



An
Bord
Pleanála

Inspector's Report

ABP-308413-20

Development	Reconfiguration of 6 apartments to 4 apartments and construction of additional 3rd storey level.
Location	Island View Apartments, Fair's Lane, Skerries, Co Dublin
Planning Authority	Fingal County Council
Planning Authority Reg. Ref.	F19A/0573
Applicant(s)	Jason Peters.
Type of Application	Permission.
Planning Authority Decision	Grant permission
Type of Appeal	Third Party
Appellant(s)	Elizabeth O'Riordan.
Observer(s)	None.
Date of Site Inspection	1 st February 2021.
Inspector	Barry O'Donnell

1.0 Site Location and Description

- 1.1. The subject site is located at Fair's Lane, to the rear of 1 Island View (also known as 22 South Strand), in the centre of Skerries. The site is L-shaped, extending partly across the rear of the neighbouring property, 21 South Strand, and it has a stated area of 0.0188ha.
- 1.2. The site contains an unoccupied 3-storey apartment building with an external staircase on its southern side, which provides access to upper floors. The building contains 6 No. 2-bed apartments, split equally across floors, and has a stated gross floor area of 294.12sqm.
- 1.3. The existing apartment building bounds Fair's Lane to the north, a service lane adjoins to the west and there are residential properties to the south. The site is in an area of mixed character, with traditional and contemporary building designs in evidence and there are a number of apartment developments in the vicinity, in particular The Tides, which is a 4-storey apartment building directly opposite the site, to the north.
- 1.4. The Skerries Architectural Conservation Area, which covers the centre of the town, incorporates the lands to the west of the site along Friar's Lane. The site itself is outside of this designation.

2.0 Proposed Development

- 2.1. Permission is sought for reconfiguration of an existing 3-storey, 6 No. 2-bedroom apartment complex, to provide 4 No. apartments comprised of 2 No. 3-bed units and 2 No. 2-bed duplex apartments and including the construction of an additional storey at third floor level and the construction of a new three-storey stair core extension at the west end of the building.
- 2.2. The proposed reconfigured layout will provide single apartments at ground and first floor levels, both 3-bed units, and 2-bed duplex units across the second and third floor levels. The 3-bed units (apartments 1 and 2) would measure 94.1sqm and 94.4sqm, duplex apartment No. 3 would measure 81.4sqm and duplex apartment No. 4 would measure 93.5sqm. The gross floor area of the proposed building is 404.12sqm.

- 2.3. The proposed third floor extension measures 89.2sqm and would increase the building's overall height by c.2.9m, to 12.1m. The extension would project upwards from the front (north) of the building, measuring 7.1m in depth and it would extend over the full external envelope of the existing building. It would be set back from the south property boundary by 5.1m and 3m from the edge of the proposed stair core extension at the west end of the building.
- 2.4. The proposed three-storey stair core extension measures 32.8sqm and would project 3m from the west end of the building. It would be set back from the front (north) elevation, in order to allow own-door access to the ground floor apartment, and each of the above-ground apartments would be accessed from it.
- 2.5. The development also includes the removal of external elements of the existing building, in particular an external stairwell which extends to second floor level, along the south elevation of the building.
- 2.6. At the further information stage the proposed development was amended, with the site area extended in order to provide additional outdoor space, to provide external bin storage facilities and a bicycle rack and to reduce proposed parking provision to 1 disabled space total.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. On 16th September 2020, Fingal County Council granted permission for the development, subject to 15 No. planning conditions.

Condition 4 required that windows at third floor level (i.e. the permitted new floor) on the south elevation serving living accommodation and the stair core should be fitted with and permanently maintained with obscure glass and that the windows serving bedroom No. 3 at ground floor level, bedroom No. 3 at first floor level and bedroom No. 2 at second floor level shall be served by high-level windows, with a cill level of not less than 1.8m.

