



An  
Bord  
Pleanála

**Board Direction**  
**BD-014948-24**  
**ABP-318707-23**

The submissions on this file were considered at a Board meeting held on 03/01/2024.

The Board decided to refuse leave to appeal based on the reasons and considerations set out below.

### **Reasons and Considerations**

Under section 37(6) of the Planning and Development Act, as amended, the Board may, within 4 weeks from the receipt of the application, grant the applicant leave to appeal where the applicant shows that:

- i) the development, in respect of which a decision to grant permission has been made, will differ materially from the development as set out in the application for permission, by reason of conditions imposed by the planning authority to which the grant is subject, and
- ii) that the imposition of such conditions will materially affect the applicant's enjoyment of the land or reduce the value of the land.

The applicant in this case contends that further information submitted to the planning authority on 10<sup>th</sup> day of November 2023, resulted in a completely altered, larger development proposal than that originally applied for. The Board reviewed the revised drawings submitted at FI stage in response to the request from the planning authority, and which consist of a redesigned entrance porch for the new dwelling, in keeping with the existing front porches and openings in the terrace of dwellings. The

Board considered the changes submitted to be relatively minor and that it has not been shown that the development in respect of which a decision to grant permission has been made will differ materially from the development as set out in the application for permission by reason of conditions imposed by the planning authority to which the grant is subject. The Board, therefore, decided to refuse the appeal.

Board Member:  Date: 03/01/2024  
Martina Hennessy