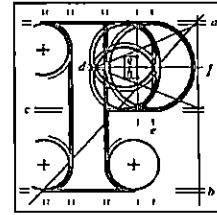


**Our Case Number: ABP-315210-22**

**Planning Authority Reference Number: SD22A/0307**



**An  
Bord  
Pleanála**

South Dublin County Council  
Planning Department  
County Hall  
Tallaght  
Dublin 24

**Land Use Planning & Transportation**

**U 2 DEC 2022**

**South Dublin County Council**

**Date: 30 November 2022**

**Re:** Change of use of 2 ground floor retail units to a Day Service Centre; new internal partitions to accommodate meeting rooms; open plan learning spaces and toilet and staff facilities; replacement of the existing shopfront at ground floor level incorporating new windows, doors, fascia and signage  
Coric House, Courthouse Square, Tallaght, Co. Dublin

Dear Sir / Madam,

Enclosed is a copy of an appeal under the Planning and Development Act, 2000, (as amended).

As the appeal relates solely to the proper application by the planning authority of the terms of the development contribution scheme adopted under section 48 of the Act in respect of the condition(s) under appeal, and as there are no other appeals against the decision of the planning authority on the planning application, the provisions of section 48(10)(b) and (c) of the Act apply to this appeal.

Section 48(10)(c) of the Act provides that the planning authority shall, subject to the applicant furnishing to the planning authority security for payment of the full amount of the contribution(s) specified in the condition(s) the subject of the appeal, make the grant of permission.

The Board will determine the appeal on the basis of the proper application of the terms of the development contribution scheme and will issue appropriate directions to the planning authority when it has determined the appeal.

**Submissions or observations by the planning authority.**

As a party to the appeal you may, under section 129 of the Act, make submissions or observations in writing to the Board in relation to the appeal within a period of 4 weeks beginning on the date of this letter. Any submissions or observations received by the Board outside of that period shall not be considered and where none have been validly received, the Board may determine the appeal without further notice to you.

**Please note that in accordance with section 251 of the Planning and Development Act, 2000, (as amended), the period beginning on 24th December and ending on 1st January, both dates**

Tel (01) 858 8100  
Glao Áitiúil LoCall 1890 275 175  
Facs (01) 872 2684  
Láithreán Gréasáin Website www.pleanala.ie  
Ríomhphost Email bord@pleanala.ie

64 Sráid Maoilbhríde 64 Marlborough Street  
Baile Átha Cliath 1 Dublin 1  
D01 V902 D01 V902

**inclusive, should be disregarded for the purposes of calculating the last date for lodgement of submissions or observations.**

**Your submissions or observations should specifically address the grounds of appeal relating to the alleged improper application of the development contribution scheme to the condition(s) under appeal. You should also supply details of the calculation involved, the basis on which the calculation was made and the specific provisions in the scheme on which the calculation was based.**

**Submissions of documents etc. to the Board.**

1. The planning authority is required to forward specified documents to the Board under the provisions of section 128 and section 37(1)(b) of the Act. Please forward, within a period of 2 weeks beginning on the date of this letter, the following documents:-

(i) a copy of the planning application made to the planning authority and a copy of any drawings, maps (including ordnance survey number) particulars, evidence, a copy of any environmental impact statement, other written study or further information received or obtained by your authority in accordance with regulations under the Act. If practicable, the original of any drawing with coloured markings should be provided or a coloured copy,

(ii) a copy of any technical or other reports prepared by or for the planning authority in relation to the application,

(iii) a certified copy of the relevant Manager's Order giving the decision of the planning authority,

(iv) a copy of the notification of decision given to the applicant.

(v) particulars of the applicant's interest in the land or structure, as supplied to the planning authority,

(vi) a copy of the published notice and a copy of the text of the site notice erected on the land or structure,

(vii) a copy of requests (if any) to the applicant for further information relating to the application under appeal together with copies of the reply and documents (if any) submitted in response to such requests,

(viii) a copy of any written submissions or observations concerning the proposed development made to the planning authority in accordance with the permission regulations by persons or bodies other than the applicant.

2. To ensure that the Board has a full and complete set of the material specified above and that it may proceed with full consideration of the appeal, please certify that the planning authority holds no further material relevant to the case coming within the above list of items, by signing the certification on page 2 of this letter and returning the letter to the Board.

