

An
Bord
Pleanála

Board Order
ABP-314516-22

Planning and Development Acts 2000 to 2021

Planning Authority: Fingal County Council

Planning Register Reference Number: FW22B/0077

Appeal by Ionel and Andreea Tutuleac care of DRB Design of 74 Lambourn Park, Clonsilla, Dublin against the decision made on the 8th day of August, 2022 by Fingal County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: Conversion of attic to storage, including a dormer window to the rear, a ground floor extension to the rear and a ground floor extension to the site, all at 11 Saint Mochta's Road, Clonsilla, Dublin.

Decision

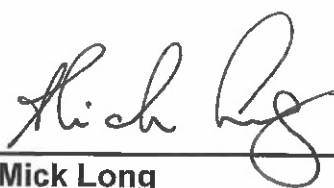
Having regard to the nature of the condition the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs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

1. The proposed development shall comply with the plans and particulars lodged with the application submitted, and as amended at appeal stage by drawing numbers PL-002-A, PL-003A, PL-006A as received by An Bord Pleanála on the 1st day of September, 2022. 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 proposed development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

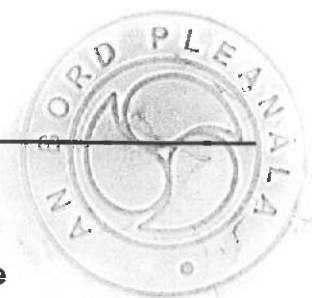
Reasons and Considerations

Having regard to the nature and scale of the proposed development, the 'RS' zoning for the site, the provisions of the Fingal County Development Plan 2017-2023 and, subject to compliance with the conditions attached to the decision of the planning authority, as amended and set out above, it is considered that the proposed dormer structure would not seriously injure the residential and visual amenities of the area or of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area.



Mick Long

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



Dated this 13 day of February 2023.