

Planning and Development Acts 2000 to 2022

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D24A/0388

APPEAL by Daniel Givens and Shauna Carroll care of Brock McClure of 63 York Road, Dún Laoghaire, County Dublin against the decision made on the 4th day of December 2024 by Dún Laoghaire-Rathdown County Council to refuse permission for the proposed development.

Proposed Development: Permission for development consisting of the demolition of existing detached two-storey house and construction of two number two-storey and attic level houses with new boundary wall to Hainault Road, two number new vehicular and pedestrian entrances off Hainault Road in lieu of one number existing vehicular entrance and one number pedestrian entrance, garden studio to rear garden of one house, new boundary fences between new houses and ancillary site works at Hy-Brasil, Hainault Road, Foxrock, Dublin.

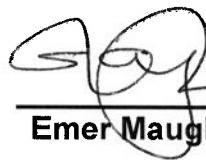
Decision

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

Reasons and Considerations

The Board considered, on the basis of the information submitted with the application and appeal, that there is not a sufficiently robust justification for the demolition of the existing dwelling at the subject site to facilitate the construction of two replacement dwellings, or an adequate demonstration that the existing dwelling cannot be sub-divided, remodelled, retrofitted and reused to improve energy efficiency and residential amenity has been provided. The proposed development would therefore be inconsistent with Policy Objective CA6: Retrofit and Reuse of Buildings and Policy Objective PHP19 Existing Housing Stock – Adaption, and it would not accord with the provisions of Section 12.3.9 Demolition and Replacement Dwellings of the Dun Laoghaire Rathdown County Development Plan 2022-2028. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

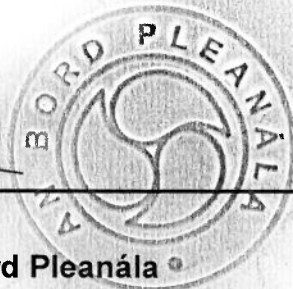
In deciding not to accept the Inspector's recommendation to grant permission, the Board noted the policies and provisions of the Dún Laoghaire Rathdown Development Plan 2022-2028, and in particular Policy Objective CA6 and section 12.3.9 of the plan which seeks to require the retrofitting and reuse of existing buildings rather than their demolition and reconstruction thereby reducing the overall embodied energy in the construction process. While it was acknowledged that the proposal sought to increase residential density in accordance with other policy objectives in the plan, it was nevertheless considered that the proposal failed to provide a strong and robust justification for the demolition and failed to explore the possibility of retaining, sub-dividing and extending and retrofitting the existing structure on site in order to accord with the aforementioned policies in the development plan.



Emer Maughan

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**



Dated this 22nd day of April 2025.