

An
Bord
Pleanála

Board Direction
BD-009420-21
ABP-310857-21

The submissions on this file and the Inspector's report were considered at a Board meeting held on 11/11/2021.

The Board decided to treat this case under section 139 of the Planning and Development Act, 2000. The Board also decided by a majority of 2:1, based on the Reasons and Considerations set out below, that the planning authority be directed, as follows:

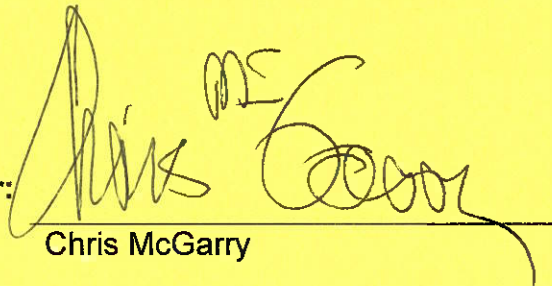
Remove condition number 2.

Reasons and Considerations

Having regard to the nature, scale, form, positioning and orientation of the living room element of the proposed extension and taken in conjunction with the form and design of the overall proposed extension, it is considered that the proposed living room element would not seriously injure the amenities of property in the vicinity, would not lead to overbearance and would otherwise constitute an acceptable form of design at this specific site. The living room element would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to retain condition 2, the Board considered that the overall proposed extension, including the living room element, would constitute an acceptable design proposal at this specific location, having regard to the disaggregated nature of the overall development form, the positioning and orientation of the living room element and the setting back of the proposed extension from the property boundaries, compared to the previous design set out under planning permission Reg. Ref: F20A/0048 (An Bord Pleanála Ref: ABP-307334-20). In this regard, the Board determined that the proposed living room element would not either by itself, or in conjunction with the overall extension, lead to overbearance, or otherwise seriously injure the amenities of adjoining property and that the retention of condition 2 was not therefore warranted.

Board Member:



Chris McGarry

Date: 11/11/2021