



An  
Bord  
Pleanála

**Board Order**  
**PL 06D.249096**

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## **Planning and Development Acts 2000 to 2017**

**Planning Authority: Dun Laoghaire-Rathdown County Council**

**Planning Register Reference Number: D17A/0498**

**Appeal** by Cormac and Orla Costelloe care of Whelan O'Connor of 222-224 Harold's Cross Road, Dublin against the decision made on the 25<sup>th</sup> day of July, 2017 by Dun Laoghaire-Rathdown County Council to refuse permission to the said Cormac and Orla Costelloe in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** The refurbishment of and extensions to, both single-storey and two-storey; the proposed works include also the removal of all non-original two-storey and single storey extensions and two number roof dormers to both north and west roof planes, three number new veluxes to north, west and south planes of main roof, new dormer to north plane of main roof, new single storey flat roofed shed/plant roof in north-west corner of site, the widening/re-configuration of the existing vehicular entrance and all other associated site works; all at Glenasmole, Brighton Road, Foxrock, Dublin. The site is in an Architectural Conversation Area. ...

## **Decision**

**GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.**

## **Matters Considered**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

## **Reasons and Considerations**

Having regard to the context of the site along Brighton Road, to its boundary treatment, to the existing and permitted development, and to the design, scale and bulk of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed extension would integrate successfully with the existing house on the site, would not detract from the special character of the Foxrock Architectural Conservation Area and would not seriously injure the residential or visual amenities of the area or the amenities of property in the vicinity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## **Conditions**

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application and by the further plans and particulars received by An Bord Pleanála on the 21<sup>st</sup> day of August, 2017, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity

2. Samples of the proposed external finishes and materials shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of protecting the character of the Foxrock Architectural Conservation Area.

3. The existing dwelling and proposed extension shall be jointly occupied as a single residential unit and the extension shall not be sold, let or otherwise transferred or conveyed, save as part of the dwelling.

**Reason:** To restrict the use of the extension and in the interest of residential amenity

4. A comprehensive landscaping scheme shall be submitted to and agreed in writing with the planning authority prior to commencement of development. This scheme shall include the following:-

- (a) recommendations from the Survey and Arborist Report received by An Bord Pleanála on the 21<sup>st</sup> day of August 2017. All identified trees to be retained along the eastern boundary shall be fenced off and protected during the construction of the development and shall be retained thereafter, and

- (b) proposed locations of new trees and other landscape planting in the development, including details of proposed species and settings.

the boundary treatment and landscaping shall be carried out in accordance with the agreed scheme

**Reason:** In the interest of protecting the character of the Foxrock Architectural Conservation Area.

5. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

**Reason:** In the interest of public health.

6. Site development and building works shall be carried out only between 0800 hours and 1900 hours from Mondays to Fridays inclusive, between 0800 hours and 1400 hours on Saturdays and not at all on Sundays or Public Holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

**Reason:** In order to safeguard the residential amenities of property in the vicinity.

7. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

**Reason:** It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

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**Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.**

**Dated this          day of                          2017**