



An
Bord
Pleanála

Board Order
PL 06F.248757

Planning and Development Acts 2000 to 2017

Planning Authority: Fingal County Council

Planning Register Reference Number: F17A/0200

Appeal by Emer Ní Cheallaigh of 21 Lanesborough Gardens, Meakstown, Dublin against the decision made on the 31st day of May, 2017 by Fingal County Council to grant subject to conditions a permission to Greenwich Project Holdings Limited care of AKM Design of Unit 4, Orchard Business Centre, 2009 Orchard Avenue, Citywest Business Campus, Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: Permission was granted on the site under F15A/0552 and PL 06F.246519 for 21 dwellings. Permission is sought to change the permitted three-storey building (eight units) comprising four number ground floor (one-bed with study) own door apartments and four number two-storey (two-bed with study) duplex own door dwellings to four number two-storey terraced three-bedroom dwellings. This shall reduce the overall number of dwellings to 17. 35 car parking spaces and 20 cycle spaces are proposed, all at The Castle Inn, Saint Margaret's Road, Meakstown, 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 residential zoning objective for the site and the applicable planning history, it is considered that, subject to compliance with the conditions set out below, the proposed development, which seeks to amend a permitted parent permission, would not seriously injure the amenities of the area or of property in the vicinity 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, 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. Apart from any departures specifically authorised by this permission, the development shall be carried out and completed in accordance with the terms and conditions of the permission granted on the 5th day of September, 2016 under appeal reference number PL 06F.246519, planning register reference number 15A/0552, and any agreements entered into thereunder.

Reason: In the interest of clarity and to ensure that the overall development is carried out in accordance with the previous permission.

3. The cycle parking area as presented on Drawing Number PL 103 (Proposed Site Plan) shall be omitted and the area shall be incorporated into the adjoining area of public open space.

Reason: The omission of the apartments and duplex units removes the necessity for a dedicated bicycle parking area.

4. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance until taken in charge by the local authority of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion or maintenance of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

Reason: To ensure the satisfactory completion and maintenance of the development until taken in charge.

5. The mitigation measures contained in the Noise Assessment report prepared by Decibel Noise Control and submitted by way of further information to the planning authority on the 9th day of March, 2016 during the consideration of the parent permission (An Bord Pleanála reference number PL06F.246519/ planning authority register reference number F15A/0552) shall be implemented.

Reason: To minimise the adverse impact of noise on new housing development within the outer airport noise zone.

