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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Dun Laoghaire Rathdown County Council**

**Planning Register Reference Number: D20A/0973**

**APPEAL** by Herbert Park ICAV Irish Residential PRS Fund care of KPMG Future Analytics of 1 Stokes Place, St. Stephen's Green, Dublin against the decision made on the 22<sup>nd</sup> day of February, 2021 by Dun Laoghaire Rathdown County Council to refuse permission.

**Proposed Development:** Permission is sought for change of use of vacant creche unit to community rooms serving the residents of the overall Elmfield development, all at Block E, The Ashes, Elmfield, Ballyogan Road, 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

Permission was previously granted on lands containing the appeal site for 207 number residential units and a crèche facility. The crèche facility was to be provided as part of the social infrastructure on the basis of the residential scheme comprising more than the 75 dwelling threshold as set out in the "Childcare Facilities Guidelines for Planning Authorities" issued by the Department of the Environment and Local Government in June 2001. Having regard to the relevant provisions of the Dún Laoghaire Rathdown County Development Plan, 2016-2022 with respect to childcare provision, the scale and unit mix of the existing residential development, the existing geographical distribution and capacity of childcare facilities, and the emerging demographic profile of the area, and to Circular Letter PL 3/2016 (March 2016) regarding Childcare Facilities operating under the Early Childhood Care Education (ECCE) Scheme (Planning System support for childcare post September 2016 – Implementation of the Childcare Facility Guidelines for Planning Authorities 2001), it is considered that there is insufficient evidence provided to justify the proposed change of use from a crèche to community rooms, and that the proposed development would result in the absence of a planned crèche facility to serve the residential development. The proposed development would result in a poorly integrated residential community, would be contrary to local and national policy, would be contrary to Ministerial guidelines, and would, therefore, be contrary to proper planning and sustainable development of the area.

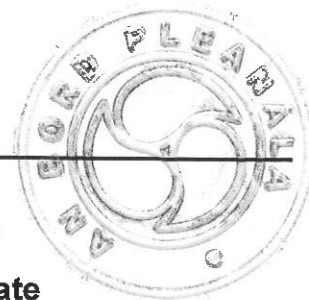


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**Michelle Fagan**

**Member of An Bord Pleanála**

**duly authorised to authenticate  
the seal of the Board.**



Dated this 20<sup>th</sup> day of July 2021.