

Planning and Development Act 2000, as amended

Planning Authority: South Dublin County Council

Planning Register Reference Number: SD24B/0544

Appeal by Nadia Buckley care of Brian Watchorn Architect and Surveyor of 25 Tonlegee Lawns, Athy, County Kildare against the decision made on the 6th day of May, 2025 by South Dublin County Council in relation to an application for retention permission for development comprising conversion of garage to granny flat and for alterations to recessed entrance at Badgerhill, Kilteel Road, Rathcoole, County Dublin in accordance with the plans and particulars lodged with the said Council (which decision was to grant permission subject to conditions for retention of the alterations to the recessed entrance and to refuse permission for retention of conversion of the garage to a family flat.

Decision

GRANT permission retention for alterations to recessed entrance in accordance with the said plans and particulars based on the reasons and considerations marked (1) under and subject to the conditions set out below. **REFUSE** permission for retention of conversion of the garage to a family flat for the reasons and considerations marked (2) under.

Reasons and Considerations (1)

The Commission was satisfied the recessed entrance to be retained demonstrated appropriate sightlines and considered that this element of the proposed development would not endanger public safety by reason of traffic hazard.

Condition

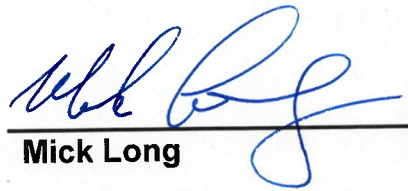
1. The development of the recessed entrance shall be retained in accordance with the plans and particulars lodged with the further information received on the 9th day of April 2025 unless agreed otherwise with the planning authority.

Reason: In the interest of clarity.

Reasons and Considerations (2)

Having regard to the South Dublin County Development Plan 2022-2028, it is considered that the proposed dwelling does not meet all the criteria for a family flat in that it constitutes a separate dwelling which is not accessible from the front door access of the existing dwelling and the proposed development would, therefore, be contrary to Section 12.6.8 of the South Dublin County Development Plan 2022-2028. This element of development proposed for retention would set an undesirable precedent for other similar developments and would, therefore, be contrary to proper planning and sustainable development.

In deciding not to accept the Inspector's recommendation to grant permission, the Commission agreed with the Inspector that a genuine family need had been demonstrated and that the proposed development was modest and subordinate in nature but agreed with the planning authority that the lack of a physical connection to the existing house would not allow the full requirements of Section 12.6.8 of the South Dublin County Development Plan 2022-2028 to be satisfied.



Mick Long

Planning Commissioner of An Coimisiún

**Pleanála duly authorised to authenticate
the seal of the Commission.**



Dated this 10th day of October 2025