Tel: +353 01 661 8428
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Fax: + 353 01 676 5719
E-mail: jpyounge@eircom.net

WELL ESTABLISHED SOUTH CITY LICENSED PREMISES, WITH BUSINESS POTENTIAL.

THE LAMPLIGHTER,

79 THE COOMBE, DUBLIN 8.

For Sale by Public Auction on Thursday 9th June at 3.00 p.m. At our Offices.

(Unless Previously Sold)

The property occupies a prominent trading position, diagonally opposite Meath Street, on the corner of The Coombe and Brabazon Street, in the heart of 'The Liberties', one of the oldest districts of the City, close to Newmarket Square, an area, along with its environs, where considerable redevelopment is envisaged, in the near future.

The Vendor, who is now retiring, has, for the past twenty years, conducted a strictly, mainly local lounge bar trade. The upper floors, with separate side street access, are not utilised other than for storage purposes. The property is within easy walking distance of the busy shopping areas of Meath Street, Thomas Street and Francis Street, just off Newmarket Square. There is no food business carried on at present. Certified turnover figures available.

BER Grading: F.

GROUND FLOOR:		
'L' shaped Lounge Bar;	1,398	129.88
Passageway to; Ladies and Gents toilets.		
Store;	83	7.74
Outside void at rear, leading to; Boilerhouse & oiltank.		
BASEMENT:		
Cellar;	526	48.91
FIRST FLOOR:	767	71.26
Divided as follows; Managers Office; 12'6" x 10', Front Room; 16' x 13',		
Corner Room; 17'9" x 15'3", Old Kitchen; 14' x 6'6"		
SECOND FLOOR:	673	62.52
Front Room; 15'9" x 12'6", Corner Room; 17'9" x 15', Back Room; 13' x 6'9", Back Room; 12'6" x 9'9".		

Title; Freehold.

Viewing: Strictly by appointment with the selling agents.

Inventory; Inventory of furniture and effects included in the sale, available on request.

Solicitors with carriage of sale:

YOUNG O'REILLY & CO.

1-2 Lower Leeson Street, Dublin 2. Tel. 01-6712773. Fax. 01-6713054.

35, Lower Pembroke Street, Dublin 2. Ireland.

Tel: +353 01 661 8428
Web: www.jpyounge.ie

Fax: +353 01 676 5719
E-mail: jpyounge@eircom.net

Compact South City Licensed Premises For Sale by Private Treaty

THE LAMPLIGHTER, THE COOMBE, D.8.

Situated in a prominent corner trading position, in the heart of The Coombe, directly opposite the intersection with Meath Street. Conservatively run, with certified turnover. The un-utilised upper floors offer excellent potential for refurbishment as a Manager's Flat.

Price ;€ On application

Registered in Ireland No. 125593 VAT No. 4817727P

Directors: John P. Younge. FSCSI. FRICS. MCIArb. CIPS. Dorothea Younge.

PROPERTY REPORT

1. ACCOMMODATION:-

GROUND FLOOR:	Sq.Ft.	M2
Lounge Bar; Main section; 36'9" x 29'3", less Porch, 7' x 5'6". Back section; 11'9" x 5'6" Snug section at rear; 24'3" x 12'3" (Photo included in appendix).	1,398	129.88

Passageway leading to:-

Ladies Toilet: 2 w.c's. w.b., 2/3rds tiled walls, ceramic tiled floor.

Gentlemens Toilet; Urinal. w.c. w.b. 2/3rds tiled walls, ceramic tiled floor.

Outer passageway leading to:-

Store; 14'6" x 5'9"	83	7.74

Outside void at rear, giving access to
Boilerhouse and Oil tank.

BASEMENT:

Cellar; c. 29'3" x 18', with coldroom. Delivery grate at street level to front of building.	526	48.91

Entrance to the upper floors is via a narrow passageway through part of No. 1 Brabazon Street., an adjoining dwellinghouse.

FIRST FLOOR:

Manager's office; 12'6" x 10'
Small brick fireplace.

Front Room; 16' x 13'
Fireplace installed.

Corridor; 4'6" x 16'

Corner Room; 17'9" x 15'3"
Fireplace installed, door to:-

Kitchen; 14' x 6'6"

Total area of First Floor:-	767	71.26

Door to flat roofs over rear of Public Bar and Toilets.

TOP (SECOND) FLOOR:

Corridor/Passageway, with separate w.c. and separate shower room.

Front Room; 15'9" x 12'6"
Fireplace installed.

Corner Room; 17'9" x 15'
Fireplace.

Room: 13' x 6'9"
Water storage tanks installed.

Rear Room; 9'9" x 12'6"
Fireplace.

Total area of top Floor:-	673	62.52

3. EMPLOYEES

The average monthly number of employees, including director, during the year was 2, (2017 - 2).

