



An
Bord
Pleanála

Inspector's Report

ABP-309728-21

Development	Revisions to approved planning permission for an after school facility.
Location	4 Chapel Lane, Malahide Road, Swords, Co. Dublin
Planning Authority	Fingal County Council
Planning Authority Reg. Ref.	F20A/0682
Applicant	Yvonne Donnelly
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party
Appellant	Yvonne Donnelly
Observer	Joe O' Brien TD
Date of Site Inspection	08 th May 2021
Inspector	Máire Daly

1.0 Site Location and Description

- 1.1. The subject site (0.3ha) is located on the eastern side of Chapel Lane approximately 40m north of the junction with the R106 Regional Road which connects Malahide to Swords and is approximately 0.5km east of Swords Pavilion Shopping Centre.
- 1.2. This site lies off a cul-de-sac, known as Chapel Lane, which serves the Siemens Healthcare Diagnostics Plant in Swords. This lane is accessed from the south off the Malahide Road and it initially slopes downwards at a moderate gradient. To the west of Chapel Lane lies the Ashley Grove housing estate which is accessed separately from this road.
- 1.3. The site currently accommodates a single storey end of terrace bungalow of 64sq.m in area, which contains a two-bedroomed unit, with a kitchen; bathroom; art room and playroom. The subject site is currently used as a sessional after school facility during day times, with retention of the residential aspect, this use was granted under ABP Ref. PL06F.241019 in January 2013. The site has off street parking for 3 no. cars to the front and a small rear garden that accommodates a children's play area, raised beds and a garden shed. The single storey property on site is one of four cottages that have front and rear elevations that face west, south west and east, north east, respectively.
- 1.4. The Oakland's Montessori & Creche, which is also in the applicant's ownership lies to the immediate south of subject appeal site at No. 4 Chapel Lane.

2.0 Proposed Development

- 2.1. The proposed development comprises the following:
 - Permission is sought for revisions to the existing permitted after school facility (granted under ABP Ref. PL06F.241019) to allow for an increase in the number of children accommodated on site from eight to twelve children.
 - Internal alternations to the building include for the conversion of two of the rear bedrooms to a proposed art room and the reinstatement of the existing art room to a bedroom to retain the residential use also on site.

3.0 Planning Authority Decision

3.1. Decision

3.1.1. The planning authority decided to refuse permission based on the following two reasons:

- 1. Given the constraints of the subject site and lack of a suitable set-down facility the intensification of use is contrary to Objective DMS94 of the Fingal Development Plan 2017-2023 which seeks to ensure safe access and convenient off-street car parking and/or suitable drop off and collection points for customers and staff. The proposed development would therefore set an undesirable precedent for other similar developments, which would in themselves and cumulatively, be harmful to the residential amenities of the area and would be contrary to the proper planning and sustainable development of the area.*
- 2. The subject site is located in an area designated Zoning Objective 'RS', to 'Provide for Residential Development and protect and improve Residential Amenity' in the Fingal Development Plan 2017 – 2023. The proposed increase of the number of children to be accommodated on site from 8 to 12 children, by reason of its location adjacent to and functioning in association with the commercial creche facility on the adjoining site, would result in an intensification of an existing commercial facility in this established residential area. The development would result in additional visitors and vehicles to and from the site and as such the intensification of use would have a negative impact on the residential amenity of the area and would be considered overdevelopment of this site. The development would not accord with Objective DMS94 of the Fingal Development Plan 2017-2023 having regard to the suitability of the site for the type and size of facility. As such, the development would be contrary to the proper planning and sustainable development of the area.*

3.2. Planning Authority Reports

3.2.1. Planning Reports

The report of the Planning Officer (February 2021) reflects the decision of the Planning Authority. The Planning Officer notes the following in their report:

- It is noted that conditions attached to ABP Ref. PL06F.241019 required that no more than 8 children should be accommodated on site and that the facility should not operate outside the hours of 8am to 6pm.
- It is noted according to documentation submitted with the application that a staff member permanently resides in the property.
- The Transportation Section raised concerns regarding the lack of a suitable set-down facility for the proposed development which was also expressed in the previous application on site and was part of the considerations taken into account by An Bord Pleanála under ABP Ref. PL06F.241019 in their decision to restrict the creche numbers to a maximum of 8 children.
- It is noted that a previous application for the retention of the same development on site i.e. increase from 8 to 12 children for after school care was refused in under F20A/0100 in June 2020.
- The proposed development would result in an intensification of the existing commercial facility in this established residential area.
- The proposed development would result in additional visitors and vehicles to and from the site, which would result in an intensification of use on site and would have a negative impact on the surrounding residential amenities and would be considered overdevelopment of the site.
- Any further intensification on site would therefore be considered unsuitable given the lack of a suitable set-down facility.

