



An
Bord
Pleanála

Board Direction
BD-019700-25
ABP-321608-25

The submissions on this file and the Inspector's report were considered at a Board meeting held on 16/05/2025.

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 provisions of the Fingal County Development Plan 2023-2029, the pattern of development in the area, the infill nature of the application site and the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area, would not be prejudicial to public health and would not result in a traffic hazard. 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 received by the planning authority on the 8th day of November, 2024 and on the 14th day of November 2024, 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. Details of the materials, colours and textures of all the external finishes to the proposed dwelling 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.

3. The entire premises shall be used as a single dwelling unit and shall not be used for multiple occupancy living units/non-residential uses, except where otherwise permitted by way of a separate grant of planning permission.

Reason: In the interest of clarity and to ensure proper planning and sustainable development.

4. All public service cables for the development, including electrical and telecommunications cables, shall be located underground throughout the site.

Reason: In the interest of visual amenity.

5. The developer shall accord with the requirements of the planning authority as follows,

- (a) A maximum of two in-curtilage car parking spaces shall be permitted on site.
- (b) The dividing boundary and access point between the existing driveway to the family home and the proposed new permeable driveway to the proposed new dwelling shall be agreed in writing with the planning authority prior to the commencement of development to ensure appropriate intervisibility and sightlines.
- (c) The area of road space required for the turning area shall be developed and maintained to the planning authority's standards for taking in charge.

Reason: To avoid a traffic hazard and in the interest of the proper planning and sustainable development of the area.

6. Prior to the occupation of the development hereby permitted, all bathroom and en-suite rooms and the gable landing window shall be fitted and permanently maintained with frosted/obscure glass in accordance with the approved plans – the use of film is not acceptable. The gable landing window shall be reduced in height by 50% and repositioned to the satisfaction of the planning authority, and be non-opening at all times.

Reason: In the interest of residential amenity.

7. 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.

8. Drainage arrangements, including the attenuation and disposal of surface water, which shall also provide for appropriate Sustainable Urban Drainage Systems (SuDS), shall comply with the requirements of the planning authority for such works and services. Surface water from the site shall not be permitted to drain onto the adjoining public road.

Reason: To ensure adequate servicing of the development, and to prevent pollution.

9.
 - (a) All necessary measures shall be taken by the applicant/developer to prevent the spillage or deposit of any materials including clay rubble or other debris on adjoining roads during the course of development. In the event of any such spillage or deposit, immediate steps shall be taken to remove the material from the road surface at the applicant/developers own expense.
 - (b) The applicant/developer shall be responsible for the full cost of repair in respect of any damage caused to the adjoining public road arising from the construction work and shall either make good any damage to the satisfaction of the Council or pay the Council the cost of making good any such damage upon issue of such a requirement by the Council.

Reason: in the interests of traffic and pedestrian safety and amenity.

10. 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.

11. (a) Prior to commencement of development, all trees, groups of trees, hedging and shrubs which are to be retained as indicated on the site layout plan drawing reference number 24/614/1 issue A, dated 20th day of August 2024 and submitted to the planning authority, shall be enclosed within stout fences not less than 1.5 metres in height. This protective fencing shall enclose an area covered by the crown spread of the branches, or at minimum a radius of two metres from the trunk of the tree or the centre of the shrub, and to a distance of two metres on each side of the hedge for its full length and shall be maintained until the development has been completed.
- (b) No construction equipment, machinery or materials shall be brought onto the site for the purpose of the development until all the trees which are to be retained have been protected by this fencing. No work shall be carried out within the area enclosed by the fencing and, in particular, there shall be no parking of vehicles, placing of site huts, storage compounds or topsoil heaps, storage of oil, chemicals or other substances, and no lighting of fires, over the root spread of any tree to be retained.

Reason: To protect trees and planting during the construction period in the interest of visual amenity.

12. The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the following:

- (a) A plan to scale of not less than 1:500 showing –
- (i) The species, variety, number, size and locations of all proposed trees and shrubs which shall comprise predominantly native species such as mountain ash, birch, willow, sycamore, pine, oak, hawthorn,

holly, hazel, beech or alder, and which shall not include prunus species.

- (ii) Details of screen planting which shall not include cupressocyparis x leylandii.
 - (iii) Details of roadside/street planting which shall not include prunus species.
 - (iv) Hard landscaping works, specifying surfacing materials, and finished levels.
- (b) Specifications for mounding, levelling, cultivation and other operations associated with plant and grass establishment.
- (c) A timescale for implementation [including details of phasing].

All planting shall be carried out in the first planting season following commencement of development, shall be adequately protected from damage until established, and shall be maintained so as not to block and/or interfere with the vehicles and pedestrians using the adjacent public road. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of residential and visual amenity.

13. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting the 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 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.

Board Member


Declan Moore

Date: 20/05/2025