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Bord  
Pleanála

**Board Direction**  
**BD-003173-19**  
**ABP-303095-18**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 29/05/2019.

The Board decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

### **Reasons and Considerations**

1. It is considered that the proposed development, by virtue of its design, siting and proximity to Herbert Hill House, would materially and adversely affect the character and setting of the protected structure and would, therefore, seriously injure the amenities of the area and be contrary to the proper planning and sustainable development of the area.
2. Having regard to the planning history of the site, in particular, the quantum of accommodation on the site and the use of this part of the site as open space serving the overall development as granted by PA Ref. No. D15A/0405 / ABP Ref. No. PL06D.245456, as amended by PA Ref. No. D17A/0071 / ABP Ref. No. PL06D.248343, it is considered that the proposed development would seriously injure the residential amenity of the future occupants of the permitted development by reason of loss of open space. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
3. The proposed development would, by reason of the loss of communal open space, and due to its adverse impact on the setting of a protected structure, contravene materially a condition attached to an existing permission for development namely, condition number 2 attached to the permission granted

by the Board on the 25<sup>th</sup> day of January, 2016 under appeal reference number PL06D.245456.

**Board Member**

**Date:** 29/05/2019

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Michelle Fagan