

An
Bord
Pleanála

Commission Order
ABP-321917-25

Planning and Development Acts 2000 to 2022

Planning Authority: Fingal County Council

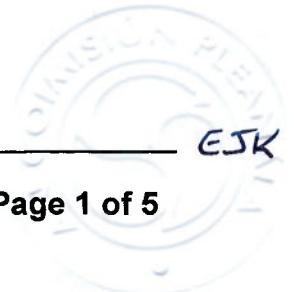
Planning Register Reference Number: FW24A/0486E

Appeal by Tom and Jeanne Freeman of 4 Deerpark Close, Castleknock, Dublin and by Others against the decision made on the 23rd day of January, 2025 by Fingal County Council to grant permission, subject to conditions, to Ted and Henry Crowley care of Studio Red Architects of Office 5, 64 Dame Street, Dublin for the proposed development.

Proposed Development: Demolition of bungalow and construction of two two-storey dwellings with all associated works at 1 Deerpark Close, Castleknock, 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 nature, scale, location and design of the development to be demolished and the 2 no. units proposed, it is considered that, subject to compliance with the conditions set out below, the development would comply with the zoning objective for the site, as set out in the Fingal Development Plan 2023-2029 in particular section 5.5.2.1 (Climate Mitigation Actions for Buildings), Policy CAP8 (Retrofitting and Reuse of Existing Buildings), Objective DMSO256 (Waste Heat, District Heating and Decentralised Energy), section 14.2.3 (Sustainable Design and Climate Action) and section 14.21.1 (Re-use of existing Buildings), would not seriously injure the visual or residential amenity of the area, and 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, and the further plans and particulars submitted to An Coimisiún Pleanála as a response to appeals submitted, on the 17th day of July 2025 and 7th day of October, 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. (a) Prior to commencement of development, the developer shall submit details for the written agreement of the planning authority which shall comply with the following:
 - (i) The first-floor window to bedroom number 1 on the western elevation of house type A and the first-floor window to bedroom number 1 on the eastern elevation of house type B shall be both omitted.
- (b) Development shall not commence without the prior written agreement of the planning authority and shall thereafter only be authorised to commence in accordance with the agreed plans.

Reason: In the interest of residential amenity.

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

Reason: In the interest of visual amenity and to ensure an appropriate high standard of development.

4. The glazing to the bathroom and en-suite window to the eastern elevation of house type A and the glazing to the bathroom and en-suite window to the western elevation of house type B shall be manufactured opaque or frosted glass and shall be permanently maintained. The application of film to the surface of clear glass is not acceptable.

Reason: In the interest of residential amenity.

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

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

6. Prior to the commencement of development, the developer shall enter into a Connection Agreement (s) with Uisce Éireann (Irish Water) to provide for a service connection(s) to the public water supply and/or wastewater collection network.

Reason: In the interest of public health and to ensure adequate water/wastewater facilities.

7. The site development and building works required to implement the development shall be carried out only between the hours of 0700 to 1900 Monday to Fridays, 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 adjoining property in the vicinity.

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.

Eamonn James Kelly

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Planning Commissioner of An Coimisiún

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

Dated this 7th day of January 2026

