

Planning and Development Acts 2000 to 2020

Planning Authority: Dublin City Council

Planning Register Reference Number: WEB1725/20

Appeal by Jean Monaghan of 9 Castletimon Gardens, Kilmore West, Dublin against the decision made on the 14th day of December, 2020 by Dublin City Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: Construction of a single storey granny flat extension to the side and rear of existing dwelling and conversion of the existing porch area to the front of the main dwelling to additional hallway space at 9 Castletimon Gardens, Kilmore West, Dublin.

Decision

Having regard to the nature of the condition the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to **AMEND** condition number 3 so that it shall be as follows for the reason set out.

3. The ancillary family accommodation/granny flat hereby approved shall adhere to the following:
- (a) The ancillary family accommodation shall revert back to being part of the family home when the accommodation is no longer needed for its purpose of providing accommodation for a member of the family
 - (b) The ancillary family accommodation shall not be divided or subdivided from the existing house by means of sales, lease or otherwise,
 - (c) The development hereby approved shall be confined to the subject site only.

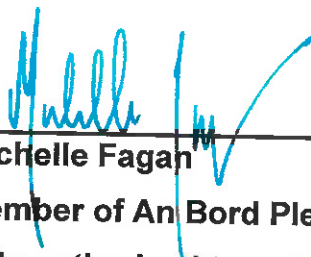
Reason: In the interests of the protection of residential amenity.

Reasons and Considerations

Having regard to the residential land use zoning for the site, the location of the proposed granny flat and the justification presented for the separate entrance door, as well as the proposed development's overall compliance with Section 16.10.14 of the Dublin City Development Plan 2016-2022, it is considered that the planning authority's condition number 3 part (a), requiring the omission of the front door to the granny flat, is therefore, not warranted.

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.



Michelle Fagan

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

Dated this 23rd day of April 2021.

