



An  
Bord  
Pleanála

## Board Order ABP-319761-24

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### Planning and Development Acts 2000 to 2022

**Planning Authority: Fingal County Council**

**Planning Register Reference Number: F24A/0177**

**Appeal** by Declan and Aine Keane of 1 Holywell Row, Swords, County Dublin against the decision made on the 26<sup>th</sup> day of April, 2024 by Fingal County Council in relation to an application for attic conversion to the main roof for storage purposes, remodel of existing hip profile to gable at side, provision of a dormer window to rear roof slope, internal modification works at first floor level and retention of a 2.1-metre-high side boundary wall adjacent to the public footpath, all at 1 Holywell Row, Swords, County Dublin in accordance with the plans and particulars lodged with the said Council (which decision was to grant subject to conditions permission for the attic conversion to the main roof for storage purposes, remodel of existing hip profile to gable at side, provision of a dormer window to rear roof slope, and internal modification works at first floor level and to refuse permission for retention of a 2.1-metre-high side boundary wall adjacent to the public footpath).

## Decision

**GRANT permission for the attic conversion to the main roof for storage purposes, remodel of existing hip profile to gable at side, provision of a dormer window to rear roof slope, and internal modification works at first floor level in accordance with the said plans and particulars based on the reasons and considerations marked (1) under and subject to the conditions set out below. REFUSE permission for the retention of a 2.1-metre-high side boundary wall adjacent to the public footpath for the reasons and considerations marked (2) under.**

## Reasons and Considerations (1)

Having regard to the RS residential zoning objective for the area, as set out in the Fingal County Development Plan 2023-2029, it is considered that, subject to compliance with the conditions set out below, the proposed development would not have an adverse impact on the residential and visual amenities of the area, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

## Conditions

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

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

2. Details of the materials, colours and textures of all the external finishes to the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

3. The 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 and surface water management.

## **Reasons and Considerations (2)**

Having regard to the requirements of Section 14.17.6 (Road Safety) and Objective DMSO118 of the Fingal County Development Plan 2023-2029, which aims to avoid the creation of traffic hazards, it is considered that the development proposed to be retained would significantly reduce the sightlines and pedestrian-vehicular intervisibility at the vehicular entrance to the neighbouring property directly to the west, would create a traffic hazard, and would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission for the retention of the 2.1-metre-high side boundary wall adjacent to the public footpath, the Board considered that, notwithstanding the configuration of other walls in the immediate area, in this instance the wall's configuration would significantly diminish the sightlines and pedestrian-vehicular intervisibility at the vehicular entrance to the neighbouring property directly to the west for both pedestrians using the public footpath and for a vehicle exiting from the property.

*Mary Gurrie*

**Mary Gurrie**

**Member of An Bord Pleanála**

**duly authorised to authenticate  
the seal of the Board.**

**Dated this *15* day of *October* 2024.**