

An  
Bord  
Pleanála

**Board Direction**  
**BD-007997-21**  
**ABP-308833-20**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 22/04/2021.

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, that the planning authority be directed, as follows:

Remove condition number 4

Amend condition number 5 as follows

5. Prior to the commencement of development, revised drawings and details indicating the omission the canopy structure attached to the rear extension in its entirety, and a revised roof proposal over the rear doorway to the private amenity area, shall be submitted to, and agreed in writing with, the planning authority.

**Reason:** In the interest of protecting existing visual and residential amenity.

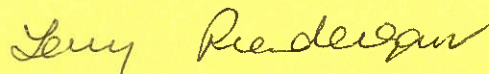
## Reasons and Considerations

Having regard to the residential land use zoning of the site, the nature and scale of the proposed development and its configuration relative to the neighbouring property to the north/ north west at No. 38 Woodlands Drive, it is considered that:

- the modifications required by the planning authority in its imposition of condition no. 4 are not warranted, and that the proposed development, with the omission of condition no. 4, would not have a significant negative impact on the residential amenities of this neighbouring property, or any other property in the vicinity of the application site. Therefore, the proposed development would be in accordance with the proper planning and sustainable development of the area.
- the modifications required by the planning authority in its imposition of condition no. 5 are not warranted in relation to the single-storey extension only, and the proposed development, with the omission of condition no. 5, would not have a significant negative impact on the residential amenities of this neighbouring property, or any other property in the vicinity of the application site. Therefore, the proposed development would be in accordance with the proper planning and sustainable development of the area.

It is considered that the canopy structure provided to the rear of the proposed single-storey extension would extend the potential for overshadowing of the private amenity space of no. 38 Woodlands Drive to an unacceptable level and would give rise to increased overbearing on this property. It is considered the provision of a permanent canopy structure would have a negative impact on the visual and residential amenity of residential amenity and should be omitted in its entirety.

**Board Member:**



Terry Prendergast

**Date:** 22/04/2021