

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2010

South Dublin County

Planning Register Reference Number: SD11A/0019

An Bord Pleanála Reference Number: PL 06S.238768

APPEAL by Glan Developments Limited care of Michelle Wilson of 6 Bayside Walk, Bayside, Sutton, Dublin against the decision made on the 22nd day of March, 2011 by South Dublin County Council to refuse permission.

PROPOSED DEVELOPMENT: Change of use of upper ground floor unit from childcare facility (199 square metres) approved under planning register reference number SD02A/0549 to two number two bedroom apartments with terrace (92 square metres and 96 square metres) and all associated site works at approved childcare facility, Westend Gate, at junction of Blessington Road and Cookstown Way, Tallaght, Dublin.

DECISION

REFUSE permission for the above proposed development based on the reasons and considerations set out below.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

1. The proposed change of use of this unit from childcare facility to two number apartments would be a long term use not connected to community purposes and as such would not comply with Section 1.3.22xii, Policy SCR33 (Change of use of Purpose Built Childcare Facilities) of the South Dublin County Council Development Plan 2010-2016. Having regard to the purpose of this unit to provide a childcare facility for the existing 132 number apartments at Westend Gate, it is not considered that it has been adequately demonstrated that the threshold for the provision of such facilities has been exceeded in accordance with Appendix 2 of the Childcare Facilities Guidelines for Planning Authorities issued by the Department of the Environment and Local Government in June, 2001. The proposed development would, therefore, be contrary to the provisions of the said Guidelines and to the policy of the development plan, would set an undesirable precedent for other similar developments, having regard to other vacant childcare facilities in the area and would be contrary to the proper planning and sustainable development of the area.
2. The provision of the proposed single aspect apartments would be contrary to Section 1.4.18iv of the current development plan for the area, which only supports south facing single aspect apartments. Having regard to its location and outlook, it is not considered that quality private amenity space will be provided for Apartment B and this is not in accordance with Policy SN16 of the development plan. The proposed development would, therefore, seriously injure the residential amenities of future occupiers and would be contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2011.