



An
Bord
Pleanála

Board Direction
BD-004201-19
ABP-304611-19

The submissions on this file and the Inspector's report were considered at a Board meeting held on 07/10/2019.

The Board decided to make a split decision, to

- (1) grant permission for the retention of the paved drive to the front and side of the house as set out in Reasons and Considerations (1) and Conditions.

and

- (2) refuse permission for the retention of the change of use of lands to side of house from public amenity to private open space and, for the retention of the fence to the boundary of the site, for the Reasons and Considerations (2).

Reasons and Considerations (1)

Retention permission is granted having regard to the scale, location and pattern of development in the area it is considered that subject to compliance with conditions set out below the proposed retention of paved drive in to the front and side of the house would not seriously injure the amenities of the area and would be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The paved drive-in shall be retained in accordance with the plans and lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the

planning authority, the developer shall agree such details in writing with the planning and the development shall be retained in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Use of the paved area shall be for purposes incidental to the enjoyment of the dwelling house.

Reason: To clarify the permission in the interest of residential amenity.

Reasons and Considerations (2)

The proposed development would result in the enclosure of an area of public open space which would detract from the open character of the estate. It is considered that the retention of the fence and the use of the area of ground as part of the curtilage of the dwelling would seriously injure the amenities of the area and of property in the vicinity and would set an undesirable precedent for similar such development. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Board Member:

Date: 07/10/2019

Michelle Fagan