

An  
Coimisiún  
Pleanála

Commission Order  
ACP-323511-25

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**Planning and Development Act 2000, as amended**

**Planning Authority: Fingal County Council**

**Planning Register Reference Number: F25A/0557E**

**Appeal** by Robert Byrne and Caroline Hogg care of RW Nowlan and Associates of 54 Fitzwilliam Square North, Dublin against the decision made on the 1<sup>st</sup> day of August, 2025 by Fingal County Council to grant permission subject to conditions in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** The development will consist of: (a) The removal of the existing rear garden shed and be replaced with (b) the construction of a single storey detached garden room to the rear to consist of a gym/games room, bathroom and office space (c) the development is to include for all associated site works, landscaping and drainage at 43 Offington Lawn, Sutton, Dublin.

## Decision

Having regard to the nature of the condition the subject of the appeal, the Commission is satisfied that the determination by the Commission 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 to ATTACH condition number 2 so that it shall be as follows for the reason set out.

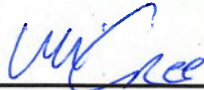
2. The bathroom indicated in submitted plans for the garden room shall be omitted.

**Reason:** In the interest of clarity and to ensure proper planning and sustainable development.

## Reasons and Considerations

Having regard to the policy of the planning authority regarding 'Garden Rooms' as set out in the Fingal County Development Plan 2023-2029 (Section 14.10.4), which states that any such structure shall not provide resident accommodation, and shall not be fitted out in such a manner including by the insertion of a kitchen or toilet facilities, the Commission considered that condition number 2 of the decision of the planning authority, which required the omission of the toilet/shower room, as indicated on submitted plans for the proposed garden room, was reasonable, proportionate and in accordance with the relevant development management policies of the planning authority.

In deciding not to accept the recommendation of the Commission's Inspector, the Commission had regard to the proximity of the proposed garden room to the main dwelling house, the ancillary function of the proposed garden room, the scale of the proposed toilet/shower room and the specific development management policy as set down in the statutory development plan (section 14.10.4 – Garden Rooms), which requires that such ancillary structures shall not include kitchen or toilet facilities.



**Liam McGree**

**Planning Commissioner of An Coimisiún**

**Pleanála duly authorised to authenticate  
the seal of the Commission.**



Dated this 25<sup>th</sup> day of NOVEMBER 2025