

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

**Dublin City**

**Planning Register Reference Number: 2032/16**

An Bord Pleanála Reference Number: PL 29S.246394

**APPEAL** by Bart and Kathleen Cunningham care of HRA Planning of 3<sup>rd</sup> Floor, 121/122 Capel Street, Dublin against the decision made on the 8<sup>th</sup> day of March, 2016 by Dublin City Council to refuse permission.

**PROPOSED DEVELOPMENT:** Material change of use from a residential property to a commercial property, the demolition of the existing derelict dwelling and boundary wall, with Mountpleasant Business Centre, and the provision of seven number car park spaces for the occupants of the neighbouring commercial premises 'Mountpleasant Business Centre', elevational changes and all associated site works at number 59A Belgrave Square, Rathmines, Dublin.

## **DECISION**

**REFUSE permission for the above proposed development based on the reasons and considerations set out below.**

## **MATTERS CONSIDERED**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

## REASONS AND CONSIDERATIONS

The land use zoning objective Z2 'Residential Neighbourhoods (Conservation Areas) 'To protect and/or improve the amenities of residential conservation areas', applies to the site under the Dublin City Development Plan 2011-2017. The proposed change of use of the site from residential to commercial use is neither permitted in principle nor open for consideration within the said land use zone. The proposed use of the site as a car park is neither permitted in principle nor open for consideration within the said land use zone. It has not been demonstrated that the proposed additional car parking spaces are justified within the site context in proximity to good quality public transport and the site's accessibility in terms of walking and cycling modes, having regard to the policy (SI14) of the planning authority regarding car parking provision and to the car parking standards, being maximum standards, under the statutory Development Plan consistent with Government transport policy 'Smarter Travel 2009-2020'. The proposed development would, therefore, seriously injure the amenities of the area and of property in the vicinity and would be contrary to provisions of the Dublin City Development Plan 2011-2017. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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**Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.**

**Dated this                      day of                      2016.**