



An
Bord
Pleanála

Board Order
ABP-320039-24

Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: WEB1453/24.

Appeal by Margaret Shodiya care of ZE Architects of 1 Rosse Court Heights, Balgaddy, Lucan, County Dublin against the decision made on the 11th day of June, 2024 by Dublin City Council to refuse permission.

Proposed Development: Retention of existing single-storey garden room structure for use ancillary to the main dwelling in the rear garden of 506 Carnlough Road, Cabra West, 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 nature, scale, location and design of the development proposed to be retained, it is considered that, subject to compliance with the conditions set out below, the development proposed to be retained would comply with the zoning objective for the site, as set out in the Dublin City Development Plan 2022-2028, would not constitute a haphazard and backland form of development, would not seriously injure the residential amenity of the area, and 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, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority and the development shall be retained in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The 'garden room' shall be for domestic related uses only, ancillary to the use of the existing dwelling. These uses shall be as indicated in the plans and particulars received by the planning authority (that is, home office) and shall not be used for human habitation.

Reason: In the interest of clarity and the proper planning and sustainable development of the area.

3. The 'garden room' shall not be sold, let or otherwise transferred or conveyed, save as part of the existing dwelling.

Reason: In the interest of clarity and the proper planning and sustainable development of the area.

4. 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 prior to commencement of development 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.



Marie O'Connor

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



Dated this 02 day of December 2024.