



Planning and Development Acts 2000 to 2021

Planning Authority: Dun Laoghaire Rathdown County Council

Planning Register Reference Number: Ref4721

WHEREAS a question has arisen as to whether the creation of a hardstanding area for the storage of refuse bins at Tullyvale, Valley Drive, Druids Valley, Cherrywood, Dublin is or is not development or is or is not exempted development:

AND WHEREAS Tullyvale Management Company care of Manahan Planners of 38 Dawson Street, Dublin requested a declaration on the said question from Dun Laoghaire Rathdown County Council and the said Council issued a declaration on the 6th day of May, 2021 stating that the said matter is development and is not exempted development:

AND WHEREAS Tullyvale Management Company referred the declaration for review to An Bord Pleanála on the 1st day of June, 2021:

AND WHEREAS An Bord Pleanála, in considering this referral, had regard particularly to:

- (a) sections 2(1), 3(1), and 4(1)(h) of the Planning and Development Act, 2000, as amended,
- (b) the planning history of the site,

- (c) the pattern of development in the area, and
- (d) the existing use of the site.

AND WHEREAS An Bord Pleanála has concluded that the construction of a hardstanding area for the storage of refuse bins and the associated change in the use and character of the land from a grassed area previously used as open space to a bin storage area constitutes a material change of use and is, therefore, development as defined in section 3(1) of the Planning and Development Act, 2000 and is not exempted development.

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by section 5 (3) (a) of the 2000 Act, hereby decides that the creation of a hardstanding area for the storage of refuse bins at Tullyvale, Valley Drive, Druids Valley, Cherrywood, Dublin is development and is not exempted development.

Dr. Maria FitzGerald

Maria FitzGerald

Member of An Bord Pleanála

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

Dated this 21st day of Sept. 2022.

