



**An
Bord
Pleanála**

**Board Direction
BD-018926-25
ABP-321009-24**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 14/02/2025.

The Board decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

Reasons and Considerations

1. Having regard to the nature of the proposed development as the permanent subdivision of a two room and bathroom extension from the main dwelling to be occupied as a separate dwelling not connected to the main dwelling and to be able to let the sub-division as a separate dwelling; the floor area of the proposed residential unit, the absence of storage area and private amenity open space it is considered that the proposed development would represent a substandard form of residential development; would be contrary to the standards as set out in the current Kildare County Development Plan 2023-2029 and current national guidance as set out in the Sustainable Urban Housing: Design Standards for New Apartments (2022) in relation to apartment design standards and for safeguarding higher standards in the interests of sustainable and good quality development for the occupants of new residential apartment units. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.

2. Having regard to the extension as permitted under P.A. Ref. No. 21/855 and the nature of the development permitted which was for a retention of a change of use from a garage and fuel store to a one bedroom granny/family flat and condition no. 3 of the said permission which stated "the existing dwelling and the proposed extension shall be jointly occupied as a single housing unit and the extension shall not be subdivided from the remainder of the dwelling and sold or let as a separate dwelling unit" and which is considered to be reasonable given the nature of the development applied for and permitted. It is therefore considered that the proposed development as a permanent subdivision of a two room and bathroom extension from the main dwelling to be occupied as a separate dwelling would contravene materially the said condition and would be contrary to the proper planning and development of the area.
3. It is not clearly or adequately demonstrated in the documentation submitted as part of the planning application that the separate residential unit can be adequately catered for within the existing domestic wastewater treatment system in accordance with the requirements of the EPA Code of Practice Domestic Waste Water Treatment Systems (DWWTSs) (Population Equivalent ≤ 10 which outlines requirements in relation to the assessment of suitability for domestic wastewater treatment systems for the proposed development and site. The development would therefore be prejudicial to public health and contrary to the proper planning and development of the area.

Board Member


Emer Maughan

Date: 14/02/2025