



An
Bord
Pleanála

Board Order 29S.RL.3608

Planning and Development Acts 2000 to 2017

Planning Authority: Dublin City Council

Planning Register Reference Number: 0233/17

WHEREAS a question has arisen as to whether a three-sided flat roof metal shed at the end of the site of Waterloo Garage at 85 Waterloo Lane, Ballsbridge, Dublin is or is not development or is or is not exempted development:

AND WHEREAS Errol Dunne care of Martin Reynolds of 41 Upper Leeson Street, Dublin requested a declaration on the question from Dublin City Council and the Council issued a declaration on the 30th day of June, 2017 stating that the matter is development and is not exempted development:

AND WHEREAS Errol Dunne care of Martin Reynolds of 41 Upper Leeson Street, Dublin referred the declaration for review to An Bord Pleanála on the 27th day of July, 2017:

AND WHEREAS An Bord Pleanála, in considering this referral, had regard particularly to –

- (a) Sections 2, 3 and 4 of the Planning and Development Act 2000, as amended,
- (b) Articles 6 and 9 of the Planning and Development Regulations, 2001, as amended, and the Classes set out in Part 1 of Schedule 2 to these Regulations,
- (c) the planning history of the site, and
- (d) the Inspector's report, including the report of her inspection of the subject site.

AND WHEREAS An Bord Pleanála has concluded that -

- (a) the subject shed is located within an overall property that has an established use as a motor vehicle repair workshop, which property is not part of the curtilage of number 85 Waterloo Road, a protected structure,
- (b) the subject shed is, based on the inspection carried out by the Inspector, and on the submissions on file, in use as part of the overall motor vehicle repair workshop business, and is used, inter alia, for the storage of goods related to this business,
- (c) the erection of this shed constituted works, as defined in Section 2 of the Planning and Development Act 2000, as amended, and, therefore, constitutes development within the meaning of Section 3 of that Act,

