

**An
Bord
Pleanála**

**Board Direction
BD-014066-23
ABP-313896-22**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 29/09/2023.

The Board decided to refuse retention permission and refuse permission for the following reasons and considerations.

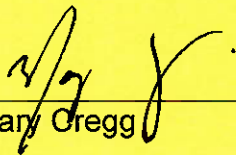
Reasons and Considerations

1. The Board noted from file details that the Drainage Division of the planning authority raised concerns in relation to surface water drainage, while confirmation of feasibility was required from Irish Water due to the presence of a 300mm diameter foul sewer crossing the rear of the site which may be impacted by the proposed development. The Board was not satisfied, on the basis of the information on file with regard to the Uisce Éireann foul sewer, that the proposed development would not be prejudicial to public health, and therefore the Board considered that the proposed development would be contrary to proper planning and sustainable development.
2. The development proposed for retention and the proposed development fails to accord with Section 12.3.7.4 Detached Habitable Room of the Dun Laoghaire Rathdown County Development Plan 2022-2028 due to its excessive scale. The Board considered the mass, scale and form of the proposed garden shed, storage room, home office/ studio building structure was excessive in that it extended from boundary to boundary. The Board considered that, if granted, the proposed development would set an

undesirable precedent and would, therefore, be contrary to the proposed planning and sustainable development for the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board was not satisfied, due to the absence of information before the Board with regard to the Uisce Éireann foul sewer, that the matter of drainage could be adequately dealt with by means of condition. The Board also considered that the description of proposed development which included home office/ studio building was a habitable room and therefore would require to be considered under section 12.3.7.4 of the Dun Laoghaire Rathdown County Development Plan.

Board Member


Mary Gregg

Date: 25/10/2023