

## Board Order 06F.LV.3357

Planning and Development Acts 2000 to 2017

**Planning Authority: Fingal County Council** 

Planning Register Reference Number: FW17A/0110

**Application for Leave to Appeal** against the decision of the planning authority by Fairhaven Residents Association care of Louise Larkin of 49 Fairhaven Avenue, Castleknock Road, Dublin having an interest in land adjoining the land in respect of which Fingal County Council decided on the 22<sup>nd</sup> day of August, 2017 to grant subject to conditions permission to Flynn and O'Flaherty Construction care of OMS Green Limited of 63 Mount Street Lower, Dublin.

Proposed Development: Construction of 81 number dwellings consisting of 24 number three bed and 28 number four bed two-storey semi-detached dwellings and one number three bed two-storey detached dwelling forming Phase 2 of an overall development at Fairhaven (permitted under register reference FW13A/0052), with access from the existing road network via Fairhaven Avenue/Fairhaven Road though the Fairhaven Estate with entrance from the Castleknock Road, with a further 28 number four bed three-storey terraced dwellings accessed from N3 (Navan Road) fronting onto Phoenix Park Avenue and all associated external works including modifications to previously granted permissions (F08A/1292, F06A/0831 and F02A/1255) and extension to existing Phoenix Park Avenue roadway, all at former Phoenix Park Racecourse, Castleknock Road, Dublin.

## **Decision**

REFUSE leave to appeal under section 37 (6) of the Planning and Development Act, 2000, as amended, based on the reasons and considerations set out below.

## **Matters Considered**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

## **Reasons and Considerations**

Having regard to the submissions and documents received in connection with the application for leave to appeal and the conditions set out in the planning authority's decision, it is considered that it has not been shown that the development in respect of which a decision to grant permission has been made will differ materially from the development as set out in the application for permission by reason of conditions imposed by the planning authority.

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

Dated this day of 2017

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