

An
Bord
Pleanála

Board Order
ABP 317252-23

Planning and Development Acts 2000 to 2022

Planning Authority: Fingal County Council

Planning Register Reference Number: F23A/0110

Appeal by Derek and Emma Melia of 12 Swords Manor Court, Swords, County Dublin against the decision made on the 16th day of May, 2023 by Fingal County Council to refuse permission for the proposed development.

Proposed Development: Retention will consist of new gable wall to the side of the existing house, a new 4.5 metre wide dormer roof to the rear of the existing house roof, three number velux windows to the front of the existing house roof and all ancillary works at 12 Swords Manor Court, Swords, 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 condition set out below.

Reasons and Considerations

Having regard to:

- (1) the zoning of the site under Objective 'RS' Residential to 'Provide for Residential Development and protect and improve Residential Amenity',
- (2) planning policies and objectives under the Fingal County Development Plan 2023-2029,
- (3) the nature, scale and design of the development,
- (4) the existing pattern of development in the vicinity, and
- (5) the planning history of the site,

it is considered that, subject to compliance with the conditions set out below, the development proposed to be retained would not seriously, or disproportionately, injure the amenities of the area or of property in the vicinity, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained and 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 such details in writing with the planning authority within three months from the date of this Order and the development shall be retained and completed in accordance with the agreed particulars.


Reason: In the interest of clarity.


2. 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.

3. 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 Contributions Scheme made under section 48 of the Planning and Development Act 2000 as amended. The contribution shall be paid in 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.




Liam Bergin
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this 27 day of September 2023