



An
Bord
Pleanála

Inspector's Report ABP-318537-23

Development

Construction of a single storey granny flat connected to main dwelling consisting of a lobby, lounge/kitchen, main bedroom, carer's bedroom, bathroom and utility room, all to rear of existing house.

Location

28 Dooroge Woods, Ballyboughal,
County Dublin, A41 X437

Planning Authority

Fingal County Council

Planning Authority Reg. Ref.

F23A/0464

Applicants

Alexandra & David Thompson

Type of Application

Planning Permission

Planning Authority Decision

Grant Permission with Conditions

Type of Appeal

Third Party

Appellants

1 no. Appeal:
David & Avril Malone

Observers

None

Date of Site Inspection

05 July 2024

Inspector

Sinéad O'Connor

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1.0 Site Location and Description

- 1.1. The site of 0.105 ha is located in the rural village of Ballyboughal, circa 7km northwest of Swords in North County Dublin. The site forms No. 28 of Dooroge Woods residential development, and currently accommodates a detached 2-storey dwelling with in-curtilage car parking and a rear/side garden. Dooroge Woods is characterised by large detached 2-storey houses with front and rear gardens, orientated around landscaped public open spaces.

2.0 Proposed Development

- 2.1. The subject development comprises the construction of family accommodation to the rear of the existing dwelling. The proposed single-storey pitched-roof extension is 63 sq.m. in extent and is connected to the existing dwelling via the kitchen. The family accommodation will comprise 2 no. bedrooms, a living/kitchen, a bathroom, and a utility. The family accommodation will be 0.9 metres from the shared site boundaries to the north and to the west, will have a maximum height of 3.7 metres, and a parapet height of 2.6 metres.

3.0 Planning Authority Decision

3.1. Decision

On the 01 November 2023 Fingal County Council (the PA) issued a notification of their decision to grant planning permission for the development subject to 9 no. conditions. Conditions of note are summarised below as follows:

- Condition 2 requires that the family accommodation is not sold or let independently of the main house and that the link between the areas is maintained. When the family accommodation is no longer required, it shall revert to use as part of the main house.
- Condition 3 requires that the entire premises shall be used as a single dwelling unit.
- Condition 4 states that the external finishes shall match the existing dwelling.

- Condition 5 states that the development shall be set back 2.0 metres from the northern and western side boundaries.
- Condition 6 is derived from the report by the Water Services Department in respect of the soakaway and surface water drainage.

On the 26 September 2023 the PA issued a request for 1 no. item of Further Information in respect of demonstrating a need for the family accommodation proposed, in accordance with Objective SPQHO46 of the Fingal Development Plan 2023-2029. The Response was submitted to the PA on 06 October 2023 and is considered acceptable by the PA.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Planning Reports dated 26 September 2023 and 01 November 2023 form the basis of the PA decision. I consider that the following matters raised are of relevance.

- The area of the proposed development is zoned RV- Rural Village and the eastern part of the rear garden is zoned RU-Rural. The site is within Dublin Airport Noise Zone D.
- The development is acceptable in principle.
- No undue impacts in respect of overlooking or overshadowing owing to the single storey height of the development.
- No negative visual impacts as the external materials will match the existing dwelling.
- Quantum of remaining private open space is appropriate.
- The size and design of the family accommodation accords with Objective SPQHO46 of the Plan.
- The FI response submitted 06 October 2023 is acceptable. It is noted that the family accommodation will become part of the existing dwelling when it is no longer required.

- Works are proposed in close proximity to site boundaries. PA assessment recommends extending the site-back from 0.9 metres to between 1.2-1.5 metres in line with Universal Design Standards.

3.2.2. Other Technical Reports

Water Services Department: Report dated 05 September 2023. No objection subject to conditions as follows:

- Soakaways shall comply with BRE Digest 365, the GDSDS, designed to accommodate the 30-year critical duration storm event, include for climate change (minimum +20%), use site specific infiltration rates and rainfall data, and be at least 5m from any structure and 3m from any boundary. The red line boundary may need to be re-defined (within the blue line boundary) to achieve this.
- No surface water / rainwater is to discharge into the foul water system under any circumstances.
- The surface water drainage must be in compliance with the “Greater Dublin Regional Code of Practice for Drainage Works, Version 6.0, FCC, April 2006.

Transportation: Report dated 29 August 2023. No objection.

Irish Water: Report dated 07 September 2023. No objection subject to a condition in respect of a connection agreement and compliance with IW standards, codes and practices.

