to the current appeal, particularly given the Council's conclusion that the additional two apartments would constitute overdevelopment of the site.

4.1 Dún Laoghaire-Rathdown County Council – Reason for Refusal

The decision contained one reason for refusal as follows :

Reason for Refusal No. 1 – Residential Density

> *The proposed development, which seeks an increase in the total number of residential units from 67 no. to 69 no. units, would result in a residential density of 83.23 units per hectare. This exceeds the anticipated density range of 40-80 units per hectare applicable to a Suburban-Urban Extension area as set out in Section 4.3.1.1 Policy Objective PHP18: Residential Density. Having regard to the location of the site and its level of accessibility, the Planning Authority is not satisfied that a density in excess of the prescribed range has been justified. The proposed development would therefore constitute overdevelopment of the site and would be contrary to Section 4.3.1.1 Policy Objective PHP18: Residential Density, and the proper planning and sustainable development of the area.*

The Council's refusal is therefore confined to the proposed residential density and its compliance with the relevant provisions of the Dún Laoghaire-Rathdown County Development Plan 2022–2028.

We acknowledge that the proposed development would result in a density of 83.23 units per hectare, exceeding the upper end of the generally recommended 40–80 units per hectare range applicable to the site. However, we respectfully disagree with the Council's conclusion that this exceedance has not been justified or that it would necessarily result in overdevelopment.

The proposed density is only marginally greater than the 80.8 units per hectare already permitted by An Coimisiún Pleanála under the parent permission. Furthermore, the additional residential accommodation would be provided within a development which has been reduced in overall gross floor area and upper-level massing, rather than through any material expansion of the permitted buildings.

We consider that these circumstances warranted greater consideration within the Council's assessment, particularly having regard to the flexibility available under the 2024 Compact Settlement Guidelines and the findings of the previous Inspector in respect of the subject lands.

4.2 Assessment of Residential Density

In assessing the proposed density, the planner acknowledged the existing permission for 67 no. residential units at approximately 80.8 units per hectare and the relatively marginal increase arising from the current application. However, the report considered that the site's accessibility did not justify a further increase above the recommended range and expressed concern that allowing successive incremental increases could undermine the application of the national density guidelines.

Notwithstanding this conclusion, the planner's assessment was generally supportive of the proposed changes to the physical form of the development. In particular, the omission of the Block B penthouse was considered acceptable, with the report acknowledging that the reduced height would improve the relationship between Blocks A and B.

The report also considered the potential impacts on neighbouring residential properties, including overlooking, overbearing effects and daylight and sunlight. The planner was satisfied that the proposed amendments would not introduce additional overlooking concerns and acknowledged that the reduction in Block B height would lessen the potential for overbearing impacts. The updated Daylight and Sunlight Assessment was also considered acceptable, with no substantive concerns raised in respect of the amended development.

The permitted communal open-space and landscaping arrangements would remain unchanged, while the principal vehicular access and internal circulation arrangements would also be retained. No substantive objections were identified in relation to these aspects of the development.

The planner did, however, raise concerns regarding the revised apartment mix, notwithstanding the flexibility provided under the 2025 Apartment Guidelines. The report also identified the need for further clarification regarding external apartment storage and the reduction in bicycle-parking provision from 172 to 162 spaces. While these matters did not form part of the formal refusal reason, the report indicated that Further Information would have been sought on storage and bicycle parking had density not been considered a substantive reason for refusal.

These findings are relevant to the consideration of whether the proposed increase in residential density would constitute overdevelopment, particularly where the Council's assessment did not identify unacceptable additional impacts arising from the physical amendments to the permitted scheme.

5 Grounds of Appeal

The Council's decision to refuse permission is based on the proposed residential density of 83.23 units per hectare, which exceeds the generally recommended range of 40–80 units per hectare applicable to the subject lands under Policy Objective PHP18 of the Dún Laoghaire-Rathdown County Development Plan 2022–2028 and the Sustainable Residential Development and Compact Settlements Guidelines 2024.