3.2. Planning Authority Reports

- 3.2.1. Planning Reports dated 31st January 2020 and 11th September 2020.
- 3.2.2. The first report noted that the site is located adjacent to but outside the Skerries Architectural Conservation Area and is zoned 'TC', for town and district centre development purposes. The Report noted that whilst some of the proposed apartments failed to achieve development plan and 2018 apartment guidelines minimum standards, in relation to bedroom areas, private amenity space and storage spaces, and did not provide any communal open space, the proposal was considered to be generally compliant with the requirements of the 2018 apartment guidelines. The provision of an additional floor was considered acceptable in this location and the development was not anticipated to give rise to any undue impacts of the amenity of the area, instead, positively contributing to the character of the area. Regarding potential overlooking issues, the report outlined that the proposed additional floor may generate additional overlooking of property to the south and recommended that a number of windows should be fitted with obscure glazing. The report recommended that additional information should be sought in relation to (a) potential overshadowing of neighbouring property, (b) bin storage, (c) construction management, (d) access and car parking proposals, (e) surface water drainage proposals and (f) access arrangements within the site.
- 3.2.3. The second report followed receipt of the additional information response and followed a period of additional public consultation, following the submission of significant additional information on 31st July 2020. Regarding access arrangements, the report noted that the proposal had been revised, proposing to provide 1 No. disabled parking space instead of 2 No. originally proposed spaces. The report noted that the Transportation Planning Section considered this aspect of the development to be substandard but determined that it was acceptable in this instance. The remaining elements of the Further Information request were considered to be satisfactory and the Report recommended that permission should be granted for the development. The recommended planning conditions reflect those attached to the Planning Authority's decision to grant permission.
- 3.2.4. Other Technical Reports

Transportation Planning Section – 2 reports were provided, the first of which was undated and the second was dated 9th September 2020. The first report requested that a swept path analysis should be provided, demonstrating the turning manoeuvres required for a standard design vehicle for access and egress from all parking spaces to be provided. The applicant was also requested to consult with the Transport section, prior to submitting a response. The second report outlined that the Section did not support the development, as the lack of parking provision was considered unacceptable. The report outlined that 1 parking space per unit was a minimum requirement.

Water Services Section - Reports dated 17th December 2019 and 31st August 2020. The first report requested further information in relation to surface water drainage proposals and suggested that a green roof should be considered. The second report outlined no objection to the development, subject to a number of standard planning conditions.

The Planning Reports indicate that the Parks & Green Infrastructure Division and Conservation Officer were consulted on the application and that no responding reports were received.

3.3. **Prescribed Bodies**

- 3.3.1. Irish Water – Submissions dated 7th January 2020 and 31st July 2020. Both submissions outlined no objection to the development, subject to standard requested planning conditions.

3.4. **Third Party Observations**

- 3.4.1. A number of observation letters were received, the issues raised within which can be summarised as follows:
- The development would have a significant impact on adjoining properties, resulting from negative visual impact, overlooking, overbearing, loss of privacy and loss of daylight.

- Due to the building's location and close proximity to the common boundary with 21 South Strand, the development would overwhelm the rear private open space of this property.
- The extent of the impact of the development on adjoining dwellings was not adequately illustrated on the application drawings.
- The proposed increase in height of the building would be contrary to the zoning objective for the area and is excessive in nature.
- The development is out of character with the area.
- The proposal represents overdevelopment of the site, by reason of design, layout and massing.
- The development does not provide any communal open space, apartment Nos. 1 and 2 have no private open space and apartment Nos. 3 and 4 are provided with north-facing balconies. This was considered unacceptable.
- Parking in the area is restricted and the development would have a major impact.
- The value of property in the vicinity would be affected by the development.
- The construction phase of the development will result in increased noise and dust.
- The safety and viability of an additional floor was questioned.
- Works on the proposed development have been commenced.
- One observer requested that, should permission be granted, windows on the south elevation should be obscure glazed to reduce the impact of overlooking.

3.4.2. 1 additional observation was received following the submission of revised public notices, the issues raised within which can be summarised as follows:

- The Planning Authority was requested to maintain the existing visual amenity of the locality and residential amenity of adjacent properties.
- The additional information provided by the applicant was considered inadequate to address previous concerns.

- The development was considered to have a detrimental impact on the amenity of adjacent residential properties, with reference to intrusive height, inappropriate scale and massing, loss of outlook and loss of privacy.