3.3. Prescribed Bodies

None

3.4. Third Party Observations

1 no. observation was made in respect of the application. All issues raised in the observations are contained in the observation to the appeal.

4.0 Planning History

The recent planning history of the site can be summarised as follows:

- PA Ref. F06A/1233: On 20 April 2015 planning permission was granted subject to conditions for the demolition of existing derelict farm structures and the construction of 37 no. houses. Under PA Ref. F06A/1233/E1 this permission was extended to expire on 18 November 2013.
- PA Ref. F14A/0396: On the 20 April 2015 planning permission was granted subject to conditions for the demolition of existing derelict farm structures and the construction of 37 no. houses.

Relevant planning history in the vicinity of the subject site:

- PA Ref. F16A/0480: On the 27 March 2017 planning permission was granted for a detached single storey extension of 62.5 sq.m. at Grove Farm House, Doorogue, Ballyboghil (Ballyboughal).

5.0 Policy Context

5.1. Development Plan

The Fingal Development Plan 2023-2029 is the relevant Statutory Plan. Policies and objectives of relevance to the proposal include the following:

- The site is zoned RV-Rural Village to protect and promote the character and vibrant community of the Rural Village. 'Residential' is listed as Permitted in Principle in zoned RV areas. Part of the private garden serving No. 28 is zoned RU-Rural. I note that residential development in zoned RU-Rural areas is Permitted in Principle subject to compliance with the Rural Settlement Strategy.
- In the Development Plan, the rural village of Ballyboughal is also referred to as Ballyboghil.
- Sheet No. 3 Fingal Central indicates that Ballyboughal is subject to Mapped Objective MP3.B and forms part of a Local Area Plan. Table 2.18 indicates that Ballyboghil (MP 3.B) will commence over the plan period.
- Table 11.1 'Uisce Éireann's Statement of Capacity (Uisce Éireann, February 2023) development standards' states that both Colecot and Ballyboughal are constrained settlements and that there are no immediate plans to upgrade the wastewater network serving these areas.

- Section 14.8.2 and Objective DMSO26 states that a separation of 2.3 metres shall generally be provided between the side walls of houses to allow for maintenance and access. It is noted that this separation distance may be reduced on a case-by-case basis.
- Section 14.10.2 states that the Council will support applications to amend existing dwellings to meet householder needs. Residential extensions must have regard to; the amenities of adjoining properties particularly in respect of sunlight, daylight and privacy; the character and form of the existing building; private open space; external finishes; fenestration; boundary treatments; planting; and landscaping.
- Under Section 14.10.2.3, proposed ground floor rear extensions will be considered in terms of their length, height, proximity to mutual boundaries and quantum of usable rear private open space remaining to serve the dwelling house. It is stated that the proposed extension should match or complement the existing dwelling house.
- Section 14.10.3 states that applications for family accommodation will be assessed in respect of the following criteria:
 - A requirement for the family flat must be demonstrated including details of the relationship between the occupant of the main dwelling and the occupant of the family flat.
 - When no longer requested for use as a family flat, the accommodation must be capable of being subsumed into the main property.
 - Any such extension to the main dwelling shall be subsidiary in scale relative to the main dwelling and shall not exceed an internal floor area of 75 sq. m.
 - The family flat should not impact adversely on either the residential amenities of the existing property or the residential amenities of the area.
 - The entrance to the family flat must be via the main dwelling. Where own-door access is unavoidable, own-door access shall be located to the side or rear.
 - No sub-division of the garden is permitted.

Table 14.16 'Aircraft Noise Zones' states that noise sensitive development in Zone D is likely acceptable and would not normally be refused on noise grounds.

Relevant development management policies and objectives include the following:

- Objective CSO68 'Rural Villages': Manage the development of Rural Villages within the RV boundaries and strengthen and consolidate their built form providing a suitable range of housing as an alternative to housing in the open countryside.

There are no LAP or masterplans applicable to the subject site. The Ballyboghil Local Area Plan 2012 was extended up to 07 May 2022, but has not been extended past this date and has, therefore, expired.

5.2. Natural Heritage Designations

The subject site is not within or immediately adjacent to any designated or Natura 2000 sites. The site is circa 5km to the west of the Rogerstown Estuary SAC (Site Code 000208), Rogerstown Estuary SPA (Site Code 004015) and Rogerstown Estuary pNHA (Site Code 000208) and circa 7km northwest of the Malahide Estuary SAC (Site Code 000205), Malahide Estuary SPA (Site Code 004025) and Malahide Estuary pNHA (Site Code 000205). The Site is 11km to the west of the North-West Irish Sea SPA (Site Code 004236) and circa 7km to the south of the Bog of the Ring pNHA (Site Code 001204).

