



Planning and Development Acts 2000 to 2018

Planning Authority: Fingal County Council

Planning Register Reference Number: FW17A/0151

Appeal by LCACF Limited care of SSA Architects of 42 Haddington Road, Dublin against the decision made on the 27th day of March, 2018 by Fingal County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: Change of use of the ground and first floors of Unit 8 from commercial storage use to children's recreational centre which shall include internal alterations for recreation and play areas, activity spaces, toilets, and associated works together with external signage. The existing office and storage use at second and third floors will be maintained at Unit 8, North Park, Finglas, Dublin.

Decision

Having regard to the nature of the condition 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 AMEND condition number 6 so that it shall be as follows for the reason set out.

6. The commercial recreational facility shall only be used between 0800 hours and 2000 hours on Mondays to Sundays inclusive (including public holidays).

Reason: To safeguard the amenities of properties in the vicinity.

Reasons and Considerations

Having regard to the nature and scale of the proposed development and to the pattern of development in the area, including existing commercial recreational facilities within the immediate business/commercial park, it is considered that the hours of operation for the proposed development, as required by the planning authority in its imposition of condition number 6, are not warranted, and that the hours of operation, as requested in the documentation submitted, would not have a significant impact on the amenities of the area, would not conflict with the provisions of the Dublin City Development Plan 2016-2022 and would, therefore, be in accordance with the proper planning and sustainable development of the area.

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.

Terry Ó Niadh

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this day of 2018.