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**Planning and Development Acts 2000 to 2018**

**Planning Authority: Fingal County Council**

**Planning Register Reference Number: F18B/0339**

**Appeal** by Michelle Carol Lynch of Pine Lodge, 26A River Valley Grove, Swords, County Dublin against the decision made on the 31<sup>st</sup> day of January, 2019 by Fingal County Council to grant subject to conditions a permission to CQA Design and Build of B4 Swords Enterprise Park, Feltrim Road, Swords County Dublin in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Use of the attic floor space for habitable purposes at 26B River Valley Grove, Swords, 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 residential zoning, the planning history of the site and the nature and scale of the existing development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of the area or of 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 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. Apart from any departures specifically authorised by this permission, the development shall be carried out and completed in accordance with the terms and conditions of the permission granted on the 3<sup>rd</sup> day of December, 2018 under An Bord Pleanála appeal reference number ABP-301427-18, planning register reference number F18A/0035, and any agreements entered into thereunder.

**Reason:** In the interest of clarity and to ensure that the overall development is carried out in accordance with the previous permission(s).

3. The staircase/landing window, and window above it (both in the western elevation of the house) shall be in permanent obscured glazing, and the windows shall not be openable.

**Reason:** To protect the residential amenities of the house to the west.

4. The attic room shall be provided with noise insulation to an appropriate standard, having regard to the location of the site within the Outer Airport Noise Zone.

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

5. The building shall be used solely as a single residential dwelling and shall not be used for multiple occupation (that is, more than for a single household) nor for any commercial purposes.

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

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

**Dated this            day of            2019.**