



An  
Bord  
Pleanála

**Board Direction**

**BD-017089-24**

**ABP-319056-24**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 24/07/2024.

The Board decided to make a split decision, to

- (1) refuse permission for conversion of a first floor garage storage area for use as a family member / granny flat, ancillary to the main house

not in agreement with the Inspector's recommendation, for the following reasons and considerations.

The family flat to be retained is not physically interlinked with the main dwelling and therefore materially contravenes the requirements of Section 12.3.7.3 (Family Members/ Granny flat Extension) of the County Development Plan 2022- 2028, which specifically states that family member flats shall be interlinked with the primary dwelling and capable of being readily subsumed back into same. therefore the development to be retained would set an undesirable precedent for further similar development in the area and would 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 the application was made for retention by the applicant with the intended use listed as "family member / granny flat" and that the PA was correct to assess the application under that policy and that the intention of the PA is clear when using the term "interlinked" that the intention of the PA was of a physical interlink.

**And**

- (2) grant permission for the insertion of a rooflight, a ground floor extension to the side of the garage with a lean to roof and access onto the private access road, the erection of a gate at the north east of the site and internal alterations to the front elevation of the garage (subject to conditions)

in agreement with the Inspector's recommendation, for the following reasons and considerations.

Having regard to the policies and objectives of the Dun Laoghaire-Rathdown County Development Plan 2022-2028, it is considered that, subject to compliance with the conditions set out below, the development proposed to be retained would be in accordance with the provisions of the development plan for the area, would not seriously injure the amenities of the area, and 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 and the development shall be retained in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. The entire dwelling shall be used as a single dwelling unit and shall not be subdivided or used as two or more separate dwelling units.

**Reason:** In the interest of orderly development.

3. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

**Reason:** In the interest of public health and surface water management.

**Board Member:**



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Liam Bergin

**Date:** 24/07/2024