



Planning and Development Acts 2000 to 2020

Planning Authority: Fingal County Council

Planning Register Reference Number: FW20B/0098

Appeal by Barry Doyle care of Coughlan Consulting Engineering of 25 Kiltipper Avenue, Aylesbury, Tallaght, Dublin against the decision made on the 24th day of September, 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: Permission for the construction of new dormer attic structure to the rear of previously converted attic space and all associated works, all at 27 St Mochta's Road, Coolmine Lodge, 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 condition number 3 and the reason therefor.

Reasons and Considerations

Having regard to the location of the proposed development in a residential area, the residential zoning associated with the site and the design and scale of the proposed development relative to the existing structure, it is not considered that condition number 3 would be necessary to protect the residential amenity of the area, and, as such, it is considered that its removal would be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to attach condition number 3, the Board did not agree that the condition was necessary to protect the residential amenity of the area. It is not considered that the dormer as proposed would seriously injure residential amenity.

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.

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

Dated this day of 2021.