

Planning and Development Acts 2000 to 2020

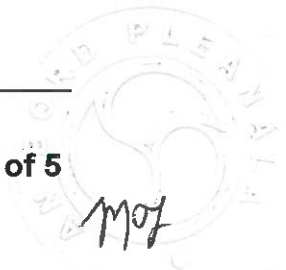
Planning Authority: Fingal County Council

Planning Register Reference Number: F20A/0514

Appeal by Pascal Wynne and Renata Wynne care of Peter P. Gillett and Associates of 55 Glencarraig, Sutton, Dublin against the decision made on the 19th day of February, 2021 by Fingal County Council to grant subject to conditions a permission to Carrickhill Property Limited care of Michael Tweed Architects of 2 New Road, Ballymastone, Donabate, County Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: Modifications to previously approved development granted under planning register reference number F16A/0125 comprising the following:

- (1) redesign of House A as a detached two-storey four bedroom house of area 203 square metres with two first floor balconies on the northwest elevation, a first floor terrace to the southeast and with hardstanding parking for two cars to the front accessed directly from the internal access road;
- (2) omission of House B to provide enlarged garden for modified House A;



(3) retention of House C, Ard Aulin, as the existing single storey bungalow with the existing southwest entrance removed, a new front porch provided on the northeast elevation, and vehicular entrance and hardstanding parking as previously approved on the northeast side of the house;

(4) minor extension on northeast side of House D to increase house to a four bedroom dormer bungalow of 206 square metres with remodelled dormer windows on the southwest elevation and omission of previously approved garden shed in the northeast corner of the site; and

(5) minor modifications to the entrance into House C and House D;

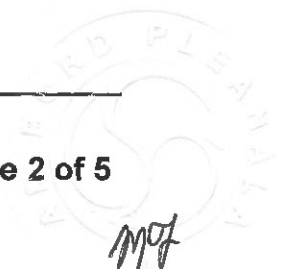
All of the above at Ard Aulin, Carrickhill Road Upper, Portmarnock, County Dublin.

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 layout, design and scale of the proposed modifications to the development permitted under planning register reference number F16A/0125, An Bord Pleanála reference number PL 06F.247355 and the existing development in the vicinity of the appeal site, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual and residential amenities of property in the vicinity and would provide a satisfactory standard of residential amenity for future occupants of the permitted housing, would not prejudice the orderly development of the surrounding area and would comply with the zoning objective "RS" residential for the site, as set out in the Dun Laoghaire-Rathdown County Development Plan 2016-2022, "to provide for residential development and protect and improve residential amenity". The proposed development would therefore be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be 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 25th day of January, 2021, 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. Apart from any departures specifically authorised by this permission, the development shall be carried out and completed in accordance with the terms and conditions of the permission granted on appeal under planning register reference number F16A/0125, An Bord Pleanála reference number PL 06F.247355, and any agreements entered into thereunder.

Reason: In the interest of clarity and to ensure that the overall development is carried out in accordance with the previous permission.

3. Prior to commencement of development, the developer shall submit to, and agree in writing with, the planning authority an updated structural report demonstrating the proposed development would not impact on the stability and integrity of adjoining lands, property and common boundary walls.

Reason: In the interest of the residential amenities of adjoining property.

4. 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.

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.

DR. Maria FitzGerald

Maria FitzGerald

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**



Dated this 11th day of October 2021.