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**Planning and Development Acts 2000 to 2018**

**Planning Authority: South Dublin County Council**

**Planning Register Reference Number: SD18A/0080**

**APPEAL** by Capami Limited care of Delphi Design Limited of 13 Seapoint Building, 44/45 Clontarf Road, Clontarf, Dublin against the decision made on the 2<sup>nd</sup> day of May, 2018 by South Dublin County Council to refuse permission.

**Proposed Development:** Change of use from permitted creche (planning register reference number SD14A/0180) to proposed residential use, in the form of two number two-bedroom apartments (177 square metres) accommodated in an existing two-storey building, within a permitted residential development known as Dodderbrook, located south of Oldcourt Road, Oldcourt ( on a site area of 0.023 hectares), Firhouse, Dublin.

**Decision**

**REFUSE permission for the above proposed development in accordance with 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**

The proposed development, which seeks a change of use of a permitted creche to residential use, would, if permitted, materially contravene conditions numbers 1 and 33 of a previous permission granted by the planning authority under planning register reference number SD14A/0180, which require the provision of a crèche. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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

**Dated this            day of            2018.**