



An
Bord
Pleanála

Board Direction
BD-006460-20
ABP-307383-20

The submissions on this file and the Inspector's report were considered at a Board meeting held on 15/09/2020.

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

Reasons and Considerations

Having regard to the Zoning Objective of the site and to Objective H4 of the Rathkeale Local Area Plan 2012 – 2018 (as extended) and the restricted nature of the backland site, which is further constrained by extant permissions for dwelling houses to the immediate south-east and to the north of this site, the Board considers that the applicant has failed to demonstrate that the subject building is a dwelling house and, in these circumstances, its proposed alteration and extension for use as a dwelling house would constitute over-development of the site.

Consequently, the proposed dwelling house would be seriously injurious to the anticipated amenities of the adjacent permitted dwelling house to the south-east, especially, due to overlooking, and an associated loss of privacy, and overbearing. Conversely, the proximity of this permitted dwelling house would militate against the establishment of a satisfactory standard of amenity to residents of the proposed dwelling house, due to reciprocal overlooking and overbearing, and, in addition, overshadowing. Furthermore, the proposed dwelling house would be served by insufficient private open space. Thus, the proposal would contravene the Zoning Objective for the site and Objective H4 of the Local Area Plan, both of

which seek to protect residential amenity, and so it would be contrary to the proper planning and sustainable development of the area.

Board Member

Date: 15/09/2020

Terry Ó Niadh