



An
Bord
Pleanála

Board Order
ABP-318537-23

Planning and Development Acts 2000 to 2022

Planning Authority: Fingal County Council

Planning Register Reference Number: F23A/0464

Appeal by David and Avril Malone of 26 Dooroge Woods, Ballyboughal, County Dublin against the decision made on the 1st day of November, 2023 by Fingal County Council to grant, subject to conditions, a permission to Alexandra and David Thompson care of Paul M Keatley Architects of Sycamore Lodge, Barren Hill, Sutton, Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: A single storey granny flat connected to the existing house and consisting of a lobby, lounge/kitchen, main bedroom, carer's bedroom, bathroom and utility room all to rear of existing house at 28 Doorage Woods, Ballyboughal, 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 conditions set out below.

Reasons and Considerations

Having regard to the single-storey height and scale of the proposed works, the established pattern of residential development in the area, with reference to the submitted documentation, Objectives CSO68 (Rural Villages) and DMSO26 (Separation Distance between Side Walls of Units) and Sections 14.8.2 (Separation Distances), 14.10.2.3 (Ground Floor Extensions (rear)) and 14.10.3 (Family Flats) of the Fingal County Development Plan 2023-2029, and subject to compliance with the conditions set out below, it is considered that the proposed development would constitute an acceptable form of development at this location and would not give rise to significant negative visual or residential amenity impacts. 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, 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 windows serving the proposed bathroom/wet room and store/utility at the northern façade of the proposed development, as shown in the Proposed Ground Floor Plan drawing number 003, shall be fitted with permanently obscured glazing.

Reason: To protect the privacy of future residents.

3. The independent family unit for family members shall not be sold, let or otherwise conveyed as an independent living unit and shall revert to use as part of the main dwelling on the cessation of such use. The existing garden and curtilage of the overall residential property on this site shall not be subdivided.

Reason: In order to comply with the provisions of Section 14.10.3 of the Fingal County Development Plan 2023-2029.

P.C.

4. The external finishes of the development (including roof tiles/slates) shall be the same as those of the existing dwelling in respect of colour and texture.

Reason: In the interest of visual amenity.

5. 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.

6. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Friday 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.

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 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.



Patricia Calleary

Member of An Bord Pleanála

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

Dated this 7 day of August 2024.

P.C.