

An
Bord
Pleanála

Board Order
ABP-313876-22

Planning and Development Acts 2000 to 2022

Planning Authority: Fingal County Council

Planning Register Reference Number: F21A/0320

Appeal by Adam and Michelle Kelly of 12 Burrow Road, Sutton, Dublin and by Phillip Farrelly of 10 Burrow Road, Sutton, Dublin against the decision made on the 26th day of May, 2022 by Fingal County Council to grant subject to conditions a permission to Jackie and Reginald Revill care of Minnow Design of Space Studio, Link Road, Glathule, County Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: Demolition of the part single and part two-storey return to the existing terraced house and replacement with a part one-storey flat, extensive green roof extension with rooflights and open courtyard and part two-storey pitched roof extension with external framing. Development also to include raising the west party, garden wall to 1.8 metres over ground floor patio level and new internal doors to replace window from dining room, all to rear/north elevation. Some internal modifications to walls, stairs and sanitary facilities and all associated drainage, demolitions and site works, all at 11 Burrow Road, Sutton, 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 location of the proposed development in an area zoned 'Residential' with the objective 'to provide for residential development and protect and improve residential amenity' in the Fingal County Development Plan 2023-2029, it is considered that, subject to compliance with the conditions set out below, the proposed development would not give rise to overlooking or overshadowing of adjoining property, would be in accordance with the provisions of the development plan and 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 received by the planning authority on the 29th 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.

2. The flat roof at first floor level to the rear of the house shall not be used as amenity space and shall only be accessible for the purposes of emergency access and/or essential maintenance.

Reason: In the interests of residential amenity and clarity.

3. Surface water drainage arrangements shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

4. Details of the external finishes of 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.

5. Site development and building works shall be carried only out between the hours of 0700 to 1900 Mondays to Fridays, inclusive, between 0800 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 residential amenities of property in the vicinity.

6. 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.

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.

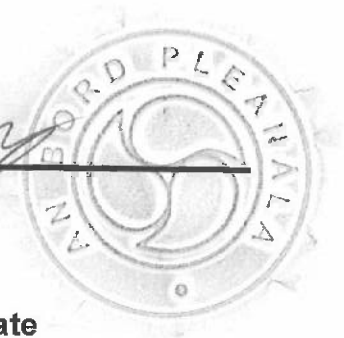


Stephen Brophy

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.



Dated this 27th day of July 2023.