



Planning and Development Acts 2000 to 2018

Planning Authority: Fingal County Council

Planning Register Reference Number: FW17A/0166

Appeal by Farmleigh Woods Management Company Limited by Guarantee care of Jim Brogan, Planning and Development Consultant of Unit B1 Laurel Lodge Business Centre, Laurel Lodge, Castleknock, Dublin against the decision made on the 13th day of March, 2018 by Fingal County Council to grant subject to conditions a permission to Peter Lawrie care of Davey and Smith Architects of 13 The Seapoint Building, 44-45 Clontarf Road, Clontarf, Dublin in accordance with plans and particulars lodged with the said Council

Proposed Development: Demolition of an existing garage and the construction of a five number bedroom, three storey end of terrace dwelling with vehicular access and two number car spaces along with associated site works. Vehicular access will be off Farmleigh Close at side of 12 Farmleigh Close, Farmleigh Woods, Castleknock, Dublin as amended by the revised newspaper notice of the 26th day of January, 2018.

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 zoning objectives for the area and the pattern of development in the area it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity, would be acceptable in terms of traffic safety and convenience and 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 received by the planning authority on the 26th day of January, 2018 and the 16th day of February, 2018, 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. Any attic floorspace on the proposed development which does not comply with Building Regulations in respect of habitable standards shall not be used for human habitation and shall only be used for storage purposes.

Reason: In the interest of orderly development.

3. Details of the proposed numbering of the dwelling shall be agreed in writing with the planning authority prior to the occupation of the dwelling.

Reason: In the interest of orderly development.

4. Details of the materials, colours and textures of all 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 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.

6. Prior to commencement of development, the footpath works shall be carried out within the private road as detailed on drawing number 163028-3020 received by the planning authority on the 16th day of February, 2018 and shall be implemented to the satisfaction of the planning authority.

Reason: In the interest of orderly development and the proper planning and sustainable development of the area.

7. The dividing/boundary wall between driveways shall not exceed a height of 0.9 metres and details of the finishes of the walls shall be agreed in writing with the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

8. Site development and building works shall be carried out between the hours of 0800 hours to 1900 hours 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.

9. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground.

Reason: In the interests of visual and residential amenity.

10. 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.

Paul Hyde

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

Dated this day of 2018.