

Board Order PL 06F.249189

Planning and Development Acts 2000 to 2017

Planning Authority: Fingal County Council

Planning Register Reference Number: F17B/0150

Appeal by Laura Moloney and Gabriel Dillon care of Brock McClure of 63 York Road, Dun Laoghaire, County Dublin against the decision made on the 10th day of August, 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 north-west elevation (front) with provision for a roof window to the north-east roof plane and for a single storey extension to the north-east elevation (side) and for minor internal alterations and for alterations to the boundary wall along the north-west boundary and for all associated site works, all at 92 Bayside Crescent, Bayside, 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 AMEND condition number 2 so that it shall be as follows for the reason set out.

2. The proposed new garden wall along the north-eastern boundary of the site shall be 1.8 metres in height, capped and rendered on both sides.

Reason: In the interests of visual and residential amenity.

Reasons and Considerations

Having regard to the location of the proposed development in an established residential area which is zoned RS – 'to provide for residential development and protect and improve residential amenity' in the Fingal County Development Plan 2017 to 2023, to the residential character and modest scale of the proposed extension, it is considered that, subject to compliance with the amended condition number 2 above, the proposed development would not injure the amenity or depreciate the value of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area.

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

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