



An
Bord
Pleanála

Board Order ABP-320290-24

Planning and Development Acts 2000 to 2022

Planning Authority: Fingal County Council

Planning Register Reference Number: F24A/0481E

Appeal by Philip and Jacqueline Derby of 19 Carrickhill Walk, Portmarnock, County Dublin against the decision made on the 15th day of July, 2024 by Fingal County Council to grant subject to conditions a permission to Ian O'Brien and Elaine Clancy care of 4bes Design Services of 38 Larkfield Avenue, Lucan, County Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: Construction of extension, conversion of attic and all associated site works, all at 21 Carrickhill Walk, Carrickhill Portmarnock, 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.

Decision

Having regard to the residential zoning objective, which seeks to provide for residential development and protect and improve residential amenity, it is considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with Section 14.10.2.5 (Roof Alterations including Attic Conversions and Dormer Extensions) of the Fingal Development Plan 2023-2029, would not have an adverse impact on the residential amenities of adjoining properties, including the amenity of 19 Carrickhill Walk 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. Prior to commencement of development, the developer shall submit for the written agreement of the planning authority revised drawings providing for the following modifications:

- (a) the cantilever at first floor level to the side shall be omitted and the first-floor side extension shall be constructed within the ground floor building footprint,
- (b) the rear dormer structure shall be set down from the main ridge line of the existing pitched roof by a minimum of 300 millimetres,
- (c) the dormer structure shall be reduced to a maximum width of three metres and shall provide for one window opening centrally located within the structure, and
- (d) the front ground floor extension shall project at a maximum depth of 1.8 metres (existing external wall to proposed external wall).

Reason: In the interest of orderly development, and visual and residential amenity.

3. The developer shall enter into water and wastewater connection agreements with Uisce Éireann.

Reason: In the interest of public health.

4. Surface water drainage arrangements shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

5. Details of the external finishes of 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.

6. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to the Board to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.



Liam Bergin

Member of An Bord Pleanála

duly authorised to authenticate
the seal of the Board.

Dated this 20th day of November 2024.