

An
Bord
Pleanála

Board Order
ABP-320796-24

Planning and Development Acts 2000 to 2022

Planning Authority: Fingal County Council

Planning Register Reference Number: F24A/0026

Appeal by Mark Costello of 19 Strand Road, Baldoyle, Dublin against the decision made on the 19th day of August, 2024 by Fingal County Council to grant permission subject to conditions Kevin and Brendan Walsh care of Tyler Owens Architects of The Mash House, Distillery Road, Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: The development will consist of the construction of single-storey garage and home office, ancillary to number 17 and 17A Strand Road, with existing vehicular and pedestrian access off 'The Mall', with on-curtilage car parking; associated boundary treatment; landscaping; SuDs drainage and all ancillary works necessary to facilitate the development all at Lands to the rear of number 17 and 17A Strand Road, Baldoyle, Dublin, off 'The Mall', Baldoyle, Dublin as revised by further public notices received by the planning authority on the 18th day of June, 2024.

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 provisions of the Fingal County Development Plan 2023-2029, including the zoning objective for the site ('RS – Residential'), which seeks to provide for residential development and protect and improve residential amenity, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual or residential amenities of the area, or of property in the vicinity and would provide an acceptable standard of amenity for future residents. 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 received by the planning authority on the 18th day of June 2024 and on the 23rd day of July 2024, 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.
 - (a) The proposed development shall not reduce or encroach upon the width of the existing wayleave/right of way.
 - (b) The existing wayleave/right of way shall be implemented and maintained at a minimum width of 1.2 metres, for the extent of the site, and revised plans demonstrating this width shall be submitted to and agreed with the planning authority prior to the commencement of development.
 - (c) The height of Boundary Treatment A shall not exceed one metre in height.
 - (d) The design of the pedestrian gate at the entrance to the existing wayleave/right of way (Boundary Treatment D) shall be amended to a simple metal gate as per the entrance at the end of the laneway onto Strand Road.

Reason: In the interest of proper planning and sustainable development.

3. The proposed garage/home office shall be used solely for use incidental to the enjoyment of the dwelling house and shall not be used for human habitation or be sold, rented or leased independently of the house and shall not be used for the carrying out of any trade or business.

Reason: In the interest of orderly development.

4. 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.

5. Site development and building works shall be carried out only between the hours of 0800 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.

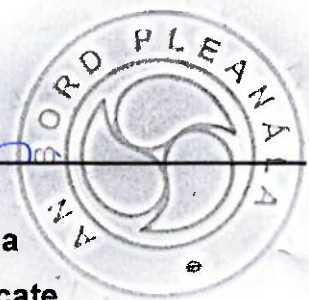
Reason: In order to safeguard the residential amenities of property in the vicinity.



Patricia Calleary

Member of An Bord Pleanála

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



Dated this 07 day of January 2025.