

Planning and Development Acts 2000 to 2021

Planning Authority: Fingal County Council

Planning Register Reference Number: FW21A/0115

Appeal by Endotron Limited care of SSA Architects of 42 Haddington Road, Dublin in relation to the application by Fingal County Council of the terms of the Development Contribution Scheme made for the area in respect of condition number 9 of its decision made on the 16th day of September 2021.

Proposed Development: Permission for change of use of existing ground floor retail unit to Montessori/pre-school/creche at Unit 4, Parkside, Navan Road, Mulhuddart, Dublin.

Decision

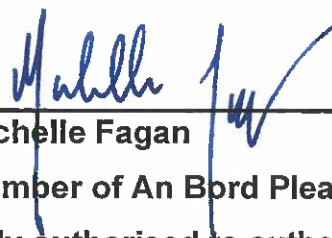
The Board, in accordance with section 48 of the Planning and Development Act, 2000, as amended, considered, based on the reasons and considerations set out below, that the terms of the Development Contribution Scheme for the area had not been properly applied in respect of condition number 9 and directs the said Council to REMOVE condition number 9 and the reason therefor.

Reasons and Considerations

Having regard to the submissions on file, the nature of the proposed development for a change of use of part of the ground floor of the existing building from office/professional services use to a childcare use, and the terms of the current Fingal County Development Plan 2017-2023, the Board considers that the planning authority has incorrectly applied the terms of the Fingal County Council Development Contribution Scheme 2021-2025 and that the proposed change of use does not represent a substantial intensification of use of the building or service. It is, therefore, considered appropriate to remove condition number 9 of the permission.

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.



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

Dated this *23rd* day of *February* 2022.

