



An  
Bord  
Pleanála

**Board Order**

**PL 06F.249121**

---

## **Planning and Development Acts 2000 to 2017**

**Planning Authority: Fingal County Council**

**Planning Register Reference Number: F16A/0540**

**Appeal** by Justice T.C. and Patricia Smyth care of Auveen Byrne and Associates of Lioscarran House, 32 Dale Road, Kilmacud, Stillorgan, County Dublin against the decision made on the 3<sup>rd</sup> day of August, 2017 by Fingal County Council to grant subject to conditions a permission to Greg Gallagher care of Downey Planning of 1 Westland Square, Pearse Street, Dublin in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Construction of a two and a half storey, four bedroom detached residential dwelling with associated car parking, boundary treatments, landscaping, relocation of existing vehicular entrance from Station Road and a new access road and all associated site and engineering works necessary to facilitate the development on lands adjacent to number 17 Station Road (Protected Structure Reference 920), Sutton, Dublin, as amended by the further public notice received by the planning authority on the 13<sup>th</sup> day of July, 2017.

### **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**

The proposed development is located in an area zoned to provide for residential development and protect and improve residential amenity in the Fingal County Development Plan 2017 to 2023. Having regard to the modest scale of the proposed development, the pattern of development in the area and subject to compliance with the conditions set out below, it is considered that the proposed development would not seriously injure the residential amenity of property in the vicinity, would not detract from the character and setting of the Protected Structure and the Architectural Conservation Area and would not give rise to a traffic hazard. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## **Appropriate Assessment Screening**

Having regard to the Appropriate Assessment Screening Report submitted with the application, the report of the Inspector, the nature, scale and location of the proposed development, the Board is satisfied that the proposed development, either individually or in combination with other plans or projects, would not be likely to have significant effects on European Sites in view of their conservation objectives. In this regard, the Board concurred with and adopted the Planning Inspector's conclusions in respect of Appropriate Assessment Screening.

## 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 lodged with the planning authority on the 7<sup>th</sup> day of July 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. 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.

3. The access to Station Road and the provision of two car parking spaces shall be as set out in "Option A" drawing number AI\_1001 submitted to the planning authority on the 7th day of July, 2017. The existing entrance to Station Road shall be retained in-situ as a pedestrian only access to the proposed dwelling. Prior to the commencement of development, a revised boundary plan showing the following shall be submitted to, and agreed in writing with, the planning authority:

- (a) One vehicular opening along the shared access way to serve the individual dwelling.

- (b) A crenelated boundary wall to the same height and form as the existing along with any associated piers connecting with the front wall and extending from Station Road to turn the corners of the shared access way, down the length of driveway on both sides as far as the vehicular openings to serve the proposed dwelling and number 17 Station Road.

**Reason:** In the interest of traffic safety.

4. Details of the materials, colours and textures of all the external finishes within 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. All public service cables for the development, including electrical and telecommunications cables, shall be located underground throughout the site.

**Reason:** In the interests of visual and residential amenity.

6. Proposals for a apartment numbering scheme shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interests of urban legibility.

