



Planning and Development Acts 2000 to 2020

Planning Authority: Fingal County Council

Planning Register Reference Number: F20A/0524

Appeal by Lorna Guirke care of O'Neill Town Planning of Oakdene, Howth Road, Howth, County Dublin against the decision made on the 10th day of December, 2020 by Fingal County Council to refuse permission for the proposed development.

Proposed Development: The demolition of existing garage attached to number 44 Grange Park. The construction of a new end of terrace two storey, three bedroom infill house attached to the existing house. New vehicular entrance to serve the existing house, plus all associated site works at 44 Grange Park, Baldoyle, 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

The proposed additional dwelling, on an infill site in an established, centrally located residential area where public transport and a range of services are within walking distance and where infrastructural facilities are available, would provide future residents with an acceptable level of residential amenity, would not detract from the character of the area, would not depreciate the value of property in the vicinity or the residential amenities of adjoining residents, would comply with the residential standards and zoning objectives of the Fingal Development Plan 2017-2023 and would, therefore, subject to compliance with the conditions set out below, 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. 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. Prior to commencement of development, the developer shall enter into water and/or wastewater connection agreement(s) with Irish Water.

Reason: In the interest of public health.

4. Prior to commencement of development, the developer shall liaise with Electricity Supply Board Networks and shall comply with any requirements in relation to overhead system which traverses the site.

Reason: In the interest of public safety.

5. All service cables associated with the proposed development (such as electrical, communal television, telephone, and public lighting cables) shall be run underground within the site.

Reason: In the interests of orderly development and the visual amenities of the area.

6.
 - (a) The boundary wall between the two parking areas shall not exceed a maximum of 900 millimetres.
 - (b) No objects, structures or landscaping shall be placed or installed within the visibility triangle exceeding a height of 900 millimetres, which would interfere or obstruct (or could obstruct over time) the required visibility envelopes.
 - (c) The footpath and kerb shall be dished at the developer's expense to the satisfaction of the planning authority.
 - (d) All underground or overhead services and poles shall be relocated, as may be necessary, to a suitable location adjacent to the new boundary at the developer's expense.

Reason: In the interests of orderly development and traffic safety.

7. 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 2021.