



An  
Bord  
Pleanála

**Board Direction**  
**BD-010936-22**  
**ABP-312874-22**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 28/06/2022.

The Board decided to refuse permission for the following reasons and considerations.

### **Reasons and Considerations**

The Board noted the planning history on the site of 25 and 25A Park Villas. Specifically, the Board noted that a second shed on the appeal site associated with site 25A was previously permitted under planning permission register reference number FW10B/0103 (Fingal County Council) as incidental to and for the enjoyment and use in connection with the adjoining house on the adjoining site number 25 in accordance with the plans and particulars submitted with that application. Based on the documentation on file and available to the Board in relation to the current application and appeal, it is evident that this shed is now in use for the enjoyment of the house on site number 25A, contrary to the provisions of permission register reference number FW10B/0103.

In the absence of clarity in respect of regularisation of the planning status of this shed, by reference to its relationship to 25A, the Board considered that it would not be appropriate to grant retention permission as sought for an additional structure given that the majority of this structure would also occupy a portion of the site that included the shed previously permitted for the enjoyment of the house on site

number 25, as to do so would contravene conditions numbers 1 and 2 of the relevant permission, would serve to consolidate development, the authorised status of which is not certain, and would therefore lie contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board noted the planning history including planning register reference F08/1155 (which permitted to the house on site 25A) and planning register reference number FW10B/0103 (which permitted the existing shed on site 25). The Board also noted that the permitted shed is evidently now in use for the enjoyment of the house on site number 25A, contrary to the provisions of permission register reference number FW10B/0103.

In the absence of clarity in respect of regularisation of the planning status of this shed, by reference to its relationship to 25A, the Board considered that it would not be appropriate to grant retention permission as sought for an additional structure for the reasons outlined above including that it would serve to consolidate development, the authorised status of which is not certain, and would therefore lie contrary to the proper planning and sustainable development of the area.

Board Member

Patricia Calleary  
Patricia Calleary

Date: 29/06/2022