

An
Bord
Pleanála

Board Direction
BD-008586-21
ABP-308669-20

The submissions on this file and the Inspector's report were considered at a Board meeting held on 22/06/2021.

The Board decided to make a split decision, to

- (1) grant permission, for the following reasons and considerations and subject to the following conditions for retention of,
 - (a) realignment of part of side boundary wall of rear garden,
 - (b) repositioning of external door and window openings to side and rear elevations at ground level,
 - (c) inclusion of 3 additional rooflights on rear roof pitches.

and

- (2) refuse permission for retention of modification of the roof profile and overall ridge height.

generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

In deciding not to accept the Inspector's recommendation to grant retention permission, the Board shared the view of the Inspector in relation to the acceptability of the side boundary wall, external door, window openings and additional rooflight elements for which retention permission was sought, but considered that on the basis of the information submitted with the application and appeal, it was not satisfied that the roof of the adjoining semi-detached house, to which the modified roof of the subject application would be affixed, was not unauthorised. In the

absence of certainty on this matter the Board determined that it would not be appropriate to grant retention permission for the modified roof profile and overall ridge height when the relationship of this element of the development to the authorised form of the roof of the adjoining house may not be finalised.

(1)

Reasons and Considerations

Having regard to the provisions of the Kilkenny City and Environs Development Plan 2014-2020, the 'Existing Residential' zoning objective for the area, the planning history of the site, and to the nature and extent of the development for which retention permission is sought, it is considered that, subject to compliance with the conditions set out below, the development for which retention permission is sought would not seriously injure the residential or visual amenities of the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions.

1. The development shall be retained and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 25th September 2020 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 authority within three months of the date of this Order and the development shall be retained and completed in accordance with the agreed particulars.

Reason: In the interest of orderly development.

2. Apart from the specified alterations for which retention permission has been granted under this permission, the development of this site shall be completed in accordance with the provisions of Planning Permission P.18/384.

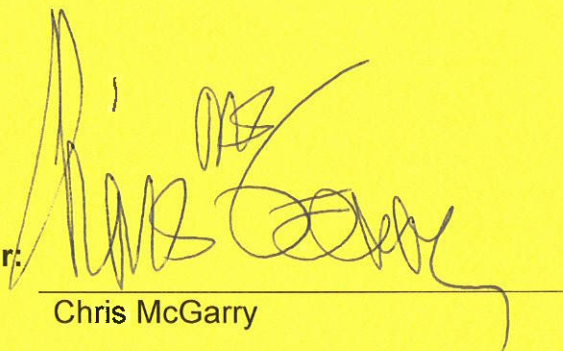
Reason: To ensure that the development accords with the permission.

(2)

Reason.

Having regard to the information submitted with the application and appeal, the Board is not satisfied that the roof of the adjoining semi-detached house, to which the modified roof of the subject application would be affixed, is not unauthorised. In the absence of detail on file providing certainty as to the consent status of the roof of the adjoining semi-detached house, it would not be appropriate for The Board to grant retention permission in this instance.

Board Member:



Chris McGarry

Date: 22/06/2021

