

Planning and Development Acts 2000 to 2020

Planning Authority: Fingal County Council.

Planning Register Reference Number: F20B/0283

Application for Leave to Appeal against the decision of the planning authority by Thomas Elders of 25 Abbeylands, Lusk Village, Lusk, County Dublin, having an interest in land adjoining the land in respect of which Fingal County Council decided on the 21st day of April, 2021 to grant subject to conditions permission to Robert and Fiona Pender care of Bell Associates of Executive House, Whitestown Road, Rush, County Dublin.

Proposed Development: Construction of new two-storey extension to rear of existing dwelling comprising ground floor kitchen dining area, first floor bedroom with ensuite and associated site works. All at 27 Abbeylands, Lusk Village, Lusk, County Dublin.

Decision

GRANT leave to appeal under section 37 (6) of the Planning and Development Act, 2000, as amended, based on the reasons and considerations set out below.

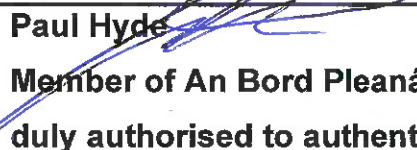
Matters Considered

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.

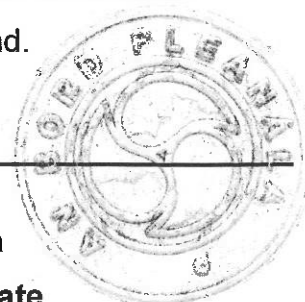
Reasons and Considerations

Having regard to the submissions and documents received in connection with the application for leave to appeal and the conditions set out in the planning authority's decision, it is considered that it has been shown that -

- (i) the development, in respect of which a decision to grant permission has been made, will differ materially from the development as set out in the application for permission by reason of condition number 1 imposed by the planning authority to which the grant is subject, and
- (ii) the imposition of condition number 1 will materially affect the applicant's enjoyment of the land adjoining the land in respect of which it has been decided to grant permission or reduce the value of the land.



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



Dated this 25th day of MAY 2021.