



An  
Bord  
Pleanála

**Board Direction**  
**ABP-318242-23**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 11/06/2024.

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

Board Order as follows:-

**WHEREAS** a question has arisen as to whether the proposed single storey residential extension to the rear of the existing dwelling at 4 River Walk, Clonsaugh, Belcamp, Dublin 17 is or is not development or is or is not exempted development:

**AND WHEREAS** Thomas Maneesh requested a declaration on this question from Fingal County Council and the Council issued a declaration on the 26<sup>th</sup> day of September, 2023 stating that the matter was development and was not exempted development:

**AND WHEREAS** Thomas Maneesh referred this declaration for review to An Bord Pleanála on the 13<sup>th</sup> day of October, 2023:

**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, as amended,
- (c) Section 4(2)(a) 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) Class 1 of Part 1 of Schedule 2 to the Planning and Development

Regulations, 2001, as amended and

- (f) the planning history of the site:

**AND WHEREAS** An Bord Pleanála has concluded that:

- (a) The development of a single storey domestic extension located and attached to the rear of the mentioned dwelling is development:

- (b) While this extension falls within Class 1 of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001, as amended, the larger part of it would in effect comprise a separate dwelling:

- (c) The existence of this additional dwelling would result in a material change in the use of the dwellinghouse in question:

- (d) The development in question would therefore be development and not exempted development.

**NOW THEREFORE** An Bord Pleanála, in exercise of the powers conferred on it by Section 5 (5) of the 2000 Act, hereby decides that the development in question is development and is not exempted development.

**Board Member:**

  
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Joe Boland

**Date:** 12/06/2024