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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Fingal County Council**

**Planning Register Reference Number: F19B/0133**

**Appeal** by Michael Dawson care of Stephen Foley of Beaverlodge, Ballalease North, Donabate, County Dublin against the decision made on the 20<sup>th</sup> day of December, 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:** Modifications to the existing dwelling including an additional gable end window, adjustments to existing glazing and change of façade treatment, a two-storey extension to the side of existing dwelling with rear terrace and replacement of existing shed, all at Estuary House, Estuary Road, Malahide, County 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 limited scale, nature and design of the proposed development, the Board considered that the proposed development would not seriously injure the visual amenities of the area, would not be out of character with the design resolution of the proposed renovations and additions proposed for this dwelling which seeks to update and extend an existing dwellinghouse in a contemporary manner and would be in accordance with the provisions of the Fingal County Development Plan 2017 – 2023 and the proper planning and sustainable development of the area. The planning authority's condition number 2 requiring the revised drawings which show the first floor of the proposed extension being setback by 1.5 metres from its current layout is, therefore, not warranted.

## **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.**