

An  
Bord  
Pleanála

## Board Order ABP-313735-22

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**Planning and Development Acts 2000 to 2021**

**Planning Authority: Fingal County Council**

**Planning Register Reference Number: FW21A/0254**

**Appeal** by Brian and Patricia Clarke of 14 Westway Park, Blanchardstown, Dublin against the decision made on the 11<sup>th</sup> day of May, 2022 by Fingal County Council to grant subject to conditions a permission to Allan Clarke care of Loscher Moran Design Practice of Suite 6, First Floor, Providence House, Blanchardstown Corporate Park, Dublin in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Proposed Development: (i) Construction of a new two-storey, four-bedroom detached dwelling with single storey porch and bay window to front, single storey sun-room to rear, (ii) new 1.8 metre high boundary wall to rear garden and one metre high boundary wall to front driveway, (iii) modifications to existing driveway and entrance piers for provision of new vehicular entrance to proposed new dwelling, (iv) all associated site development works at 15 Westway Park, Blanchardstown, Dublin.

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## 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 policies and objectives of the Fingal County Development Plan, 2017-2023, the nature and scale of development proposed and the surrounding pattern of development, it is considered that, subject to compliance with the conditions set out below, the proposed development would accord with the zoning objectives for the site and relevant development standards, would not seriously injure the residential amenities of the area or of property in the vicinity and would be acceptable in terms of pedestrian and traffic safety. 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 14<sup>th</sup> day of April, 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 development shall be carried out and completed in accordance with the agreed particulars.

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

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2. The proposed development shall be amended as follows:

- (a) The separate pedestrian gate serving the proposed dwelling shall be omitted and a solid capped wall matching that of the roadside boundary of the existing host dwelling be provided in its place.

Revised drawings showing compliance with these requirements 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 and en-suite rooms shall be fitted and permanently maintained with obscure glass. The use of film is not acceptable.

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

4. The external finishes of the proposed extension (including roof tiles/slates) shall be the same as those of the existing dwelling in respect of colour and texture, details of which shall be submitted to and agreed in writing with, the planning authority prior to commencement of development.

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

5. 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.

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6. 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.

7. The developer shall enter into water and/or wastewater connection agreement(s) with Irish Water prior to commencement of development.

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

8. All services to the proposed development including telephone and electrical cables and associated equipment shall be located underground throughout the site. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

**Reason:** In the interests of residential and visual amenity of the area.

9. The footpath shall be modified and dished at the entrance in accordance with the requirements of the planning authority. Details of the location and materials to be used in such dishing, replanting of roadside tree shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interests of safety and visual amenity.

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10. 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 a demolition management plan, together with details of intended construction practice for the development, including a detailed traffic management plan, noise management measures and off-site disposal of construction and demolition waste, protection measures for the adjacent open space and trees.

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

11. 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 the 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.

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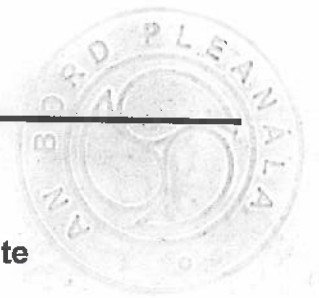
**Reason:** It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.



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**Peter Mullan**

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



Dated this 9<sup>th</sup> day of March, 2023