



Board Direction

Ref: 29S.246627

The submissions on this file and the Inspector's report were considered at a Board meeting held on 16th, August 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 nature and scale of the proposed development and the existing character and pattern of development in the vicinity of the site and the configuration of development on the site and immediately adjoining sites, the Board considered that the proposed development would not seriously injure the residential amenities of the adjoining dwelling or the amenities of the area and accordingly the requirement of condition number 2 attached to the planning authority notification of decision to grant planning permission was unwarranted.

In deciding not to accept the Planning Inspector's recommendation to amend condition number 2 attached to the planning authority's notification of decision to grant planning permission the Board considered that the proposed development would not seriously injure the amenities of the neighbouring dwelling and accordingly considered that the proposed modification being proposed by the Planning Inspector was unwarranted. The Board further noted the provision of S. 34(13) of Planning and Development Act, 2000 in relation to the issue of potential overhanging of gutters or other features of the proposed conservatory.

Board Member: _____
Paddy Keogh

Date: 16th, August 2016