



An
Bord
Pleanála

**Board Direction
ABP-306122-19**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 17/04/2020.

The Board decided, as set out in the following Order, that;

WHEREAS a question has arisen as to whether the construction of an area of hardstanding of c.406sq.m. of the garden to the side of the building line of Ardoyne House for the provision of permitted car parking is or is not development or is or is not exempted development:

AND WHEREAS Ardoyne House Management Limited care of Tom Phillips and Associates of 80 Harcourt Street, Dublin requested a declaration on the said question from Dublin City Council and the Council issued a declaration on the 12th day of November, 2019 stating that the said matter is development and is not exempted development:

AND WHEREAS the Board reformulated the question as follows:-
“whether the construction of an area of hardstanding of circa 406 square metres of the garden to the side of the building line of Ardoyne House for the provision of car parking at Ardoyne House, Pembroke Park, Dublin, is or is not development or is or is not exempted development”:

WHEREAS Ardoyne House Management Limited referred this declaration for review to An Bord Pleanála on the 9th day of December, 2019:

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) article 6(1) and article 9(1) of the Planning and Development Regulations, 2001, as amended,
- (d) Part 1 of Schedule 2 to the Planning and Development Regulations, 2001, as amended,
- (e) the planning history of the site,

AND WHEREAS An Bord Pleanála has concluded that the construction of an area of hardstanding of c.406sq.m. of the garden to the side of the building line of Ardoyne House for the provision of car parking is development and is not exempted development:

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 construction of an area of hardstanding of 406sq.m. of the garden to the side of the building line of Ardoyne House for the provision of car parking is development and is not exempted development.

Board Member:

Date: 17/04/2020

Michelle Fagan