



---

**Planning and Development Acts 2000 to 2020**

**Planning Authority: Fingal County Council**

**Planning Register Reference Number: F20A/0681**

**Appeal** by Noel Crowley and Ger O'Sullivan care of Hughes Planning and Development Consultants of 70 Pearse Street, Dublin against the decision made on the 22<sup>nd</sup> of February, 2021 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 hard landscaping to front garden, including steps and ramp; reconfigured vehicular entrance to front; ground floor terrace infill to north elevation (five square metres additional accommodation); ground floor window to west elevation; ground floor utility and storage spaces below rear terrace (26 square metres additional accommodation); hard landscaping to rear garden and all associated works at 12 Asgard Road, Howth, 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 ATTACH condition number 2 and the reasons therefor and to REMOVE conditions numbers 3 and 4 and the reasons therefor.

## Reasons and Considerations

In relation to condition number 2, having regard to the planning history of the site, and the existing pattern of development of the area, it is considered that, by reason of pedestrian and traffic safety and the visual amenity of the area, the condition number 2 is warranted.

In relation to condition number 3, having regard to the existing development, where there are no visible obstructions and where the existing ditching to the kerb has been completed, it is considered that condition number 3 is not warranted.

In relation to condition number 4, having regard to the submissions on the file, and to the planning history of the site, it is considered that condition number 4 is not warranted.

## 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 *18<sup>th</sup>* day of *June* 2021

