



An
Bord
Pleanála

Board Order ABP-313584-22

Planning and Development Acts 2000 to 2022

Planning Authority: Fingal County Council

Planning Register Reference Number: F21A/0698

Appeal by Ciaran and Suzy Hanley care of CWPA Planning and Architecture of Unit 10, North Street Business Park, Seatown West, Swords, County Dublin against the decision made on the 19th day of April, 2022 by Fingal County Council to grant subject to conditions a permission to Jason Pugh care of Studio 6B Architects Limited of Brannigans Cross, Collon, County Louth in accordance with plans and particulars lodged with the said Council.

Proposed Development: Provision of one number three-bedroom one-and-a-half-storey dwellinghouse with connection into existing public services and vehicular access off Beresford Gardens and associated site works. Temporary site access during construction will be via Beverton House, all at site adjoining Beverton House, 25 Beresford Green, Beaverstown, Donabate, 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.

Reasons and Considerations

Having regard to the pattern of development in the vicinity of the site, and the provisions of the Fingal County Development Plan 2023-2029, including the residential zoning objective for the site, it is considered that, subject to compliance with the conditions set out below, the proposed development would not materially affect the amenities of property in the vicinity, would not endanger public safety by reason of traffic hazard, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The proposed 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 received by the planning authority on the 24th day of March, 2022, 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 proposed development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Details of the materials, colours and textures of all the external finishes to the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.



3. All bathroom/en-suite windows shall be fitted and permanently maintained with obscure glass. The use of film shall not be permitted.

Reason: In the interest of residential amenity.

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 and surface water management.

5. Prior to commencement of development, the developer shall enter into a water and wastewater connection agreement with Uisce Éireann.

Reason: In the interest of public health.

6. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground.

Reason: In the interest of visual and residential amenity.

7. The landscaping scheme shown on drawing number 21A07 PLA207 received by the planning authority on the 24th day of March, 2022 shall be carried out within the first planting season following substantial completion of external construction works. Any plant failures shall be replaced within the following planting season until such time that the plantings become established.

Reason: In the interest of visual amenity.

8. The construction of the proposed 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, inter alia, include the following requirements:
- (a) Details of the limitations on the hours of construction works.
 - (b) Details of all necessary measures to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads and the steps to be taken to remove any such spillage or deposit at the developer's expense.

Reason: In the interest of the 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.



Joe Boland

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board

Dated this 30th day of November 2023.