



An
Bord
Pleanála

Board Direction
BD-015354-24
ABP-315787-23

The submissions on this file and the Inspector's report were considered at a Board meeting held on 06/02/2024.

The Board decided to grant permission, for the following reasons and considerations, and subject to the following conditions.

Reasons and Considerations

In deciding not to accept the Inspector's recommendation to refuse permission, the Board had regard to the totality of policy 14.10.2.5 of the Fingal County Development Plan 2023-2029, which has largely subsumed the policies of the previous development plan under which this application was assessed by the Planning Authority. The Board considered the dormer extension, by reason of its set back from the eaves at the rear of the dwelling, does not negatively impact on the form and character of the existing dwelling house and does not impact on the visual amenities of the area when viewed from adjoining streets and public areas.

As such, the Board considered the development proposed to be retained does not materially contravene the current development plan and does not seriously injure the residential or visual amenities of the area. The development proposed to be retained would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1.	<p>The development to be retained shall comply with the plans and particulars lodged with the application submitted, 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 completed in accordance with the agreed particulars.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>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 or 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.</p> <p>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.</p>

Board Member


Martina Hennessy

Date: 07/02/2024