



An
Bord
Pleanála

Board Order
PL 06F.248453

Planning and Development Acts 2000 to 2017

Planning Authority: Fingal County

Planning Register Reference Number: F17A/0100.

Appeal by Maeve and Ronnie Griffin care of Thomas Griffin of 38 Cedarmount Road, Mount Merrion, County Dublin and by Theresa and Raymond Gannon care of Fehily Timoney and Company of Core House, Pouladuff Road, Cork against the decision made on the 11th day of April, 2017 by Fingal County Council to grant subject to conditions a permission to Niamh Kelly care of Patrick Harrington of Argus House, Malpas Street, Blackpitts, Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: Construction of two-storey extension to rear of dwellinghouse consisting of 40 square metres at ground floor level and 20 square metres at first floor level, extension and modifications to existing porch and garage to front of dwelling (4.5 square metres), widening of existing vehicular entrance, provision of external insulation and rendered finish to front and side elevations, demolition of existing shed to rear to facilitate works and all associated internal alterations, site and development works, all at 25 Dublin Road, 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 planning history of adjacent properties and the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of adjoining properties and would be in accordance with the established pattern and character of the development in the area, would not give rise to an undue degree of overlooking and overshadowing and would be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The proposed 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 received by An Bord Pleanála on the 1st day of June, 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 in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The proposed development shall be amended as follows:
 - (a) the first floor gable end window shall be top hung only and shall be in obscure glazing,
 - (b) the roof of the first floor extension shall be a hipped roof, and
 - (c) the finished floor level in the proposed ground floor extension shall match that of the existing dwelling.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development.

Reason: In the interest of the protection of the residential amenities of the adjoining property and of clarity.

3. The entire premises shall be used as a single dwelling unit only.

Reason: In the interest of clarity and of the residential amenities of the area.

4. Details of the materials, colours and textures of all the external finishes to the proposed development 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 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. The following requirements in relation to transportation and access shall be complied with in full:
- (a) the road entrance shall not exceed a maximum width of 4 metres,
 - (b) the footpath and kerb shall be dished at the developer's expense to the satisfaction of the planning authority,
 - (c) no objects, structures or landscaping shall be placed or installed within the visibility triangle exceeding a height of 900 millimetres; which would interfere with or obstruct (or could obstruct over time) the required visibility envelopes.

Reason: To meet the planning authority requirements in relation to access in the interest of orderly development.

7. Site development and building works shall be carried out only between the hours of 0800 and 1900 Mondays to Fridays inclusive, between 0800 and 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.

8. 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 noise management measures and off-site disposal of construction/demolition waste.

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

9. 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.

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

Dated this day of 2017