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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Fingal County Council**

**Planning Register Reference Number: F20A/0406**

**Appeal** by John Patrick and Liga Dixon care of Sumer Architects and Interior Designers of Tomnalossett, Enniscorthy, County Wexford against the decision made on the 5<sup>th</sup> day of October, 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:** Construction of a single storey first floor extension to the side, recladding of front entrance porch, single storey extension to rear, and attic conversion coupled with widening of entrance gate, bin store, bicycle store and all associated site works at 20 Abbey Park, 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 nature and scale of the proposed development for an extension to the side and rear with a hipped roof profile to the side, and the provision of a dormer window to the rear of a semi-detached dwelling in a residential estate, it is considered that, subject to compliance with the conditions set out below, the nature and scale of the proposed development would be acceptable within the context of the site. The dormer window would be subordinate to the main roof plane, therefore, the proposed development would not result in a negative impact on the existing character of the area or the amenities of adjoining properties and would be in accordance with the proper planning and sustainable development of the area.

## Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by An Bord Pleanála on the 30<sup>th</sup> day of October, 2020, 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. The width of the vehicular entrance shall not exceed four metres.

**Reason:** In the interest of clarity.

3. Prior to commencement of development, details of the proposed bin and bicycle storage to the front of the property shall be submitted to, and agreed with, the planning authority.

**Reason:** In the interest of clarity.

4. The external finishes of the proposed extension (including roof tiles/slates) shall be the same as those of the existing structure in respect of colour and texture.

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

5. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

**Reason:** In order to safeguard the residential amenities of property in the vicinity.

6. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

**Reason:** In the interest of public health.

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

**Dated this                      day of                      2021**