



An
Bord
Pleanála

Board Direction
PL 29S.247520

The submissions on this file and the Inspector's report were considered at a Board meeting held on 21st February 2017.

The Board decided, by a 2:1 majority, to refuse permission for the following reasons and considerations.

Reasons and Considerations

1. Having regard to the pattern of development in the vicinity, including the streetscape pattern, the restricted nature of the site, and the scale, design and proximity to boundaries of the proposed extensions, it is considered that the extensions proposed for retention would seriously injure the visual amenities of the area and the residential amenities of adjacent property by reason of overbearing impact and overshadowing. The development proposed for retention would therefore be contrary to the PP&SD of the area.
2. The development for which retention permission is proposed would materially contravene condition No.2 of permission reference PL 29S.245240, which was imposed by An Bord Pleanála in order to protect the visual and residential amenities of the area and to bring the proposed development in line with the PP&SD of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board did not consider that there were any grounds put forward that would merit a departure from the assessment and decision of the Board in the recent permission issued under PL 29S.245240 which stipulated the design changes necessary to make the proposed development acceptable in terms of the proper planning and

sustainable development of the area. That decision was aligned with the planning authority decision in the case (planning authority reference 2672/15). The Board did not agree that the extensions to front and rear, as constructed, were acceptable, and did not consider that the amendment by condition recommended by the inspector would address the protection of residential amenities adequately. Granting permission for retention in these circumstances would also set an undesirable precedent in terms of consistency in development control.

Board Member

Date: 21st February 2017

Conall Boland