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Bord
Pleanála

Board Direction
BD-017765-24
ABP-319569-24

The submissions on this file and the Inspector's report were considered at a Board meeting held on 04/10/2024.

The Board decided to treat this case under Section 139 of the Planning and Development Act, 2000. The Board decided, based on the Reasons and Considerations set out below, that the planning authority be directed, as follows:
Attach condition number 2.

Reasons and Considerations

Having regard to Section 12.3.7.1(ii) of the Dun Laoghaire-Rathdown County Development Plan 2022-2028, the Board considered that the height of the canopy for which retention is sought is overbearing on the adjoining property to the southwest and would seriously injure the residential amenities of the adjoining property accordingly, and therefore would not be in accordance with the proper planning and sustainable development of the area. The attachment of condition number 2 would, therefore, be warranted.

Note:

In deciding not to accept the inspector's recommendation to omit condition 2, the Board considered that given its height and positioning relative to the adjoining property to the southwest, the proposed development for which retention permission is sought does give rise to an overbearing impact in this context.

Board Member:

Mary Gurrie
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Date: 09/10/2024