



An
Bord
Pleanála

Board Order ABP-321212-24

Planning and Development Acts 2000 to 2022

Planning Authority: Offaly County Council

Planning Register Reference Number: 24/60029

Appeal by Christopher and Denise Delaney of Lowerton Beg, Blueball, Tullamore, County Offaly against the decision made on the 15th day of October, 2024 by Offaly County Council in relation to an application for permission for development comprising retention of change of use from garage to family apartment and construction of a domestic shed to the rear of the dwelling, all at Lowerton Beg, Blueball, Tullamore, County Offaly in accordance with plans and particulars lodged with the said Council (which decision was to grant subject to conditions permission for retention of the construction of a domestic shed to the rear of the dwelling and to refuse permission for retention of change of use from garage to family apartment).

Decision

GRANT permission for retention of the construction of a domestic shed to the rear of the dwelling based on the reasons and considerations marked (1) under and subject to the conditions set out below. **REFUSE** permission for retention of change of use from garage to family apartment for the reasons and considerations marked (2) below.

Reasons and Considerations (1)

Having regard to Standard DMS-57 of the Offaly County Development Plan 2021-2027 which relates to Domestic Garages/Stores and, subject to compliance with 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 proposed to be retained 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 and the development shall be retained 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 dwellinghouse.

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.

Reasons and Considerations (2)

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



Declan Moore

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

Dated this 25th day of FEBRUARY 2025.