



An  
Bord  
Pleanála

**Board Direction  
RL06D.RL3552**

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The submissions on this file and the Inspector's report were considered at a Board meeting held on 23<sup>rd</sup> May 2018.

The Board decided, as set out in the following Order, that

Board Order as follows:-

**WHEREAS** a question has arisen as to 'Whether the conversion of an existing garage into a study, replacing existing garage door with new window is or is not development or is or is not exempted development' at No. 4 Brookfield Mews, Brookfield Terrace, Blackrock, Co. Dublin.

**AND WHEREAS** Ronnie Delaney requested a declaration on this question from Dun Laoghaire Rathdown County Council and the Council issued a declaration on the 25<sup>th</sup> day of January 2017 stating that the matter is development and is not exempted development:

**AND WHEREAS** Ronnie Delaney referred this declaration for review to An Bord Pleanála on the 21<sup>st</sup> day of February 2017:

**AND WHEREAS** An Bord Pleanála, in considering this referral, had regard particularly to –

(a) Section 2(1) of the Planning and Development Act, 2000, as

amended,

- (b) Section 3(1) of the Planning and Development Act, 2000,
- (c) Section 4(1)(h) and 4(1) (j) of the Planning and Development Act, 2000, as amended,
- (d) Article 6(1) and Article 9(1) of the Planning and Development Regulations, 2001, as amended,
- (e) Part 1 of Schedule 2 to the Planning and Development Regulations, 2001, as amended,
- (f) the pattern of development in the area:

**AND WHEREAS** An Bord Pleanála has concluded that:

The conversion of an existing integral / internal garage into a study, by the replacement of the garage door with timber panel wall under new window, is development within the meaning of section 3 of the Planning and Development Act, 2000, which is exempted development within the meaning of section 4(1)(h) of the said Act and by way of Class 1 of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001.

**NOW THEREFORE** An Bord Pleanála, in exercise of the powers conferred on it by section 5 (3) (a) of the 2000 Act, hereby decides that the conversion of an existing garage into a study, by the replacement of the garage door with timber panel wall under new window, at No. 4 Brookfield Mews, Brookfield Terrace, Blackrock, Co. Dublin, is development and is exempted development.

In deciding not to accept the Inspector's recommendation that the development is not exempted development, the Board considered that the proposed works would not materially alter the external appearance of the

structure so as to render the appearance inconsistent with the character of the structures or neighbouring structures

**Board Member**

**Date:** 23<sup>rd</sup> May 2018

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John Connolly