An Bord Pleanála

Board Direction
BD-016607-24
ABP-318761-23

The submissions on this file and the Inspector's report were considered at a Board meeting held on 17/06/2024.

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

The application site is zoned with the objective to "provide for residential development and protect and improve residential amenity" in the Fingal County Development Plan 2023-2029. The development plan recognises that family flats can be an appropriate form of development on existing residential sites. Having regard to the modest scale of the proposed flat and the provision of a link to the main house it is considered subject to compliance with the conditions set out below that the flat will remain subservient to the existing house on site and may be re-incorporated into that house. It is considered that the proposed development and development proposed to be retained, would not seriously injure the visual amenity of the area or the residential amenity of property in the vicinity, and that it would accord with the provisions of the development plan. The proposed development and development proposed to be retained would, therefore be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained, carried out and completed 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, carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Prior to commencement of development the developer shall enter into water and wastewater connection agreements with Uisce Éireann.

   Reason: In the interest of public health.

3. Surface water drainage arrangements shall comply with the requirements of the planning authority for such services and works.

   Reason: In the interest of public health.

4. Details of the external finishes of the proposed development and development proposed to be retained shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

   Reason: In the interest of visual amenity.

5. The proposed family flat extension shall be used solely for that purpose and shall revert to use as part of the main dwelling on the cessation of such use.

   Reason: In order to comply with the objectives of the development plan for the area.

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, as amended. 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, 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.

Board Member   _Una Crosse_   **Date:**   17/06/2024

Una Crosse