



Planning and Development Acts 2000 to 2019

Planning Authority: Dublin City Council

Planning Register Reference Number: 4307/18

APPEAL by Jim and Tom McMahon care of O'Neill Town Planning of Oakdene, Howth Road, Howth, County Dublin against the decision made on the 3rd day of January, 2019 by Dublin City Council to refuse permission.

Proposed Development: Demolition of the existing single storey office and construction of a new 569.65 square metres gross floor area office along with associated site and infrastructural works including foul and surface water drainage, car parking, landscaping, boundary treatment and footpaths. The proposed building comprises two storeys to the front and a single storey to the rear, all at Newcourt House, Strandville Avenue East, Clontarf, 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

Having regard to the provisions of the Z1 (residential) Zoning Objective for the area, and to Section 14.6 'Non-Conforming Uses' in the Dublin City Development Plan 2016-2022, office development is neither a 'permissible' use, or an 'open for consideration' use under this zoning objective. Furthermore, having regard to the proposal to demolish the existing structure and build a new office building, the proposed development cannot be considered as an extension to, or improvement of the existing premises on site accommodating the 'non-conforming' office use, as provided for at Section 14.6 of the development plan. The proposed development would, therefore, contravene materially a development objective in the development plan for the zoning of land and would, as such, be contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2019.