We acknowledge that the proposed density falls outside this range. However, we do not consider that the increase of two apartments, from the 67 units already permitted to 69 units, would constitute overdevelopment of the site or that the Council has adequately considered the particular circumstances which justify the proposed density.

The current application relates to amendments to an established permission rather than an entirely new development proposal. The parent permission was granted at a density of approximately 80.8 units per hectare following a detailed assessment by An Bord Pleanála, during which the Inspector specifically considered the flexibility available under the national density guidelines. The current amendments would increase that density to 83.23 units per hectare, while reducing the overall gross floor area and omitting the previously permitted penthouse level to Block B.

We set out below the principal grounds on which we consider that the Council's decision should be overturned.

5.1 Application of the Compact Settlement Guidelines

The Sustainable Residential Development and Compact Settlements Guidelines 2024 identify a generally recommended density range of 40–80 units per hectare for City – Suburban/Urban Extension locations within Dublin. Higher densities of up to 150 units per hectare may be considered at accessible locations, subject to the criteria outlined in Table 3.8 of the Guidelines.

We acknowledge that the subject lands do not satisfy the accessibility criteria for the higher density range, having regard to the nature and frequency of public transport services in the area. This was considered during the assessment of the parent permission and is also recognised in the Council's planner's report on the current application. However, this does not mean that a density exceeding 80 units per hectare is automatically unacceptable.

Section 3.2.1 of the Guidelines provides flexibility in the application of the recommended density ranges and recognises that there may be exceptional circumstances where densities outside these parameters are appropriate, provided that the departure is clearly justified having regard to the proper planning and sustainable development of the area. The density ranges are therefore intended to guide the assessment of residential development rather than operate as absolute numerical limits.

We consider that the Council's assessment has not given sufficient weight to this distinction. While the planner acknowledges that the proposed density of 83.23 units per hectare represents a relatively marginal exceedance, the recommendation to refuse permission places considerable emphasis on the fact that the development would exceed the recommended range. In our view, the relevant consideration is not simply whether the proposal exceeds 80 units per hectare, which is acknowledged, but whether the particular circumstances of the development provide sufficient justification for that exceedance.

In this instance, the subject lands already benefit from permission for 67 residential units at a density of approximately 80.8 units per hectare, following a detailed assessment by An Bord Pleanála. The current application seeks to increase the development by just two apartments, resulting in a density of 83.23 units per hectare, while reducing the overall gross floor area and omitting the previously permitted penthouse level to Block B. The additional residential accommodation would therefore be achieved within a development which is reduced in overall scale, rather than through an increase in building height or floorspace.

We fully accept that the existence of the parent permission does not, in itself, justify a further increase in density. However, it is an important consideration in assessing the current amendments, particularly as the Inspector previously examined the site's accessibility and accepted a density marginally above the recommended range. The applicant is not seeking to establish a substantially higher density on the lands, but rather to make a limited amendment to an established residential permission, with no material increase in the physical extent of the development.

The Council's assessment also raises concerns that permitting successive incremental increases in residential density could undermine the consistent application of the Guidelines. While we understand the importance of maintaining a consistent approach to national density policy, we do not consider that this concern should outweigh the particular planning merits of the current application. Any departure from the recommended range must be assessed and justified on its own merits, and the granting of permission for the present amendments would not establish an entitlement to further increases in residential density.

Having regard to the established permission, the modest increase in residential units and the reduction in the overall scale of the development, we consider that there is a clear and reasonable planning basis for exercising the flexibility provided under Section 3.2.1 of the Guidelines. The proposed density of 83.23 units per hectare should therefore be assessed in the context of these particular circumstances and the ability of the amended development to maintain an appropriate standard of residential amenity, rather than being regarded as unacceptable solely because it exceeds the generally recommended range.

5.2 Previous Inspector's Assessment

The assessment undertaken by the Inspector under ABP Ref. 321220-24 is particularly relevant to the current appeal, as the question of whether a residential density above the recommended range was appropriate on these lands has already been examined in considerable detail.

