



An
Bord
Pleanála

Board Order
PL 29N.248531

Planning and Development Acts 2000 to 2017

Planning Authority: Dublin City Council

Planning Register Reference Number: 2322/17

Appeal by Qiuping Chen care of Sweeney Design of 18 Cherryfield Avenue, Dublin against the decision made on the 20th day of April, 2017 by Dublin City Council to refuse permission.

Proposed Development: Retention of change of use at ground floor level from retail to traditional Chinese massage centre at 21 Dorset Street Lower, (corner of Dorset Street Lower/Kelly's Row), Dublin.

Decision

REFUSE permission for the above proposed development in accordance with 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

It is considered that the change of use for which retention is sought (that is, from retail to professional services) would be contrary to the Z4 land use zoning objective contained in the Dublin City Development Plan 2016 – 2022 which seeks to create a diversity of uses to maintain the vitality of the area throughout the day and evening. It is considered that, having regard to the pattern of development in the area which includes a large number of professional service uses, the retention of the change of use would result in an unacceptable loss in the vitality of the street and would, therefore, seriously injure the amenities of the area. It is also considered that the development for which retention is sought would set an undesirable precedence for similar type uses in the vicinity. The development proposed for retention would, therefore, 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 2017