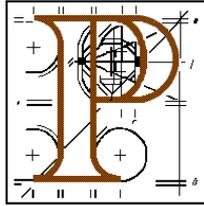


# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2017

## Fingal County

**Planning Register Reference Number: F16A/0546**

An Bord Pleanála Reference Number: PL 06F.248055

**APPEAL** by Eamon Porter of 31 Saint Margaret's Road, Malahide, County Dublin and by Jimmy and Deirdre Doyle of 35 Saint Margaret's Road, Malahide, County Dublin against the decision made on the 31<sup>st</sup> day of January, 2017 by Fingal County Council to grant subject to conditions a permission to Hilary and David McGee care of Brendan Balfe Architects of 3 Nugent Road, Churchtown, Dublin in accordance with plans and particulars lodged with the said Council.

**PROPOSED DEVELOPMENT:** Domestic extension and alterations to existing two-storey semi-detached dwelling. The extension and alterations are comprised of: the formation of a new side passage in place of existing single storey garage to side; single storey extension to rear and side; two-storey extensions to front, rear and side; elevational changes; modifications to existing house; widening of existing gateway and all ancillary works all at 33 Saint Margaret's Road, Malahide, 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 nature and scale of the proposed development, the established residential use on the site and the pattern of development in the vicinity, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of properties in the vicinity. 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 out in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. The proposed development shall be amended as follows:
  - (a) Reduce the depth of the first floor extension to project no more than 3.5 metres from the existing rear building line.
  - (b) Increase the set back of the first floor extension from the northern boundary, from 1 metre to 2 metres and reduce the depth of the eaves to a maximum depth of 500 millimetres.
  - (c) Provide a 1 metre set back from the upper floor side extension to the northern boundary.

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 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 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.

5. Site development and building works shall be carried out only between the hours of 0800 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.

6. 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.**