



**An
Bord
Pleanála**

**Board Direction
BD-016032-24
ABP-313848-22**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 05/04/2024.

The Board decided to refuse permission for the following reasons and considerations.

Reasons and Considerations

1. Having regard to the location of the existing outhouse on a shared boundary the Planning Authority considers the proposed development would result in an ad hoc pattern of development in a rural area and would constitute a substandard form of development by reason of its site layout and overall relationship with the adjoining property and would be seriously injurious to the residential amenity of same. The proposed development would set an undesirable precedent for similar type development and would be contrary to the proper planning and sustainable development of the area.
2. On the basis of the information available to the Board the Board is not satisfied that the setback of circa 45m of existing hedgerow, required to provide adequate sight lines to the proposed entrance, is justified in this area Zoned High Amenity particularly as the entrance it is proposed to retain is not accessing a residential property. Therefore, the retention of the existing entrance is not considered to accord with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board concurred with the Planning Authority's second reason for refusal that the change of use from commercial to residential of the existing structure "would constitute a substandard form of development by reason of its site layout and overall relationship with the adjoining property and would be seriously injurious to the residential amenity of same".

The Board noted that the retention of the existing entrance required the setback of circa 45 meters of hedgerow. The Board considered that as it is concluded that permission be refused for the change of use of the existing structure the applicant had not demonstrated that the retention of the entrance, which required the setback of hedgerow, was justified at this rural location.

Board Member


Mary Henchy

Date: 10/04/2024