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**Planning and Development Acts 2000 to 2020**

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

**Planning Register Reference Number: D20A/0672**

**Appeal** by Shane Naughton care of Kirk McCormack of 17 Harmony Avenue, Donnybrook, Dublin against the decision made on the 5<sup>th</sup> day of January, 2021 by Dún Laoghaire-Rathdown County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** The development will consist of: the painting of existing rendered areas of front and side façades of house and the widening of existing vehicular entrance and the introduction of new piers and gates. The development will also consist of new hedge planting along boundary to Kerry Mount Avenue, all at Heather Lodge, Kerry Mount Avenue, Foxrock, Dublin.

**Decision**

Having regard to the nature of the condition, the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to ATTACH condition number 2 and the reasons therefor.

## Reasons and Considerations

Having regard to the location of 'Heather Lodge' within an Architectural Conservation Area, its listing in the National Inventory of Architectural Heritage, and its proposal for listing in the Dún Laoghaire-Rathdown Record of Protected Structures, it is considered appropriate that it be conditioned that the first-floor external walls be maintained in their unpainted state as this is a key characteristic of this house and the adjoining 'Killsallagh'.

## 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.

  
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**Paul Hyde**

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

Dated this *10<sup>th</sup>* day of *May* 2021