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**Planning and Development Acts 2000 to 2018**

**Planning Authority: Waterford City and County Council**

**Planning Register Reference Number: 18/360**

**APPEAL** by Sonya Kelly care of Fewer Harrington and Partners of Studio 14, The Atrium, Maritana Gate, Canada Street, Waterford against the decision made on the 20<sup>th</sup> day of September, 2018 by Waterford City and County Council to refuse permission to the said Sonya Kelly.

**Proposed Development** Erection of one number one and a half-storey detached mews dwelling to include removal of existing outbuilding, to include boundary treatments, external gate, landscaping together with all associated site works at 1 Perrins Cottage, Ballytruckle, Waterford.

**Decision**

**REFUSE** permission for the above proposed development in accordance with the reasons and considerations set out below.

## **Matters Considered**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

## **Reasons and Considerations**

It is considered that the proposed development, by reason of its proximity and location relative to the neighbouring residential property to the north, would result in the loss of light, overshadowing and overbearing of the neighbouring residential property. The proposed development would, therefore, seriously injure the residential amenities of property in the vicinity, depreciate the value of property in the vicinity and would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board did not agree that the proposed development would not seriously injure the residential amenities of adjoining dwellings. Therefore, the proposed development would not be in accordance with the proper planning and sustainable development of the area.

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**Stephen Bohan**  
**Member of An Bord Pleanála**  
**duly authorised to authenticate**  
**the seal of the Board.**

**Dated this            day of            2019.**