3.2.2. Other Technical Reports

- Fingal County Council Transportation Section – report dated February 2021 – This section expressed concerns regarding the lack of a suitable set-down facility for the proposed development under the original planning application P.A. Ref. F12A/0175. This has not been addressed under the current

application. The Transportation Section therefore recommended a refusal based on the lack of suitable set down facility and given the constraints of the site.

3.3. Prescribed Bodies

- None.

3.4. Third Party Observations

- None.

4.0 Planning History

4.1. Appeal site

- P.A. Ref. F20A/0100 at 4 Chapel Lane – June 2020 - Retention permission refused for revision to the approved after school facility (ABP Ref. PL 06F.241019) in particular relating to condition no. 2 and increase from the approved 8 children to 12 children with residential aspect being retained to property adjoining and ancillary to Oaklands Montessori Creche. The two reasons for refusal mirror that of the planning authority's decision under the current application.
- ABP Ref. PL06F.241019 (P.A. Ref. F12A/0175) at 4 Chapel Lane – January 2013 - Permission granted for change of use of existing end of terrace bungalow into sessional after school facility during day times with retention of residential aspect to property.

The following conditions are of note:

Condition no.2 of this permission stated the following:

No more than eight children shall be accommodated in the proposal.

Reason: *In the interests of amenity and in view of the limited space available.*

Condition no. 4 stated the following:

The facility shall function in association with the adjacent facility in the ownership of the applicant.

Reason: *In the interest of orderly development and of traffic safety.*

4.2. Relevant recent applications on adjoining site to the south at Oaklands Montessori & Creche which is also in the applicant's ownership.

- P.A. Ref. F12A/0384 – March 2013 – Permission granted for revised plan for previously approved single storey extension to rear of existing Montessori for use as a buggy store and additional new adult w.c. all ancillary to existing use.
- P.A. Ref. F12A/0144 – August 2012 – Permission granted for single storey extension to rear of existing Montessori.
- P.A. Ref. F01A/0107 – May 2001 – Permission granted for First floor dormer extension over existing Montessori class room.

5.0 Policy Context

5.1. National Policy, Legislation and Guidance

5.1.1. ***Childcare Facilities – Guidelines for Planning Authorities*** Department of the Environment, Heritage and Local Government (2001)

5.1.2. ***The Child Care (pre-school services) Regulations 2006*** set out a range of childcare related standards for childcare facilities as stipulated by the Department of Children and Youth Affairs.

5.1.3. ***Child Care Act 1991 (Early Years Services) Regulations 2016***

5.1.4. ***Circular Letter PL3/2016 - Childcare facilities operating under the Early Childhood Care and Education (ECCE) Scheme***

This 2016 Circular issued by the Department of Environment, Community and Local Government in respect of the Childcare Facilities Guidelines for Planning Authorities 2001 within which Planning Authorities were advised that matters relating to childcare facility standards outlined in Appendix 1 of the Childcare Facilities Planning Guidelines 2001, including the minimum floor area requirements per child, should be

excluded in the consideration of planning applications relating to childcare facilities and the planning authorities should solely focus on planning related considerations that fall within the remit of the Planning and Development Act 2000, as amended.

Government Policy is to increase access to childcare having regard to the extension of the ECCE scheme and the associated demands on childcare facilities with effect from September 2016.

5.2. Fingal Development Plan 2017-2023

Relevant provisions are referenced as follows –

- 5.2.1. **Chapter 11 Land Use Zoning Objectives:** The site is zoned 'RS – Residential' with an objective to '*provide for residential development and protect and improve residential amenity*'. The zoning vision is to '*ensure that any new development in existing areas would have a minimal impact on an enhance existing residential amenity*'. Relevant Use Classes - Permitted in Principle include Childcare Facilities and Residential.

