



An
Bord
Pleanála

Board Order ABP-321700-25

Planning and Development Acts 2000 to 2022

Planning Authority: Fingal County Council

Planning Register Reference Number: F24A/0963E

Appeal by Ann Charleton and by others care of 24 The Rise, Malahide, County Dublin against the decision made on the 18th day of December, 2024 by Fingal County Council to grant subject to conditions a permission to Michael and Suzi McGuirk care of Wilson Hill Architects of 15 The Seapoint Building, 44-45 Clontarf Road, Clontarf, Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: Retention of alterations and amendments from the previously granted planning permission, planning register reference number F22A/0245, as follows: (1) minor set-back to a section of north elevation at first-floor level and subsequent minor alteration to the roof profile to the small west-facing pitched roof over the ground floor side extension. (2) Main house ground floor level lowered by 355 millimetres. (3) Garden room ground floor level lowered by 355 millimetres. (4) Adjustments to positions of the sliding doors to the rear (east) elevation. (5) The removal of one number window to first floor and one number window at ground floor to side (south) elevation. (6) Minor adjustment to position of window and door at ground floor on side (south) elevation. (7) Reduction in extent of proposed brickwork at side (south) elevation at ground floor. (8) Windowsill at first floor level to side (north) elevation lowered by 140 millimetres. (9) Modifications to the internal layout. (10) Amendments to the number, size and position of rooflights

on single storey rear roof extension. (11) Removal of one number rooflight to the single storey rear roof extension. (12) New rooflights to the flat roof section of the main roof at attic level. (13) New single storey flat roof shed of 18 square metres to replace previously existing timber shed of 12.55 square metres. (14) New single storey flat roof metal canopy link. (15) New BBQ area in rear garden. (16) All associated works, including landscaping, rear boundary walls and ancillary site works required to carry out the development. (17) New front boundary wall, fence and gates. (18) Photovoltaic panels to roof of garden room. (19) First floor parapet to rear (east) elevation raised by 235 millimetres. (20) Regularisation of overall height of house and rear dormer following accurate survey of dwelling, all at 18 The Rise, Malahide, County Dublin.

Decision

GRANT permission for the above 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 'RS' – 'Residential zoning objective for the site as set out in the Fingal County Development Plan 2023-2029, the planning history of the site, the nature and scale of the development proposed to be retained, and the existing pattern of development in the vicinity, it is considered that, subject to compliance with the conditions set out below, the development proposed to be retained would not be out of character with development in this Architectural Conservation Area, 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 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 and the development shall be retained in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Apart from any departures specifically authorised by this permission, the development shall comply with the conditions of the parent permission granted under planning register reference number F22A/0245, unless the conditions set out hereunder specify otherwise. This permission shall expire on the same date as the parent permission.

Reason: In the interest of clarity and to ensure that the overall development is carried out in accordance with the previous permission.

3. The garden shed hereby permitted shall be used for private domestic use only and shall not be used for human habitation or for any commercial purpose. It shall not be sold, let or otherwise transferred or conveyed, save as part of the overall dwelling.

Reason: To safeguard the residential amenities of adjoining properties.

4. Within six months from the date of this order, the granite capping to the front boundary wall and entrance piers shall be removed.

Reason: To conserve the character of the Architectural Conservation Area.

5. Drainage arrangements, including the attenuation and 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.



Declan Moore

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

Dated this 15th day of MAY 2025.