4.0 Planning History

4.1.1. I encountered the following records in my review of the site's planning history:

F97A/0948 – Permission granted on 28th January 1998 for retention of six apartments to the rear of 1 Island View.

F97A/0032 – (ABP Ref. PL.06F.102527) Permission refused on 15th September 1997 for retention of six apartments to the rear of 1 Island View.

5.0 Policy Context

5.1. Relevant Ministerial Guidelines

Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009)

5.1.1. The Guidelines set out key planning principles to guide the preparation and assessment of planning applications for residential development in urban areas. Of relevance to the current appeal, the Guidelines promote, in relation to the design and layout of residential developments in Cities and Larger Towns, the achievement of an efficient use of land appropriate to its context, while avoiding the problems of overdevelopment. Whilst promoting higher densities, the Guidelines identify a number of safeguards, as follows:

- *'compliance with the policies and standards of public and private open space adopted by development plans;*
- *avoidance of undue adverse impact on the amenities of existing or future adjoining neighbours;*
- *good internal space standards of development;*
- *conformity with any vision of the urban form of the town or city as expressed in development plans, particularly in relation to height or massing;*

- *recognition of the desirability of preserving protected buildings and their settings and of preserving or enhancing the character or appearance of an Architectural Conservation Area; and*
- *compliance with plot ratio and site coverage standards adopted in development plans.'*

Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2018)

5.1.2. The Guidelines set out standards for apartment developments, with the aim of ensuring that such developments are an attractive and desirable housing option in the future. Standards provided within the Guidelines include: the mix of units to be provided, minimum size thresholds for 1-bed, 2-bed and 3-bed units, the orientation and internal layout of units and private open space provision.

5.2. **Development Plan**

5.2.1. The site is zoned 'TC', Town and District Centre, under the Fingal County Development Plan 2017-2023, with an objective to '*Protect and enhance the special physical and social character of town and district centres and provide and/or improve urban facilities.'*

5.2.2. Skerries is identified by the development plan as a 'Moderate Sustainable Growth Town'. It is seen as attractive, compact and architecturally intact with significant local services and amenities and the historic core of the town has been designated as an Architectural Conservation Area.

5.2.3. The development strategy for Skerries is outlined at Section 4.3. The overarching development strategy for the town is to '*Consolidate the town, the preservation and enhancement of the distinct character and existing urban form, the development of its commercial/retail service function, the retention and enhancement of existing amenities and the promotion of its role as a local tourist destination.'* The strategy is supported by a number of Objectives, with those of relevance to the current appeal summarised as follows:

Objective SKERRIES 3 '*Encourage mixed use development and require where practicable that a residential component is included in redevelopment proposals within the designated town centre zone (TC).*'

5.3. **Natural Heritage Designations**

5.3.1. The site is not located within or adjacent to any Natura 2000 sites.

5.4. **EIA Screening**

5.4.1. Having regard to the limited nature and scale of the proposed development, which is a smallscale extension of an existing building in a town centre location, it is considered that there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

6.0 **The Appeal**

6.1. **Grounds of Appeal**

6.1.1. The grounds of appeal are structured under a number of separate headings. The issues raised can be summarised as follows:

- Loss of residential amenity
 - The development will lead to a significant loss of residential amenity at the appellant's home, 21 South Strand, resulting from negative visual impact and an overbearing impact arising from the dominant nature of the structure proposed.
 - The issue of overbearing has not been addressed and this shows a lack of consideration of the impacts of the development.
 - The development is located on a shared boundary and will be in close proximity to the adjacent dwellings. This will lead to an unacceptable loss of privacy.

