



An
Bord
Pleanála

Board Direction
ABP-303117-18

The Board held a further meeting, on July 16th, 2019, to consider the submissions made on behalf of the owner/occupier of the adjoining premises, including the letter of June 5th, 2019, which had not been on file at its original meeting of June 21st, 2019. The Board noted that the owner/occupier had since been afforded an opportunity to respond to the documentation that had been submitted by the referrer in this case, by way of a Section 131 notice dated June 25th, 2019, which notice enclosed the full referral documentation that had been received by the Board on 28th November 2018 (including the original planning authority determination).

The Board considered the content of the submission from Simon Clear and Associates received on July 10th, 2019, on behalf of the owner/occupier of the adjoining premises, in response to the Section 131 Notice.

The Board decided to confirm its original decision of June 21st, 2019, again by a margin of two votes to one, that the development in question is development and is exempted development, and for the reasons and considerations as set out in its Direction of that date. The Board noted that issues relating to ownership, as referred to in the response submission, are civil matters between the parties, and are not germane to the decision that it has to reach in this case, which is whether or not the subject windows and door / long window are, or are not, development and are, or are not, exempted development.

Board Member

Date: 16th July 2019

Philip Jones