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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Fingal County Council**

**Planning Register Reference Number: F19B/0321**

**Appeal** by Alan and Karen Lynch of 22 Brides Glen Avenue, Swords, County Dublin against the decision made on the 18<sup>th</sup> day of February, 2020 by Fingal County Council to refuse permission for the proposed development.

**Proposed Development:** The change of existing roof ridge line to extend new built up gable wall and conversion of attic space to new study/play room with new dormer roof to the rear and one additional rooflight to the front and all associated works at 22 Brides Glen Avenue, 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 minor nature, scale and location of the proposed change of the existing roof ridge line to extend new built up gable wall and to the conversion of the attic space to study/playroom with dormer roof to the rear of the dwelling, to the provisions of the Fingal Development Plan 2017-2023 including the RS zoning, to the pattern of development in the area and to the character of the streetscape, it is considered that, subject to compliance with the conditions as set out below, the proposed development would not seriously injure the visual or residential amenities of the area and would provide an acceptable standard of residential amenity for the occupants of the dwelling. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board was satisfied that the proposed development would not result in a built insertion that would fail to respect and harmonise with its streetscape context, would not be visually incongruous in its setting and would not establish an undesirable precedent for similar development in its vicinity.

## 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. Details of the materials, colours and textures of all the external finishes to the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

3. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

**Reason:** It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

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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**