EPA mapping does not show any waterbodies at the site, therefore, there are no direct hydrological connections between the subject site and any designated area or European site.

5.3. EIA Screening

See completed Form 1 Appendix 1. The proposed development comprises works to extend an existing dwelling. These works do not fall into a class of use under Schedule 5 of the Regulations and, therefore, I do not consider that EIA or Preliminary Examination for EIA is required in this instance.

6.0 The Appeal

6.1. Grounds of Appeal

1 no. Third Party Appeal against the PA decision was lodged on 28 November 2023. The substantive planning issues have been summarised below as follows:

- Inaccuracies in the submitted application drawings. The subject site is higher than the adjoining property to the north, which is not accurately shown in the submitted application drawings. Due to the level differences, the proposed development will be higher with reference to the adjoining site than is shown in the drawings.
- The existing rear garden at No. 28 is larger than is shown in the submitted application drawings.
- The proposed development should be located in the property's side garden to minimise impacts on adjoining properties.
- The proposed development is located too close to the Appellants' property.
- The proposed development will overlook the Appellants' property.
- The development will cause a loss of light to the Appellants' dwelling and garden.
- The development will exacerbate existing flooding issues at the Appellants' property.
- The proposed development is excessively large.
- Loss of value of the Appellants' property.

6.2. Planning Authority Response

A response has been received from the Planning Authority dated 04 January 2024. This response states that Condition 5 requires a 2-metre setback from the northern and western boundaries, and notes that no undue overlooking or overshadowing impacts will arise as a result of the proposed development. The Board is requested to include a condition requiring payment of a Section 48 Development Contribution.

7.0 Assessment

Having examined the application details and all other documentation on file, including the submissions received in relation to the appeal, and inspected the site, and having regard to relevant local policies, I consider that the main issues in this appeal are as follows:

- Inaccuracies in Application Drawings
- Impacts on Residential Amenity
- Compliance with Development Standards
- Surface Water Drainage

7.1. Inaccuracies in Application Drawings

- 7.1.1. The subject site comprises No. 28 Dooroge Woods, which is located within a relatively new residential development. The site adjoins similar dwellings to the north and west.
- 7.1.2. The Appellants raise concerns in respect of the accuracy of the submitted drawings in respect of adjoining site levels and the extent of the landholding at No. 28 Dooroge Woods.
- 7.1.3. The PA Planning Officers Report dated 01 November 2023 did not include an assessment of the potential inaccuracies in the application drawings.
- 7.1.4. Submitted Drawing No. 006 'Contiguous Side Elevations' shows that the subject site is at the same level as the adjoining property to the north. On the basis of my site visit, I consider that there is a level difference between the rear garden of the Appellants' property and the subject site that is not accurately shown in the submitted application documents. I estimate that this difference in level is in the region of 0.3 metres, and potentially varies across the northern boundary of the subject site. I do not consider that the difference in levels between the subject site and the adjoining property is significant with reference to the prevailing heights of the existing houses or the size of the individual plots in this part of Dooroge Woods. In this way, I do not consider that this inaccuracy prevents the assessment of the proposed development. Notwithstanding this inaccuracy, I consider that the

submitted application drawings generally accord with the requirements of the Planning and Development Regulations 2001, as amended.

- 7.1.5. In respect of the extent of the private rear garden serving No. 28 Dooroge Woods, I note that the entire landholding is clearly shown in submitted Drawing No. 001 'Location Plan'. I consider that the subject site appears to relate just to those parts of the landholding that are zoned RV-Rural Village under the Development Plan. In this way, I do not consider that the submitted drawings are misleading in respect of the extent of the Applicant's landholding.
- 7.1.6. Drawing from the above, I consider that the submitted application document is sufficient to facilitate my assessment of the proposed development.

