



An
Bord
Pleanála

Board Direction
BD-016186-24
ABP-317734-23

The submissions on this file and the Inspector's report were considered at a Board meeting held on 30/04/2024.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

Having regard to the zoning objective of the area, the design, layout and scale of the proposed development and the pattern of development in the area, it is considered that, subject to compliance with conditions below, the proposed development as modified by the conditions below, would not seriously injure the visual amenities of the area or residential amenity of property in the vicinity. The proposed development for which permission is sought would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

Conditions 1 to 3 as below and in addition Conditions 2, 3, 4, 5, 6 and 7 of PA grant of 11th July 2023 ref P/1222/23

1.	The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, 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
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	<p>development and the development shall be carried out and completed in accordance with the agreed particulars.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the Planning Authority for such works and services.</p> <p>Reason: In the interest of public health and to ensure a proper standard of development.</p>
3.	<p>Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, and any statutory provision replacing or amending them, no development falling within Classes 1, 3 and 5 of Schedule 2, Part 1 to those Regulations shall take place within the curtilage of the house without a prior grant of planning permission.</p> <p>Reason: In the interest of orderly development, and to allow the planning authority to assess the impact of any such development on the amenities of the area through the statutory planning process.</p>

Note:

The Board did not consider that the residential amenity of the appellant was sufficiently negatively impacted to the degree that the removal of the dormer window was warranted and agreed with the Planning Authority's assessment that as the proposed dormer is sited c. 8.45m from the shared site boundary with no. 5 Abbey Park. The Board noted that the dwellings to the south (rear) of the site are sited perpendicular to the subject site and therefore a degree of overlooking from the first floor windows of the subject site arises on the dwelling known as 5 Abbey Park and those sited south of same, the residential amenity of same is sufficiently protected by the siting and layout of the proposed development.

Board Member



Liam Bergin

Date: 01/05/2024