

Planning and Development Acts 2000 to 2021

Planning Authority: Dublin City Council

Planning Register Reference Number: 0303/21

WHEREAS a question has arisen as to whether the following works at Griffith Park, Drumcondra, Dublin constitute development and, if so, whether that development can be considered exempted development:

The provision of a café and toilet building measuring approximately 12.19 metres long x 2.44 metres wide x 2.59 metres high within Griffith Park, with associated site works and foul drainage connection (the referral includes the requirement for an EIA screening and AA screening),

AND WHEREAS Gavin Smyth of 6 Ferguson Road, Drumcondra, Dublin requested a declaration on this question from Dublin City Council and the said Council made a declaration on the 29th day of September, 2021 stating that the proposed development is exempt from the requirement to obtain planning permission under Section 32 of the Planning and Development Act 2000, as amended,

AND WHEREAS the question was referred to An Bord Pleanála by Gavin Smyth on the 26th day of October, 2021, including a revised wording of the question as follows:

Whether the provision of public toilets in conjunction with retail unit/café unit, circa 12.19 metres long x 2.44 metres wide x 2.59 metres high with associated site works, including foul drainage connection, water connection, ESB connection or generator provision, hard standing area, bin provision, outdoor seating/tables, removal of trees, alterations to landscaping and all associated works above and below ground is or is not development or is or is not exempted development,

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

- (a) Sections 2(1), 3(1), 4(1)(f), 4(4), and 178(2) of the Planning and Development Act 2000, as amended,
- (b) Articles 6 and 9, and Part 8 of the Planning and Development Regulations 2001, as amended,
- (c) the provisions of the Dublin City Development Plan 2022-2028,
- (d) the characteristics of the site and the pattern of development in the area, and
- (e) the report and recommendation of the Inspector,

AND WHEREAS An Bord Pleanála has concluded that the proposal involves works which constitute development and is exempted development as it falls within the scope of Section 4(1)(f) of the Planning and Development Act 2000, as amended,

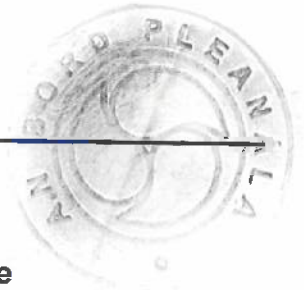
NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by Section 5 (3)(a) of the Planning and Development Act 2000, as amended, hereby decides that the works consisting of the provision of public toilets in conjunction with retail unit/café unit, circa 12.19 metres long x 2.44 metres wide x 2.59 metres high with associated site works, including foul drainage connection, water connection, ESB connection or generator provision, hard standing area, bin provision, outdoor seating/tables, removal of trees, alterations to landscaping and all associated works above and below ground at Griffith Park, Drumcondra, Dublin is development and is exempted development.

Una Crosse

Una Crosse

Member of An Bord Pleanála

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



Dated this *25th* day of *April* 2023.