



An  
Bord  
Pleanála

**Board Order**  
**ABP-316056-23**

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Fingal County Council**

**Planning Register Reference Number: F23A/0010**

**Appeal** by Marie Crean of 39 Admiral Park, Dublin against the decision made on the 2<sup>nd</sup> day of March, 2023 by Fingal County Council to grant subject to conditions a permission to Grainne Boylan and Cathal O'Daly care of Wilson Hill Architects of Unit 15, The Seapoint Building, 44/45 Clontarf Road, Dublin in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** (A) Proposed attic conversion to study/store. (B) Two number dormers to north and west elevations. (C) Proposed two number new roof lights to south elevation. (D) Modifications of existing internal walls. (E) All associated boundary treatments, landscaping and site works; all at number 40 Admiral Park, 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

Having regard to the provisions of the Fingal County Development Plan 2023-2029 and to the nature and scale of the proposed development on residentially zoned land, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application and by the further plans and particulars received by An Bord Pleanála on the 11<sup>th</sup> day of April 2023, 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 prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. The entire premises shall be used as a single dwelling unit apart from such use as may constitute exempted development for the purposes of the Planning and Development Regulations, 2001, or any statutory provision modifying or replacing them.

**Reason:** In the interest of clarity.

3. Attic floor space shall be used as a study/store and shall not be used for human habitation.

**Reason:** In the interest of clarity.

4. (a) The dormer structure on the rear (northern) roof plane shall be reduced to 300 millimetres below the ridge line of the existing house and shall permanently incorporate louvres as illustrated within the drawings submitted to An Bord Pleanála on the 11<sup>th</sup> day of April, 2023.
  - (b) The proposed side dormer structure shall be subject to the following amendments and development shall be carried out accordingly:
    - (i) the dormer structure shall be set-down 300 millimetres from the main ridge of the dwelling as indicated on the submitted drawings,
    - (ii) the side dormer shall be set back 0.3 metres from the external side wall of the existing dwelling, and
    - (iii) the side dormer window shall be fitted and permanently maintained with obscure glass, use of film is not acceptable.

**Reason:** In the interest of visual and residential amenity.

5. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

**Reason:** In the interest of orderly development.

6. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

**Reason:** In order to safeguard the residential amenities of property in the vicinity.

7. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including noise management measures and off-site disposal of construction/demolition waste.

**Reason:** In the interests of public safety and residential amenity.

8. 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 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 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.



**Tom Rabbette**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board**

Dated this 11<sup>th</sup> day of July 2023