



Planning and Development Acts 2000 to 2020

Planning Authority: Fingal County Council

Planning Register Reference Number: FW20B/0030

Appeal by Linda Sherwin of 22 The Drive, Hunters Run, Clonee, County Dublin against the decision made on the 9th day of June, 2020 by Fingal County Council to grant subject to conditions a permission to Olesea Jordan care of Cornahilt Design Studio of 9 Saint Eithne Road, Cabra, Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: Retention of the erection of a single storey shed unit to the rear of existing dwelling (20.5 square metres) for the purpose of habitation, with two number roof lights and all associated ancillary site works at 24 The Drive, Hunters Run, Clonee, 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 design and scale of the development proposed for retention and the pattern of development in the area, it is considered that the development proposed for retention, subject to compliance with the conditions set out below, would not seriously injure the visual amenities of the area or the residential amenities of adjoining property. The development proposed for retention would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained, 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.

Reason: In the interest of clarity.

2. 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.

3. The structure for which retention is sought shall be used ancillary to the enjoyment of the existing dwelling house and shall not be used as, sold, leased or rented as a residential unit independent of the main dwelling house on site.

Reason: In the interest of orderly development.

4. 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.

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

Dated this day of 2020