- The development would overwhelm the rear private open space at the appellant's property and would increase the level of overlooking.
- The extent of the impact of the development on adjoining dwellings was not adequately illustrated on the application drawings.
- The provision of an additional storey to the subject building would reduce the usability of a habitable room within the appellant's dwelling.
- The Shadow Analysis provided at the further information stage is misleading and a more thorough analysis should have been undertaken. There was no discussion of impacts on light within habitable rooms of surrounding dwellings, which may be affected by the proposal. It is considered necessary to prepare and submit a more complete assessment, so that all impacts are discussed.
- Visual Impact
 - The development is out of character with the surrounding area, where the prevailing building height is two to two-and-a-half storeys. The development would be out of place in relation to Strand Street.
 - The development is excessive in its scale and will give rise to significant visual impacts, principally affecting dwellings directly south.
 - The development would be an over-scaled, bulky and intrusive mass sitting adjacent to the appellant's property, immediately north of their sole private open space area.
 - The overall mass and scale would be obtrusive and contrary to the TC zoning objective.
 - The development will dominate the streetscape when viewed from Fair's Lane.
- Mass, Scale and Design
 - The development represents overdevelopment of the site, by way of design, layout and massing on a restricted site surrounded by dwellings.
 - It is not considered appropriate that a building of increased height should result in a lower density of housing units.
- Residential Amenity for Occupiers

- The development does not provide any communal open space, apartment Nos. 1 and 2 have no private open space and apartment Nos. 3 and 4 are provided with north-facing balconies. This is unacceptable.
- The development will result in the area becoming less attractive to buyers, should existing owners wish to sell in the future. It is a primary objective of the development plan to ensure the protection of residential amenity and property value.
- The construction phase of the development will result in increased noise and dust. If approved, the development would contravene Objective PM69 of the development plan, which seeks to ensure that proposals do not have a detrimental impact on local amenity by way of traffic, parking, noise or loss of privacy.
- While the appellant is opposed to the development, should permission be granted, it is requested that windows on the south elevation should be obscure glazed to reduce the impact of overlooking.
- The Board is requested to refuse permission.

6.2. Applicant Response

6.2.1. Submission received dated 9th November 2020, the contents of which can be summarised as follows:

- Permission was granted by the Planning Authority, subject to 15 planning conditions. The applicant is happy to comply with all conditions.
- The existing building has permission and incorporates an external staircase/balcony and windows facing directly towards the appellant's rear garden. If permission is refused for the development, the applicant would upgrade the existing building including the external staircase and balcony.
- The removal of the external staircase and balcony will significantly enhance the residential amenities of property in the vicinity, by removing these unsightly elements which currently afford uninterrupted overlooking of the appellant's property.

- The development is not on a shared boundary. It is set back 5.2m from the appellant's boundary to the south and this is not being changed. The reconfigured building will be further back from the appellant's property, as a result of the removal of the external staircase.
- The development will not give rise to any overlooking and will instead eliminate all existing overlooking. The internal reconfiguration of the building and provision of an internal stairwell eliminates all significant existing overlooking and condition No. 4 of the Planning Authority's decision requires south-facing windows to be high-level. The applicant is happy to comply with this.
- The development will significantly enhance visual amenity. This was welcomed by the Planning Authority.
- The development comprises a reduction in the number of apartment units on the site and does not constitute overdevelopment. The additional floor is necessary as part of the proposed reduction in overall unit numbers. The proposed revised arrangement of external spaces around the building will improve the appellant's and general laneway access to adjacent properties.
- Existing south-facing balconies were removed in the interests of the appellant and the proposed north-facing balconies also take account of the appellant's interests.
- The level of amenities provided to future residents will be significantly better than the current situation and are substantially compliant with the requirements of the guidelines for new apartments. It is also noted that the Planning Authority considered these guidelines were not applicable to the development, which is a reconfiguration of an existing building.
- The development will significantly enhance the residential and visual amenities of the area. The proposed refurbishment requires an additional floor to be provided, to provide a modern level of amenity for residents. The alternative is to refurbish the existing apartments and external stairways under exempted development. The submitted plans and photomontages clearly show that the development will not dominate the streetscape but will enhance it. The proposal will be lower than the Tides apartment complex on the opposite side of Fair's Lane.

- The subject site is located north of the nearest residential properties, including the appellant's property. The submitted shadow analysis shows that there will only be minimal additional shadowing arising from the additional floor proposed.
- An Outline Construction Management Plan was submitted as part of the further information response and was found to be acceptable by the Planning Authority. This will ensure the development will be carried out with minimal impact on property in the area.

