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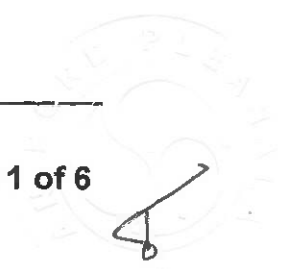
**Planning and Development Acts 2000 to 2020**

**Planning Authority: Fingal County Council**

**Planning Register Reference Number: F20A/0297**

**Appeal** by Mary Taylor care of Hughes Planning and Development Consultants of 70 Pearse Street, Dublin against the decision made on the 1<sup>st</sup> day of March, 2021 by Fingal County Council to grant subject to conditions a permission to John and Leonora Ward of Deepwater, Thormanby Road, Baily, Howth, County Dublin in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** The demolition of part of the ground floor at the rear of the dwelling (25.38 square metres) and the construction of single storey extension to rear of 39.05 square metres consisting of new kitchen, dining room, living and utility, internal alterations, new terrace to rear garden, upgrading of existing windows, re-alignment of existing roof at the rear including upgrading of four dormer windows to existing bedrooms to first floor (increasing floor area by 4.55 square metres ), installation of 10kw photovoltaic panels, installation of a 1.6 metres high boundary railing to the western boundary with associated planting and landscape works, insulation upgrades, cladding of front wall with natural stone, new vehicular gate, and for all associated site works at 'Deepwater', Thormanby Road, Baily Howth, 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 location of the site on zoned lands in Howth, the existing nature, scale and extent of development on this suburban plot which contains an existing detached dwelling house, the modest nature of the proposed demolition, alterations and additions works together with the pattern of development in the area, it is considered that the proposed development, subject to compliance with the conditions set out below, would not seriously injure the amenities of the area or of property in the vicinity and would not conflict with the provisions of the Fingal County Development Plan 2017-2023, or the 1999 Howth Special Amenity Area Order. 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, as amended by the further plans and particulars submitted on the 2<sup>nd</sup> day of February, 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. The extended deck area at level +80.17, along the eastern boundary indicated on the plans submitted to the planning authority on the 2<sup>nd</sup> day of February, 2021, shall be omitted. The raised deck area to the rear elevation of the house shall be as indicated on the Proposed Ground Floor and First Floor Plan drawing number DBH\_PL\_P\_04 submitted to the planning authority on the 23<sup>rd</sup> day of June, 2020. An accessible terrace/deck area shall only be provided where rear garden depths to the red line boundary are 11 metres or more.

**Reason:** In the interest of clarity.

3. The finishes to the front boundary wall shall be local stone or equivalent.

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

4. A timber rail fence with a height of 1.2 metres and temporary heath screen to protect new planting shall be provided along the western boundary.

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

5. All external finishes to the additions and alterations of the dwelling shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

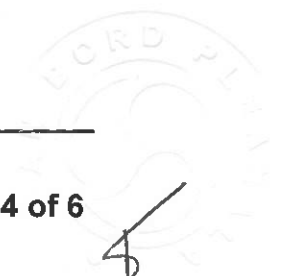
**Reason:** In the interest of visual amenity.

6. 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. These shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development

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

7. Site development and building works shall be carried out only between the hours of 0800 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 residential amenities of property in the vicinity.



8. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including noise management measures and off-site disposal of construction/demolition waste.

**Reason:** In the interests of amenities, public health, and safety.

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.

*T. Ó Niadh*

Terry Ó Niadh

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



Dated this *21<sup>st</sup>* day of *August*, 2021.