



Planning and Development Acts 2000 to 2020

Planning Authority: Fingal County Council

Planning Register Reference Number: F20A/0249

Appeal by Tracy Dunne care of Michael Mohan Architects of 29 Eannafort Park, Raheny, Dublin against the decision made on the 28th day of July, 2020 by Fingal County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: Retention of a single storey structure for use as family accommodation ancillary to the dwelling and construction of a single storey structure linking the dwelling to the proposed family accommodation all at the side and rear of the dwelling with ancillary site works at 16 Saint Sylvester's Villas, Malahide, County Dublin.

Decision

Having regard to the nature of the conditions 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 conditions numbers 2 and 3 and the reasons therefor.

Reasons and Considerations

Having regard to the nature and scale of the proposed development, it is considered that the dormer window has been constructed in accordance with an extant permission granted under planning register reference number F19A/0115 and as such does not warrant an omission.

It is also considered that the proposed link can function as a direct connection between the main house and the ancillary family flat, whilst also providing access to the rear garden by way of a doorway and as such, would not be contrary to Objective DMS43 of the current Fingal Development Plan. Therefore, it would not seriously injure the amenities of the area or of property in the vicinity and would 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.

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

Dated this day of 2020.