



An
Coimisiún
Pleanála

Commission Order
ACP-323259-25

Planning and Development Act 2000, as amended

Planning Authority: Fingal County Council

Planning Register Reference Number: FW25A/0227E

Appeal by Liam Kinnucan and Fionnuala Keane care of Cummins and Voortman Limited of Suite 8, Building 1, Stokes Court Main Street, Dundrum, Dublin against the decision made on the 10th day of July, 2025 by Fingal County Council to grant permission subject to conditions in accordance with plans and particulars lodged with the said Council.

Proposed Development: Planning permission to (a) convert attic space for storage use and extend attic to rear and (b) install windows to north and east elevations of attic and all associated site works at 17 Sherlerin, Clonsilla, Dublin.

Decision

Having regard to the nature of the condition the subject of the appeal, the Commission is satisfied that the determination by the Commission 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 AMEND condition number 3 so that it shall be as follows for the reason set out.

3. The developer shall amend the design of the proposed development to accord with the following:
 - (a) The dormer structure shall be set down a minimum 0.1 metres from the existing ridge of the principal dwelling.
 - (b) The maximum external width of any window opening in the dormer shall not exceed 1.7 metres wide.

Reason: In the interest of the proper planning and sustainable development of the area.

Reasons and Considerations

In deciding not to agree with the Inspector's recommendation to attach Condition 3 as per the planning authority's decision, the Commission noted that while Section 14.10.2.5 of the Fingal County Development Plan 2023-2029 specifies that a dormer shall be set back from the eaves, gables and /or party boundaries and set down below the existing ridge level, it does not set a mandatory quantum for the set back or set down distances. The Commission also noted that the assessment of both the Inspector and planning authority that there was no impact on residential amenity of properties in the area arising from the dormer. Having regard to the development plan objectives in support of domestic extensions the Commission considered that subject to compliance with the amended Condition 3 the proposed development would accord with the provisions of the development plan and would therefore be in accordance with the proper planning and sustainable development of the area.

Mary Gurrie

Mary Gurrie

**Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.**



Dated this 26 day of November 2025