

An  
Bord  
Pleanála

**Board Direction**  
**BD-014577-23**  
**ABP-317392-23**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 24/10/2023.

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:

**Amend** condition number 2 as follows:

Prior to commencement of development the developer shall submit for the written agreement of the planning authority revised elevation, roof and floor plans indicating the following.

- a) The 6 number roof lights and 1 light tunnel on the rear/south roof slope shall be omitted and replaced by 2 roof lights measuring 450mm by 450mm.
- b) The external finishes shall harmonise in colour and texture with the existing apartment building on site.

Reason: In the interests of visual amenity.

### **Reasons and Considerations**

The proposed development comprises a modest amendment to an existing residential use which, subject to the amended condition, will not impact on the residential amenity of neighbouring property or the visual amenity of the wider area.

Condition 2 refers, in part, to compliance with matters regulated under the Building Control Act, 1990, as amended. Having regard to these considerations the Board is satisfied that reference to same is not required for the proper planning and sustainable development of the area.


**Note:**

Matters relating to compliance building control regulations refer to compliance with another code and the applicant shall satisfy themselves of compliance with same.

The Board did not share the view of the Inspector in respect of the requirements to revise the rear/south slope in respect of the arrangement of roof lights and considered that the requirements of the Planning Authority in this regard was justified.

Direction to Issue with Order

**Board Member:**

  
Una Crosse

**Date:** 15/11/2023