



An
Bord
Pleanála

Board Order
ABP-321714-25

Planning and Development Acts 2000 to 2022

Planning Authority: Fingal County Council

Planning Register Reference Number: F24A/0768E

Appeal by Daniel McGuinness of 4 Blackwood Park, Ongar Chase, Dublin against the decision made on the 16th day of December, 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: The demolition of two existing shed roofs and partial demolition of their walls, and the construction of one new detached dwelling, new vehicle access, new boundary walls, soakaway, utility connections and all associated site works at Sandy Road, Rush, County Dublin

Decision

Having regard to the nature of the conditions 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 ATTACH condition number 14 and the reason therefor and AMEND condition number 3 so that it shall be as follows for the reason set out.

3. Prior to the commencement of development, the applicant/developer shall submit revised plans and particulars for the written agreement of the planning authority which demonstrate the following:
 - (a) The on-suite bathroom window at the second floor (attic)/roof level on the rear elevation shall be a skylight/rooflight as per Drawing Number 2413_P_250 Rev 01 as received by the planning authority on the 26th day of November 2024.
 - (b) The two skylights/rooflights at the second floor (attic)/roof level on the rear elevation as per Drawing Number 2413_P_250 Rev 01 as received by the planning authority on the 26th day of November 2024.
 - (c) The provision of a roof to the rear single storey element of the dwelling as per Drawing Number 2413_P_300 and Drawing Number 2413_P_400 as received by An Bord Pleanála on the 20th day of January 2025.

Reason: In the interests of the visual and residential amenity of the area and to ensure proper planning and sustainable development.

Reasons and Considerations

Having regard to the 'TC – Town and District Centre' zoning objective of the site, the objective for which is to 'Protect and enhance the special physical and social character of town and district centres and provide and/ or improve urban facilities', and the planning policies, objectives and development standards of the Fingal Development Plan 2023-2029 and to the nature, scale and design of the development relative to the existing pattern of development in the wider area, it is considered that subject to compliance with the condition set out above, the proposed development would be an acceptable form of development at this location and would not seriously injure the amenities of adjoining properties, and would, therefore, be in accordance with the proper planning and sustainable development of the area.


Marie O'Connor

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

Dated this 28 day of April 2025