



An Bord Pleanála
64 Marlborough Street
Dublin 1

AN BORD PLEANÁLA	
LDG-	<u>065760-23</u>
ABP-	<u>317659-23</u> 17 th July 2023
19 JUL 2023	
Fee: €	<u>110</u> Type: <u>c/c</u>
Time:	<u>11:37</u> By: <u>Aard</u>

A Chara,

In accordance with Section 5(4) of the Planning and Development Act, 2000, as amended, Fingal County Council requests a declaration from An Bord Pleanála in respect of a development at 10 Burrow Road, Sutton, Dublin 13 as outlined below.

An Enforcement Notice was issued under Section 154 of the Planning and Development Act 2000 (as amended) in relation to this development in 2020 as Fingal County Council considered the works do not constitute exempted development.

The development includes the demolition of part of a habitable dwelling in the form of a two storey rear extension measuring 92 square metres, which was stated verbally to Fingal County Council's Planning Enforcement Inspector during a site inspection as having been constructed prior to 1964. The development includes the construction of a new two storey rear extension measuring 129 square metres on a different footprint to the above mentioned demolished extension. In issuing the enforcement notice Fingal County Council considered that the development was not exempted development as it does not comply with the conditions and limitations set out in the Planning and Development Regulations 2001 (as amended) under Schedule 2, Part 1, Exempted Development – General, Class 1 and Class 50. Further additional works to the western side elevation including the demolition of a sunroom have since been carried out and a new sunroom and lean to roof is under construction as detailed below.

Since issuing the Enforcement Notice the developer has put forward the case that they consider the development is exempted development.

At this point it is considered appropriate to seek a declaration from An Bord Pleanála on the matter.

A declaration is sought in relation to the following development:

"Whether the

- demolition of a two-storey extension measuring 92 square metres to the rear of a dwelling (46 square meters on each floor)

- construction of a new two-storey extension measuring 129 square metres to the rear of dwelling (73 square metres at ground floor and 56 square metres at first floor)
- demolition of a single storey sunroom measuring 5 square metres on the western side elevation
- construction of a single storey extension measuring 2 square metres on the western side elevation
- construction of lean-to roof on the western elevation measuring approximately 6900mm long and 1600mm wide
- construction of a wooden fence measuring 2 metres in height along the western boundary in the front garden of the house

is or is not development and is or is not exempted development”

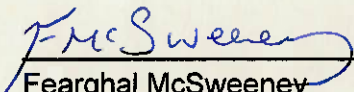
Please find enclosed drawings showing plans and elevations of the demolished structures and new extensions.

We would consider it appropriate that An Bord Pleanála, in the consideration of this referral, seek the views of the owners of the property at 10 Burrow Road.

I attach the appropriate fee of €110 for the declaration request.

If you have any queries regarding the above or the attached drawings please contact this office.

Yours faithfully,



Fearghal McSweeney
Administrative Officer
Fingal County Council