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**Planning and Development Acts 2000 to 2022**

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

**Planning Register Reference Number: D21A/0646**

**APPEAL** by Declan and Ethel O'Connell care of BPS Planning and Development Consultants of Ballinatone, Greenan, Wicklow against the decision made on the 16<sup>th</sup> day of March, 2022 by Dun Laoghaire-Rathdown County Council to refuse permission for the proposed development.

**Proposed Development:** Demolition of existing detached two-storey dwelling and re-build with new replacement two-storey, five-bed dwelling to include two number dormer windows to the front and rear elevations, increased eaves and ridge heights and with associated site works at Hainault Lodge, Hainault Road, Foxrock, Dublin.

**Decision**

**REFUSE** permission for the above development in accordance with the reasons and considerations set out below.

*pm*

## Reasons and Considerations

1. The proposed development, which comprises the demolition of a dwelling which has not been demonstrated to be structurally unsound or uninhabitable, would be contrary to Policy Objective CA6 and section 12.3.9 of the current Dun Laoghaire-Rathdown County Development Plan and policy RPO 7.40 of the Regional Spatial and Economic Strategy for the Eastern and Midland Regional Area (2019-2031) which encourage the retrofitting and reuse of existing buildings rather than their demolition and reconstruction. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

*pm*

2. The extent of the proposed development at first floor level, and the proximity of the proposed dwelling to the adjoining dwellings to the east and west, requires the introduction of mitigation measures to avoid overlooking of the adjoining properties, particularly the dwelling to the east. It is considered that the proposed measures would compromise the light available and would negatively impact on the residential amenity of the rooms. The proposed development would be contrary to the site's zoning objective, which seeks 'to provide residential development and improve residential amenity while protecting the existing residential amenities', and would, therefore, be contrary to the proper planning and sustainable development of the area.



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**Peter Mullan**

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



Dated this *7th* day of *July*, 2023.