



Planning and Development Acts 2000 to 2021

Planning Authority: Fingal County Council

Planning Register Reference Number: FW21B/0174

Appeal by Pat Holmes care of Stephen Molloy Architects of 12 Saint Brigids Shopping Centre, Main Street, Blanchardstown, Dublin against the decision made on the 31st January, 2022 by Fingal County Council to refuse permission.

Proposed Development: Permission sought for the retention of the existing single storey detached, timber clad, flat roofed building in the rear garden area for the proposed use as a game's room/amenity space to the main house at 25A Park Villas, Castleknock, Dublin.

Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

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 planning 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, be 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 number F08A/1155 (which permitted 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, which is contrary to the provisions of planning 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, be contrary to the proper planning and sustainable development of the area.

Patricia Calleary

Patricia Calleary

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.



Dated this *4th* day of *July* 2022

P.C.