6.3. Planning Authority Response

- 6.3.1. A submission was received dated 9th November 2020, advising that the Planning Authority has no further comments to make. The Board is requested to uphold its decision to grant permission. In the event that its decision is upheld, it is requested that condition No. 15 of the Planning Authority's decision is included in the Board's Order.

6.4. Observations

- 6.4.1. None.

6.5. Further Responses

- 6.5.1. None.

7.0 Assessment

- 7.1. Having inspected the site and considered the contents of the appeal, the main planning issues in the assessment of the proposed development are as follows:

- Compliance with zoning objective,
- Impact on the character of the area,
- Impact on neighbouring properties,
- Quality of residential environment,
- Access and parking,

- Other issues,
- Appropriate Assessment

7.2. Compliance with Zoning Objective

7.2.1. The proposed development is consistent with the 'TC' zoning objective, as set out in the Fingal County Development Plan 2017-2023.

7.3. Impact on the Character of the Area

7.3.1. The site is centrally located in the town and it is visible in views from Strand Street, to the west, and South Strand, to the east. It is in an area of mixed character, with traditional terraced housing interspersed with more contemporary development including apartments.

7.3.2. The proposed additional floor would see the building's height raised by c.2.9m, to 12.1m. This aspect of the proposed development will undoubtedly bring about a noticeable change in the building's scale and massing and would result in the building extending over the ridge of 22 South Strand, thereby becoming visible from South Strand, but I do not consider it would have an adverse impact on the character of the area. The building is read as a separate structure, rather than an extension of 22 South Strand and it is adjacent to a 4-storey apartment building, The Tides. The building's height would remain below the height of the adjacent apartment building and the use of contemporary materials for the additional floor would, in my opinion, serve to distinguish its tallest section, improving the appearance of the building and enhancing its standing within the streetscape.

7.3.3. Regarding the adjacent Architectural Conservation Area designation, I am satisfied the development would have no adverse impact on this area of the town.

7.4. Impact on Neighbouring Properties

7.4.1. Overlooking, overshadowing, overbearing and loss of amenity are key aspects of the appellant's grounds of appeal.

7.4.2. Regarding overlooking and loss of amenity, the existing 3-storey building contains a number of windows at first and second floor levels, which overlook south-adjointing rear gardens in particular. And whilst the proposed additional floor contains additional window openings, they will not intensify the level of overlooking of

neighbouring properties. The current building layout contains 4 apartments across the first and second floor levels that each have south-facing windows overlooking neighbouring properties and the external stairwell also directly overlooks these properties, whilst the proposed layout would see the stairwell removed and a reduced total of 3 apartments across first, second and third floors would have south-facing windows overlooking these properties. In my opinion the proposed layout would result in the building having an improved relationship with neighbouring properties to the south, with reference to overlooking, particularly arising from the removal of the external stairwell.

- 7.4.3. Condition 4 of the Planning Authority's decision required that south-facing windows on the proposed additional floor should be obscure glazed and I note that the grounds of appeal request that, should permission be granted, these windows should be required to be obscure glazed. I consider it is unnecessary to require that windows serving the kitchen areas of both third floor apartments should be obscure glazed. Such a requirement would affect the quality of the living environment for future residents of these units by impeding the south aspect of the unit and the benefit, in terms of reducing the level of overlooking to the south, would be limited. I have outlined previously that the proposed development would result in an improved relationship to neighbouring properties to the south, in respect of overlooking, by reducing the number of units which overlook and by removing the external stairwell.
- 7.4.4. Regarding overbearing, the construction of an additional floor would undoubtedly be a noticeable addition, particularly in views from south-adjoining properties, but the extended building would not encroach towards the shared boundary with the neighbouring property and it would not overshadow south-adjoining properties. Consideration must also be given to the improved relationship with neighbouring properties that refurbishment of the building would bring about, particularly the removal of the external stairwell and, in my view, the refurbished building would have an improved visual relationship to neighbouring properties. I do not consider the issue of overbearing is such that a refusal of permission would be justified.
- 7.4.5. I note that the Planning Authority's decision required that windows serving bedroom No. 3 at ground floor level, bedroom No. 3 at first floor level and bedroom No. 2 at second floor level shall be served by high-level windows, with a cill level of not less than 1.8m, to protect the privacy of the rear garden of 22 South Strand. Given these

windows look directly onto the rear garden of 22 South Strand, I consider it would be appropriate to require that these windows should be high-level.