5.2.2. Section 3.6 Childcare Facilities

Relevant policies/objectives include:

Objective PM74 *Encourage the provision of childcare facilities in appropriate locations, including residential areas, town and local centres, areas of employment and areas close to public transport nodes.*

Objective PM75 *Ensure that childcare facilities are accommodated in appropriate premises, suitably located and with sufficient open space in accordance with the Childcare (Pre-School) Services) (No. 2) Regulations 2006.*

5.2.3. Chapter 12 Development Management Standards

Relevant policies/objectives include:

Objective DMS44 *Protect areas with a unique, identified residential character which provides a sense of place to an area through design, character, density and/or height and ensure any new development in such areas respects this distinctive character.*

5.2.4. Section 12.4 Design Criteria for Residential Development

Table 12.1 Houses sets out the following standards for a 1Bed 2 person house – minimum gross floor area – 50sq.m, dwelling main living room 11sq.m, dwelling aggregate living area 23sq.m, dwelling aggregate bedroom area 11.4sqm.

5.2.5. Section 12.8 Childcare Facilities

Relevant policies/objectives include:

Objective DMS93 *Any application for community facilities such as leisure facilities, sports grounds, playing fields, play areas, community halls, organisational meeting facilities, medical facilities, childcare facilities, new school provision and other community orientated developments, shall have regard to the following:*

- *Overall need in terms of necessity, deficiency, and opportunity to enhance or develop local or County facilities.*
- *Practicalities of site in terms of site location relating to uses, impact on local amenities, desirability, and accessibility.*
- *Conformity with the requirements of appropriate legislative guidelines.*

Objective DMS94 *Any application for childcare facilities shall have regard to the following:*

- *Suitability of the site for the type and size of facility proposed.*
- *Adequate sleeping/rest facilities.*
- *Adequate availability of indoor and outdoor play space.*
- *Convenience to public transport nodes.*
- *Safe access and convenient off-street car parking and/or suitable drop-off and collection points for customers and staff.*
- *Local traffic conditions.*
- *Intended hours of operation.*

The plan states that “*applications for childcare facilities in existing residential areas will be treated on their own merits, having regard to the likely effect on the amenities of adjoining properties, and compliance with the above criteria. Detached houses or substantial semi-detached properties are most suitable for the provision of full day care facilities*”.

Objective DMS95 *Residential properties with childcare shall retain a substantial residential component within the dwelling, and shall be occupied by the operator of the childcare facility.*

5.2.6. Appendix 4: Technical Guidance Notes – Definitions of use classes:

- ‘Childcare Facilities’ are defined as the ‘Use of a building, or part thereof, for the provision of full day and/or sessional care and services for pre-school age, and/or for school-going children out of school hours. It includes services involving care, education, and socialisation opportunities for children. As such, services such as pre-schools, naíonraí (i.e. Irish language play groups), day care services, crèches, and after school groups are included, but child minding, schools (including primary and secondary schools) and residential centres are excluded’.
- ‘After school childcare: This involves extended day care for school-going children, usually Monday to Friday’.
- Where the facility is provided in a house within a residential area, the following conditions will generally apply:
 - It should be operated by the resident living in the house,
 - The use should be subordinate to the use of the dwelling as a main residence.

In all cases, the use shall not be injurious to the residential amenities of the area (e.g. it will not result in unacceptable levels of noise or on street car parking etc.).

5.2.7. Chapter 12 Table 12.8 Car Parking Standards

For landuse ‘Pre-school facilities/creche’ a max of 0.5 car spaces are required per classroom.

5.3. Natural Heritage Designations

5.3.1. None relevant.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. A first party appeal has been received from O' Neill Town Planning Consultants on behalf of the applicant Yvonne Donnelly. The grounds of appeal are summarised briefly as follows:

- The reasons for refusal given by the planning authority with regard to traffic and setdown is misplaced as the extra 4 children who only attend on a sessional basis after school do not create any extra traffic in the area as they either walk from the nearby school or are picked up by the creche's own vehicle (creche SUV) which is parked on the creches premises all day.
- In terms of collections, which is the only time that there will be an increase in the traffic to the facility, the applicant submits that allied to the traffic management system imposed to minimise peak drop offs and collections there will not be an issue. In addition, they estimate that only one additional car will visit the site for pick up, as the majority of the children attending the afterschool have siblings that also use the facility, thus reducing the overall car visitors to the site. The applicant also states with the 3 no. car parking spaces on site and the length of the access road that adequate parking is available.
- The proposed development comprising of the increase in the number of children attending the after school facility from 8 to 12 is allowed providing that residential properties within childcare shall retain a residential element. This is the case here as the manager of the unit resides in the house.
- Given that four children can be cared for full time in a residence without the need for planning permission the appellant would submit that the proposed after school sessional facility has far less of an impact on residential amenities as the uses are in the afternoon; the children are older; the use occurs Monday to Friday and only during school terms.
- In addressing the second refusal reason, the appellant argues that given the length of Chapel Road at 107m and the availability of on-street parking along

it which allows for parking for up to 20 cars, and the fact that the increase in children again only relates to after school, it would appear nonsensical to suggest that this road is not suitable due to a lack of set down area.