As outlined in Section 3, the parent application initially proposed 73 no. residential units at a density of approximately 88 units per hectare, which was subsequently reduced to 67 no. units at Further Information stage. While Dún Laoghaire-Rathdown County Council decided to grant permission for the revised development, Condition No. 2 required the omission of two additional houses along the eastern boundary, which would have reduced the development to 65 no. units at a density of approximately 78.4 units per hectare. On appeal, An Bord Pleanála omitted this condition, thereby permitting the full 67 no. units proposed at Further Information stage, at a density of 80.8 units per hectare.

The Inspector's consideration of residential density is set out in Sections 7.2.1–7.2.9 of the Report, with Sections 7.2.7–7.2.9 being particularly relevant to the present appeal. The Inspector acknowledged that the site was classified as a peripheral location under the 2024 Compact Settlement Guidelines and did not meet the accessibility criteria for the higher density range. Notwithstanding this, the Inspector recognised that the recommended density ranges were not intended to operate as absolute limits and that discretion could be exercised having regard to the particular circumstances of the development.

At Section 7.2.8, the Inspector expressly considered it appropriate to exercise this discretion in respect of the subject lands. In reaching this conclusion, regard was had to the availability and capacity of existing bus services, the site's proximity to Sandyford Village, Sandyford Business Park and Dundrum, and the changing character of Sandyford Road, where higher-density residential developments were becoming an established feature of the area. The Inspector also referred to the relatively modest plot ratio and site coverage of the development and was satisfied that the proposed density would not result in overdevelopment or sit uncomfortably within the surrounding residential context.

Of particular importance is the Inspector's conclusion at Section 7.2.9 that the revised development of 67 no. units represented an appropriate form of infill development at a density of 80.8 units per hectare and was consistent with both the Compact Settlement Guidelines and Policy Objective PHP18 of the County Development Plan. The Inspector went on to consider the originally proposed density of approximately 88 units per hectare and indicated that, should the Board otherwise consider that development appropriate, the fact that its density exceeded the recommended range should not, in itself, prevent permission being granted.

We acknowledge that the original 73-unit proposal was not ultimately permitted and that the Inspector raised separate concerns regarding aspects of its design and access arrangements. Nevertheless, the assessment clearly demonstrates that residential density above 80 units per hectare was not considered inherently inappropriate on these lands and that the acceptability of the development required consideration of its particular characteristics rather than the application of a strict numerical limit.

The current application must, of course, be assessed on its own merits. However, we consider that considerable weight should be afforded to the previous Inspector's findings, particularly given that the site's location, public transport accessibility and surrounding development context have not materially

changed since the parent permission was granted. These were the same characteristics considered by the Inspector in concluding that a density above the recommended range was acceptable.

Furthermore, the current application seeks permission for 69 no. units at a density of 83.23 units per hectare, considerably below the approximately 88 units per hectare originally examined by the Inspector. The amendments also retain the principal design revisions introduced during the parent application process, with the additional two apartments accommodated alongside the omission of the Block B penthouse and an overall reduction in building floorspace.

We are not suggesting that the parent permission establishes an entitlement to further increases in residential density. However, the previous decision provides a clear planning context for the current application, particularly where the Commission has already accepted a departure from the recommended density range on these same lands. In our view, the Inspector's findings provide substantial support for the modest increase now proposed and reinforce the need to assess the amendments having regard to their actual planning implications rather than the numerical density figure alone.

5.3 Whether the Proposed Amendments Constitute Overdevelopment

The Council's reason for refusal concludes that the proposed density of 83.23 units per hectare would constitute overdevelopment of the subject lands. We respectfully disagree with this conclusion, particularly having regard to the nature of the amendments proposed and the findings of the Council's own assessment regarding building height, massing and residential amenity.

While residential density is an important consideration in determining the appropriate intensity of development, we consider that the question of overdevelopment must also be assessed having regard to the physical characteristics of a proposal, the quality of accommodation provided and its relationship with the surrounding area. A numerical increase in residential density does not necessarily result in an excessive form of development, particularly where the additional units can be accommodated without increasing the overall building floorspace or giving rise to unacceptable impacts on neighbouring properties.

