

An
Bord
Pleanála

Board Order
ABP-315787-23

Planning and Development Acts 2000 to 2022

Planning Authority: Fingal County Council

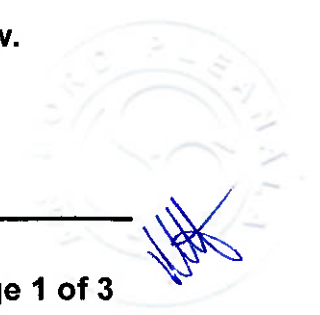
Planning Register Reference Number: FW22A/0270.

Appeal by Ian Coleman care of Carol Forbes of 4bes Design Services of 38 Larkfield Avenue, Lucan, County Dublin against the decision made on the 18th day of January, 2023 by Fingal County Council to refuse a permission for retention of the development.

Proposed Development: Retention planning permission for conversion of existing attic space comprising of modification of existing roof structure, new access stairs and flat roof dormer to the rear at 2 Westway Rise, Blanchardstown, Dublin.

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.



Reasons and Considerations

The Board considered that the development proposed to be retained does not materially contravene the Fingal County Development Plan 2023-2029 and does not seriously injure the residential or visual amenities of the area. The development proposed to be retained, subject to compliance with the conditions set out below, 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 refuse permission, the Board had regard to the totality of policy 14.10.2.5 of the current development plan, which has largely subsumed the policies of the previous development plan under which this application was assessed by the planning authority. The Board considered the dormer extension, by reason of its set back from the eaves at the rear of the dwelling, does not negatively impact on the form and character of the existing dwelling house and does not impact on the visual amenities of the area when viewed from adjoining streets and public areas.

Conditions

1. The development shall be retained in accordance with the plans and particulars lodged with the application submitted, except as may otherwise be required in order to comply with the following condition. 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 development shall be completed in accordance with the agreed particulars.

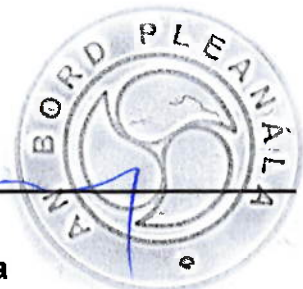
Reason: In the interest of clarity.

2. 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 within three months of the date of this Order, 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 or 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 An Bord Pleanála 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.



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



Dated this *14th* day of *February* 2024.