



**An  
Bord  
Pleanála**

**Board Direction  
BD-014911-23  
ABP-315132-22**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 12/12/2023.

The Board decided to make a split decision, the Board concurred with the Inspectors assessment but considered in this instance that a spit decision was more appropriate.

(1) grant permission, for:

2 no. first floor windows on the eastern elevation

1no. ground floor window on the rear southern elevation

the following reasons and considerations and subject to the following conditions for

### **Reasons and Considerations**

Having regard to the planning history relating to the site and the pattern of development in the area, it is considered that subject to compliance with the conditions set out below, the proposed development to be retained would not significantly detract from the amenities of adjoining property, and would, therefore, be in accordance with the proper planning and sustainable development of the area

### **Conditions**

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application as amended by the further plans and particulars submitted on the 9th day of September

2022, 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 prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. The windows in the eastern elevation proposed to be retained serving the storage area and bedroom no 4 shall be permanently fitted with obscure glazing with no openable section.

**Reason:** In order to protect the amenity of neighbouring property.

3. The developer shall control odour emissions from the premises in accordance with details to be agreed in writing with the planning authority within one month of the date of this Order.  
Drawings and full details of the extraction system including arrangements for the maintenance of the system shall be submitted.

**Reason:** In the interests of public health and to protect the amenities of the area.

4. Surface water drainage arrangements shall comply with the requirements of the planning authority for such services and works.

**Reason:** In the interest of public health.

and

- (2) refuse permission for retention of, the additional area of external walkway (5.6m<sup>2</sup>) within the building.

In deciding not to accept the Inspector's recommendation the Board considered for the purpose of clarity a split decision is appropriate, refusing the additional area of external walkway within the building rather than omitting it by way of condition as recommended by the Inspector. The Board concurred with the Inspector's assessment that the covered walkway impacted on the amenity of the adjoining property and therefore does not accord with the proper planning and sustainable development of the area.

Board Member:

  
Mary Henchy

Date: 20/12/2023