

An
Bord
Pleanála

Board Order ABP-321546-24

Planning and Development Acts 2000 to 2022

Planning Authority: Fingal County Council

Planning Register Reference Number: F24A/0386E

Appeal by Russell O'Connor and Nishta Boodhoo care of Bell Associates of Executive House, Whitestown Road, Rush, County Dublin against the decision made on the 5th day of December, 2024 by Fingal County Council to refuse permission.

Proposed Development: Conversion of existing garage to granny flat, to include new single storey extension to rear to accommodate two number bedrooms and bathroom, and associated site works, all at Hillcrest, Station Road, Lusk, County Dublin.

Decision

GRANT permission for the above proposed development 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 Development Plan 2023-2029, in particular Policy SPQHP42 (Family Flats) which seeks to support the provision of family flats on suitable sites, and the design and layout of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of property in the vicinity and would be acceptable in terms of visual amenity, would be in accordance with the family flat and domestic extension standards set out under Objectives SPQHO45 (Domestic Extensions) and SPQHO46 (Family Flats), and Sections 14.10.2.2 (Side Extensions) and 14.10.3 (Family Flats) of the Fingal Development Plan 2023-2029, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The proposed 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 9th day of November, 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 proposed development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The proposed 'granny' flat extension shall be used solely for that purpose and shall revert to use as part of the main dwelling on the cessation of such use.

Reason: In order to comply with the objectives of the Fingal Development Plan 2023-2029.

3. The external finishes of the proposed extension shall match those of the existing dwelling in respect of colour and texture, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of visual amenity.

4. The disposal of surface water shall comply with the requirements of the planning authority for such works and services. No surface water from roofs, paved areas or otherwise shall discharge onto the public road or to adjoining properties.

Reason: To prevent flooding and in the interest of sustainable drainage.

5. (a) All foul sewage and soiled water shall be discharged to the public foul sewer.
- (b) Only clean, uncontaminated storm water shall be discharged to soakaways.

Reason: In the interest of public health.

6. Prior to commencement of development, the developer shall enter into a connection agreement with Uisce Éireann to provide for a service connection to the public water supply and wastewater collection network.

Reason: In the interest of public health and to ensure adequate water/wastewater facilities.

7. Site development and building works shall be carried out only between the hours of 0800 to 1800 Mondays to Fridays, inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

Reason: To safeguard the amenity of property in the vicinity.

8. 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.

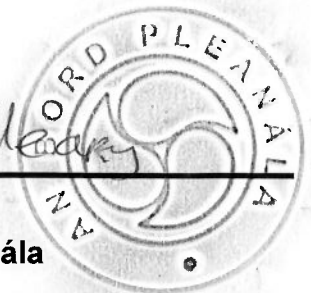
Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

Patricia Calleary

Patricia Calleary

Member of An Bord Pleanála

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



Dated this 03 day of March 2025.