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**Planning and Development Acts 2000 to 2018**

**Planning Authority: Fingal County Council**

**Planning Register Reference Number: F18B/0026**

**Appeal** by Patrick McGrane of 19 Milford, Malahide, County Dublin against the decision made on the 10<sup>th</sup> day of April, 2018 by Fingal County Council to grant subject to conditions a permission to Alison Kealy and Aongus Dunphy care of Michael B. Doyle of Shamrock Chambers, 1-2 Eustace Street, Temple Bar, Dublin in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Permission for the demolition of full width of rear return (21 metres) and erection of flat roofed extension to rear and side (56 metres that is net floor area increase of 35 metres) plus removal of roof lights and provision of new attic dormer window to rear pitch of main-roof plus hard and soft landscaping and all associated works at number 18 Milford, Malahide, County 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 it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area or property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area

## **Conditions**

1. The development shall be retained in accordance with the plans and particulars lodged with the application, as amended by the drawings submitted to An Bord Pleanála on the 6<sup>th</sup> day of June 2018, 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 proposed development shall be amended as follows:
  - (a) The window in the proposed dormer structure shall be reduced in size to not more than 1.0 metres in height x 1.8 meters in width and the triangular glazed elements in the side walls of the dormer structure shall be omitted.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interests of visual and residential amenity.

3. The external finishes of the proposed development shall be the same as those of the existing dwelling, in colour and texture.

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

4. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

**Reason:** In the interest of public health.

5. Site development and building works shall be carried out only between the hours of 0700 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional

circumstances where prior written approval has been received from the planning authority.

**Reason:** in the interests of residential amenity and proper development.

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

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

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

**Dated this            day of            2018.**