

An  
Bord  
Pleanála

Board Order  
ABP-313675-22

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**Planning and Development Acts 2000 to 2021**

**Planning Authority: Fingal County Council**

**Planning Register Reference Number: F22A/0122**

**Appeal** by Tony Olin care of Peter P. Gillett Planning and Development Consultancy of 55 Glencarraig, Sutton, Dublin against the decision made on the 3<sup>rd</sup> day of May, 2022 by Fingal County Council to refuse permission for the proposed development.

**Proposed Development:** Construction of one two-bedroom dormer bungalow with new driveway entrance from Offington Avenue, drainage and water connections, sustainable urban drainage system and other associated site works, all on site to the rear of 67 Offington Park, Sutton, Dublin.

## **Decision**

**GRANT permission for the above proposed development based on the reasons and considerations under and subject to the conditions set out below.**

## Reasons and Considerations

Having regard to Project Ireland 2040: The National Planning Framework and the relevant objectives which seek to consolidate residential growth in urban areas, and the provisions of the Fingal County Development Plan 2017-2023, including the residential zoning objective for the site, the specific characteristics of the site, and the pattern of development in the surrounding area, 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 or of property in the vicinity, would not be detrimental to the character of the Offington Estate, would be in accordance with Local Objective 118 and Policy Objective DMS44 of the Fingal County Development Plan 2017-2023, and would constitute an acceptable form of development at this location. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## Conditions

1. The proposed development shall comply 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 proposed 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 enter into water and/or wastewater connection agreement(s) with Irish Water.

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

3. Water supply and drainage arrangements, including the disposal and attenuation of surface water, shall comply with the requirements of the planning authority for such works and services.

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

4. The design and layout of the proposed vehicular entrance shall comply with the requirements of the planning authority. Details in this regard shall be submitted to the planning authority for written agreement prior to commencement of development.

**Reason:** In the interest of proper planning and sustainable development.

5. 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 provide details of intended construction practice for the proposed development, including noise management measures and off-site disposal of construction/demolition waste.

**Reason:** In the interest of public safety and residential amenity.

6. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays, inclusive, between 0800 hours to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall 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. 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 the Board to determine the proper application of the terms of the Scheme.

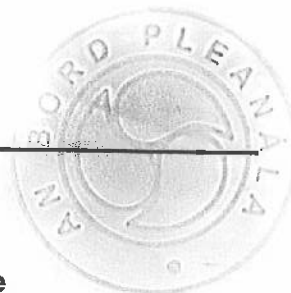
**Reason:** It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.



**Mick Long**

**Member of An Bord Pleanála**

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



Dated this 20 day of February, 2023.