



An
Bord
Pleanála

Board Order ABP-317392-23

Planning and Development Acts 2000 to 2022

Planning Authority: Fingal County Council

Planning Register Reference Number: F23A/0137

Appeal by Jim Creegan of Suaimhneas, Dublin Road, Celbridge, County Kildare against the decision made on the 26th day of May, 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: Conversion of existing attic space to habitable accommodation with ensuite, the provision of Velux roof lights to south facing roof elevation, Velux fire escape window and Velux windows and light tunnels to north facing roof elevation at 10 Boraimhe Elms, Swords, 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.

Condition

2. Prior to commencement of development, the developer shall submit, for the written agreement of the planning authority, revised elevation, roof and floor plans indicating the following:
 - (a) The six number roof lights and one light tunnel on the rear/south roof slope shall be omitted and replaced by two roof lights measuring 450 millimetres by 450 millimetres.
 - (b) The external finishes shall harmonise in colour and texture with the existing apartment building on site.

Reason: In the interest of visual amenity.

Reasons and Considerations

The proposed development comprises a modest amendment to an existing residential use which, subject to the amended condition, will not impact on the residential amenity of neighbouring property or the visual amenity of the wider area. Condition 2 refers, in part, to compliance with matters regulated under the Building Control Act, 1990, as amended. Having regard to these considerations the Board is satisfied that reference to same is not required for the proper planning and sustainable development of the area.



Una Crosse

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

Dated this 27th day of November 2023