



Board Direction

Ref: PL17.245840

The submissions on this file and the Inspector's report were considered at a Board meeting held on 30th March 2016.

The Board decided to refuse permission in accordance with the draft reasons and considerations set out below.

REASONS AND CONSIDERATIONS

Having regard to its nature and its location within a principally residential apartment block, it is considered that the proposed development would seriously injure the residential amenities of a significant number of dwellings in close proximity, by reason of odour and noise arising from the discharge of fumes directly into the residential courtyard that serves as the private shared amenity area for residents of the apartments, and underneath balconies and apartment windows, as well as from the management of waste activities, which would result in noise and general disturbance in a residential environment that is sensitive to such activity. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board had serious concerns in relation to the close proximity of numerous residential units including those immediately adjacent and overhead and their balconies. The Board had particular concerns in relation to the potential for high levels of noise generation from venting/extraction, and the absence of proposals to vent ducting internally to at least 1 m above eaves level, and generally concurred with the initial concerns of the planning authority in this matter, which approach was considered to be reasonable. In view of the absence of meaningful and relevant detail in relation to the proposed extraction system, the Board considered that the risk in relation to odour, as well as noise, would be very high, emanating at courtyard level. Neither was any provision made for waste management activity, nor was there any evident means of doing so within the premises. The Board, therefore, considered that the impacts from the proposed development of odour, noise and general disturbance on the apartments and on the private shared courtyard serving them would be unacceptable in terms of residential amenity.

Board Member: _____ Date: 1st April 2016
Fionna O' Regan