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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Fingal County Council**

**Planning Register Reference Number: F20B/0283**

**Appeal** by Thomas Elders of 25 Abbeylands, Lusk Village, Lusk, County Dublin against the decision made on the 21<sup>st</sup> day of April, 2021 by Fingal County Council to grant subject to conditions a permission to Robert and Fiona Pender care of Bell Associates of Executive House, Whitestown Road, Rush, County Dublin in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Construction of new two-storey extension to rear of existing dwelling comprising ground floor - kitchen dining area, first floor - bedroom with ensuite, and associated site works at 27 Abbeylands, Lusk Village, Lusk, 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.

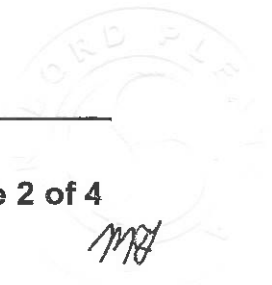
## **Reasons and Considerations**

Having regard to the nature and scale of the proposed development for an extension to the rear of a semi-detached dwelling in a residential estate, it is considered that the nature and scale of the proposed development would be acceptable within the context of the site. The orientation of the site to the north east of Number 25 and the design of the proposed development is such that it would not seriously injure the visual and residential amenities of adjoining properties in the area and would, therefore, be in accordance with the policies and objectives of the Fingal Development Plan 2017-2023 and 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 25<sup>th</sup> day of March 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 external finishes of the proposed extension (including roof tiles/slates) 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 0800 to 1800 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 adjoining property in the vicinity.

4. The site development works and construction works shall be carried out in such a manner as to ensure that the adjoining street(s) are kept clear of debris, soil and other material.

**Reason:** In the interests of orderly development and to ensure that the adjoining roadways are kept in a clean and safe condition.

5. 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.

6. 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.

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.

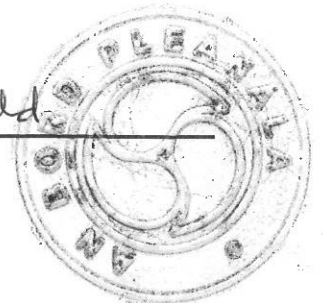
**Reason:** It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

*DR. Maria FitzGerald*

**Maria FitzGerald**

**Member of An Bord Pleanála**

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



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