In the present case, the proposed amendments would increase the apartment provision from 54 to 56 units through revisions to the internal layouts of Blocks A and B. At the same time, the permitted penthouse level to Block B would be omitted, reducing the height and upper-level massing of that building. The overall gross floor area of the development would also reduce from approximately 7,765 sq.m to 7,517.1 sq.m, representing a reduction of approximately 248 sq.m compared with the permitted scheme. The resulting plot ratio would be approximately 0.9, which further demonstrates that the proposed residential density is not being achieved through an excessive amount of built floorspace on the site.

The proposed amendments would also retain the overall site layout established under the parent permission, including the location of the two apartment buildings along Sandyford Road and the 13 permitted houses adjoining the more sensitive residential boundaries. The principal vehicular access, internal circulation arrangements and landscaping strategy would remain substantially unchanged, together with the permitted provision of 757 sq.m of communal amenity space.

Of particular relevance is the assessment undertaken by the Council's planner, which acknowledges that the omission of the Block B penthouse would improve the relationship between the two apartment buildings. The planner was also satisfied that the proposed amendments would not introduce additional overlooking concerns and did not identify unacceptable additional overbearing impacts on adjoining residential properties. The updated Daylight and Sunlight Assessment was similarly considered acceptable, with no substantive concerns raised regarding the amended development.

We consider that these findings are difficult to reconcile with the conclusion that the additional two apartments would constitute overdevelopment. The Council has accepted the reduction in building height and massing and has not identified unacceptable additional impacts on neighbouring residential amenities arising from the amendments. While the number of residential units would increase marginally, the physical scale of the development would reduce, and the established relationship with surrounding residential properties would be maintained.

Furthermore, the proposed amendments would continue to provide an appropriate standard of residential accommodation. The revised Housing Quality Assessment demonstrates compliance with the

applicable minimum apartment floor-area and internal accommodation standards, while the updated daylight and sunlight assessment confirms that the amended apartments and communal amenity areas would achieve a satisfactory level of performance. These considerations are relevant in assessing whether the additional accommodation can be provided without compromising the overall quality of the development.

We therefore consider that the proposed increase in residential density should not be viewed in isolation from the wider amendments to the permitted scheme. The proposal represents a more efficient arrangement of residential accommodation within an established development, while reducing overall floorspace and upper-level massing and maintaining the principal amenity and design characteristics previously accepted under the parent permission.

Having regard to these circumstances, and particularly the Council's own findings in respect of the physical amendments and their impacts, we respectfully submit that the proposed development would not constitute overdevelopment of the subject lands and that the modest increase in residential density can be appropriately accommodated.

5.4 Relevant Planning Precedents

The planning history of the surrounding area provides further support for the proposed residential density, particularly having regard to the changing character of Sandyford Road and the approach taken by An Coimisiún Pleanála in assessing higher-density residential developments in this location.

Immediately adjoining the subject lands to the south, permission was granted for 27 no. apartments at The Pastures under DLRCC Reg. Ref. D21A/0595 / ABP Ref. 312990-22, at a residential density of approximately 85 units per hectare. This is particularly relevant given the direct relationship between the two sites and the fact that the permitted density at The Pastures exceeds the 83.23 units per hectare now proposed. While that permission predates the adoption of the 2024 Compact Settlement Guidelines, it remains an important consideration in understanding the established pattern and intensity of residential development along Sandyford Road.

More recently, in December 2025, An Coimisiún Pleanála granted permission for the redevelopment of Crohamhurst at Lamb's Cross under ABP Ref. 319621-24, comprising 80 no. apartments together with a neighbourhood centre and associated commercial and community uses. The development was permitted at a net residential density of approximately 131.6 units per hectare, substantially exceeding the generally recommended range of 40–80 units per hectare applicable to City – Suburban/Urban Extension locations.

