



Planning and Development Acts 2000 to 2018

Planning Authority: Fingal County Council

Planning Register Reference Number: FW18A/0072

Appeal by Woodvale Residents Association care of Jennifer Ryan of 34 Woodvale Avenue, Clonsilla, Dublin against the decision made on the 24th day of January, 2019 by Fingal County Council to grant subject to conditions a permission to Paul and Eileen Corr care of OC Architects and Design of 67 Ranelagh, Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: (i) Construction of a single storey, three bedroom, contemporary style, detached infill dwelling with a flat roof and rooflights; (ii) formation of a new vehicular entrance with gates on Woodvale Avenue; (iii) two number on-curtilage car parking spaces; private amenity space, boundary treatment, landscaping, SuDS drainage and all ancillary works necessary to facilitate the development, all on site to the rear/side of Number 2, 2A and 2B Woodvale Grove, Clonsilla, Dublin (with 2B Woodvale Grove being a corner property with Woodvale Avenue, Clonsilla, 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 provisions of the Fingal Development Plan 2017-2023 and to the nature and scale of the proposed development on residentially zoned land, 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 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 as amended by the further plans and particulars submitted on the 20th day of December, 2018 and by the further plans and particulars received by An Bord Pleanála on the 13th day of March, 2019, 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 (a) The entire premises shall be used as a single dwelling unit.
- (b) Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, and any statutory provision replacing or amending them, no development falling within Class 1 or Class 3 of Schedule 2, Part 1 of those Regulations shall take place within the curtilage of the house, including the garden area without a prior grant of planning permission.

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

3. Prior to the commencement of development, the developer shall submit for the written approval of the planning authority, details of the external finishes of the proposed dwelling. This shall include gates, entrance and front boundary treatment to the proposed house. The gates shall be of metal bar, reflect existing patterns evident on the Avenue and shall not be solid.

Reason: In the interest of visual amenity.

4. (a) Details of all boundary treatments shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.
- (b) The position of the northern boundary of Unit Numbers 2, 2A and 2B Woodvale Grove shall comply in full with Site Layout Plan (Drawing Number 108 PL001) submitted on the 20th day of December, 2018.

Reason: In the interests of visual amenity and clarity.

5. (a) The vehicular access serving the proposed development shall comply with the requirements of the planning authority for such road works.
- (b) Details for the road frontage and replacement of the roadside tree and grass verge shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of amenity and of traffic and pedestrian safety.

6. All public services to the proposed development, including electrical, telephone cables and associated equipment shall be located underground throughout the entire site.

Reason: In the interest of visual amenity.

7. Prior to commencement of development the developer shall submit details in writing to the planning authority to confirm that the proposed development complies fully with the requirements of ESB International Networks.

Reason: In the interest of clarity.

8. 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.

9. 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 hours of working, noise and traffic management measures and off-site disposal of construction/demolition waste.

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

10. Site development and building works shall be carried out only between the hours of 0800 and 1900 from 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.

11. 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.

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

Dated this day of 2019.