



An  
Bord  
Pleanála

Board Order  
ABP-310792-21

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**Planning and Development Acts 2000 to 2021**

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

**Planning Register Reference Number: D20A/0759**

**Appeal** by Robert Dowley care of BMA Planning of Taney Hall, Eglinton Terrace, Dundrum, Dublin and by Patrick and Philomena Sheeran of 21 Bellevue Park Avenue, Blackrock, Dublin against the decision made on the 25<sup>th</sup> day of June, 2021 by Dún Laoghaire-Rathdown County Council to grant subject to conditions a permission to Flaxview Limited care of Tom Phillips and Associates of 80 Harcourt Street, Dublin in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Permission for development. The development will consist of the provision of a new vehicular access arrangement, landscaping, 12 number ancillary surface car parking spaces, 16 number cycle parking spaces and all associated site works above and below ground in respect of a proposed new crèche facility on the adjoining lands to the west (Cranford Lodge), for which a concurrent planning application will be lodged with Dublin City Council, all on a circa 0.06 hectare site, part of lands known as Cranford Court, (paved area adjoining the eastern boundary wall of Cranford Lodge, Number 188 Stillorgan Road, Dublin), as revised by the further public notices received by the planning authority on the 8th day of February, 2021 and on the 21st day of April, 2021.

## **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.**

## **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 scale, nature and design of the proposed development and to the pattern of development in the vicinity, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity and would not endanger public safety by reason of traffic hazard. 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, as amended by the further plans and particular submitted on the 8<sup>th</sup> day of February, 2021, the 21<sup>st</sup> day of April, 2021 and 4<sup>th</sup> day of June, 2021, 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. Drainage arrangements including the disposal of surface water shall comply with the requirements of the planning authority for such works and services.

**Reason:** In the interest of public health.

3. The site shall be landscaped in accordance with a scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

**Reason:** In order to screen the development and assimilate it into the surrounding rural landscape, in the interest of visual amenity.

4. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, noise management measures and off-site disposal of construction/demolition waste.

**Reason:** In the interests of public safety and residential amenity

5. The developer shall pay to the planning authority a financial contribution as a special contribution under section 48(2) (c) of the Planning and Development Act 2000 in respect of road and pedestrian improvement works at the junction of Stillorgan Road and Cranford Court access road and along Cranford Court access road as delineated on Drawing Number 192282-011 Rev PL1 received by the planning authority on the 21<sup>st</sup> day of April, 2021. The amount of the contribution shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála for determination. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be updated at the time of payment in accordance with changes in the Wholesale Price Index – Building and Construction (Capital Goods), published by the Central Statistics Office.

**Reason:** It is considered reasonable that the developer should contribute towards the specific exceptional costs which are incurred by the planning authority which are not covered in the Development Contribution Scheme and which will benefit the proposed development.



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**Michelle Fagan**

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

Dated this 12<sup>th</sup> day of April 2022.