- The internal and external space required to cater for 12 children is in place and will not have a negative impact on the residential amenities of the area and should not be considered overdevelopment.
- The development complies with Objective DMS94 of the development plan.
- The proposed increase in numbers will assist in providing facilities for the 1722 childcare places required in the area – as indicated by the Fingal County Childcare Committee.

6.2. Planning Authority Response

6.2.1. A response from Fingal County Council was received by the Board on the 14th April 2021. The response can be summarised as follows

- The planning authority directs the attention of the Board to the Transportation Section report on the application.
- The planning authority note an error in the Planning Statement submitted with the appeal on page 5 which refers to the development as a ‘retention’ application, which is incorrect.
- In the case that the application is successful, provision should be made in the determination for applying a financial contribution in accordance with the Council’s Section 48 Development Contributions Scheme.

6.3. Observations

One observation was received from Joe O’ Brien, TD. The following points were raised:

- There is a significant demand for childcare places in Fingal and Swords in particular.

- Noting the grounds for refusal he states that there is no additional traffic associated with these additional 4 child places nor can any traffic hazards be expected.

7.0 **Assessment**

7.1. Having examined the application details and all other documentation on file, inspected the site and having regard to relevant local/regional/national policies and guidance, I consider that the main issues in this appeal are as follows:

- The Proposal and Residential Amenity
- Traffic, Parking and Set-down Area
- Appropriate Assessment

7.2. **The Proposal and Residential Amenity**

- 7.2.1. This appeal relates to a proposed increase in the numbers attending the after-school facility on site. The applicant seeks to increase the number of children attending the facility from 8 to 12 and proposes to accommodate these additional children by changing the subject residence from a two-bed house to a single bedroom house. The reconfiguration of the internal floor space involves the conversion of two of the rear bedrooms of the dwelling to a now proposed art room and the reinstatement of the existing art room at the front of the house to a bedroom. This will allow for an additional 16sq.m of space internally to cater for the additional children. I note the existing circa. 220sqm rear garden area which currently serves the use on site also. The current proposal seeks to meet the requirements listed under Section 3.4.1 Residential Context of the Childcare Facilities Guidelines for Planning Authorities by retaining some residential content in the premises. The appellant has stated in the appeal statement that the house is also the residence of the Manager of the unit.
- 7.2.2. The current residential zoning objective 'RS' for the site allows for childcare facilities as a use which is 'permitted in principle' on such zoned lands. Section 12.8 of the development plan however states that applications for childcare facilities in existing residential areas will be treated on their own merits, having regard to the likely effect on the amenities of adjoining properties, and compliance with the criteria listed under Objective DMS94. Appendix 4 of the development plan presents technical guidance

in relation to proposals where the facility is provided in a house within a residential area, and states the following conditions will generally apply: It should be operated by the resident living in the house and the use should be subordinate to the use of the dwelling as a main residence.

- 7.2.3. While I acknowledge that some residential element has been retained on site and that the Manager of the facility also resides on site, I do have concerns in relation to the current proposals compliance with Objective DMS95 of the development plan which states that '*Residential properties with childcare shall retain a substantial residential component within the dwelling*'. In addition, Section 12.8 of the development plan states that '*detached houses or substantial semi-detached properties are most suitable for the provision of full day care facilities*'. The current property is a single storey, semi-detached cottage with a gross floor area of 64sq.m and therefore in my opinion could not be considered a substantial residential property and while I acknowledge that an existing facility is permitted on the site the expansion of this facility needs to be carefully considered given the size of the property.
- 7.2.4. The current proposal sees the loss of a second bedroom and thus reduces the residential element on site to that of just - one bedroom, a bathroom which is also shared with the after-school facility and a kitchen. No separate living room area is provided within the dwelling. In my opinion the loss of the second bedroom would see the majority of the dwelling being then used as an after-school facility and therefore would be contrary to Objective DMS95 and Appendix 4 of the development plan. In addition, the proposed development does not appear to comply with the quantitative standards for a 1Bed/2 Pers. House as listed under Table 12.1 of Section 12.4 of the development plan. The after-school facility and the dedicated floor area to same on site would no longer be sub-ordinate or ancillary to the main use of the building which should be residential. Furthermore, the use of the entire rear garden as open space for the after-school facility would cause it to become the predominant use of the dwelling house and thus the residential character of the dwelling would be marginalised. I therefore conclude that the proposed use would not be subordinate in nature to the retained residential use of the dwelling and so the character of the appeal site would change. Furthermore, the dwelling formed from

