

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Fingal County

Planning Register Reference Number: **F15A/0401**

An Bord Pleanála Reference Number: PL 06F.245777

**APPEAL** by Rupert and Julie Ann Haines care of O'Neill Town Planning of Oakdene, Howth Road, Howth, County Dublin against the decision made on the 20<sup>th</sup> day of October, 2015 by Fingal County Council to refuse permission in accordance with plans and particulars lodged with the said Council.

**PROPOSED DEVELOPMENT:** (i) Demolition of existing conservatory to rear and porch to the front of house; and (ii) construction of the following- (a) new single storey extension to the rear, (b) two-storey entrance porch and stair to front, (c) new fenestration and louvres to the north (road) side of ground floor and first floor, (d) new fenestration to the rear (east) elevation at first floor, (e) a stairway and enclosed hallway connection from the ground floor of the main house to the lower ground floor studio, (f) main roof to be extended and a lantern roof light included, (g) new lower ground floor gate, and (h) the reconstruction and re-render of the boundary retaining wall, (i) erection of permanent planters and replacement of glazed boundary with obscure glazing to side of existing private open space to rear of house, (j) the reduction in height of the side and part front boundary wall with a new lower front entrance gate plus associated site works and (k) all associated site development works. Permission for the retention of a ground and first floor dormer roof extension to the side of house and a ground floor glazed sun room to rear and side of house, all at site at 65 Balglass Road, Howth, 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.**

### MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

### REASONS AND CONSIDERATIONS

Having regard to the land use zoning objective for the site, as set out in the current Development Plan for the area, the pattern of existing development on the site and in the vicinity and the design of the development, it is considered that, subject to compliance with the conditions set out below, the proposed development and the development proposed to be retained would not seriously injure the residential amenities of property in the vicinity, would not seriously injure the visual amenities of the area, would not be prejudicial to public health and would be acceptable in terms of traffic safety and convenience. The proposed development and the 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 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 An Bord Pleanála on the 16<sup>th</sup> day of November, 2015, 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 proposed development shall be amended as follows:

The proposed louvres to the three windows on the first floor of the side elevation shall be replaced with obscure glass on the side elevation to the same height.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

3. The external finishes of the proposed extension (including roof tiles/slates) shall be the same as those of the existing dwelling in respect of colour and texture.

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

4. 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. Full details of the connection to the public sewerage system shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of public health and to ensure a proper standard of development.

5. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

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

6. Development described in Classes 1 or 3 of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001, or any statutory provision modifying or replacing them, shall not be carried out within the curtilage of the dwellinghouse without a prior grant of planning permission.

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

7. Site development and building works shall be carried out only between the hours of 0800 and 1600 from Mondays to Fridays inclusive, between 0800 and 1400 hours on Saturdays and not at all on Sundays, Bank or 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.

8. 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.

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

**Dated this                      day of                      2016.**