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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Fingal County Council**

**Planning Register Reference Number: FW24A/0130**

**APPEAL** by Jossy Akwuobi care of Architectural Drafting Services of 42 Saint Domhnach's Well, Burrow, Sutton, Dublin against the decision made on the 9th day of May, 2024 by Fingal County Council to refuse permission.

**Proposed Development:** Retention of a garden room to the rear garden with a flat roof over and with an internal area of 21 square metres, all at 36 Mount Eustace Park, Tyrrelstown, Dublin.

**Decision**

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

## Reasons and Considerations

The application site is zoned with the objective "provide for residential development and protect and improve residential amenity" in the Fingal Development Plan 2023-2029. Having regard to the limited site size, scale, and design for which retention permission is sought, and the use therein, the development proposed for retention fails to accord with Section 14.10.4 of the Fingal Development Plan 2023-2029 with respect to the provision of garden rooms being ancillary accommodation, and would result in substandard private amenity space, contrary to DMS027, negatively impacting on the residential amenity of the subject dwelling and adjoining properties. The development proposed for retention would, therefore, set an undesirable precedent for future development in the area and would be contrary to the proper planning and sustainable development of the area.



  
Declan Moore

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

Dated this 4<sup>th</sup> day of October 2024.