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## **Planning and Development Acts 2000 to 2018**

**Planning Authority: Fingal County Council**

**Planning Register Reference Number: F18A/0035**

**Appeal** by Michelle Lynch of Pine Lodge, 26a Rivervalley Grove, Swords, County Dublin against the decision made on the 26<sup>th</sup> day of March, 2018 by Fingal County Council to grant subject to conditions permission to CQA Design and Build of B4 Swords Enterprise Park, Swords, County Dublin in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Retention permission for minor alterations to the house previously granted under planning register reference number F13A/0056 (and currently under construction) including a single storey extension to the rear (9 square metres) to the side of the approved single storey extension and all associated works at 26b Rivervalley Grove, Swords, County Dublin.

## **Decision**

**GRANT permission for retention of the above 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 the site, and the nature and scale of the development for which retention is sought, it is considered that, subject to compliance with the conditions set out below, the development for which retention is sought would be acceptable in terms of residential amenity, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

## **Conditions**

1. The development shall be retained 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 first occupation of the dwelling-house, and the development shall be retained and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. The staircase/landing window, and window above it (both in the western elevation of the house), shall be in permanent obscured glazing, and the windows shall not be openable.

**Reason:** To protect the residential amenities of the house to the west.

3. All public service cables for the development, including electrical and telecommunications cables, shall be located underground throughout the site.

**Reason:** In the interest of visual amenity.

4. On-site parking for at least two cars shall be provided within the curtilage of the site.

**Reason:** In the interest of traffic safety and visual amenity.

5. Where visible from the public road, the 1.8 metre high boundary wall with number 26a Rivervalley Grove, shall be plastered/dashed prior to first occupation of the house, or a hedge shall be planted to entirely obscure the wall, within the first planting season following on from this grant of permission.

**Reason:** In the interest of visual amenity.

6. 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. In particular, the on-site surface water attenuation provisions shall be upscaled to reflect the increased run-off area which results from the increase in footprint of this house. Revised proposals, to comply with this requirement, shall be submitted to, and the written agreement of the planning authority obtained for such necessary works, prior to first occupation of the dwellinghouse.

**Reason:** In the interest of public health and to avoid flooding.

7. Within the first planting season following on from this grant of permission, a hedge shall be planted along that portion of the eastern boundary, required to entirely screen the rear garden from view from Forest Road.

**Reason:** In the interest of visual amenity.

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 the first occupation of the house, 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 the Board 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.

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**Michelle Fagan**

**Member of An Bord Pleanála**

**duly authorised to authenticate  
the seal of the Board.**

**Dated this            day of            2018.**