



An  
Bord  
Pleanála

**Board Order**  
**ABP-319562-24**

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Fingal County Council**

**Planning Register Reference Number: F24A/0079**

**Appeal** by Nina Fitzpatrick of 7 Seabury Orchard, Malahide, County Dublin against the decision made on the 25<sup>th</sup> day of March, 2024 by Fingal County Council to grant subject to conditions a permission to Paul and Jennifer O'Grady care of Stephen Blake of Trihill, Ballinamore Bridge, Ballinasloe, County Galway in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Alterations and extensions to existing dwellinghouse, including proposed rear first floor extension over existing rear ground floor annex, proposed attic extension and conversion, proposed additional Velux windows to front elevation, proposed additional Velux windows to side elevation to attic space and retention of existing Velux to front elevation to attic space and associated works, all at 5 Seabury Orchard, Malahide, County 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 nature and extent of the proposed development and the development proposed to be retained and to the pattern of development in the area, it is considered that the proposed development and the development proposed to be retained, subject to compliance with the conditions set out below, would not seriously injure the residential or visual amenities of the area or of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area.

## **Conditions**

1. The development shall be retained, 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 retained, carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. Prior to the commencement of the development, the developer shall submit for the written agreement of the planning authority, revised plans and particulars at an appropriate scale which provide for the following:
- (a) a one-metre setback between the above ground floor level extension to rear of dwelling and the eastern boundary, and
  - (b) the roof profile of the extension shall be amended to a hipped roof with the eaves level consistent with that of the existing dwelling and an appropriate set down from the main ridge of the dwelling.

The development thereafter shall be carried out strictly in accordance with the approved plans and particulars.

**Reason:** In the interests of residential amenity and the proper planning and sustainable development of the area.

3. The external finishes of the proposed extension (including roof tiles/slates) shall be the same as those of the existing dwelling 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, 0800 to 1400 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.



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**Declan Moore**

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

**Dated this 8<sup>th</sup> day of October 2024.**