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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Dún Laoghaire-Rathdown County Council**

**Planning Register Reference Number: D21A/0873**

**Appeal** by Paul Monaghan and Annmarie Hendrick of 25 The Avenue, Woodpark, Ballinteer, Dublin against the decision made on the 27<sup>th</sup> day of June, 2022 by Dún Laoghaire-Rathdown County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Retention permission for the inclusion of 20 additional children at the existing creche. In addition, permission is sought for the retention of one number classroom space located within the existing one storey garage located to the rear of the site previously granted planning permission under planning register reference number D05A/0839 at numbers 25 and 27 The Avenue, Ballinteer, Dublin. The proposed development was revised by the further public notices received by the planning authority on the 1<sup>st</sup> day of June, 2022.

## **Decision**

**GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.**

## **Reasons and Considerations**

Having regard to the zoning provisions of the current development plan for the area, the established nature of the creche, the arrangements in place for dropping-off/collection of children, and cycling facilities to be put in place, it is considered that the use of this creche facility by a maximum of 50 children, subject to compliance with the conditions set out below, would not be detrimental to the residential amenities of the area, would be acceptable in terms of traffic safety and convenience, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

## **Conditions**

1. The development shall be retained and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 28<sup>th</sup> day of February, 2022, and the 1<sup>st</sup> day of June, 2022, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority and the development shall be retained and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. The proposed increase in the number of children occupying the creche shall be no more than 20, taking the maximum number of children on the premises at any one time to not more than 50.

**Reason:** In the interest of residential amenity.

3. Any increase in the number of children catered for in this childcare facility or change in the hours of operation shall be the subject of a separate planning application.

**Reason:** In the interest of residential amenity.

4. The existing 'Bearna' type shed located to the north of the site shall be removed within one month from the date of this Order.

**Reason:** In the interest of clarity and to avoid a cluttered development.

5. The applicant shall implement SuDS measures, appropriate to the scale of the proposed development, to infiltrate or reuse the resulting surface water runoff within the property curtilage. This can be a soakaway, if permitted by the ground conditions, a rain garden, rainwater harvesting system, or water butt(s).

**Reason:** In the interest of the sustainable development of the area.

6. Suitable and sufficient waste facilities for the storage segregation and collection of waste shall be provided. In this regard, the waste storage facilities shall be pest proof, secure and located in an area that does not



cause any nuisance by way of smell, noise or attraction of any vermin and animals to other premises in the locality.

**Reason:** In the interest of public health and the proper planning and sustainable development of the area.

7. The applicant shall provide staff (long stay) cycle parking provision at the crèche, which shall be secure, covered cycle parking in accordance with the requirements of Dún Laoghaire-Rathdown County Council's Standards for Cycle Parking and associated Cycling Facilities for New Developments (January 2018).

**Reason:** In the interest of sustainable planning.

8. The applicant shall provide parent/guardian/child/visitor (short stay) cycle/scooter parking provision at the crèche, which shall be in accordance with the requirements of Dún Laoghaire-Rathdown County Council's Standards for Cycle Parking and associated Cycling Facilities for New Developments (January 2018).

**Reason:** In the interest of sustainable planning.



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**Liam Bergin**

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

Dated this *27<sup>th</sup>* day of *September* 2023.