



Planning and Development Acts 2000 to 2020

Planning Authority: Fingal County Council

Planning Register Reference Number: FW20B/0112

Appeal by Sonya Meekel of 13 Manorfields Green, Dublin against the decision made on the 23rd day of October, 2020 by Fingal County Council to refuse permission for the proposed development.

Proposed Development: Construction of a flat roof dormer to the rear of existing dwelling at 13 Manorfields Green, 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 residential land use zoning, to the form and character of the established dwelling on the site, to the design and scale of the roof alterations to include the provision of a flat roofed dormer at the rear, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual amenities of the area or of property in the vicinity and would be in accordance with the provisions of the current Fingal County Development Plan. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

The Board noted that the planning authority had decided to refuse permission in part because it was considered that the proposed development would constitute a material contravention of the Development Plan. However, having regard to the provisions of Section 37(2)(b) of the Planning and Development Act, 2000, as amended, and having regard to the pattern of the development and permissions granted in the area since the making of the Development Plan, the Board considered that planning permission should be granted for the proposed development.

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. (a) The external finishes of the dormer window extension including the fenestration shall match that of the existing dwelling.
- (b) The ridge height of the proposed dormer window extension shall not exceed and shall be lower than the ridge height of the existing house.

Reason: In the interest of visual amenity.

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

Reason: To ensure adequate servicing of the development, and to prevent pollution.

Paul Hyde
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this day of 2021