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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Fingal County Council**

**Planning Register Reference Number: FW19B/0108**

**Appeal** by Gerard and Tracey Crowley care of Doherty Finnegan Kelly of Botanic Court, 30 to 32 Botanic Road, Glasnevin, Dublin against the decision made on the 10<sup>th</sup> day of November, 2019 by Fingal County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** The construction of a new front porch together with a single storey flat roof extension to the side, the construction of a flat roof dormer attic conversion and two roof lights to the front, all with associated elevation alterations and associated site works, all at 6 Riverwood Place, Carpenterstown, 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 REMOVE condition number 2 and the reason therefor.**

## **Reasons and Considerations**

Having regard to the limited nature and scale of the proposed dormer window and rooflights, the Board considered that the imposition of condition number 2 of the planning authority's decision is not warranted and that the proposed development, as originally applied for, would be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the inspector's recommendation to impose the condition, the Board is satisfied that the proposed development in the streetscape would result in a built form which would be acceptable and which could be absorbed into its context. Furthermore, the Board considered that it would not seriously injure the visual amenities of the area, would not establish an undesirable precedent for similar development in the area 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.

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**Paul Hyde**

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

**Dated this            day of            2020.**