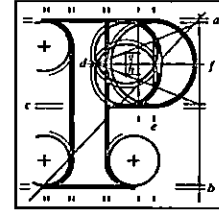


Our Case Number: ABP-315210-22

Planning Authority Reference Number: SD22A/0307



**An
Bord
Pleanála**

South Dublin County Council
Planning Department
County Hall
Tallaght
Dublin 24



Date: 07 SEP 2023

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,

An order has been made by An Bord Pleanála determining the above-mentioned matter under the Planning and Development Acts 2000 to 2022. A copy of the order is enclosed.

In accordance with section 146(5) of the Planning and Development Act 2000, as amended, the Board will make available for inspection and purchase at its offices the documents relating to any matter falling to be determined by it, within 3 days following the making of its decision. The documents referred to shall be made available for a period of 5 years, beginning on the day that they are required to be made available. In addition, the Board will also make available the Inspector's Report, the Board Direction and Board Order in respect of the matter on the Board's website (www.pleanala.ie). This information is normally made available on the list of decided cases on the website on the Wednesday following the week in which the decision is made.

The Public Access Service for the purpose of inspection/purchase of file documentation is available on weekdays from 9.15am to 5.30pm (including lunchtime) except on public holidays and other days on which the office of the Board is closed.

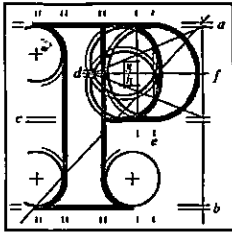
Yours faithfully,

Mary Tucker
Executive Officer

BP100N

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Glaó Áitiúil	LoCall	1800 275 175
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64 Sráid Maoilbhríde	64 Marlborough Street
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D01 V902	D01 V902



**An
Bord
Pleanála**

**Board Order
ABP-315210-22**

Planning and Development Acts 2000 to 2022

Planning Authority: South Dublin County Council

Planning Register Reference Number: SD22A/0307

Appeal by Walkinstown Association for People with an Intellectual Disability Limited (WALK) care of Phillip Kerr Project Management of 120 Leinster Road, Rathmines, Dublin in relation to the application by South Dublin County Council of the terms of the Development Contribution Scheme made for the area in respect of condition number 6 of its decision made on the 26th day of October, 2022.

Proposed Development: Change of use of the two number existing ground floor retail units to a Day Services Centre. The proposed works include 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.

Decision

The Board, in accordance with section 48 of the Planning and Development Act, 2000, as amended, considered, based on the reasons and considerations set out below, that the terms of the Development Contribution Scheme for the area had not been properly applied in respect of condition number 6 and directs the said Council to REMOVE condition number 6 and the reason therefor.

Reasons and Considerations

Section 48 of the Planning and Development Act 2000, as amended, requires planning authorities to make development contribution schemes which provide for the payment of a contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority and that is provided, or that it is intended will be provided, by or on behalf of a local authority. The South Dublin County Council Development Contribution Scheme 2021–2025 sets out, under Section 11, categories of development which are exempt from the requirement to pay development contributions or may pay a reduced rate, as stated, under the Scheme. Section 11 (xii) states that development carried out by a registered charity shall be exempt from contributions. The appeal submitted, states that the applicant, WALK is a registered charity and therefore is exempt from contributions. The Development Contribution Scheme, therefore, does not apply and the planning authority has not correctly applied the scheme.



Una Crosse

Member of An Bord Pleanála

duly authorised to authenticate
the seal of the Board.

Dated this 6th day of September 2023.