



---

**Planning and Development Acts 2000 to 2017**

**Planning Authority: Fingal County Council**

**Planning Register Reference Number: FW17A/0219**

**Appeal** by Mary Bernadette McCaffrey care of Siobhan Barrett of 21 Brompton Lawn, Castleknock, Dublin and by Brian and Anne Dennehy of 18 Castleknock Avenue, Castleknock Dublin against the decision made on the 26<sup>th</sup> day of January, 2018 by Fingal County Council to grant subject to conditions a permission to Paul Murphy care of Mad About Design of 7 Carysfort Avenue, Blackrock, County Dublin in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Single and two-storey rear extension with a cantilevered first floor side extension. The proposal consists of a mono pitched roof to rear on two-storey extension and a mono pitched roof to the side with roof-light and flat roof extension with roof-light on single storey section. Internal alterations to accommodate new design layout at ground and first floor level with minor alterations to fenestration. Permission to widen vehicle entrance. Connection to existing County Council soil and surface water and associated site works. All at 17 Castleknock Avenue, Castleknock, Dublin.

## **Decision**

**GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.**

## **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.

## **Reasons and Considerations**

Having regard to the provisions of the Fingal Development Plan 2017-2023, the nature and scale of the proposed development and the pattern of the development in the area, the Board considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual amenities of the area or the residential amenities of adjoining properties and, furthermore, would not seriously injure the residential amenities of future occupants. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board concurred with the planning authority and considered that, subject to compliance with the conditions attached, the proposed development would not be out of character with the pattern of development in the area and would not seriously injure the residential or visual amenities of the area.

## **Conditions**

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, 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 development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. The external finishes of the proposed extension (including roof tiles/slates) shall be the same as those of the existing dwelling in respect of colour and texture.

**Reason:** In the interest of visual amenity.

3. Prior to commencement of development, the developer shall submit to, and agree in writing with, the planning authority revised drawings showing compliance with the following:
- (a) The whole of the high-level window located at the south-eastern corner of the proposed first floor Bedroom 4 shall be a minimum of 1.8 metres in height from finished floor level to cill level.
  - (b) The vertical window in the rear elevation of Bedroom 4 shall be labelled for ventilation and escape purposes only in the event of emergency.
  - (c) All windows in the rear elevation of Bedroom 4 at first floor level shall be clearly shown.
  - (d) The cantilevered bathroom extension shall be a minimum of 200 metres off the party boundary wall.

**Reason:** In the interests of the residential and visual amenities of the area.

4. No part of the flat roof of the extension hereby permitted at first floor level shall be used as a balcony.

**Reason:** In the interest of residential amenity.

5. The existing dwelling and proposed extension shall be jointly occupied as a single residential unit and the extension shall not be sold, let otherwise transferred or conveyed, save as part of the dwelling.

**Reason:** To restrict the use of the extension in the interest of residential amenity.

6. Site development and building works shall be carried out between the hours of 0800 to 1900 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 approval has been received from the planning authority.

**Reason:** In order to safeguard the residential amenities of property in the vicinity.

---

**Paul Hyde**

**Member of An Bord Pleanála**

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

**Dated this            day of            2018.**