

An
Bord
Pleanála

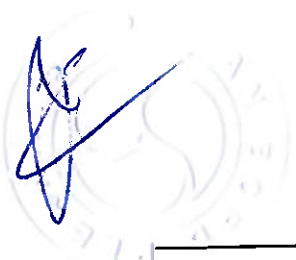
Board Order ABP-315108-22

Planning and Development Acts 2000 to 2022

Planning Authority: Fingal County Council

Planning Register Reference Number: FW22A/0202

Appeal by Valarian and Smida Jurjea care of Farry Town Planning Limited of Suite 180, 28 South Frederick Street, Dublin against the decision made on the 3rd day of November, 2022 by Fingal County Council in relation to the application by the said Valarian and Smida Jurjea for permission for development comprising replacing existing first floor level side bedroom window with permanently obscured glazing and retention of a single storey ground floor porch extension to the front elevation and two-storey extension to rear elevation comprising utility/dining extension at the ground floor level and a bedroom extension at the first floor level, including internal alterations and two windows to the side elevation at ground and first floor level, all at 8 Warrenstown Green, Mulhuddart, Dublin in accordance with plans and particulars lodged with the said Council (which decision was to grant subject to conditions permission for retention of the front porch and ground floor side kitchen window and to refuse retention of the two-storey rear extension and the proposed replacement of first floor side window).



Decision

GRANT permission for the above development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

Having regard to the RS zoning of the Fingal County Development Plan 2023-2029 'to provide for residential development and protect and improve residential amenity', and also having regard to the design guidance of the development plan, it is considered that, subject to compliance with the conditions set out below, the proposed development and development proposed to be retained would be in accordance with the proper planning and sustainable development of the area.

Conditions

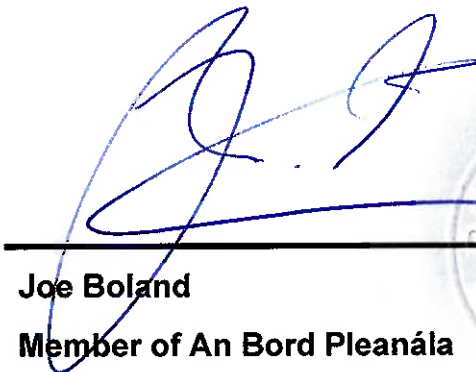
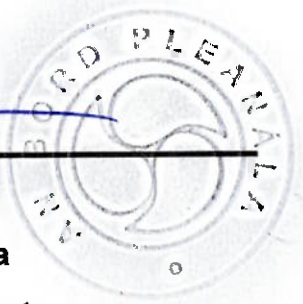
1. The development shall be carried out and retained in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority and the development shall be carried out and retained in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Development described in Classes 1 or 3 of Part 1 of Schedule 2 to the Planning and Development Regulations 2001, as amended, or any statutory provision modifying or replacing them, shall not be carried out within the curtilage of the house without a prior grant of planning permission.

Reason: In order to ensure that a reasonable amount of private open space is provided for the benefit of the occupants of the dwelling.

3. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to the commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to the Board to determine the proper application of the terms of the Scheme.
- Reason:** It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

Joe Boland
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board

Dated this *14TH* day of *November* 2023.