



Planning and Development Acts 2000 to 2019

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D19A/0990

APPEAL by CCPM Properties Limited care of Studio DSQ of The Warehouse, 12 Richmond Row, Portobello, Dublin against the decision made on the 20th day of February, 2020 by Dún Laoghaire-Rathdown County Council to refuse permission to CCPM Properties Limited.

Proposed Development Permission for the change of use of the existing ground floor retail unit on George's Street Upper to residential use, all at 58 George's Street Upper, Dún Laoghaire, County 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

1. Having regard to the MTC zoning objective for the area, as set out in the Dún Laoghaire-Rathdown County Development Plan 2016 – 2022, which seeks ‘To protect, provide for and/or improve town centre facilities’, Policy RET 9 (Non Retail Uses), which seeks to control the provision of non-retail uses at ground floor level in the principal shopping streets of Major Town Centres, and Policy RET 4 Major Town Centres which seeks to maintain Dún Laoghaire as a primary retail centre, and having regard to the pattern of development in the vicinity, it is considered that the proposed change of use of an existing retail unit on Upper George’s Street to residential use would represent an inappropriate use at ground floor level in a designated town centre, would injure the vibrancy of the town centre and would be contrary to the zoning objective at this location to protect and/or improve major town centre facilities. The proposed development would not, therefore, be in accordance with the zoning objective and stated policies of the Development Plan and would be contrary to the proper planning and sustainable development of the area.

2. The proposed development, by reason of the change of use of a ground floor retail unit to residential use, would be out of character with

the existing pattern of development on Upper George's Street, which consists of ground floor retail properties, and would set a precedent for further inappropriate development in the vicinity of the site. The proposed development would, therefore, seriously injure the established character and visual amenities of the area and would be contrary to the proper planning and sustainable development of the area.

Paul Hyde

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

Dated this day of 2020.