

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

**Fingal County**

**Planning Register Reference Number: FW16A/0115**

An Bord Pleanála Reference Number: PL 06F.247880

**APPEAL** by Caroline Dempsey of 5 Deerhaven Walk, Clonee, Dublin against the decision made on the 13<sup>th</sup> day of December, 2016 by Fingal County Council to grant subject to conditions a permission to Mihai Ionel Elvis care of PCD Architectural of 12a Churchfields, Kentstown, County Meath in accordance with plans and particulars lodged with the said Council.

**PROPOSED DEVELOPMENT:** Conversion and extension of existing garage to side of dwelling, with new front porch area, new ground floor extension to front/side/rear of garage to include new family ancillary accommodation with internal modifications and associated site works at 3 Deerhaven Walk, Clonee, 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 zoning objectives for the area and the pattern of development in the area, and to the nature and design of the proposed extension, 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 or of property in the vicinity and 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 submitted on the 18<sup>th</sup> day of November 2016, 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 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:** To protect the amenities of property in the vicinity.

3. Prior to the commencement of development, the developer shall submit revised plans and elevations for the written agreement of the planning authority detailing:
  - (a) the location of utility boxes,
  - (b) a screened bin store, which shall accommodate not less than three standard-sized wheeled bins.

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

4. The external finishes of the proposed extension (including roof tiles) shall be the same as those of the existing dwelling in respect of colour and texture. Details of the proposed materials 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. Water supply and drainage arrangements including the attenuation and disposal of surface water shall comply with the requirements of the planning authority for such works and services.

**Reason:** In the interest of public health.

6. Site development and building works shall be carried out only between the hours of 0800 to 1900 Monday to Friday inclusive, between 0800 to 1400 on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall 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 properties in the vicinity.

7. 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 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            2017.**