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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 0489/19**

**WHEREAS** a question has arisen as to 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 permitted car parking at Ardoyne House, Pembroke Park, Dublin 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 12<sup>th</sup> 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”:

**AND WHEREAS** Ardoyne House Management Limited referred the declaration for review to An Bord Pleanála on the 9<sup>th</sup> day of December, 2019:

**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) 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, and
- (e) the planning history of the site.

**AND WHEREAS** An Bord Pleanála has concluded that 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 development and is not exempted development:

**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 construction of an area of hardstanding of 406 square metres 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 at Ardoyne House, Pembroke Park, Dublin.

## **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.

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**Michelle Fagan**  
**Member of An Bord Pleanála**  
**duly authorised to authenticate**  
**the seal of the Board.**

**Dated this            day of            2020.**