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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Leitrim County Council**

**Planning Register Reference Number: P.20/160**

**Appeal** by Vincent McMorrow care of O'Rourke Design and Planning of Tullyvacan, Ballinaglera, County Leitrim against the decision made on the 16<sup>th</sup> day of November, 2020 by Leitrim County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Retention of an existing two-storey dwellinghouse including attached domestic garage at Drumduff North Townland, Drumshanbo, County Leitrim.

**Decision**

Having regard to the nature of the condition, the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to ATTACH condition number 2 and the reasons therefor.

## **Reasons and Considerations**

Having regard to the residential nature of the site and that of the adjoining properties, and to the pattern of development in the area, it is considered that the proposed access doorway to the flat roof area and this area's location with respect to adjoining property would provide opportunity for overlooking of the private amenity space of this adjoining property and would therefore seriously injure the amenities of the property by reason of overlooking and loss of privacy. The planning authority's condition 2 requiring the replacement of this door with a suitably scaled window is, therefore, considered warranted.

## **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.

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**John Connolly**  
**Member of An Bord Pleanála**  
**duly authorised to authenticate**  
**the seal of the Board.**

**Dated this                    day of                    2021**