7.2. Impacts on Residential Amenity

- 7.2.1. The subject site immediately adjoins 2 no. neighbouring properties; No. 26 to the north and No. 27 to the west. The houses at Nos. 26 and 27 are of similar height to the existing dwelling at the subject site but are of a slightly different design.
- 7.2.2. The Appellants raise concerns in respect of negative residential amenity impacts arising from the proposed development, particularly in respect of overlooking, overbearing and loss of sunlight.
- 7.2.3. The Planning Officers report dated 01 November 2023 states that, owing to its single storey height, undue negative impacts on the adjoining properties in respect of overlooking and overshadowing are not anticipated.
- 7.2.4. In respect of potential for overlooking of adjoining properties, I note that there is a sturdy and well-maintained fence at the shared boundaries of the site that is sufficiently tall to prevent direct overlooking from the proposed single storey development. As per the submitted documentation, there are no windows on the western façade of the proposed family accommodation. There is a glazed corridor between the proposed extension and the existing dwelling, which I consider is sufficiently removed from the western boundary to mitigate overlooking. The northern façade of the proposed accommodation has 2 no. windows that serve the proposed bathroom and utility, respectively. Notwithstanding the screening provided by the existing fence, I consider it appropriate that these windows are fitted with opaque glazing to protect the privacy of future residents. If the Board is minded to grant

planning permission for the proposed development I recommend that a condition is attached to this effect.

- 7.2.5. Drawing from the information submitted and from the site visit, it is my opinion that only part of the side walls and the roof of the proposed development will be visible from the adjoining properties to the north and west. Owing to the single storey height of this structure and the height of existing boundary fences, I do not consider that the works would be visually overbearing upon adjoining properties.
- 7.2.6. As is shown in Drawing No. 002 Block Plan, the proposed family accommodation is consistent with established building lines. It is shown that the eastern façade of the proposed development aligns with the rear façade of No. 26 to the North and the western façade aligns with the gable end of the existing dwelling. As the proposed development does not extend beyond the rear façade at No. 26, overshadowing impacts on adjoining habitable rooms is not anticipated. Owing to its single storey height and with reference to the height of the existing site boundary fences, it is my opinion that the proposed development will not cause significant overshadowing of the private rear garden at No. 26 or No. 27. Increased overshadowing of the ground floor side windows at No. 26 may occur as a result of the proposed development however, I consider that these windows are already overshadowed by the boundary fence such that any increased overshadowing as a result of the proposed development will be insignificant.
- 7.2.7. The Appellants suggest that the proposed family accommodation would be better placed to the eastern side of the existing house at No. 28. In this regard, I note that the side garden at No. 28 is largely zoned RU-Rural under the Fingal County Development Plan, whereas the area of the subject site is zoned RV-Rural Village. As per Objective CSO68 of the Development Plan and in the interest of preventing encroachment on rural areas, I consider it necessary and correct to restrict residential development to within the zoned footprint of Ballyboughal Rural Village. In this way, I do not consider that the provision of a residential extension on the adjoining rural lands would be appropriate in this instance.
- 7.2.8. Drawing from the above, I consider that the proposed development will not have significant negative impacts on adjoining residential amenity.

7.3. Compliance with Development Standards

- 7.3.1. The proposed development is located to the rear of an existing dwelling within an established residential scheme. The proposed family accommodation is subject to the provisions and development standards of the Fingal County Development Plan 2023-2029.
- 7.3.2. The Appellants state that the proposed development is too large and is located too close to the shared boundaries.
- 7.3.3. The Planning Officers report dated 01 November 2023 considers that the proposed development is located too close to the shared boundaries, and Condition No. 5 requires that the proposed development is located 2 metres from the northern and western site boundaries.
- 7.3.4. Drawing No. 003 Proposed Ground Floor Plan shows that the proposed development will be 0.9 metres from the shared boundaries to the north and west. From my measurements, the proposed development will be 2.5 metres from the side gable of the adjoining dwelling to the north. This separation distance exceeds the general 2.3 metre requirement under Section 14.8.2 and Objective DMSO26 of the Development Plan. The proposed development will not overhang or reduce the width of the existing side entrance at No. 26 and, therefore, will not reduce the residential amenity of this access. The Development Plan does not prescribe minimum separation distances to adjoining rear gardens. I note that the western boundary of the proposed development aligns with the western side of the existing dwelling. In this way, I consider that separation distance with the adjoining dwelling to the west is consistent with the established pattern of development. It is my opinion that the proposed 0.9 metre separation distance is sufficient to allow the maintenance of the proposed development and the shared boundary fences and is suitable to prevent significant impacts on adjoining residential amenities.
- 7.3.5. The PA assessment makes reference to Universal Design Guidelines in their assessment of the proposed separation distances. Section 3.8 'Private Outdoor Space' of the 'Universal Design Guidelines For Homes in Ireland: Spaces for Living' published by the Centre for Excellence in Universal Design suggests that private gardens should have a pathway of between 1.2 and 1.5 metres wide and a patio of at least 1.8 metres wide along the full width of the house. With reference to these

guidelines, I consider that the private open space and patio serving the existing dwelling and proposed extension is sufficiently large and flat to meet the needs of future residents. It is my opinion that a 1.2 to 1.5-metre-wide pathway around the perimeter of the rear extension is not necessary in this instance as these areas would only be used for the upkeep and maintenance of the development and are not designed to form part of the private amenity space.

