



Planning and Development Acts 2000 to 2022

Planning Authority: Fingal County Council

Planning Register Reference Number: F22A/0703

Appeal by John O'Kelly care of DRB Design of 74 Lambourn Park, Clonsilla, Dublin against the decision made on the 16th 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: A single storey garage for the storage of classic cars with dormer roof accommodation over, to the rear garden, including drainage and associated works at 44 Abington, Malahide, County 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 AMEND condition number 2 so that it shall be as follows for the reason set out.

2. The proposed development shall be amended as follows:
- (a) The external facing walls of the garage shall be relocated at least 2.5 metres off the northern and eastern site boundaries.
 - (b) Remove two dormer windows on the side (south) facing elevation.

Revised drawings and details showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of residential and visual amenity and to protect the residential amenities of neighbouring properties.

Reasons and Considerations

Having regard to the nature and scale of the proposed development, the 'RS' zoning objective for the site to 'provide for residential development and protect and improve residential amenity', the pattern of development in the area and the provisions of the Fingal County Development Plan 2023-2029, it is considered that the proposed development, subject to condition, would not seriously injure the residential and visual amenities of the area and would, therefore, be in accordance with the proper planning and sustainable development of the area.



Tom Rabbette

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this 11th day of July 2023.