



Planning and Development Acts 2000 to 2019

Planning Authority: Fingal County Council

Planning Register Reference Number: FW19A/0055

Appeal by David Finegan care of Douglas Hyde Town Planner of 134 Georgian Village, Castleknock, Dublin against the decision made on the 23rd day of May, 2019 by Fingal County Council to refuse a permission to the said David Finegan for the proposed development.

Proposed Development: Modifications to previously approved register reference FW13A/0065 comprising; revised entrance porch arrangement with single storey extension to the side; pedestrian gate from Stockton Drive into the side passage; and associated works; at 19a Pecks Lane, Castleknock, 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 overall design and scale of the proposed development and to the provisions of the current Fingal County Development Plan, 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, 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. The external finishes of the proposed extension shall be the same as those of the existing dwelling in respect of colour and texture.

Reason: In the interest of visual amenity.

3.
 - (i) Drawings/documentation from a suitably qualified person with professional indemnity insurance, demonstrating that the gable wall of the proposed extension will not have an adverse effect on the bearing area of the adjoining wall/footpath/road and services contained therein, shall be submitted to, and agreed in writing with, the Transportation Planning Section of the planning authority, prior to commencement of development.
 - (ii) The pedestrian gate shall open inwards only and shall not open across the adjoining public footpath.
 - (iii) All works shall be carried out at the developer's expense and to the requirements of the planning authority.

Reason: To ensure a satisfactory standard of development and in the interest of traffic safety.

4. Water supply and drainage arrangements, including the 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.

5. 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.

6. All necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works.

Reason: To protect the amenities of the area.

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

Dated this day of 2019.