



Planning and Development Acts 2000 to 2017

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D17A/0455

APPEAL by Edward and Patricia Wallace of The Grange, Brighton Road, Foxrock, Dublin and by others against the decision made on the 10th day of October, 2017 by Dún Laoghaire-Rathdown County Council to grant subject to conditions a permission to FWNH Limited care of Simon Clear and Associates of 3 Terenure Road West, Terenure, Dublin.

Proposed Development Demolition of Four Winds House and associated structures on the site; construction of a three-storey over basement nursing home to accommodate 140 bedrooms and ancillary resident and staff facilities; relocation of the vehicular entrance on Brighton Road to provide the principal vehicular access; provision of separate pedestrian access on Brighton Road; modification of the vehicular access on Claremont Road to provide service and pedestrian access; construction of substation and stores building adjacent to service access, and all associated site works, car and cycle parking, landscaping and boundary treatments to Brighton Road, Claremont Road and Tall Trees, all at Four Winds and Tall Trees, Brighton Road and Claremont Road, Foxrock, Dublin.

Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations 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 planning history of the site, to the location of the proposed development within the Foxrock Architectural Conservation Area, to Policy AR12 of the Dún Laoghaire-Rathdown County Development Plan, 2016-2022, which seeks to protect the character and special interest of the designated Architectural Conservation Area, the Board considered that the loss of mature trees along the northern boundary of the site would adversely affect the character of the Architectural Conservation Area and would, therefore, be contrary to Policy AR12. The proposed development would, therefore, not be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board considered that the loss of mature Category B and U trees along the northern boundary of the site to provide for additional accommodation over and above that provided for in the permitted development, was not acceptable and that it would adversely affect the character and setting of the Foxrock Architectural Conservation Area. The Board, therefore, did not consider that the proposed development was in accordance with the proper planning and sustainable development of the area.

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

Dated this day of 2018.