7.5. Standard of Residential Accommodation

- 7.5.1. Each unit exceeds the minimum requirements of the Design Standards for New Apartments Guidelines for Planning Authorities (2018) in relation to its overall size. There are, however, a number of instances of non-compliance relating to the layout of individual rooms within each unit, for example the aggregate bedroom area and dedicated storage space for each apartment falls below the minimum requirements of the Guidelines.
- 7.5.2. Regarding private open space, apartments 1 and 2 also are provided with no such space, whilst units 3 and 4 are provided with north facing winter gardens, within the building's envelope. There is no communal open space proposed.
- 7.5.3. Although there are instances of non-compliance in relation to the internal layout, the proposed development is a refurbishment of an existing building and the Guidelines advise that discretion should be exercised for building refurbishment schemes, on a case-by-case basis. In this instance, the proposed refurbishment and extension would in my view improve the standard of residential accommodation provided on the site. As I have set out above, the refurbishment of the building would also enhance its standing within the streetscape, to the betterment of the character of the area. I am therefore satisfied that the development provides an acceptable standard of accommodation for future occupiers.

7.6. Access and Parking

- 7.6.1. The application documents outline that the site currently provides 2 parking spaces, accessed via the laneway to the west. As part of the further information response, following a request for a swept path analysis drawing, the applicant amended the proposal; proposing 1 disabled space to serve the development. I note that the Planning Authority's Transportation Planning Section did not support the development, due to the low level of parking proposed.
- 7.6.2. Whilst I note the Transportation Planning Section's concerns, I do not consider it would be reasonable to refuse permission on the basis of a failure to provide 1 parking space per unit. Consideration must be given to the fact the building currently

provides 6 apartments, served by 2 parking spaces and the applicant can revert to this arrangement without further recourse to planning control. I am also cognisant that the Design Standards for New Apartments Guidelines promote reduced car parking standards for developments such as this, which are close to the town centre.

7.6.3. Where the development incorporates reduced parking provision, it is important to ensure that adequate provision is made for bicycle storage. Should the Board decide to grant permission, I would recommend that a condition be attached requiring details of bicycle storage measures to be agreed prior to the commencement of development.

7.6.4. The application drawings do not identify boundary treatments to the west of the site. To ensure there is clear delineation of public realm from the carriageway, and to ensure that no informal parking takes place to the west of the building, I would recommend that should the Board decide to grant permission, a condition be attached, which requires the layout and boundary treatment of the area to the west of the building should be agreed with the Planning Authority.

7.7. Other Issues

7.7.1. The grounds of appeal question the adequacy of the shadow analysis provided as part of the further information response, in particular requesting that additional analysis of the impact on habitable rooms within adjoining dwellings should be undertaken. I have previously outlined that the development will not overshadow south-adjoining properties. In respect of adjoining dwellings to the north, at The Tides, the assessment provided does not incorporate a floor-by-floor assessment of potential shadow impacts and this may be an issue which the Board would wish to clarify prior to a decision being made on the application. However, I am satisfied that, in this town centre location, the proposed development would have an acceptable relationship with the north-adjoining building.

7.7.2. Regarding concerns over the impact of the development on property values in the area, I have assessed the merits of the proposal and do not consider the development would give rise to any unacceptable overlooking, overshadowing or overbearing impacts. I therefore see no basis for concerns regarding devaluation of property.

7.7.3. Regarding concerns over construction phase impacts, it is inevitable that in an urban location such as this construction will generate noise, dust, etc. Subject to appropriate controls over the construction phase, I am satisfied that this aspect of the development would not have any unacceptable impacts for neighbouring properties. An outline construction management plan was provided at the further information stage and this provides an indication of the measures to be employed, to control and manage the construction phase. Should the Board decide to grant permission, I would recommend a condition be attached which requires the submission of a construction management plan, prepared by the appointed contractor, for the agreement of the Planning Authority.

