

An  
Bord  
Pleanála

**Board Direction**  
**BD-015407-24**  
**ABP-318884-24**

The submissions on this file were considered at a Board meeting held on 12/02/2024.

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 for leave to appeal references the potential impact of the development which has been granted permission, on the residential amenity of their property and landholding and use thereof. The applicant also references discrepancies between the application submitted and the conditions attached. The Board considered that it has not been shown that the development will differ materially from the development

as set out in the application for permission, by reason of any of the conditions imposed by the planning authority, to which the grant is subject. This is by reference to the condition/s specifically referenced by the applicant or any other condition imposed by the Planning Authority. The Board, therefore, decided to refuse the appeal.

**Board Member:**

  
Una Crosse

**Date:** 12/02/2024