

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Fingal County

Planning Register Reference Number: F15A/0239

An Bord Pleanála Reference Number: PL 06F.246194

APPEAL by Gearóid Mathews of 10A Balbriggan Street, Skerries, County Dublin against the decision made on the 26th day of January, 2016 by Fingal County Council to refuse permission in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Construction of one two-storey detached three bedroom residential dwelling at 10A Balbriggan Street, Skerries, 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 'Town Centre' land use zoning objective for the area as set out in the Fingal Development Plan 2011-2017 and the pattern of development in the area, and in particular the former cottage dwelling and vehicular access serving the former dwelling on the subject site at Balbriggan Street in the centre of Skerries town within a 50 km/h speed limit zone, and the planning authority assessment that the existing single-storey vernacular building and stone wall roadside boundary adds an element of interest to the streetscape of Balbriggan Street, it is considered that, subject to compliance with the conditions set out below, the proposed replacement dwelling development would not seriously injure the amenities of the area and would be acceptable in terms of traffic safety and convenience. 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 revised drawings received by the planning authority on the 22nd day of December 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 former cottage dwelling on the subject site shall be used only as a domestic workshop/shed for purposes ancillary to the proposed replacement dwelling on this site and shall not be used as a separate dwelling unit. Details of the proposed re-roofing and repair of the vernacular buildings on site which shall include natural slate roofs, and also the enhancement of the stone boundary wall along the site frontage to Balbriggan Street and improvements at the existing gated vehicular entrance onto Balbriggan Street including widening if necessary such as to improve visibility into and out of the site, shall be submitted to the planning authority for written agreement prior to commencement of the construction of the replacement dwelling, and such refurbishment and improvement works shall be completed prior to occupation of the replacement dwelling.

Reason: In the interest of orderly development.

3. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and residential amenity.

4. 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.

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

Dated this day of 2016.