

The submissions on this file were considered at a meeting held on 19 August 2026.

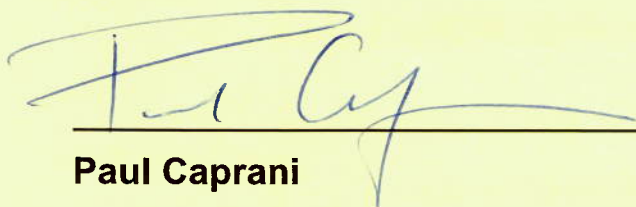
The Commission decided to refuse leave to appeal based on the reasons and considerations set out below.

Reasons and Considerations

It is considered 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. In reaching this determination, the Commission considered the totality of the documentation on file. The Commission acknowledged the expressed concerns of the applicant for leave. However Section 37(6) is confined to a context wherein a decision to grant permission has changed materially from the development as set out in the application for permission, by reasons of condition/s imposed and that the material difference within the condition/s is the cause of a material affect on the enjoyment of the land or a reduction of the value of land of the applicant for leave. The imposition of condition number 2 of the planning authority decision results

in the reduction in size of the dormer extension and also sets the extension 0.5 meters further from the the applicant for leave to appeals' dwelling. The imposition of condition no. 2 therefore will not cause a material effect on the enjoyment of the land or result in a reduction in the value of the land as stipulated by Section 37(6). In this current case, the development as granted by the planning authority is not materially different as a consequence of any condition imposed, from that as originally proposed and in this context, the Commission must refuse leave to appeal for the current case

Planning Commissioner:



Paul Caprani

Date:

19th day of August 2026