

An  
Bord  
Pleanála

Board Order  
ABP-319451-24

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Fingal County Council**

**Planning Register Reference Number: FW24A/0025**

**Appeal** by Babatunde and Abiola Taiwo care of Gavin Kirwan of 13 Baggot Street Upper, 2<sup>nd</sup> Floor, Dublin against the decision made on the 11<sup>th</sup> day of March, 2024 by Fingal County Council to refuse permission for the proposed development.

**Proposed Development:** Retention permission for garden shed/home gym measuring 26 square metres located to the rear of the property at 9 Ashcroft Grove, Blakestown Road, Dublin.

## **Decision**

**GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.**

## **Reasons and Considerations**

Having regard to the residential land use zoning of the site, the nature and scale of the existing residential property on the site and of the development to be retained, and to the intended purpose of the retained development as ancillary accommodation for the existing residents, it is considered that, subject to compliance with the conditions set out below, the retained development would not seriously injure the residential or visual amenities of the area or of property in the vicinity. The retained development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## **Conditions**

1. The development shall be retained in accordance with the plans and particulars lodged with the application.

**Reason:** In the interest of clarity.

2. The use of the proposed development shall be restricted to a garden shed/home gym and shall not be used as habitable accommodation, unless otherwise authorised by a prior grant of planning permission.

**Reason:** To protect the amenities of property in the vicinity.

3. The existing dwelling and the garden shed/home gym shall be jointly occupied as a single residential unit and the garden shed/home gym shall not be used, sold, let or otherwise transferred or conveyed, save as part of the dwelling.

**Reason:** To restrict the use of the retained development in the interest of residential amenity.

4. The disposal of surface water shall comply with the requirements of the planning authority for such works and services. The applicant shall supply and install rainwater butts as a minimum requirement. No surface water/rainwater shall discharge into the foul water system.

**Reason:** To prevent flooding and in the interests of sustainable drainage.

5. Within three months of the date of this Order, the developer shall disconnect the garden shed/home gym from the public foul water system, in accordance with the requirements of Uisce Éireann (Irish Water) for such works.

**Reason:** In the interests of clarity, the safeguarding of public utilities infrastructure and of public health.

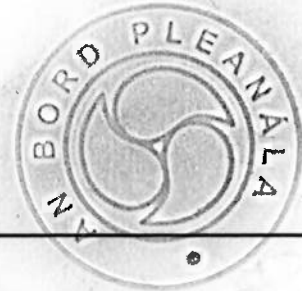
6. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid within 6 months of the date of this Order or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

**Reason:** It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.



Liam McGree

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



**Dated this 14 day of OCTOBER 2024.**