the residual residential element would fail to provide a satisfactory standard of amenity for future occupiers, both quantitatively and qualitatively.

- 7.2.5. In addition, I also have concerns in relation to the residential amenities of the remainder of the terrace along Chapel Lane which I believe would be eroded by the intensification of the proposed use with its associated noise and general disturbance.

7.3. Traffic, Parking and Set-down area

- 7.3.1. Objective DMS94 of the development plan includes a requirement for the 'Safe access and convenient off-street car parking and/or suitable drop-off and collection points for customers and staff' and also for consideration of 'local traffic conditions' for facilities such as that currently proposed. The appeal site is located along a cul-de-sac off the Malahide Road (R106), which principally serves the Siemens Plant but also the 4 no. terrace cottages (one of which is the appeal site) along Chapel Lane and the existing montessori/creche to the south of the current appeal site. The activities in relation to drop off and pick up from the after-school facility would be likely to coincide with other non-operational traffic movements generated by the Siemens Plant and also traffic generated by the existing montessori/creche. Thus, the availability of off-street arrangements to serve the current proposal would be important. I note the concerns raised by the Transportation Planning Section of the planning authority regarding the intensification of the use on site. This concern had previously been raised as an issue under two previous applications on site namely P.A. Ref. F20A/0100 which initially sought the retention of the intensified use on site and prior to this in 2012 P.A. Ref. F12A/0175, ABP Ref. PL06F.241019. In the case of the latter the lack of an appropriate set-down facility was part of the consideration taken into account by the Board in their decision to restrict the creche to a maximum of 8 children by way of condition.
- 7.3.2. The applicant states that 3 no. car spaces are provided to the front of the property and that this provision would comply with the requirements of Table 12.8 'Car Parking Standards' of the development plan. Under this table a max of 0.5 car spaces are required per classroom for the current landuse. The applicant has stated in her appeal that at present there is the equivalent of 2 no. classrooms on site and the proposal includes for an additional equivalent 1 no. classroom, thus bringing the total to 3 no. classrooms proposed on site. Thus, in total 1.5 no. car spaces are

required on site. I note that as the building also doubles as a residential property, one car space would be required to serve the existing resident as outlined also under Table 12.8 of the development plan, thus bringing the total required to 2.5 car spaces. While the facility may meet the standards set out under Table 12.8 for car parking, I still have serious concerns in relation to the lack of provision of suitable drop-off and collection points for visitors and the possible impacts on local traffic conditions which may result from any intensification on site.

- 7.3.3. The adjoining established creche/montessori facility to the north, which is also in the applicant's ownership has 6 no. dedicated car spaces, as illustrated on the submitted site layout plan (Dwg. No. 2025-100B). The applicant states however that this adjoining facility is a standalone full time dedicated creche facility, which is not part of the subject residence. However, contrary to what the applicant says, I note that Condition no.4 of ABP Ref. PL06F.241019 for the original after school facility granted on the current appeal site stated that '*the facility shall function in association with the adjacent facility in the ownership of the applicant*' with the associated reason '*In the interests of orderly development and in the interests of traffic safety*'. I also note that under this previous application on site, the inspector at the time highlighted that within the appeal site itself, there would be insufficient scope for off-street car parking/drop off, collection points to accommodate the demand. This demand at the time related to the accommodation of 8 no. children for after school services. In response to this deficiency, the applicant at the time, in 2012, envisaged that the existing carpark on the adjoining site to the south, which accommodates for the existing creche and montessori, would also be available for the after school facility. And in addition, provided that car park was formally laid out that there would be opportunity to ensure that turning manoeuvres occurred off-street.
- 7.3.4. In my opinion the reliance on the adjoining property in that previous case was very important, as it allowed for the use of that site by the after-school facility at no. 4 Chapel Lane and ensured that appropriate turning manoeuvres associated with the after-school facility pickups and drop offs could occur off-street. Notably, as part of that approved development (ABP Ref. PL06F.241019) a new pedestrian access was to be provided in the southern boundary wall of the current appeal site, which would connect the creche/montessori with the after-school development, thus allowing for the safe drop off and pick up of children to occur on the adjoining site to the south

