



An
Bord
Pleanála

Board Order ABP-320025-24

Planning and Development Acts 2000 to 2022

Planning Authority: Dun Laoghaire-Rathdown County Council

Planning Register Reference Number: D24A/0221

Appeal by Gillian Bowes and Matthew Rogan of 20 Springfield Park, Foxrock, Dublin against the decision made on the 29th day of May, 2024 by Dun Laoghaire-Rathdown County Council to refuse permission.

Proposed Development: Subdivision of the existing site and construction of a new two-storey two-bedroom detached dormer dwelling, with associated site development, including closure of the existing vehicular access and formation of two new vehicular access points for the new and existing houses, all at 20 Springfield Park, Foxrock, Dublin.

Decision

GRANT permission for the above proposed development based on the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

Having regard to the location and character of the site and surrounding area in a serviced urban area, together with the provisions of the Dun Laoghaire-Rathdown County Development Plan 2022-2028, including Policy Objective PHP19 to 'Densify existing built-up areas in the County through small scale infill development having due regard to the amenities of existing established residential neighbourhoods', and the 'A' zoning objective for the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable at this location, would be in accordance with local design guidance, would not seriously injure the visual or residential amenities of the area, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The proposed 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 proposed development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. 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.

3. The disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to 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 interest of sustainable drainage.

4. Prior to commencement of development, the developer shall enter into a water and wastewater connection agreement with Uisce Éireann.

Reason: In the interest of public health.

5. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground.

Reason: In the interest of visual and residential amenity.

6. The landscaping scheme shown on drawing number 23-022-P002 received by the planning authority on the 5th day of April, 2024 shall be carried out within the first planting season following substantial completion of external construction works.

Reason: In the interest of residential and visual amenity.

7. The new eastern boundary subdividing the site between the existing and proposed dwellings shall be 1.8 to two metres in height and of sound and solid construction. If a masonry wall is provided, it shall be capped and rendered on both sides. The developer shall submit details in this regard for the written agreement of the planning authority prior to commencement of development.

Reason: In the interest of residential and visual amenity.

8. The construction of the proposed 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 all intended construction practice for the proposed development, including hours of working, noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interest of public safety and residential amenity.

9. 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 Bord 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.



Declan Moore

Member of An Bord Pleanála

duly authorised to authenticate
the seal of the Board.

Dated this 11th day of November 2024.