

Board Order 06D.RL.3552

Planning and Development Acts 2000 to 2017 Planning Authority: Dun Laoghaire-Rathdown County Council Planning Register Reference Number: 148/16

WHEREAS a question has arisen as to whether the conversion of an existing garage into a study, replacing existing garage door with new window at Number 4 Brookfield Mews, Brookfield Terrace, Blackrock, County Dublin is or is not development or is or is not exempted development:

AND WHEREAS Ronnie Delaney care of Edmondson Architects of 83 Waterloo Lane, Dublin requested a declaration on the said question from Dun Laoghaire-Rathdown County Council and the said Council issued a declaration on the 25th day of January, 2017 stating that the said matter is development and is not exempted development:

AND WHEREAS the said Ronnie Delaney referred the declaration for review to An Bord Pleanála on the 21st 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 Number 4 Brookfield Mews, Brookfield Terrace, Blackrock, County Dublin is development and is exempted development.

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.

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

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

Dated this day of 2018