



An
Bord
Pleanála

Board Order ABP-318695-23

Planning and Development Acts 2000 to 2022

Planning Authority: Fingal County Council

Planning Register Reference Number: F23B/0089

Appeal by Patrick Hayden care of 4bes Design Services of 38 Larkfield Avenue, Lucan, County Dublin against the decision made on the 22nd day of November, 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 comprising of modification of existing roof structure, raising of existing gable c/w window, new access stairs and flat roof dormer to the rear, all at 40 Ravenswell, Rush, County Dublin, as revised by the further public notices received by the planning authority on the 27th day of October, 2023.

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 carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 17th day of October, 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, or as otherwise stipulated by conditions hereunder, and the proposed development shall be carried out and completed in accordance with the agreed particulars. In default of agreement the matter(s) in dispute shall be referred to An Bord Pleanála for determination.

Reason: In the interest of clarity.

Reasons and Considerations

Having regard to the design and scale of the revised proposals in response to the further information submitted on the 17th day of October, 2023, the overall design and scale of the rear dormer extension is not considered to be excessive in scale and has sufficient regard to the provisions of Section 14.10.2.5 of the Fingal County Development Plan 2023-2029 regarding roof extensions. The proposed development would be satisfactory in the context of the visual amenities of the area and would be in accordance with 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 19th day of June 2024.