

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

**Wicklow County**

**Planning Register Reference Number: 15/1313**

An Bord Pleanála Reference Number: PL 27.246291

**APPEAL** by David Gorman and Alison Bernardini care of Julieanne Prendiville of 10 Loreto Avenue, Bray, County Wicklow against the decision made on the 15<sup>th</sup> day of February, 2016 by Wicklow County Council to refuse permission.

**PROPOSED DEVELOPMENT:** Proposed conversion of existing garage to one bedroom granny flat accommodation and ancillary works at The Yard, Church Lane, Greystones, County Wicklow.

## **DECISION**

**REFUSE permission for the above proposed development based on the reasons and considerations set out below.**

## **MATTERS CONSIDERED**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

## **REASONS AND CONSIDERATIONS**

Section 5.4.6.4 of the Wicklow County Development Plan 2010 – 2016 sets out the requirements of the planning authority in relation to granny flats, including the requirement that it forms an integrated part of the structure of the main house. In exceptional circumstances, the conversion of an existing detached garage/store may be considered, subject to the structure being in very close proximity to the main house. The proposed development does not form an integrated part of the structure of the main house. Furthermore, it is considered that the scale and permanent nature of the works required to convert the garage make it unsuitable for the temporary use provided for under Section 5.4.6.4 of the Plan, and together with its location and distance from the house, would militate against its being functionally reintegrated into the main house following cessation of the granny flat use, as required under Development Plan policy. The Board is not satisfied that the proposed accommodation could not be reasonably provided by means of modification or extension of the main dwelling, in compliance with the provisions of the Development Plan. On the basis of the information on file, the Board does not consider that exceptional circumstances arise in this instance that would merit departure from Development Plan policy that the granny flat should form an integrated part of the main house structure. The proposed development would, therefore, contravene the provisions of Section 5.4.6.4 of the Development Plan, 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 that the proposed development would contravene specific Development Plan policy in relation to granny flats, by failing to form part of the main house structure, and by reason of the permanent nature and the scale of the works required in respect of a temporary use, and the location of the garage and its distance from the house. On the basis of the information on file, the Board did not consider that exceptional circumstances arose in this case to justify this development in conflict with the Development Plan. The Board did not consider that it would be appropriate to grant permission for works of a permanent nature and of a sizable scale, and require them to be removed after a temporary period.

---

**Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.**

**Dated this            day of            2016.**