3. In addition to the documents mentioned above please supply particulars and relevant documents relating to previous decisions affecting the same site only where these are relevant to the proper application of the development contribution scheme.

Please quote the above appeal reference number in any further correspondence.

Tel	Tel	(01) 858 8100
Glaio Áitiúil	LoCall	1890 275 175
Facs	Fax	(01) 872 2684
Láithreán Gréasáin	Website	www.pleanala.ie
Ríomhphost	Email	bord@pleanala.ie

64 Sráid Maoilbhríde	64 Marlborough Street
Baile Átha Cliath 1	Dublin 1
D01 V902	D01 V902

Phillip Kerr  
Phillip Kerr Project Management  
120 Leinster Road  
Rathmines  
Dublin D06 T9W4

The Secretary  
An Bord Pleanála  
64 Marlborough Street  
Dublin 1

22<sup>nd</sup> November 2022

RE: South Dublin County Council  
Register Reference SD22A/0307  
Date of Decision 26-Oct-2022  
Decision Order 1333

<b>AN BORD PLEANÁLA</b>	
LDG-	<u>059346-22</u>
ABP-	
22 NOV 2022	
Fee: €	<u>220.00</u> Type: <u>land</u>
Time: <u>16-39</u>	By: <u>land</u>

Dear Sirs

In respect of the South Dublin County Council Notification of Decision to Grant Permission Register Reference SD22A/0307.

**SITE LOCATION :** Coric House, Courthouse Square, Tallaght, Co. Dublin

**APPLICANT:** Walkinstown Association for People with an Intellectual Disability Ltd (WALK)

**Address:** WALK Head Office, 1 Longmile Road, Walkinstown, Dublin 12

**APPLICANT REPRESENTATIVE:** Phillip Kerr Project Management  
**Address:** 120 Leinster Road, Rathmines, Dublin 6, D06T9W4

On behalf of the Applicant, we wish to Appeal the Condition 6 Financial Contribution of € 15,149.78 based on the following:

- 1) Walk is a Registered Charity : Charity number is CHY 10777. Companies Registration Number 322400. Registered Charity Number (CRA Number) 20028008
- 2) The Site is located in the centre of Tallaght Village where a 50% reduction in contributions applies.
- 3) Financial Contributions were previously paid in respect of these premises
  - a. Refer to An Bord Pleanála Reference 307783 as evidence of previous financial contributions.

The terms of the Development Contribution Scheme have not been correctly applied. We believe no financial contributions is payable in this case.

Please find attached a copy of the South Dublin County Council Notification of Decision to Grant dated 26<sup>th</sup> October 2022

Fee in the Sum of €220 has been paid by Debit Card.

Yours faithfully

  
Phillip Kerr

Telephone: 01 4149000

Fax: 01 4149104

Email: [planningdept@sdublincoco.ie](mailto:planningdept@sdublincoco.ie)

Paul Keogh Architects  
Cathedral Court  
New Street  
Dublin 8

**NOTIFICATION OF DECISION TO GRANT PERMISSION  
PLANNING & DEVELOPMENT ACT 2000 (as amended) AND  
PLANNING REGULATIONS THEREUNDER**

<b>Decision Order Number:</b>	1333	<b>Date of Decision:</b>	26-Oct-2022
<b>Register Reference:</b>	SD22A/0307	<b>Date:</b>	29-Sep-2022

**Applicant:** Walkinstown Association for People with an Intellectual Disability Ltd (WALK)

**Development:** Change of use of 2 existing ground floor retail units to a Day Service Centre; new internal partitions to accommodate meeting rooms; open plan learning spaces and toilet and staff facilities; external works comprise replacement of the existing shopfront at ground floor level incorporating new windows, doors, fascia and signage.

**Location:** Coric House, Courthouse Square, Tallaght, Co. Dublin

**Floor Area:**

**Time extension(s) up to and including:**

**Additional Information Requested/Received:** 12-Sep-2022 /29-Sep-2022

**Clarification of Additional Information Requested/Received:**

**DECISION TO:** Pursuant to the Planning & Development Act 2000 (as amended), it is hereby decided, for the reasons set out in the First Schedule hereto, to **GRANT PERMISSION** for the said development in accordance with the said plans and particulars, subject to the conditions specified in the Second Schedule hereto, the reasons for the imposition of the said conditions being as set out in the said Second Schedule and the said decision is subject to the said conditions.

