



An
Bord
Pleanála

Board Order ABP 318463-23

Planning and Development Acts 2000 to 2022

Planning Authority: Fingal County Council

Planning Register Reference Number: F23A/0518

Appeal by Robert Squires care of Jason Squires of 28 Saint Catherine's Avenue, Rush, County Dublin against the decision made on the 24th day of October, 2023 by Fingal County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: Construction of a demountable single storey timber frame log cabin with a gym, home office and storage to rear garden of existing dwelling and associated site works, all at 28 Saint Catherine's Avenue, Rush, County Dublin.

Decision

Having regard to the nature of the condition the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act 2000, as amended, to **AMEND** condition number 3 so that it shall be as follows for the reason set out.

3. Prior to commencement of development, the developer shall submit to the planning authority for written agreement revised plans and elevational drawings demonstrating a reduction in size of the proposed structure so that the overall floor area of the structure shall not exceed 40 square meters measured on a gross internal floor area.

Reason: In the interest of residential amenity.

Reasons and Considerations

Having regard to the nature and scale of the private open space to the rear of the existing dwelling, and its relationship with adjacent residential properties, it is considered reasonable to restrict the size of the proposed structure to preserve and protect the residential amenities of the subject property and that of adjoining residential properties in accordance with the requirements of section 14.10.4 (Garden Rooms) of the Fingal Development Plan 2023-2029, in the interest of the proper planning and sustainable development of the area.



Liam McGree

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

Dated this 08 day of October 2024.