



Planning and Development Acts 2000 to 2020

Planning Authority: Dublin City Council

Planning Register Reference Number: 3330/20

Application for Leave to Appeal against the decision of the planning authority by Michael Conway care of RW Nowlan and Associates of Number 37 Lower Baggot Street, Dublin having an interest in land adjoining the land in respect of which Dublin City Council decided on the 30th day of October, 2020 to grant subject to conditions permission to Ana Motors Limited care of RW Nowlan and Associates of Number 37 Lower Baggot Street, Dublin.

Proposed Development: Retention involving the change of use from a warehouse use to garage/motor repair use, retention of a flue and vent installed in the roof of the unit and an access gate to the east of the premises, all at Unit 3C, Artane Business Park, access from Maryfield Crescent, Artane, Dublin.

Decision

REFUSE leave to appeal under section 37 (6) of the Planning and Development Act, 2000, as amended, based on the reasons and considerations set out below.

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.

Reasons and Considerations

Having regard to the submissions and documents received in connection with the application for leave to appeal and the conditions set out in the planning authority's decision, it is considered that -

- (i) while it has been shown that the development in respect of which a decision to grant permission has been made will differ materially from the development as set out in the application for permission by reason of condition number 4 imposed by the planning authority to which the grant is subject,
- (ii) it has not been shown that the imposition of this condition will materially affect the applicant's enjoyment of the land adjoining the land in respect of which it has been decided to grant permission or reduce the value of the land.

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

Dated this day of 2020.