



Planning and Development Acts 2000 to 2019

Planning Authority: Fingal County Council

Planning Register Reference Number: FW20B/0019

Appeal by Stuart and Laura Butler care of Ryan W. Kennihan Architects of 30 Mountjoy Square, Dublin against the decision made on the 31st day of March, 2020 by Fingal County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: Partial demolition of the existing single storey side garage, side gable wall and rear wall and roof, and the construction of a new part two storey part single storey extension to the side and rear of the existing two storey semi-detached house, including internal alterations to the ground and first floors with associated hard and soft landscaping at 13 Kirkpatrick Drive, Clonsilla, Dublin.

Decision

Having regard to the nature of the condition the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to ATTACH condition number 2 (d) and (e) and to REMOVE condition number 2 (a), (b) and (c) so that they shall be as follows for the reasons set out.

Reasons and Considerations

Having regard to the residential land use zoning for the site and to the pattern of development in the area, it is considered that the proposed depth of the extension as originally proposed and the proposed rooflight on the front roof pane would not seriously injure the visual or residential amenities of the area or of properties in the vicinity by reason of overshadowing, overbearing or overlooking.

The planning authority's condition 2 (a), (b) and (c) (requiring the reduction in the depth of extension and removal of proposed roof light in the front roof pane) is, therefore, not warranted.

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.

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

Dated this day of 2020.