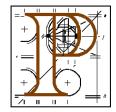
An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

South Dublin County

Planning Register Reference Number: SD16A/0251

An Bord Pleanála Reference Number: PL 06S.247349

APPEAL by Joseph Dolan of 195 Laraghcon, Lucan, County Dublin against the decision made on the 7th day of September, 2016 by South Dublin County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: An additional storey to existing three-storey building comprising ground floor warehouse/storage area, first and second floor office areas, ancillary entrance and toilet areas, off-street car parking and ancillary works. This application incorporates the conditions of the previously approved scheme, planning register reference number SD02A/0242 with proposed additional 4th storey/floor of office and ancillary areas added to the existing three-storey building, including an extension to existing reception area at front of building, all at Block H, Riverview Business Park, New Nangor Road, Clondalkin, Dublin.

DECISION

Having regard to the nature of the conditions the subject of the appeal, the Board is satisfied that the determination by the Board 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 9, and the reason therefor and to AMEND condition number 2 so that it shall be as follows for the reason set out.

PL 06S.247349 An Bord Pleanála Page 1 of 2

2. The ground floor shall be used solely as a warehouse/storage area, and shall not be used for offices without a separate planning permission.

Reason: In the interest of clarity and in order to conform to the authorised use of this floor under planning permission register reference number SD02/0242.

REASONS AND CONSIDERATIONS

Having regard to the zoning provisions and objectives, as set out in the South Dublin County Development Plan 2016 – 2022, and to the planning history of the subject premises, it is considered appropriate, and in the interests of clarity, that the use of the ground floor of the subject building be restricted to the use for which planning permission has been granted, that is, warehousing/storage only, and having regard to the fact that the present application does not seek a change of use of the ground floor to office use. However, it is not considered necessary that the office uses of the upper floors, including the additional floor permitted, should be linked directly to the use of the warehousing/storage use of the ground floor. Accordingly, it is considered appropriate to amend condition number 2. In respect of condition number 9, it is considered that the terms of the South Dublin County Council Development Contribution Scheme 2016 – 2020 have been properly applied in this case.

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.

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

Dated this day of 2017.

PL 06S.247349 An Bord Pleanála Page 2 of 2