

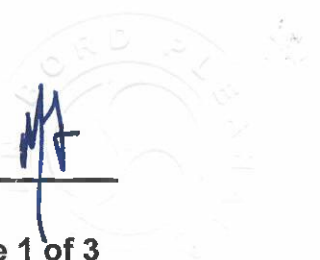
Planning and Development Acts 2000 to 2021

Planning Authority: Fingal County Council

Planning Register Reference Number: F21A/0507

Appeal by Mark Walsh care of J.G. Consulting Planning and Development of Corrymeela, Church Road, Malahide, County Dublin against the decision made on the 15th day of November, 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: Permission for development comprising (1) removal of pitched roof over kitchen extension ground floor level and construction of extension at first floor level attached to side and rear of house with flat roof finish, (2) construction of dormer window in attic area on rear elevation of roof with flat roof finish and two sky lights on front elevation of roof, (3) new window on northern elevation in landing area, and (4) replacement of timber boundary fence on northern side to rear of site with block wall 2.1 metres high and pedestrian entrance to rear of site; all at 59A Blackthorn Close, Portmarnock, County Dublin.



Decision

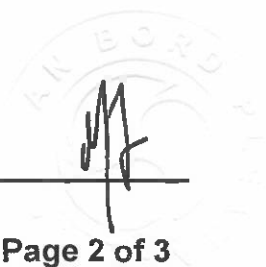
Having regard to the nature of the conditions the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to AMEND condition number 2(a) so that it shall be as follows for the reason set out.

2. (a) the proposed windows to bedrooms at first floor shall be replaced with obviated windows, that are angled away from the rear of 61 Alder Court, and towards the north.

Reason: In the interest of residential amenity.

Reasons and Considerations

Having regard to the policies and objectives of the planning authority as set out in the Fingal Development Plan 2017-2023, including Objective DMS28, and to the nature, scale and layout of the proposed development, it is considered that compliance with the amended condition number 2(a) would not seriously injure the residential or visual amenities of the area, and would, therefore, be in accordance with the proper planning and sustainable development of the area.



In not agreeing with the inspector's recommendation to attach the planning authority's condition to omit the first floor extension, the Board considered that compliance with the objectives of the Development Plan would be achieved by an amended condition number 2(a) which would ensure privacy for the neighbouring property.

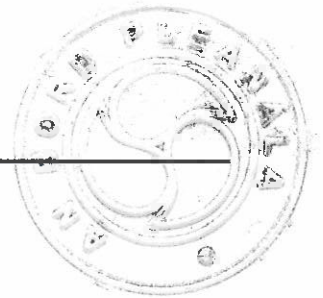


Michelle Fagan

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.



Dated this 15th day of June 2022.