



Planning and Development Acts 2000 to 2022

Planning Authority: Fingal County Council

Planning Register Reference Number: F23A/0328

Application for Leave to Appeal against the decision of the planning authority by Caitriona and Ciaran Byrne of Saint Anthony's, Seatown West, Swords, County Dublin having an interest in land adjoining the land in respect of which Fingal County Council decided on the 1st day of December, 2023 to grant subject to conditions a permission to Mary McCormack care of Donal McNally Architects of 6 White Swan Business Centre, Greenville Avenue, South Circular Road, Dublin.

Proposed Development: The adaptation of the existing dwelling house and the construction of a separate two storey, two-bedroom, end of terraced dwelling house (129 square metres) including all associated site and boundary development works at 78 Seatown Villas, Swords, Co. Dublin.

Decision

REFUSE leave to appeal under section 37 (6) of the Planning and Development Act, 2000, as amended, based on the reasons and considerations set out below.

Reasons and Considerations

Under section 37(6) of the Planning and Development Act, as amended, the Board may, within four weeks from the receipt of the application, grant the applicant leave to appeal where the applicant shows that:

- (i) the development, in respect of which a decision to grant permission has been made, will differ materially from the development as set out in the application for permission, by reason of conditions imposed by the planning authority to which the grant is subject, and
- (ii) that the imposition of such conditions will materially affect the applicant's enjoyment of the land or reduce the value of the land.

The applicant for leave to appeal references the potential impact of the development which has been granted permission, on their residential amenity. The Board considered that it has not been shown that the development will differ materially from the development as set out in the application for permission, by reason of conditions imposed by the planning authority, to which the grant is subject. The Board, therefore, decided to refuse the appeal.



Martina Hennessy

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



Dated this ^{11^R} day of *January* 2024.