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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Laois County Council**

**Planning Register Reference Number: 22/422**

**Appeal** by George and Philo Holland of The Arches, Block Road, Portlaoise, County Laois against the decision made on the 16th day of November, 2022 by Laois County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Retain minor changes as constructed to that granted under planning register reference number 20/499 including retention permission for demolition of previous dwelling house, all at The Arches, Block Road, Portlaoise, County Laois.

**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 REMOVE condition number 3 and the reason therefor.

## Reasons and Considerations

Having regard to the orientation of the subject dwelling relative to the adjacent dwelling to the north, the separation distance between the window subject of the appealed condition number 3 and the gable end of the adjacent dwelling to the north, and also having regard to the internal layout of dwelling served by the subject window, the Board was satisfied that the window would not result in undue overlooking of the adjacent property to the north and would not have an adverse impact on the visual amenities of the area. The Board was satisfied that the fitting of the window with frosted/opaque glass was unwarranted in this instance.



**Tom Rabbette**

**Member of An Bord Pleanála**

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

Dated this 19<sup>th</sup> day of Jan 2024.