

Planning and Development Acts 2000 to 2022

Planning Authority: Fingal County Council

Planning Register Reference Number: F22A/0561

Appeal by Joe Briody and others of Faoiseamh, 3 New Road, Howth, County Dublin against the decision made on the 6th day of December, 2022 by Fingal County Council to grant subject to conditions a permission to Shaun Cox care of Downey Planning of 29 Merrion Square, Dublin in accordance with plans and particulars lodged with the said Council.

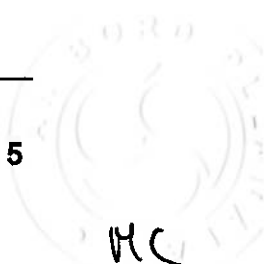
Proposed Development: Retention permission is sought for amendments to the previously permitted development of two number detached single-storey residential dwellings (granted under planning authority register reference number F18A/0753 and ABP 305068-19) consisting of (1) minor increase to the footprint and associated floor area (32 square metres) and a slight reorientating of house number two (2) Lowering of the ground level of house number two (3) Revised internal layout to house number two. Permission is also sought for completion of the development, including amendments to the elevations and materials of the house to facilitate the revised internal layout and all associated site and infrastructural works necessary to facilitate the development, all at Windgate Rise, Howth, 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 planning history, the residential zoning and the established residential area in which the site is located, and to the nature, form and extent of the amendments to the permitted development that are proposed, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of adjoining properties or the visual amenities of the area, would be in accordance with the policies and objectives of the Fingal County Development Plan, 2023-2029, and the Howth Special Area Amenity Order. The development proposed for retention and the proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.



Conditions

1. The proposed development shall be completed in accordance 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 the 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 development shall be carried out in accordance with the terms and conditions attached to the grant of permission under An Bord Pleanála reference number ABP-305068-19 (planning authority register reference number F18A/0753), except as may otherwise be required in order to comply with the amendments in the current application and the requirements of the conditions set out below.

Reason: In the interest of clarity.

3. The east elevation window shall be glazed with obscure glass and shall be top hung pivot opening only.

Reason: In the interest of residential amenity.

4. No objects, structures or landscaping shall be placed or installed within the visibility triangle exceeding a height of 900 millimetres, which would interfere or obstruct (or could obstruct over time) the required visibility envelopes.


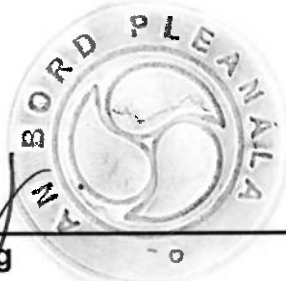
Reason: In the interests of visual and residential amenity.

5. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. All existing over ground cables shall be relocated underground, as may be necessary, as part of the site development works.

Reason: In the interests of visual and residential amenity.

6. Within three months of the date of the grant of permission, the developer shall submit to, and agree in writing with, the planning authority a revised landscape plan to include full details of screen planting (which shall be in accordance with the Howth Special Amenity Area Order Design Guidelines), along all the site boundaries and, full details of the external cladding, (which be in natural 'Howth' stone) for the retaining wall along the front west side boundary. The stone cladding and planting scheme and shall be implemented within the first planting season following substantive completion of external construction.

Reason: In the interest of visual and residential amenities of the area.

Mary Cregg
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this 2nd day of February 2024.