



An  
Bord  
Pleanála

**Board Direction**  
**BD-004961-20**  
**ABP-305688-19**

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The submissions on this file and the Inspector's report were considered at a Board meeting held on 17/01/2020.

The Board decided to treat this case under section 139 of the Planning and Development Act, 2000. The Board also decided, based on the Reasons and Considerations set out below / set out on the attached copy of the Inspector's report, that the planning authority be directed, as follows:

Attach condition number 2 (a)

Amend condition number 2(b) as follows

2(b) A canopy shall be provided solely to the rear / south of the dwelling. This canopy shall be set in a minimum of 2m from the eastern boundary. It shall be no deeper than 3m and shall have a hipped pitched roof completed with concrete tiles and of maximum ridge height of 3.5m.

## **Reasons and Considerations**

Having regard to the nature of the condition the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to ATTACH condition number 2(a), to AMEND condition 2(b) as outlined in the Schedule below and to ATTACH the reason therefor.

Having regard to the nature scale and location of the proposed development it is considered that subject to the amendments of the canopy to be located only to the rear of the dwelling, the proposed development would not seriously injure the residential or visual amenities of the area and would therefore be in accordance with the proper planning and suitable development of the area.

**Board Member:**

**Date:** 20/01/2020

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Paul Hyde