



Planning and Development Acts 2000 to 2019

Planning Authority: Fingal County Council

Planning Register Reference Number: F19A/0446

Appeal by Streamstown Wood Owners' Management Company care of Philip Tyrrell of 4 Streamstown Wood, Streamstown Lane, Malahide, County Dublin against the decision made on the 26th day of February, 2020 by Fingal County Council to grant subject to conditions a permission to Streamview Connect Trading DAC care of John Spain Associates of 39 Fitzwilliam Place, Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: Upgrade of the existing road over a distance of circa 120 metres. The proposed development consists of increasing the width of the existing road to 5.5 metres. The works include the provision of a two metre wide footpath on the southern side of the road with 1.2 metre high rubble stone wall, with kerbs on both road edges and associated drainage, lining, and works to entrances (one number existing entrance to the Ryland property to be relocated circa 26 metres east), all between the junction of Park Avenue to the west and Malahide Road to the east, Streamstown, Malahide, County 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 County Development Plan 2017-2023, the pattern of existing and permitted development in the area, the configuration of the existing Streamstown Road, and the layout and design of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenity of the area or of property in the vicinity, would be acceptable in terms of traffic and pedestrian safety and convenience and would constitute an appropriate form of development at this location. 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 to the planning authority on the 28th day of November, 2019 and the 6th day of February 2020, and by the further plans and particulars received by An Bord Pleanála on the 6th day of April 2020, 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 table-top ramp at the junction of Park Avenue and Streamstown Lane shall be omitted from the proposed development.
- (b) No objects, structures, or landscaping shall be placed or installed within the visibility triangle of the junctions and vehicles entrances, exceeding a height of 900 millimetres, which would interfere or obstruct (or could obstruct over time) the required visibility envelopes.
- (c) The footpath and kerbs shall be in accordance with the detailed standards of the planning authority for such works.

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

3. Prior to commencement of development, details of the following matters shall be submitted to, and agreed in writing with the planning authority:
 - (a) The extent of the proposed 600 millimetres diameter sewer, gullies and manholes.
 - (b) The tie-in details of the sewer at both ends.

Reason: In the interest of clarity.

4. 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. Comprehensive details of the proposed public lighting system to serve the development shall be submitted to and agreed in writing with the planning authority, prior to commencement of development.

Reason: In the interests of amenity and public safety.

6.
 - (a) All trees and hedgerows along the northern boundary of the site shall be retained and maintained, with the exception of specific trees, the removal of which shall be agreed in writing with the planning authority before any trees are felled, to facilitate the development.
 - (b) Measures for the protection of trees which it is proposed to be retained shall be submitted to and agreed in writing with the planning authority before any trees are felled.

Reason: To facilitate the identification and subsequent protection of trees to be retained on the site, in the interest of visual amenity.

7. 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.

8. Site development and building works shall be carried out only between the hours of 0700 to 1900 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.

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

Dated this day of 2020.