



An  
Bord  
Pleanála

**Board Direction**  
**BD-002866-19**  
**ABP-303215-18**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 24/04/2019.

The Board decided to refuse permission for the following reasons and considerations.

### **Reasons and Considerations**

The Board had regard to the impact of open spaces to the overall environment of the housing estate, and considered that the proposed development would materially contravene the terms and conditions of the parent planning permission for the overall residential estate (planning register reference number 99/5878) as the development would encroach on lands which have been designated as public open space serving the overall estate. The Board considered that a grant of planning permission would set an undesirable precedent for similar type developments in this residential estate. Furthermore, the proposed development, by reason of its elevated position above the local road, layout and design of houses and by reason of its close proximity to the existing dwelling to the south, would be out of character with the pattern of development in the area, would be overbearing on the existing dwelling and would seriously injure the residential amenities of this dwelling and the visual amenities of the area. The proposed development would, therefore, be contrary to the grant of planning permission and the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board disagreed with the Inspector's assessment that the proposed omission of the

public open space from the overall scheme would not have a material and adverse impact on the residential amenities of the estate and that properties would not be adversely impacted by way of overlooking.

**Board Member**

**Date:** 25/04/2019

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Stephen Bohan