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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Fingal County Council**

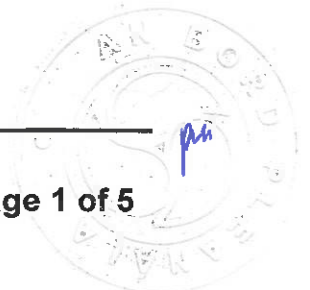
**Planning Register Reference Number: FW20A/0203**

**Appeal** by Ronan Flynn of 3 Porterstown Road, Clonsilla, Dublin against the decision made on the 9<sup>th</sup> day of February, 2021 by Fingal County Council to refuse permission for the proposed development.

**Proposed Development:** Demolition of car port/garage and extension to rear of existing house. Permission for a new two-storey dormer type house, detached three bedroom house with shared access and all associated site works at 3 Porterstown Road, Clonsilla, 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**

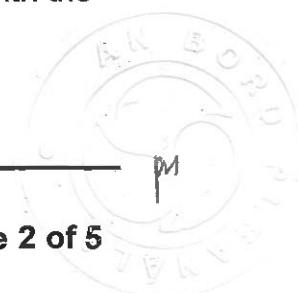
In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

## **Reasons and Considerations**

Having regard to the provisions of the Fingal Development Plan 2017-2023 and the zoning of the site for town and district centre purposes which allows for residential development, to the location of the site in an established urban area within walking distance of public transport, and to the nature, form, scale, density 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 or visual amenities of the area. 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. Prior to commencement of development, the developer shall submit to and agree in writing with the planning authority full details of the proposed external design/finishes in the form of samples and on-site mock-ups. These details shall include photomontages, colours, textures and specifications.

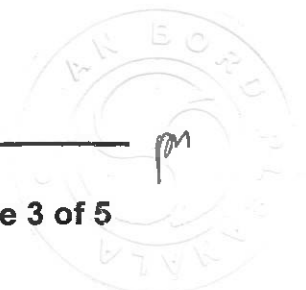
**Reason:** In the interest of residential and visual amenity.

3. (i) The vehicular access serving the proposed development, shall comply with the requirements of the planning authority for such road works. The combined driveway width shall not exceed seven metres which allows for a driveway of 3.2 metres for each of the existing and proposed houses and a pillar/boundary between.
- (ii) Any gate to be installed shall be inwards opening only and shall not open across the public footpath.

**Reason:** In the interest of traffic and pedestrian 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. The applicant or developer shall enter into water and/or waste water connection agreement(s) with Irish Water, prior to commencement of development.

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

6. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between the hours of 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.

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. 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.

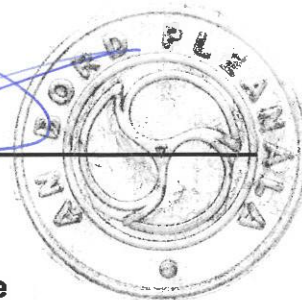
**Reason:** In the interest of orderly development and the visual amenities of the area.

9. 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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**Paul Hyde**

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



Dated this *17<sup>th</sup>* day of *aug* 2021.