

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

Fingal County

Planning Register Reference Number: F16B/0226

An Bord Pleanála Reference Number: PL 06F.248103

APPEAL by Eamonn Prenter care of Cunnane Stratton Reynolds of 3 Molesworth Place, Dublin and by Patrick O'Sullivan care of Hughes Planning and Development Consultants of The Mash House, Distillery Road, Dublin against the decision made on the 2nd day of February, 2017 by Fingal County Council to grant subject to conditions a permission to Sarah Philips and Ian Robertson care of Douglas Wallace Consultants of 1 Grantham Street, Dublin in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: (1) The extension and alteration of the existing two bedroom cottage at ground floor, (2) the addition of a third bedroom at a new first floor level, (3) the demolition of the existing garage and (4) all associated site works at Glenlion Lodge, Thormanby Road, Baily, Howth, 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, scale and design of the proposed extension,
- to the residential zoning of the site as set out in the current development plan for the area,
- the pattern of existing and permitted development in the area, and
- to the character of the general area,

it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would respect the existing character 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 further plans and particulars submitted on the 10th day of January 2017, 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 development to which this permission refers is the extension of the dwelling and parking provision, only, and does not refer to the provision of a proprietary effluent treatment plant as detailed in the plans and particulars received by the planning authority on the 10th day of January, 2017.

Reason: In the interest of clarity.

3. Obscure glazing shall be used in the glass barrier detail to the window opening serving the first floor bedroom on the south-west (rear) elevation as delineated on drawing number FI-05 Rev B received by the planning authority on the 10th day of January, 2017.

Reason: In the interest of protecting the residential amenities of adjoining property.

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.

Reason: In the interest of public health.

5. 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 and to ensure that a reasonable amount of private open space is provided for the benefit of the occupants of the proposed dwellings.

6. The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the following:

- (a) The measures to be put in place during the construction period for the protection of the existing trees, hedgerows and shrubs to be retained in accordance with the details provided on drawing number AIA-12-16 received by the planning authority on the 10th day of January, 2017 of these landscape features.
- (b) Details of the proposed hedgerow to be planted along the western site boundary which shall comprise of native species.
- (c) All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of residential and visual amenity.

- 7. 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 on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall 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.

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

Dated this day of 2017.