and for adequate traffic measures i.e. off street turning manoeuvres to be achieved in relation to same. On site visit I noted that this pedestrian connection was never completed and that a cavity block wall is still in place on the southern boundary of the site, this is despite the submitted site layout plan (Dwg. No. 2025-100B) stating that an 'existing access with ramp' is in place.

7.3.5. I also note, in contradiction to the aforementioned previously approved arrangements, that the applicant states in her appeal that all children are dropped off to the front of the after school facility where 3 no. car spaces are available for both drop off and collection. Therefore, it would appear that Condition no. 4 of the original permission was never complied with and that the measures outlined to ensure safe access/egress and drop off/collection to the facility cannot currently be facilitated either.

7.3.6. While I note the appellant's argument regarding the use of the "creche SUV" for the transportation of children from school to the premises and the resultant reduction this would lead to in the amount of traffic arriving on site in relation to drop offs, I have serious concerns in relation to the justification presented in relation to collections/pick-ups. In terms of collections, the applicant states that this is the only time that there will be an increase in the traffic to the facility, however submits that allied to the traffic management system imposed to minimise peak drop offs and collections there will not be an issue. In addition, they estimate that only one additional car will visit the site for pick up, as the majority of the children attending the afterschool have siblings that also use the facility, thus reducing the overall car visitors to the site. While I acknowledge that this may be the current case, I also note that there is no guarantee that these circumstances will continue into the future and thus the amount of traffic movements on the road needs to be considered based on the number of children that the site caters for, which in the case of the proposed development would be 12, an increase of 4 on the existing permitted number.

7.3.7. Having considered all the above, in my opinion, given the location of the facility adjacent to a much larger creche/Montessori and also the fact that the facility is located on the same access road which serves the Siemens Plant, I believe that traffic conflicts are inevitable at certain times of the day when high usage of this road occurs i.e. starting and finishing of shifts and morning/afternoon school drop offs and afternoon/evening pickups. The applicant in my opinion has not presented any

solutions which would address these issues and therefore the proposed development would not comply with Objective DMS94 of the current development plan by ensuring safe access and convenient off-street car parking and a suitable location for drop-off and collection.

7.4. **Appropriate Assessment**

- 7.4.1. Having regard to the nature of the proposed development, to the location of the site within a fully serviced urban environment, and its location relative to Natura 2000 sites, no appropriate assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect, either individually or in combination with other plans or projects, on a European site.

8.0 **Recommendation**

- 8.1. I recommend that permission be **refused** for the reasons and considerations set out below.

9.0 **Reasons and Considerations**

1. The proposed internal alterations would see the after school facility become the predominant use of the property on the application site, which would lead to a greater intensity of use of this dwelling house and its grounds than currently occurs under its partial after-school use. Consequently, the residential character of this site would be largely lost, and the increased intensity of the after school use would generate noise and disturbance that would be seriously injurious to the amenities of residential properties in the vicinity. In addition, the retained residential element would not be considered substantial nor would it afford a standard of accommodation that would be considered quantitatively or qualitatively satisfactory. Thus, an acceptable standard of amenity for future occupiers would be unavailable. The proposed facility would therefore be contrary to Objective DMS95 of the Fingal Development Plan 2017-2023 and the proper planning and sustainable development of the area.

2. The applicant has failed to demonstrate that the provision of a satisfactory set down area could be provided to accommodate the intensification of use on site. Consequently, the proposed facility could generate on-street parking and associated manoeuvres that would endanger public safety by reason of traffic hazard or obstruction of road users on the cul-de-sac known as Chapel Lane. Accordingly, the increase in numbers attending the after-school facility would be contrary to Objective DMS94 of the development plan which seeks to ensure safe access and convenient off-street car parking and/or suitable drop off and collection points for customers and staff. The proposed development is therefore contrary to the proper planning and sustainable development of the area.

Máire Daly
Planning Inspector

09th May 2021