

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Dublin City

Planning Register Reference Number: 2121/16

An Bord Pleanála Reference Number: PL 29N.246416

APPEAL by Aidan O'Beirne care of Anthony O'Beirne and Associates of Unit 1H, KCR Estate, Ravensdale Park, Kimmage Dublin against the decision made on the 15th day of March, 2016 by Dublin City Council to refuse permission.

PROPOSED DEVELOPMENT: Change of use of existing medical/doctors surgery to solicitors office, at part of the ground floor of the existing semi-detached two-storey building. The existing public entrance is to be retained (and thus changed in use from medical/doctors surgery to solicitors office) and the remaining residential component of the building (apartment at first floor level with its own separate access and entrance from street level) to be unaffected by this application. This application includes for no material alterations to the building or the site other than the above stated change of use at 72 Brookville Park, Coolock, Dublin, (junction of Brookville Park and Malahide Road).

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 appeal site is zoned “Z1” where the objective is “to protect, provide and improve residential amenities”. Having regard to the zoning of the site where offices are not listed as being “permissible” or “open for consideration” under this zoning category, and to the location of the site between a district and neighbourhood centre where such a use is permissible/open for consideration, it is considered that the proposed change of use would be contrary to the zoning objective and would undermine the nearby mixed use centres. The proposed development would, therefore, set an undesirable precedent for similar development and would be contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2016.