



An
Bord
Pleanála

Board Direction

BD-018997-25

ABP-321212-24

The submissions on this file and the Inspector's report were considered at a Board meeting held on 20/02/2025.

The Board decided to make a split decision, to

- (1) grant retention permission, the construction of a domestic shed to the rear of the dwelling for the following reasons and considerations and subject to the following conditions

Reasons and Considerations

Having regard to standard DMS-57 of the Offaly County Development Plan 2021-2027 which relates to 'Domestic Garages/Stores and subject to the conditions set out below, the retention of the domestic shed would be an appropriate form of development which is ancillary to the existing dwelling and would not seriously injure the character or the visual amenities of the area. The development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The domestic shed 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 in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The domestic shed hereby retained shall not be used for human habitation, commercial use, industrial use or for any other purpose other than a purpose incidental to the enjoyment of the dwelling.

Reason: In the interest of development control.

3. The 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

- (2) refuse retention permission for the change of use from garage to family apartment

Reasons and Considerations.

Based on the information submitted with the planning application and appeal, the Board considers that the change of use from a garage to a family apartment would not meet the criteria specified in residential standard DMS-56 of the Offaly County Development Plan 2021-2027 which relates to Family Granny Flats/Self- Contained Residential Units. The development to be retained is not attached to the main dwelling; the design cannot ensure that the unit is an integral part of the main dwelling and capable of reintegration for single family use; and the unit is not linked internally to the main dwelling. The Board considers that the development to be retained would therefore result in an inappropriate form of development, would set an undesirable precedent for similar developments in the area, and would be contrary to the proper planning and sustainable development of the area.

Board Member:


Declan Moore

Date: 25/02/2025