



An
Bord
Pleanála

Board Order
PL 06F.248362

Planning and Development Acts 2000 to 2016

Planning Authority: Fingal County Council

Planning Register Reference Number: F17A/0040

Appeal by Lisa O'Brien and Con O'Connell care of Hughes Planning and Development Consultants of The Mash House, Distillery Road, Dublin against the decision made on the 23rd day of March, 2017 by Fingal County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: Demolition of existing front glazed porch, reconstruction of side gable wall and chimney to match existing, construction of single storey extension to side/rear with flat and pitched roofs incorporating roof lights, construction of detached single storey garage with pitched roof and vehicular entrance from local access road to rear of property, revised boundary treatments and all necessary site works to facilitate the proposed development at 44 Saint Peter's Terrace, Howth, County Dublin.

Decision

Having regard to the nature of the conditions 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 REMOVE condition number 2 (a) and to ATTACH condition number 3 (a) so that they shall be as follows for the reasons set out.

Reasons and Considerations

Having regard to the nature and scale of the proposed development, and the pattern of development in the area, it is considered that the proposed extension to side and rear would not seriously injure the residential amenities of property in the vicinity and would not be injurious to the visual amenity of the area, and that therefore the modification to the proposed extension, of required by condition number 2 (a) of the planning authority's decision, was not warranted. However, having regard to the pattern of development in the vicinity and in particular the fact that the laneway to the rear of the site is used by pedestrians accessing the nearby school, it is considered that the modifications to the proposed garage, as required by condition number 3 (a), were in the interests of pedestrian safety and were, therefore, warranted.

