

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

**Fingal County**

**Planning Register Reference Number: FW16B/0115**

An Bord Pleanála Reference Number: PL 06F.247884

**APPEAL** by Janette Maloney care of Future Analytics Consulting Limited of 23 Fitzwilliam Square, 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 Stefan Ivascu care of D. N. Smyth and Associates Limited of Cabinhill, Ratoath, County Meath in accordance with plans and particulars lodged with the said Council.

**PROPOSED DEVELOPMENT:** Construction of a new first floor pitched roof extension to side over existing single storey structure including projecting two-storey bay window structure to front, single-storey flat roof extension to side/rear, attic storage area, enlarged front entrance doorway and canopy, alterations to existing dwelling to facilitate the above works, and construction of new single storey pitched roof garage/storage shed in side garden, together with all ancillary site works and landscaping, at 13 The View, Hunters Run, 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 'RS' zoning objective applicable to the site which seeks to 'provide for residential development and protect and improve residential amenity' and to the nature and scale of the development proposed, the generous site size and the pattern of development in the area, 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 be in-keeping with the established character of the area. 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, 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. Site development and building works shall be carried only out between the hours of 0800 hours to 1800 hours Mondays to Fridays inclusive, between 0800 hours 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 amenities of property in the vicinity.

3. The existing dwelling and proposed extension shall be jointly occupied as a single residential unit and the extension shall not be sold, let or otherwise transferred or conveyed, save as part of the dwelling.

**Reason:** To restrict the use of the extension in the interest of residential amenity.

4. The external finishes of the proposed extension and the altered host dwelling, including details of all colours, materials and textures 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 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            2017.**