



An  
Bord  
Pleanála

**Board Direction**  
**PL06S 248162**

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The submissions on this file and the Inspector's report were considered at a Board meeting held on the 13th September 2017.

The Board decided by a majority of 2:1 to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

### **Reasons and Considerations**

Having regard to the planning history of the site, its zoning for residential development in the South Dublin County Council Development Plan 2016-2022, and the benefit of achieving an active use at ground floor level, it is considered that, subject to compliance with the conditions set out below, the proposed change of use from a large scale crèche to residential and a reduced sized crèche would be in accordance with the zoning of the site, would not result in any serious injury to the amenity of properties in its vicinity and would provide a viable use for a vacant unit. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

### **Conditions**

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by An Bord Pleanála on the 14<sup>th</sup> March 2017, except as may 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 prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. Apartment No 5 shall be omitted from the proposed development and its floor area shall be incorporated into the proposed reduced crèche area. Prior to the carrying out of the development the developer shall submit to the planning authority for written agreement details of the revised internal configuration of the crèche incorporating the floor area of Apartment No 5.

**Reason:** To achieve a crèche of adequate size to serve future needs of the area.

3. Prior to the operation of the crèche, details of the proposed signage for the crèche shall be submitted to, and agreed in writing with, the planning authority.

**Reason:** In the interest of visual amenity.

4. **LanOpenSpace2** ....occupation.

5. A plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials, and for the ongoing operation of these facilities, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the waste shall be managed in accordance with the agreed plan.

**Reason:** To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment.

6. Site development and building works shall be carried out only between the hours of 0800 to 1800 Mondays to Fridays inclusive, between 1000 to 1600 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received for the planning authority.

**Reason:** In order to safeguard the amenities of property on the vicinity.

7. Water supply and drainage arrangements, including the attenuation and disposal of surface water shall comply with the requirements of the planning authority for such works and services.

**Reason:** In the interest of public health

8. The developer shall pay to the planning authority a financial contribution of 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.

**Board Member**

**Date:** 13.09.2017

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Terry Prendergast