The Crohamhurst decision is particularly relevant to the current appeal because the appropriate density classification was specifically reconsidered during the appeal process. As recorded in the Inspector's Addendum Report, the site was ultimately assessed as falling within the City – Suburban/Urban Extension category and was regarded as a peripheral location for the purposes of the accessibility criteria under the 2024 Compact Settlement Guidelines. Notwithstanding this classification, the Inspector considered that the proposed density could be justified having regard to the particular circumstances of the development, including its location at Lamb's Cross, the mix of uses proposed, the availability of local services and the wider development context.

Of particular relevance is the position adopted by Dún Laoghaire-Rathdown County Council during the Crohamhurst appeal, as recorded in the Inspector's Addendum Report. The Council acknowledged that the residential density ranges contained in the Compact Settlement Guidelines are guidance rather than Specific Planning Policy Requirements and that Section 3.2.1 provides flexibility in their application. This is an important distinction, particularly in circumstances where the current refusal places considerable weight on the proposed exceedance of the generally recommended density range.

We acknowledge that the Crohamhurst development differs from the subject proposal, particularly in terms of its neighbourhood-centre zoning, mixed-use character and the range of services incorporated within the scheme. We are therefore not suggesting that the density permitted at Crohamhurst should be directly applied to the subject lands. Rather, the significance of that decision lies in the approach adopted to the interpretation of the national Guidelines and the recognition that densities outside the generally recommended ranges may be appropriate where supported by a clear, site-specific planning justification.

We consider that the same approach should be applied consistently in assessing the current development. The justification for the proposed density at Glenina and Karuna arises from a different, but equally relevant, set of circumstances. In particular, the lands already benefit from permission for 67 no. residential units at a density of 80.8 units per hectare, following a detailed assessment by An Bord Pleanála. The current application seeks a modest increase of two apartments, while reducing the overall gross floor area and omitting the previously permitted penthouse level to Block B. Furthermore, the Council's assessment has not identified unacceptable additional impacts on neighbouring residential amenities arising from the proposed amendments.

Taken together, the permissions at The Pastures and Crohamhurst demonstrate that residential densities exceeding 80 units per hectare have been accepted along Sandyford Road, albeit having regard to the particular circumstances of each development. More importantly, the Crohamhurst decision reinforces the principle that the density provisions of the 2024 Compact Settlement Guidelines should be applied through a reasoned planning assessment rather than treated as an absolute numerical limit.

Having regard to these precedents, the established permission on the subject lands and the limited nature of the amendments proposed, we consider that there is a sound planning basis for accepting the proposed density of 83.23 units per hectare.

6 Conclusion

Having regard to the matters outlined in this First Party Appeal, we respectfully submit that the decision of Dún Laoghaire-Rathdown County Council to refuse permission for the proposed amendments at Glenina and Karuna, Sandyford Road, is not justified. The subject lands already benefit from a permission granted by An Bord Pleanála under ABP Ref. 321220-24 for 67 no. residential units at a density of approximately 80.8 units per hectare. The current application seeks to increase the development by just two apartments, resulting in a density of 83.23 units per hectare, while reducing the overall gross floor area by approximately 248 sq.m and omitting the previously permitted penthouse level to Block B.

While we acknowledge that the proposed density exceeds the generally recommended range of 40–80 units per hectare, the 2024 Compact Settlement Guidelines provide flexibility to consider densities outside this range where justified by the particular circumstances of a development. This approach was recognised in the Inspector's assessment of the parent permission, which accepted a density marginally above the recommended range. Furthermore, the Council's own assessment of the current application did not identify unacceptable additional impacts on neighbouring residential amenities and acknowledged the improvements arising from the reduction in Block B height and massing.

We therefore consider that the proposed amendments represent an appropriate refinement of the permitted residential scheme and that the limited increase in density has been adequately justified. Having regard to the established permission, the previous Inspector's findings and the nature and extent of the amendments proposed, we respectfully request that An Coimisiún Pleanála overturn the decision of Dún Laoghaire-Rathdown County Council under Reg. Ref. D26A/0647/WEB and grant permission for the proposed development, subject to appropriate conditions.