

An
Bord
Pleanála

Board Direction
BD-015830-24
ABP-319107-24

The submissions on this file were considered at a Board meeting held on 14/03/2024.

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 makes reference to a previous grant of planning permission (planning authority reference 16/266). However, this appeal concerns planning reference 23/285 only. 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 conditions imposed by the planning authority, to which the grant is subject. The Board considered that sufficient grounds

to grant leave to appeal have not been demonstrated and the Board, therefore, decided to refuse the appeal.

Board Member:



Martina Hennessy

Date: 14/03/2024