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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Fingal County Council**

**Planning Register Reference Number: F22A/0260**

**APPEAL** by Clairville Lodge Residents Group care of O'Neill Town Planning of Oakdene, Howth Road, Howth, County Dublin against the decision made on the 28<sup>th</sup> day of November, 2022 by Fingal County Council to grant subject to conditions a permission to Charlie's Childcare Limited care of Downey Planning of 29 Merrion Square, Dublin.

**Proposed Development:** Construction of one number two-storey childcare facility with enclosed play area, five number car parking spaces, 18 number bicycle parking spaces, boundary treatment and access road at the existing vehicular entrance from Carey's Lane (off Streamstown Lane) (previously constructed under permission granted under register reference F14A/0483 and An Bord Pleanála reference PL 06F.245240) and all associated site and infrastructural work on lands at Clairville Lodge, Carey's Lane and Streamstown Lane, Malahide, County Dublin. Further public notices were received from the planning authority on the 4<sup>th</sup> day of November, 2022.

**Decision**

**REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.**

## Reasons and Considerations

The subject site is Zoned OS - Open Space in the Fingal County Development Plan 2023-2029. The land use objective is to 'preserve and provide for open space and recreational amenities'. The vision for these lands is to provide recreational and amenity resources for urban and rural populations subject to strict development controls. A childcare facility is not permitted on lands zoned for open space. The proposed development would materially contravene the zoning objective, pertaining to the site as set out in the Fingal County Development Plan 2023-2029. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



**Una Crosse**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board.**

Dated this 16<sup>th</sup> day of January 2024.