



An
Bord
Pleanála

Board Direction
BD-012591-23
ABP-315445-23

The submissions on this file and the Inspector's report were considered at a Board meeting held on 26/06/2023.

The Board decided to make a split decision, to

GRANT permission for retention of ancillary structures in accordance with the said plans and particulars based on the reasons and considerations marked (1) under and subject to the conditions set out below.

REFUSE permission for retention of garage structure and for change of use of from garage to granny flat accommodation based on the reasons and considerations marked (2) under.

Reasons and Considerations (1)

Having regard to the pattern of development in the area, it is considered that, subject to compliance with conditions set out below, the proposed development proposed to be retained would not seriously injure the visual amenities of the area or residential amenity of property in the vicinity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the

planning authority prior to commencement of development and the development shall be carried out and completed out in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The structures shall be used for domestic purpose only incidental to the enjoyment of the dwelling house, under no circumstances shall the structures be used as habitable accommodation or commercial use.

Reason: In the interest of residential amenity.

3. Surface water drainage arrangement shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

Reasons and Considerations (2)

In deciding not to accept the recommendation of the inspector in regard to the proposed retention of the garage structure, the board considered that:

1. The structure for which retention is sought, by reason of its scale, mass and location adjacent to the boundary with neighbouring property was considered to seriously injure the residential amenity of neighbouring properties and is thus contrary to the proper planning and sustainable development of the area.

In relation to the proposed change of use, the board agreed with the inspector and considered that:

2. The Board is not satisfied, on the basis of submissions made in connection with the planning application and the appeal, that effluent from the proposed Dependent Relative Accommodation can be satisfactorily treated and disposed of on site. The proposed development would, therefore, be prejudicial to public health.
3. It is considered that the proposed development would endanger public safety by reason of traffic hazard because of the additional traffic turning movements

the development would generate on a heavily trafficked road, and in the absence of an appropriate set back and with inadequate sight distances. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Board Member:



Stephen Brophy

Date: 27/06/2023