- 7.3.6. In respect of Condition 5 of the PA decision, I note that the Planning Officers report dated 01 November 2023 does not give a justification for the 2-metre separation distance sought. In their assessment, the PA refers to a 1.2 metre to 1.5 metre separation distance to align with Universal Design Standards however, there is no discussion provided in respect of the 2-metre distance ultimately sought. It is my opinion that the provision of 2-metre separation distances would significantly alter the design and layout of the proposed development and is unnecessary in this instance with reference to the pattern of existing development, Development Plan standards and adjoining residential amenities. I note that the omission of the PA condition in respect of the 2-metre separation distance would bring the proposed development closer to the shared boundaries than the scheme appealed to the Board by the Third Party however, it is my opinion that the development shown in the submitted documents could not be built as shown if a 2-metre separation were applied. In this way, I do not consider it necessary or appropriate in this instance to require 2-metre separation distances to shared site boundaries.
- 7.3.7. Having reviewed the submitted documentation and undertaken as site visit, I consider that the proposed single storey extension is appropriate in respect of its height and length, with reference to Section 14.10.2.3 of the Development Plan. I consider that a sufficient quantity of private open space is retained to the rear and to the side of the existing dwelling. With reference to the specific criteria for family accommodation in Section 14.10.3 of the Plan, I consider that the documentation submitted to the PA on 06 October 2023 is sufficient to demonstrate the requirement for the proposed family accommodation. It is stated in the submitted documentation that the proposed development will become part of the existing dwelling when it is no longer needed by the family member. I note that the proposed development of 63 sq.m. is below the 75 sq.m. limit for family accommodation under Section 14.10.3, and I consider that the proposed development is subsidiary in scale with reference to

the existing dwelling. The proposed family accommodation is primarily accessed through the existing dwelling however, I consider that the secondary side entrance is appropriate in this instance to increase accessibility. Drawing from the above, I consider that the proposed development in respect of its use, size and design is acceptable at this location.

7.3.8. The PA decision includes 3 no. conditions that specifically relate to the requirements for family accommodation under the Development Plan. I consider it appropriate that conditions in respect of the use of the family accommodation as part of the existing dwelling, as per Conditions 2 and 3, and the external finishes of the works, as per Condition 4, are retained as part of any decision to grant planning permission for the proposed development. If the Board is minded to grant planning permission for the proposed development, I recommend that conditions are attached in respect of the use and external finish/materiality of the proposed development.

7.3.9. Drawing from the above, it is my opinion that the proposed development is acceptable with reference to relevant development standards of the Development Plan and the established pattern of development in the area.

7.4. Surface Water Drainage

7.4.1. The Appeal Statement outlines that the proposed development will increase surface water run-off from the site onto the adjoining lands to the north. The Appellants state that the excess surface water collects at their side entrance, which immediately adjoins the shared boundary. I note that the property to the north is below the level of the subject site.

7.4.2. The submission from the PA Water Services Department dated 05 September 2023 raised no objection in respect of flooding risk, foul drainage or surface water drainage, subject to conditions in respect of surface water/rainwater collection. Condition No. 6 of the PA decision requires written agreement in respect of surface water infrastructure at the site.

7.4.3. The submitted application drawings provide some detail in respect of proposed surface water management at the site. Drawing No. 003 Proposed Ground Floor Plan submitted to the PA shows that a surface water drain will be provided from the proposed rear extension to a sustainable drainage system located within the private

amenity area. Drawing No. 004 Proposed First Floor Plan and Section A-A indicates that P.V.C gutters and rainwater pipes will be fitted to the rear extension. I consider that the provision of rainwater goods and a surface water system, as proposed, will be sufficient to collect surface water arising from the proposed development. I consider that the proposed development and surface water infrastructure is sufficiently removed from the adjoining properties to prevent surface water impacts on adjoining properties. I note that the Applicant's landholding is sufficiently large to accommodate a soakaway, or similar as agreed with the PA.

