



An  
Bord  
Pleanála

**Board Direction**  
**BD-008448-21**  
**ABP-309521-21**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 03/06/2021.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

#### **Reasons and Considerations**

Having regard to the location of the site on residentially zoned lands under the Fingal County Development Plan, 2017 to 2023; to the provisions set out in the said Development Plan for this type of development; alongside the nature, scale and design of the development sought under this application, it is considered that, subject to compliance with the conditions set out below, that this development would not give rise to seriously injury to the residential and visual amenities of the area. 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 particulars submitted on the 27th day of November, 2020, 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. The northern elevation of the proposed garden room shall be setback from the northern boundary of the site so that it does not oversail or encroach it in any way. Revised drawings shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development showing this revision.

**Reason:** In the interest of clarity and orderly development.

3. All materials, colours, and textures of all the external finishes shall harmonise with the existing dwelling.

**Reason:** In the interest of visual amenity.

4. The final planting scheme for the western and northern boundary of the site shall be submitted to, and agreed in writing with, the planning authority, within 3 months of the Boards Order.

**Reason:** In the interest of residential amenity and in the interest of the proper planning and sustainable development of the area.

5. Water supply and drainage arrangements, including the attenuation and 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.

6. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, 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 property in the vicinity.

7. 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

**Note:** The applicant is advised that under the provisions of Section 34(13) of the Planning and Development Act, 2000, as amended, a person shall not be entitled solely by reason of a permission to carry out any development.

**Board Member**

  
Michelle Fagan

**Date:** 08/06/2021

