



Board Direction

Ref: 29S.245817

The submissions on this file and the Inspector's report were considered at a Board meeting held on 1st, March 2016.

The Board decided to treat this case under section 139 of the Planning and Development Act, 2000. The Board also decided, based on the Reasons and Considerations set out below, that the planning authority be directed, as follows:

Remove condition number 2 and Reason

REASONS AND CONSIDERATIONS

Having regard to the established pattern and character of development in the vicinity of the site and the configuration of the site viz-a-viz neighbouring dwellings and the setback of the proposed overhang at first floor level to the rear of the site only, the Board that considered that this element of the extension would not be unduly visually dominant when viewed from the public streetscape or from the neighbouring dwelling at No. 13 Connolly Avenue. Furthermore, the Board considered that the degree to which the proposed rear extension projects beyond 4m to the rear of the main dwelling is de minimis and would not give rise to injury to the amenities of the neighbouring dwelling at No. 11 Connolly Avenue. Accordingly, the Board considered that the extension, as proposed, would not seriously injure the residential amenities of the area and that the requirements of condition number 2 of the planning authority notification of decision to grant planning permission would be unwarranted.

In not accepting the Planning Inspectors recommendation to amend condition number 2 as imposed by the planning authority, the Board for the reason stated above, did not share the Inspector's conclusions in respect of the impact of the proposed overhang at first floor level on the neighbouring dwelling and the residential amenities of the area.

Board Member: _____
Paddy Keogh

Date: 1st, March 2016