7.8. Appropriate Assessment

7.8.1. The site is not located within or adjacent to any Natura 2000 site. The Skerries Islands Special Protection Area (Site Code 004122) is located approx. 600m to the east, within the Irish Sea.

7.8.2. Having regard to the nature and scale of the proposed development, which is an extension and refurbishment of an existing building in a town centre location, I do not consider that any Appropriate Assessment issues arise and I do not consider that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

8.0 Recommendation

8.1.1. I recommend that permission for the proposed development be granted, subject to conditions as set out below.

9.0 Reasons and Considerations

9.1. Having regard to the 'TC' zoning which applies to the site under the Fingal County Development Plan 2017-2023, under which residential development is permissible, together with the nature and scale of the proposed development and the pattern of development in the vicinity, it is considered that, subject to compliance with the conditions below, the proposed development would represent an appropriate form of development, which would be in keeping with the character of the area and would

not seriously injure the amenities of the area or the amenities of property in the vicinity. The proposed development would therefore be in accordance with the proper planning and sustainable development of the area.

10.0 Conditions

1.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by additional information received dated 31st July 2020, 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.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>Details of external finishes shall be submitted for the written agreement of the Planning Authority prior to commencement of works, no alterations to same will be permitted in the absence of prior written consent of the Planning Authority.</p> <p>Reason: In the interests of the proper planning and sustainable development of the area.</p>
3.	<p>Windows serving bedroom No. 3 at ground floor level, bedroom No. 3 at first floor level and bedroom No. 2 at second floor level shall be served by high-level windows, with a cill level of not less than 1.8m.</p> <p>Reason: In the interest of residential amenity.</p>
4.	<p>Prior to the commencement of development details regarding the treatment of the public realm area surrounding the proposed stair core extension shall be submitted, for the written agreement of the Planning Authority, which should include measures to preclude the use of the area for informal car parking.</p> <p>Reason: In the interests of public safety and residential amenity</p>

5.	<p>Prior to commencement of development the developer shall submit details regarding boundary treatments to the planning authority for written agreement.</p> <p>Reason: In the interest of visual amenity and to protect residential amenity</p>
6.	<p>The single car parking space shall be individually marked and assigned to the unit which it serves. The space shall be reserved for this identified use and shall not be let or sold separately.</p> <p>The single car parking space shall</p> <p>Reason: In the interests of the proper planning and sustainable development of the area.</p>
7.	<p>Bicycle parking shall be provided in accordance with the Planning Authority's requirements for same, details of which shall be submitted and agreed in writing prior to the commencement of development.</p> <p>Reason: In the interests of residential amenity and to ensure adequate provision is made for bicycle storage.</p>
8.	<p>Water supply and drainage arrangements shall comply with the requirements of the planning authority for such works and services, details of which shall be agreed in writing prior to the commencement of development.</p> <p>Reason: In the interest of public health.</p>
9.	<p>All service cables associated with the proposed development (such as electrical, communal television, telephone and public lighting cables) shall be run underground within the site.</p> <p>Reason: In the interests of orderly development and the visual amenities of the area.</p>
10.	<p>The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall include details of intended construction</p>

	<p>practice, noise management measures, parking proposals for construction workers on the site and storage of materials and waste within the site.</p> <p>Reason: In the interests of public safety and residential amenity.</p>
11.	<p>During the construction and demolition phases the proposed development shall comply with British Standard 5228 Noise Control on Construction and open sites Part 1, Code of practice for basic information and procedures for noise control.</p> <p>Reason: In order to safeguard the residential amenities of property in the vicinity.</p>
12.	<p>Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays 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.</p> <p>Reason: In order to safeguard the residential amenities of property in the vicinity.</p>
13.	<p>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.</p> <p>Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the</p>

	Development Contribution Scheme made under section 48 of the Act be applied to the permission.
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Barry O'Donnell
Planning Inspector

26th February 2021