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**Planning and Development Act 2000, as amended**

**Planning Authority: Fingal County Council**

**Planning Register Reference Number: F25A/0954E**

**Appeal** by Criostóir De Stín against the decision made on the 5<sup>th</sup> day of December, 2025 by Fingal County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Planning permission is sought for attic conversion with dormer window to rear, Velux windows to front and all associated works at 53 The Avenue, Saint Marnock's Bay, Portmarnock, County Dublin.

## **Decision**

Having regard to the nature of the condition 4(a) 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 4(a) so that it shall be as follows for the reason set out below.

4. (a) The proposed rear dormer shall be reduced in length to 5.5 metres maximum and positioned set back by a minimum of 0.5 metres from each side edge of the roof.

### **Reasons and Considerations**

Having regard to the residential land use zoning for the site, and to the pattern of development in the area, it is considered that the conditioned requirement for central positioning of the dormer window, by reason of its limited scale, nature and design, and its location with respect to adjoining properties, would not detract from the character of the dwelling and would not seriously injure the amenities of the area or of property in the vicinity by reason of overlooking or loss of privacy. The planning authority's condition number 4 (a) requiring the central positioning of the proposed dormer window is, therefore, not warranted.

  
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**Mary Henchy**

**Planning Commissioner of An Coimisiún**

**Pleanála duly authorised to authenticate**

**the seal of the Commission.**

Dated this *31<sup>st</sup>* day of *March* 2026

