



Planning and Development Acts 2000 to 2020

Planning Authority: Dublin City Council

Planning Register Reference Number: 2397/20

APPEAL by Michael and Ann Marie care of Future Analytics of 23 Fitzwilliam Square (South), Dublin against the decision made on the 22nd day of June, 2020 by Dublin City Council to refuse permission.

Proposed Development: A change of use from single domestic dwelling to office use at number 49 Leeson Street Lower, Dublin. The property is a Protected Structure, RPS ref: 4421. The proposed development will involve the following alterations and interventions to accommodate the change of use, including (a) removal/adjustment of existing modern partitions, doors, sanitary and kitchen fit outs, (b) provision of new sanitary facilities within existing bathroom/wc areas, (c) repairs to existing windows and internal decorations, (d) provision of associated services alterations to facilitate the change of use, all at 49 Leeson Street Lower, 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. The proposed development, by itself and by the precedent for which a grant of permission would set, would be contrary to the stated provisions of the Core Strategy of the Dublin City Development Plan 2016-2022, which recognises residential units as a scarce resource and which need to be managed in a sustainable manner so that the housing needs of the city are met. The proposed development, resulting in the permanent loss of a residential unit within an area designated as a Rent Pressure Zone, would also be contrary to the core principles of the Dublin City Council Housing Strategy 2016-2022 which requires that the planning and building of housing and residential space in the city contributes to sustainable and balanced development. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The proposed development for the change of use of a Protected Structure located in a Georgian Conservation Area, by itself and by the precedent for which a grant of permission would set, would be contrary to the stated provision of the City Development Plan 2016-2022 'Z8' Zoning Objective, which seeks 'to maintain and enhance these areas as active residential streets and squares during the day and at night-time' and recognises the need to encourage more residential use in the area and limit an over-concentration of offices. The proposed development would, therefore, 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 2020