



An
Bord
Pleanála

Board Direction
BD-003056-19
ABP-302929-18

The submissions on this file were considered at a Board meeting held on 16/05/2019.

The Board decided to dismiss this appeal under section 138 of the Planning and Development Act, 2000 based on the following reasons and considerations.

Having regard to the limitations imposed under section 34(3A) and 34(3B) of the Planning and Development Act, where the Board is restricted in its determination of the application to considering the modifications proposed by the applicant, and where an appeal is limited to a materially significant change to the approved external appearance of the proposed development, the Board considers that the grounds of appeal are outside of the limitations imposed by section 34(A) and 34(B) and decided under the provisions of section 138(1)(b)(i) of the Act, to dismiss the appeal.

In deciding not to accept the Inspector's recommendation to grant permission, the Board considered that the appeal cannot be determined by it in view of the provisions of section 34(B) of the 2000 Act and accordingly, dismissed the appeal.

Board Member:

Date: 17/05/2019

Michelle Fagan