



Planning and Development Acts 2000 to 2018

Planning Authority: Offaly County Council

Planning Register Reference Number: 18/425

APPEAL by Frank and Mary Egan care of Murray Architectural Services of Four Winds, Pallas Park, Blueball, County Offaly against the decision made on the 26th day of November, 2018 by Offaly County Council to refuse permission.

Proposed Development: Retention of partially constructed shed for domestic and agricultural use and permission to reduce the height of the shed and to complete the shed. All at Fenter, Killeigh, County Offaly.

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

The development for retention and the proposed development would comprise a large shed structure for domestic and agricultural use, adjoining the boundary with a residential property in separate ownership. By reason of the scale, extent, position on site and the intended use of the shed structure, the development for retention and the proposed development would lead to significant adverse visual, overbearing and noise impacts on the adjoining residence, and would seriously injure the residential amenities and depreciate the value of residential property in the vicinity. The development for retention and the proposed development 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 considered that the shed would constitute an inappropriate scale of structure, and an inappropriate form of use immediately adjoining a third-party residence, and would have an unacceptable adverse impact on the amenity enjoyed by the neighbouring residence and that this adverse impact was fundamental in nature and would not be resolved by way of condition.

Chris McGarry

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this day of 2019.