

An
Coimisiún
Pleanála

Commission Order
PL-500705-DR-26

Planning and Development Act 2000, as amended

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D25A/0854/WEB

Appeal by Mairead Bolger and others against the decision made on the 13th day of January 2026, by Dún Laoghaire-Rathdown County Council to grant, subject to conditions, a permission to Ruslan and Antonia Sandulescu in accordance with plans and particulars lodged with the said Council.

Proposed Development: Modification and extension to existing 3-bedroom, two-storey dormer-style detached dwelling (172.3 square metres). This includes (a) provision of additional bedroom (total of four bedrooms) and increased floor area at ground and first floor, bringing the new area to a total of 332 square metres; (b) replacement of the existing pitched roof, providing a revised dormer style arrangement to the front (east); (c) partial two storey structure to the rear (west) and side (south); (d) exterior elevational modifications including a single storey porch to the front (east); (e) ancillary works including internal modifications, widening of vehicular entrance; and all associated site works and services including landscaping and boundary treatments all at number 42, Joyce Avenue, Kerry Mount, Foxrock, Dublin.

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.

Reasons and Considerations

Having regard to the provisions of the Dún Laoghaire Rathdown County Development Plan, 2022-2028, the zoning objective to provide residential development and improve residential amenity while protecting the existing residential amenities, the pattern of development in the area, and the scale, form and design of the proposed development, it is considered that, the proposed development would constitute an acceptable form of development at this location and would not seriously injure the residential amenity of surrounding properties by reason of overlooking, overshadowing, overbearing appearance or loss of daylight. 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, 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. The window serving the ensuite at first floor level on the southern elevation shall be glazed with permanent obscure glass.

Reason: To prevent overlooking of adjoining residential property.

3. Details of the materials, colours and textures of all the external finishes to the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

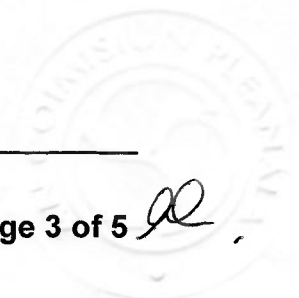
Reason: In the interest of visual amenity.

4. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will 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.

5. The disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.

Reason: To prevent flooding and in the interests of sustainable drainage.



6. (a) The width of the proposed widened vehicular entrance shall be a maximum of 3.5 metres.
- (b) The footpath and the grass verge in front of the proposed widened vehicular entrance shall be dished and strengthened and the developer shall submit details for the written agreement of the planning authority.

Reason: In the interest of orderly development.

7. All necessary measures shall be taken by the applicant and contractor to prevent the spillage or deposit of clay, rubble or other debris on the public road network, repair any damage to the public road arising from carrying out works and avoid conflict with between construction activities and pedestrian and vehicular movements on the surrounding public roads.

Reason: In the interests of amenities, public health and safety and environmental protection.



8. 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 Coimisiún 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



Mick Long

Planning Commissioner of An Coimisiún

**Pleanála duly authorised to authenticate
the seal of the Commission.**

Dated this

8th day of *April*

2026.

