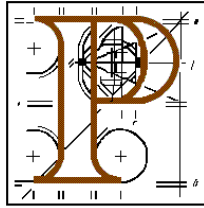


# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

**Dún Laoghaire-Rathdown County**

**Planning Authority Reference Number: 120/15**

An Bord Pleanála Reference Number: 06D.RL.3443

**WHEREAS** a question has arisen as to whether the use of a previous school building as an afterschool/montessori facility at the Apres School Club, corner of Adelaide and Lower Eden Road, Glasthule, County Dublin is or is not development or is or is not exempted development:

**AND WHEREAS** Maria Sweeney care of the Apres School Club, corner of Adelaide and Lower Eden Road, Glasthule, County Dublin requested a declaration on the said question from Dún Laoghaire-Rathdown County Council and the said Council issued a declaration on the 16<sup>th</sup> day of November, 2015 stating that the said matter is not exempted development:

**AND WHEREAS** the said Maria Sweeney referred the declaration for review to An Bord Pleanála on the 14<sup>th</sup> day of December, 2015:

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

- (a) sections 2(1) and 3(1) of the Planning and Development Act, 2000, as amended,
- (b) article 10 of the Planning and Development Regulations 2001,
- (c) class 8 of Part 4 of Schedule 2 of the said Regulations 2001, and
- (d) the planning history of the site and the documentation submitted with the referral:

**AND WHEREAS** An Bord Pleanála has concluded that -

- (a) there is no provision for exemption within any of the classes as set out in Part 4 of Schedule 2 of the Planning and Development Regulations, 2001, for a change of use from a previous school building to an after school and montessori facility under the exempted development provisions of those Regulations,
- (b) the use of the building as a Montessori school constitutes a change of use, but in this particular case is not a material change of use, having regard to the characteristics of the site and site layout and to the character of development in the vicinity of the site, and
- (c) the change of use, not being material, is not 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 said use of a previous school building as an afterschool/montessori facility at the Apres School Club, corner of Adelaide and Lower Eden Road, Glasthule, County Dublin is not development.

