



Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: 3347/23

APPEAL by Urban Capital Limited care of Hughes Planning and Development Consultants of 85 Merrion Square, Dublin against the decision made on the 3rd day of May, 2023 by Dublin City Council to refuse permission for the proposed development.

Proposed Development: The development will consist of: (i) the refurbishment and change of use of the existing property on site from commercial (office) use to short-stay residential use through the provision of four number one-bedroom short-stay apartment units, one at each level from ground to third floor levels. The proposed works to facilitate this change of use include internal modifications and reconfiguration from ground to third floor levels including: (a) removal of existing modern glazed fire lobby at ground floor level which is to be reused at third floor level and the provision of a new fire lobby at ground floor level including new fresh air duct ventilation to terminate at roof level; (b) relocation of internal door at ground floor level; (c) removal of recessed storage units along the western internal wall at ground floor level; (d) removal of existing non- original partition walls, doors, bathroom and kitchen fittings at first floor level; (e) removal of one number non-original internal door at third floor level, amendment to the positioning of an existing doorway to accommodate a new fire lobby and removal of non-original bathroom fittings all at third floor level; (f) removal of existing carpet floor finish

from ground to third floor levels and retention and refurbishment of existing timber boards; (g) existing stair core at ground, first, second and third floor levels to be retained and refurbished; (h) provision of new partition walls and internal doors where required at ground, first, second and third floor levels and new kitchen and bathroom fittings. External works proposed include: (i) the provision of a new communal bin store to be located in the rear open space area; (ii) removal, replacement and increase in the size of two number existing high level windows at first floor level to the rear and amendments to the associated cills; (iii) removal, replacement and increase in the size of one number non-original sash window at third floor level to the rear and amendments to associated cill; (iv) removal of security bars from windows to the rear; (v) removal of existing soil pipes to the rear elevation and (vi) all associated ancillary works necessary to facilitate the proposed development, all at 76 Thomas Street, Dublin (Protected Structure).

Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

Reasons and Considerations

The proposed development would be contrary to Section 15.14.3: Short Term Tourist Rental Accommodation of the Dublin City Development Plan 2022-2028 which states that there is a general presumption against the provision of dedicated short term tourist rental accommodation in the city due to the impact on the availability of housing stock. The proposal would, therefore, if permitted, be contrary to the proper planning and sustainable development at this location.



In deciding to refuse permission, the Board did not share the view of its Inspector that the proposed development would not impact on the availability of housing stock.

Eamon James Kelly

Eamon James Kelly

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**



Dated this *2nd* day of *October*, 2023.