



Planning and Development Acts 2000 to 2017

Planning Authority: Fingal County Council

Planning Register Reference Number: FW17B/0042

Appeal by Brian and Ruth Molloy care of Stephen Molloy Architects of 12 St. Brigid's Shopping Centre, Main Street, Blanchardstown, Dublin against the decision made on the 11th day of July, 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: Construction of a two-storey extension to the side to include a pedestrian access gate from the side boundary wall onto Maple Drive, all at 1A Maple Close, Castleknock, 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 5 and the reason therefor and to AMEND condition number 2 so that it shall be as follows for the reason set out.

2. Prior to commencement of development, the applicant shall submit to, and agree in writing with, the planning authority revised plans, elevations and specifications showing compliance with the following amendment:

(i) The extension shall be solely single storey in nature

The plans shall detail measures to ensure that the stability and integrity of the site boundary wall and adjoining footpath along Maple Drive is not compromised by the development.

Reason: In the interest of the visual amenities of the area.

Reasons and Considerations

Having regard to the pattern of development in the area, including the attractive, open nature of this prominent corner in the estate and to the planning history of the site, it is considered that the proposed first floor extension to this infill house would result in an incongruous and unattractive feature which would detract from the visual amenities of the area to an unacceptable extent and would furthermore set an undesirable precedent for further such development on a corner site. It is considered appropriate that condition number 2 should, therefore, limit the extension to a ground floor development, in the interest of the proper planning and sustainable development of the area. The Board agreed with the Inspector's assessment that the proposed side gate would not be detrimental to the amenities of the area.

In deciding not to accept the Inspector's recommendation regarding condition 2, the Board agreed with the planning authority that, having regard to the character of the area, the first floor element of the proposal would detract from the visual amenities of the streetscape to an unacceptable degree, but that a single-storey extension would be acceptable.

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.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2017