



An  
Bord  
Pleanála

## Board Order ABP-318642-23

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Fingal County Council**

**Planning Register Reference Number: FW23A/0290**

**Appeal** by Patricia Clarke care of Róisín Clarke of 39 Brookhaven Rise, Blanchardstown, Dublin against the decision made on the 14<sup>th</sup> day of November, 2023 by Fingal County Council to refuse permission for the proposed development.

**Proposed Development:** Permission is sought for a two-storey extension (circa 107.8 square metres) to the side of the existing dwelling to facilitate new bedrooms, utility room and office/playroom along with all other ancillary site development works at 39 Brookhaven 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

Having regard to the design, scale, and mass of the extension to the side and rear of a semi-detached dwelling in a residential estate, it is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable within the context of the site. The location of the extension along the north of the site, and integration of high level windows, would ensure that the proposed development would not result in a negative impact on the amenities of adjoining properties in the vicinity of the site and would be in accordance with Policy SPQHP41 and Objective SPQH045 as set out in the Fingal County Development Plan 2023-2029. 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, 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 proposed extension shall be used solely as an extension to the main dwelling and shall not operate at a single entity.

**Reason:** To protect the amenities of property in the vicinity.

3. The external finishes of the proposed extension (including roof tiles/slates) shall be the same as those of the existing structure in respect of colour and texture.

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

4. Site development and building works shall be carried out only between the hours of 0800 to 1800 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.

5. The site development works and construction works shall be carried out in such a manner as to ensure that the adjoining streets are kept clear of debris, soil and other material.

**Reason:** In the interest of orderly development and to ensure that the adjoining roadways are kept in a clean and safe condition.

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

**Reason:** In the interest of public health.

7. Prior to commencement of development, the developer shall enter into water and/or wastewater connection agreements with Uisce Éireann.

**Reason:** In the interest of public health.

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 prior to commencement of development 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 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.



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Joe Boland

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

Dated this 5<sup>TH</sup> day of July 2024