



Planning and Development Acts 2000 to 2022

Planning Authority: Fingal County Council

Planning Register Reference Number: F23A/0706

Appeal by Ciaran Brady of 77 Delvin Banks, The Naul, County Dublin against the decision made on the 23rd day of January 2024 by Fingal County Council to grant, subject to conditions, a permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: Permission is sought for the construction of a single storey extension to the side of existing dwelling, 77 Delvin Banks, Naul, 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 to REMOVE condition number 2 (a).

Reasons and Considerations

Having regard to the provisions of the Fingal County Development Plan 2023-2029, in particular the residential zoning of the site, the prevailing pattern and character of the existing development in the vicinity and the nature and scale of the proposed development, it is considered that the removal of Condition 2 (a) would not seriously injure the residential or visual amenities of the area or the property in the vicinity and would not endanger public safety or convenience by reason of traffic generation, flooding and drainage proposals, or otherwise.

The Board decided that the proposed development would have minimal impacts on visual amenity or character of the area, have any greater impact on amenity or character than the requested amendment, as framed in the condition by the Council and were also satisfied that the proposal will not adversely impact on the amenity of adjacent properties including in relation to loss of privacy or overshadowing issues due to the single story design, window locations, and separation distances. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.



Liam Bergin

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

Dated this 05th day of August 2024.