



An
Bord
Pleanála

Board Order
ABP-315968-23

Planning and Development Acts 2000 to 2022

Planning Authority: Fingal County Council

Planning Register Reference Number: FW23B/0002

Appeal by Alex Chirtoaca care of Matthew Fagan of DormerWindow.ie, 229 Clonliffe Road, Drumcondra, Dublin against the decision made on the 23rd day of February, 2023 by Fingal County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: Construction of two rooflights in the main roof to the front of the property, the construction of a dormer window in the main roof to the rear and building up the gable wall of the house incorporating one new window to the side of the house at 159 Littlepace Woods, Clonee, 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 to REMOVE condition number 2 (a) and the reason therefor, and AMEND condition 2 so that it shall be as follows for the reason set out.

Conditions

2. The development shall accord with the requirements of the planning authority as follows:

The proposed gable window at attic level shall be fitted and permanently maintained in opaque glazing. The use of film is not permitted.

Reason: In the interest of the residential amenity of the area.

Reasons and Considerations

Having regard to the provisions of the Fingal County Development Plan 2023-2029, including the zoning objective for the site ('RS – Residential'), which seeks to provide for residential development and protect and improve residential amenity, and Development Management Standards for residential extensions including section 14.10.2.5, it is considered that, subject to compliance with the conditions set out, the proposed development would not seriously injure the visual or residential amenities of the area, or of property in the vicinity and would provide an acceptable standard of amenity for future residents. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Eamonn James Kelly

Eamonn J. Kelly

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board

Dated this *30th* day of *June*, 2023