## FIRST SCHEDULE

It is considered that the proposed development accords with the policies and objectives of South Dublin County Council, as set out in the South Dublin County Council Development Plan 2022 - 2028 and subject to the condition(s) set out hereunder is thereby in accordance with the proper planning and sustainable development of the area.

## SECOND SCHEDULE

### Conditions and Reasons:

1. Development to be in accordance with submitted plans and details.  
The development shall be carried out and completed in its entirety in accordance with the plans, particulars and specifications lodged with the application, and as amended by Further Information received on 29 September 2022, save as may be required by the other conditions attached hereto.  
REASON: To ensure that the development shall be in accordance with the permission, and that effective control be maintained.
2. Cycle Parking.  
The applicant shall provide 3 cycle parking spaces for the proposed development.  
REASON: To protect the amenities of the area and in the interests of the proper planning and sustainable development of the area.
3. Drainage.
  - (a) All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works
  - (b) There shall be complete separation of the foul and surface water drainage systems, both in respect of installation and use.REASON: In the interests of public health, the proper planning and sustainable development of the area and in order to ensure adequate water supply and drainage provision.
4. Drainage - Irish Water.
  - (a) All development shall be carried out in compliance with Irish Water Standards codes and practices.
  - (b) Foul - Where relevant, prior to commencement of development, the applicant shall obtain a letter of confirmation of feasibility for proposed development from Irish Water.
  - (c) Foul - Where relevant, prior to the commencement of development the applicant or developer shall enter into a water connection agreement(s) with Irish Water.REASON: In the interests of public health, the proper planning and sustainable development of the area and in order to ensure adequate water supply and drainage provision.
5. Conservation.  
Prior to the commencement of development, the applicant shall provide a Schedule of Materials should be provided detailing the final materials and finishes for approval and agreement with the Planning Authority.  
REASON: in the interests of visual amenity.
6. Financial Contribution.  
The developer shall pay to the Planning Authority a financial contribution of €15,149.78 (fifteen thousand one hundred and forty nine euro and seventy eight cent), in respect of

public infrastructure and facilities benefiting development within the area of the Planning Authority, that is provided, or intended to be provided by or on behalf of the authority, in accordance with the terms of the Development Contribution Scheme 2021 - 2025, made under Section 48 of the Planning and Development Acts 2000-2011 (as amended).

The contributions under the Scheme shall be payable prior to commencement of development or as otherwise agreed in writing by the Council. Contributions due in respect of permission for retention will become payable immediately on issue of the final grant of permission. Contributions shall be payable at the index adjusted rate pertaining to the year in which implementation of the planning permission is commenced.

REASON: The provision of such facilities will facilitate the proposed development. It is considered reasonable that the payment of a contribution be required, in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority and that is provided, or that is intended will be provided, by or on behalf of the Local Authority.

NOTE RE: CONDITION - Please note that with effect from 1st January 2014, Irish Water is now the statutory body responsible for water services. Further details/clarification can be obtained from Irish Water at Tel. 01 6021000 or by emailing customerservice@water.ie.

The Developer is advised that under the provisions of the Construction Products Regulation 2013 (No.305/2011-CPR) All products sourced for use in building process must conform with the statutory requirements of the CPR. For more information on these responsibilities see <http://ec.europa.eu/enterprise/sectors/construction/legislation>.

From March 1, 2014, the Building Control (Amendment) Regulations 2013 (SI 80 of 2013) come into effect. All Commencement Notices for works greater than 40sq.m are obliged to be accompanied by a number of certified undertakings as described by these Regulations.

Please note that upon receipt of this document you are obliged to remove the planning site notice in compliance with Article 20 of the Planning and Development Regulations 2001, as amended.

Please note that any valid submissions or observations received in accordance with the provisions of the Planning and Development Regulations 2001, as amended, have been considered in the determination of this application.

Signed on behalf of the South Dublin County Council.

*Pamela Hughes* 27-Oct-2022  
for Senior Planner