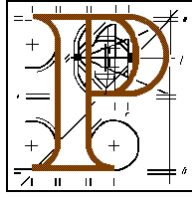


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2004

Fingal County

Planning Register Reference Number: F05A/1294

An Bord Pleanála Reference Number: PL 06F.215083

APPEAL by Frances and Michael Browne care of Keith Simpson and Associates of 145 Lakeview Drive, Airside Business Park, Swords, County Dublin against the decision made on the 21st day of October, 2005 by Fingal County Council to refuse a permission in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Construction of a dormer dwelling at Sandy Lane, Rush, County 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 size of the site, the infill nature of the development and the surrounding pattern of residential development in the vicinity, it is considered that the proposed development would not seriously injure the amenities of the area or of properties in the vicinity and would not contravene the provisions of the development plan, notwithstanding the zoning of the site as 'to provide for and facilitate the provision of agri-business'. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

CONDITIONS

1. Water supply and 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 and to ensure a proper standard of development.

2. Prior to commencement of development, details of the materials, colours and textures of all external finishes to the proposed house shall be submitted to the planning authority for agreement.

Reason: In the interest of orderly development and the visual amenity of the area.

3. Details of the front boundary treatment, including height, materials and finish, access details, and car parking requirements shall be agreed with the planning authority prior to commencement of development.

Reason: In the interest of residential amenity.

4. All service cables associated with the proposed development (such as electrical, communal television, telephone and public lighting cables) shall be run underground within the site.

Reason: In the interest of orderly development and the visual amenities of the area.

5. Prior to commencement of development, a waste management plan for construction and demolition waste for the proposed development shall be prepared and submitted to the planning authority for agreement.

Reason: In the interest of amenity and orderly development.

6. 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. The contribution shall be paid prior to the 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 the Board to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000 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.

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

Dated this day of 2006.