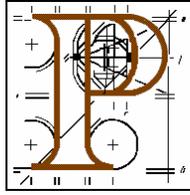


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2011

Ballina Town

Planning Register Reference Number: P11/3130

An Bord Pleanála Reference Number: PL 36.240325

APPEAL by Gary Piggott care of Doherty Coleman Architects of Bridge Street, Ballina, County Mayo against the decision made on the 20th day of February, 2012 by Ballina Town Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Construction of a two-storey rear extension, and alterations and associated site works to dwellinghouse at 55 Healy Terrace, Ballina, County Mayo.

DECISION

Having regard to the nature of the condition 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 REMOVE condition number 2 and the reason therefor.

REASONS AND CONSIDERATIONS

Having regard to the layout of the site and its neighbour to the west, which has already extended into the communal side passage and the extent that the proposed extension intrudes into this passageway, it is considered that there is sufficient space to ensure maintenance of both dwellings. The attachment of condition number 2 is, therefore, considered unnecessary.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

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

Dated this day of 2012.