- 7.4.4. Drawing from the PA assessment, I consider it appropriate that a condition is attached in respect of surface water arrangements at the site. In this way, if the Board is minded to grant planning permission for the proposed development, I recommend that a condition is attached to require the applicant to agree surface water collection details in writing with the Water Services Department of Fingal County Council prior to the commencement of development.
- 7.4.5. Drawing from the above, I consider that surface water arising from the proposed development will be suitably collected and disposed of within the subject site.

8.0 AA Screening

- 8.1.1. I have considered the proposed family accommodation in light of the requirements S177U of the Planning and Development Act 2000 as amended.
- 8.1.2. The subject site is located circa 5km to the west of the Rogerstown Estuary SAC (Site Code 000208) and Rogerstown Estuary SPA (Site Code 004015), 7km northwest of the Malahide Estuary SAC (Site Code 000205) and Malahide Estuary SPA (Site Code 004025), and 11 km west of the North-West Irish Sea SPA (Site Code 004236).
- 8.1.3. The proposed development comprises the construction of a single storey family accommodation unit of 63 sq.m. comprising 2 no. bedrooms, a living/kitchen, a bathroom, and a utility. The proposed accommodation is connected to the existing dwelling via a corridor from the kitchen at the rear of the house.
- 8.1.4. No nature conservation concerns were raised in the planning appeal.

- 8.1.5. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any European Site. The reason for this conclusion is as follows:
- The scale of the works and their location with a serviced residential development.
 - The distance between the site and any European Sites, and the lack of direct hydrological or ecological connections.
 - Taking into account the PA's assessment in the Planning Officers Report dated 1 November 2023.
- 8.1.6. I conclude that on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects.
- 8.1.7. Likely significant effects are excluded and therefore Appropriate Assessment (stage 2) (under Section 177V of the Planning and Development Act 2000) is not required.

9.0 Recommendation

- 9.1. I recommend that planning permission should be granted, subject to conditions.

10.0 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 and DMSO26 and Sections 14.8.2, 14.10.2.3 and 14.10.3 of the Fingal County Development Plan 2023-2029, and subject to the conditions set out below, I consider that the development sought 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.

11.0 Conditions

1.	<p>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.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>The windows serving the proposed bathroom/wetroom and store/utility at the northern façade of the proposed development, as shown in Drawing No. 003 Proposed Ground Floor Plan, shall be fitted with permanently obscured glazing.</p> <p>Reason: To protect the privacy of future residents.</p>
3.	<p>The independent family unit for a 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.</p> <p>Reason: In order to comply with the provisions of Section 14.10.3 of the Fingal County Development Plan 2023-2029.</p>
4.	<p>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.</p> <p>Reason: In the interest of visual amenity</p>
5.	<p>The disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of surface water within the subject site for the written agreement of the Fingal</p>

	<p>County Council Water Services Department. No surface water arising from the subject development should be allowed to drain off site.</p> <p>Reason: To prevent flooding and in the interests of sustainable drainage.</p>
6.	<p>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.</p> <p>Reason: In order to safeguard the residential amenities of property in the vicinity.</p>
7.	<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 Development Contribution Scheme made under section 48 of the Act be applied to the permission.</p>

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.



. Sinead O'Connor
Planning Inspector

09 July 2024

Appendix 1 - Form 1

EIA Pre-Screening

[EIAR not submitted]

An Bord Pleanála Case Reference	ABP-318537-23			
Proposed Development Summary	Construction of a single storey granny flat connected to main dwelling consisting of a lobby, lounge/kitchen, main bedroom, carer's bedroom, bathroom and utility room, all to rear of existing house			
Development Address	28 Dooroge Woods, Ballyboughal, County Dublin, A41 X437			
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	X	
		No	No further action required	
2. Is the proposed development of a class specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) and does it equal or exceed any relevant quantity, area or limit where specified for that class?				
Yes		Class.....	EIA Mandatory EIAR required	
No	X		Proceed to Q.3	
3. Is the proposed development of a class specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) but does not equal or exceed a relevant quantity, area or other limit specified [sub-threshold development]?				
		Threshold	Comment (if relevant)	Conclusion
No	X	N/A	Class 11 of development relates to a 'dwelling unit'. The extension of an individual dwelling is not a class or type.	No EIAR or Preliminary Examination required

Yes		Class/Threshold.....		Proceed to Q.4
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4. Has Schedule 7A information been submitted?				
No	X			Preliminary Examination required
Yes				Screening Determination required

Inspector: Sinead O'Gmaí

Date: 04 July 2024