



Planning and Development Acts 2000 to 2018

Planning Authority: Fingal County Council

Planning Register Reference Number: F18B/0169

Appeal by Austin Doyle of 8 Castle Downs Grove, Malahide, County Dublin and by Ken Moriarty of 10 Castle Downs Grove, Malahide, County Dublin against the decision made on the 16th day of August, 2018 by Fingal County Council to grant subject to conditions a permission to Pat Moyne care of Darragh Lynch Architects of Estuary House, New Street, Malahide, County Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: The demolition of the existing ground floor single storey extension to the rear of the dwelling, the construction of a new four square metres ground floor single storey extension to the rear of the dwelling and all associated site works at 9 Castle Downs Grove, Yellow Walls, 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 suburban setting of the subject site in a well-established residential area, together with the pattern of development in the area and the information submitted with the application, it is considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with the provisions of Fingal Development Plan 2017-2023 and would not seriously injure the existing visual and residential amenities of properties in the vicinity of the site. The proposed development would, therefore, be in accordance with the proper planning and sustainable development 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 proposed development shall be amended as follows:
 - (a) The developer shall reduce the overhang of the mono-pitch roof profile so that it does not project more than 300 millimetres from the south-western elevation of the proposed extension.
 - (b) The high-level window on the south-western elevation shall be permanently glazed with obscured glass and consist of a fixed non-openable unit.

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 extension shall harmonise with those of the existing dwelling in respect of 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 0800 to 1900 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 order to safeguard the residential amenities of property in the vicinity.

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

Dated this day of 2019.