



An
Bord
Pleanála

Board Direction
PL29S.248307

The submissions on this file and the Inspector's report were considered at a Board meeting held on June 26th 2017.

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

Attach condition number 3 (a)

Remove condition numbers 3 (b) and 3 (c)

Reasons and Considerations

It is considered that, having regard to the pattern of development in the vicinity of the site, including the significant variations in terms of elevational treatment of neighbouring dwellings and of the new development approved on the opposite side of Church Gardens, the omission of the proposed front dormer extension, as required by condition number 3 (a), was not warranted. However, it is considered that, by reason of its location relative to adjoining properties, the proposed first floor balcony would seriously injure the residential amenities of adjoining properties, and that the inclusion of conditions numbers 3 (b) and 3 (c), requiring its omission, together with the sliding door accessing the balcony, was justifiable and reasonable.

In not accepting the Inspector's recommendation to refuse permission for the entire development, the Board had regard to the brownfield nature of the subject site and to the design, scale and nature of the proposed infill development, and was of opinion that the amount and quality of open space provided for the proposed dwelling at ground floor level, while not optimal in terms of quality, was reasonable in the context of the site conditions and would not lead to such dis-amenity to future occupants of the dwelling as to justify a refusal in this particular instance.

Board Member:

Date: 27th June 2017

Philip Jones