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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Fingal County Council**

**Planning Register Reference Number: F20A/0286**

**Appeal** by Laura Houlihan and Paul McMahon care of Culligan Architects of 3A Brookfield Terrace, Blackrock, County Dublin against the decision made on the 4<sup>th</sup> day of August, 2020 by Fingal County Council to refuse permission for the proposed development:

**Proposed Development:** Permission for development consisting of the construction of a single storey extension to the side and rear of the existing property, in conjunction with, the construction of a dormer type structure to the southern side of the existing roof pitch and an additional velux type roof light on the northern side of the existing roof pitch, a proposed new window to the gable end of the rear facade and the application of an externally insulated render finish to the entire house, all at 1A St. Fintan's Grove, Sutton, 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 nature and scale of the proposed development, for a single storey extension to the side and rear of a domestic dwelling, and a dormer window to the side roof plane, it is considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with the policies and objectives of the Fingal County Development Plan 2017-2023 and would not seriously injure the visual or residential amenities of the area. The proposed development would, therefore, be in accordance with the RS residential zoning objective for the site as set out in the Development Plan and 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 (including roof finish) shall be the same as those of the existing structure in respect of colour and texture.

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

3. 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 amenities of property in the vicinity.

4. 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. Prior to commencement of development, the developer shall enter into water and/or waste water connection agreement(s) with Irish Water.

**Reason:** In the interest of public health.

6. 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.

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

**Dated this            day of            2020.**