



An
Bord
Pleanála

Inspector's Report ABP-321917-25

Development	Demolition of bungalow and construction of 2 two-storey dwellings with all associated works.
Location	1 Deerpark Close, Castleknock, Dublin 15, D15 R3PC
Planning Authority	Fingal County Council
Planning Authority Reg. Ref.	FW24A/0486E
Applicant(s)	Ted & Henry Crowley
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	Third Party v Grant
Appellant(s)	1) Niall & Ann O'Neill 2) Niall & Aideen Duggan 3) Tom & Jeanne Freeman
Observer(s)	None
Inspector	Daire McDevitt

1.0 Introduction

This report is an addendum report to the Addendum Report dated 20th August 2025 and Inspector's Report in respect of ABP-321917- 25 dated 26th May 2025 and should be read in conjunction with same.

At a meeting on the 11th September 2025, the Commission decided to defer consideration of the case and issue a Section 131 Notice regarding:

The Commission noted the submission received in response to the Section 137 notice issued by the Commission to all parties concerns a new issue. The Commission determined that, in the interest of natural justice, all submissions received should be cross-circulated to all other parties for their submissions.

Responses received from the planning authority (3/10/2025), from the applicant (7/10/2025), Niall & Aideen Duggan (8/10/2025), Tom & Jeanne Freeman (6/10/2025).

At a Meeting held on 21st October 2025 the Commission decided to defer the case and seek an updated addendum report from the inspectorate in light of submissions received in response to the section 131 direction dated 11th September 2025.

2.0 Responses

2.1. Response from planning authority received 3rd October 2025.

I have reviewed and considered the response received which reiterates items addressed in previous correspondence.

2.2. Response from applicant received 7th October 2025.

I have reviewed and considered the response received which reiterates items addressed in previous correspondence and addresses the submissions circulated.

2.3. Response from Niall & Aideen Duggan received 8th October 2025.

I have reviewed and considered the response received which reiterates items addressed in previous correspondence and addresses the submissions circulated.

2.4. Response from Tom & Jeanne Freeman received 6th October 2025.

I have reviewed and considered the response received which reiterates items addressed in previous correspondence and addresses the submissions circulated.

3.0 Assessment

I refer the Commission to the assessment carried out by Gerard Kellett, Planning Inspector in his report dated 26th May 2025 and my addendum report of 20th August 2025. This report is confined to the items that formed part of the responses to the section 131 Notices and cross circulation of submissions received on foot of section 137 Notices outlined in section 1 of this report.

My addendum report dated 20th August 2025 considered the responses received at the time to the section 137 Notices. I note that further responses on foot of the section 131 Notices and cross circulation of submissions received following the section 137 Notices have been received and I refer the Commission to the file where they are contained given the reiteration of issues in the submissions from those received on foot of the section 137 notices.

The submission and particulars submitted on foot of the Section 131 Notice and cross circulation of submissions received following the section 137 Notices by all parties have been reviewed and do not change the overall assessment of the proposed development and conclusions reached.

4.0 Recommendation

I refer to the previous Inspector's Report and recommendation on this application (dated 26th May 2025) and Addendum Report (dated 20th August 2025). I am satisfied that the matter has been addressed fully and that no change the previous Inspector's recommendation is required having regard to the Commission Direction (dated 21st October 2025).

There is no change to the original Inspector's recommendation.

5.0 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, Policy CAP8, Objective DMSO256, section 14.2.3 and section 14.21.1 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.

6.0 Conditions

1. The development shall be carried out 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 and the development shall be retained 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 comply with the following:
 - i. The first-floor window to bedroom no.1 on the western elevation of house type A and the first-floor window to bedroom no.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 there after 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. 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. 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 0800 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 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.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

DáireMcDevitt

17th December 2025