

An
Bord
Pleanála

**Board Order
ABP-310248-21**

Planning and Development Acts 2000 to 2020

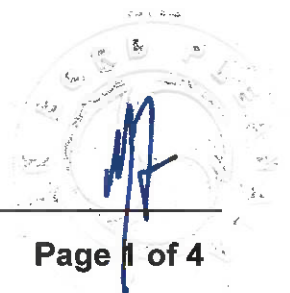
Planning Authority: Fingal County Council

Planning Register Reference Number: F21B/0057

Appeal by Jeni Salop and Constantin Salop care of MODA Architects of 399 South Circular Road, Dublin against the decision made on the 21st day of April, 2021 by Fingal County Council in relation to an application for retention for removal of existing rear single storey conservatory, construction of a new two storey extension to rear, new attic dormer extension to rear and new front porch extension, new window openings to side elevation and all associated site works to provide for a four bedroom two storey dwelling at 50 Carlton Court, Swords, County Dublin in accordance with the plans and particulars lodged with the said (which decision was to grant subject to conditions a permission for retention of the front porch and the part single storey, part two-storey rear extension with windows on side elevation and to refuse permission for retention of the dormer on the rear roof slope).

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 provisions of the Fingal Development Plan 2017-2023 and to the design and scale of the dormer, first floor and ground floor extensions to the rear, it is considered that, subject to compliance with the conditions set out below, the development for which retention is sought would not seriously injure the residential or visual amenities of the area or of property in the vicinity. The development proposed for retention would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to issue a split decision, the Board considered that a condition to reduce the size of the dormer extension and the window within the dormer extension, would be acceptable in terms of impact upon the residential amenity of neighbouring property, would not set an undesirable precedent and would, therefore, be in accordance with the provisions of the development plan.



Conditions

1. The development shall be retained, 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 and the development shall be completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The width of the dormer roof extension shall be reduced to a maximum of 3.5 metres and the window shall be reduced to 1.5 metres. Details, including a timeline for completion, shall be submitted to, and agreed in writing with, the planning authority within three months of the date of this Order.

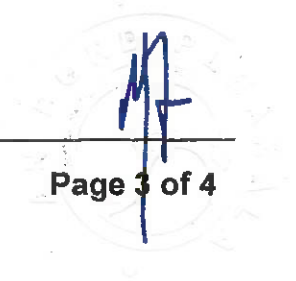
Reason: To protect the amenity of neighbouring property.

3. The landing and bathroom windows on the side elevation shall be permanently fitted with obscure glazing, within six months of the date of this Order.

Reason: In the interests of privacy and visual amenity.


4. The extension shall be provided with noise insulation to an appropriate standard, having regard to the location of the site within Dublin Airport Noise Zone D.

Reason: In the interests of the proper planning and sustainable development of the area and residential amenity.

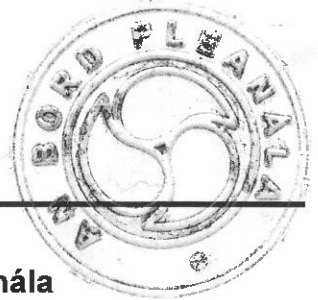


5. Water supply and drainage requirements, including surface water collection and disposal, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health and to ensure a proper standard of development.



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



Dated this *23rd* day of *August*
2021