	2018 Number	2017 Number
Administration	2	2

4. PROPERTY, PLANT AND EQUIPMENT

	Land and buildings freehold €	Total €
Cost		
At 30 November 2018	397,670	397,670
Net book value		
At 30 November 2018	**397,670**	**397,670**
At 30 November 2017	397,670	397,670

5. CREDITORS

Amounts falling due within one year	2018 €	2017 €
Director's current account (Note 7)	**198,785**	397,570
Other creditors	**198,785**	-
	397,570	397,570

6. CAPITAL COMMITMENTS

The company had no material capital commitments at the year-ended 30 November 2018.

7. DIRECTOR'S TRANSACTIONS

The following amounts are repayable to the director:

	2018 €	2017 €
Brendan Trears	**198,785**	397,570

8. EVENTS AFTER END OF REPORTING PERIOD

There have been no significant events affecting the company since the year-end.

9. APPROVAL OF FINANCIAL STATEMENTS

The financial statements were approved and authorised for issue by the board on 15 October 2019.

Private room hosted by Brendan

2 guests · 1 bedroom · 1 bed · 1 bathroom

Add dates for prices

★ 4.25 (4 reviews)

CHECK-IN Add date | CHECKOUT Add date

GUESTS 1 guest

Check availability

Experienced host

Brendan has 81 reviews for other places.

House rules

This place isn't suitable for children under 12 and the host doesn't allow pets, parties, or smoking. Get details

Report this listing

Sleeping arrangements

Bedroom 1
1 double bed

Common spaces
1 double bed

Amenities

- Kitchen
- Wifi
- Dedicated workspace
- Dryer
- TV
- Hangers
- Washing machine
- Essentials
- Heating
- Smoke alarm

Show all 17 amenities

Select check-in date

Add your travel dates for exact pricing

Shows/ indicates that the AirBnb is operated from the Lamplighter Pub

Highlighted in green

Shows/ indicates that the room was booked as double bed room

Highlighted in red

Shows/ indicates that the room was booked for less then 14 days

Joined in 2018

85 reviews

Identity verified

About

Easy going and open minded.

Lives in County Dublin, Ireland

Brendan confirmed

- Identity
- Email address
- Phone number

Brendan's listings

3.94 (17)

Private room · Other

Spacious Double Room, with own privat...

4.25 (4)

Private room · Other

Beautiful Double Bedroom with private ...

★ 85 reviews

September 2019

The guesthouse is about 20min walk from Dame street, the neighbourhood nice and safe.Nice shops for breakfast nearby.

Translate

Eugenia, Watford, United Kingdom

Joined in 2017

Spacious Double Room with Private Bathroom

September 2019

Location was pretty good for walking but was warned by a couple locals that it can be dangerous at night. The room looks like the pictures and is very small but works for those trying to see Dublin on a budget. Will say that we were lacking a couple essentials in our room such as toilet paper and hand soap for bathroom but overall very clean. read less

Translate

Andie, Brentwood, TN

Joined in 2018

Spacious Double Room, with own private bathroom.

August 2019

Translate

Ryan, Arnold, MD

Joined in 2019

Beautiful Double Bedroom with private Ensuite

August 2019

Beautiful place to stop by

Translate

Panagiotis, Ioannina, Greece

Joined in 2017

yet when we arrived at 14:40 we had to wait for another 1:20 hours in the pub underneath because the room wasn't ready yet (the bartender in 'the Lamplighter' felt honestly sorry for us and took good care while we waited there by offering free drinks and taking care of our bags) . The wifi we got didn't work, luckily that was fixed the day after (we got code for different router). Bedding had (blood)stains and hairs all over it, bathroom didn't look cleaned (also hairs and crisps-residue). Location is very nice, 15 min walk to christ church cathedral. Shower is absolutely amazing. You get the basics, no further thought into room besides a bed and bathroom. **read less**

Translate

Emma, Netherlands

Joined in 2019

Spacious Double Room with Private Bathroom

August 2019

In the top ! I was in Dublin with a friend, and i booked the apartment 4 days in advance and at low cost! It is in the center, you have everything close by, I recommend for a good weekend in Dublin

Translated from French · This description was automatically translated using Google Translate and may not be completely accurate.

Show original review

Olivier, Madrid, Spain

Joined in 2018

August 2019

It is not a problem that the host is not a welcoming person, but we received the keys in a bar, then they explained to us where the apartment was, the room is said to be "spacious" it is not really the case, we got a towel for 2 as well as a roll of toilet paper for 3 days, we contacted the host he did not answer, we called him on his phone and told us that he wasn't there and we had to go back to the bar to get what we needed. **read less**

Translated from French · This description was automatically translated using Google Translate and may not be completely accurate.

Show original review

Anne-Cécile, Vandœuvre-lès-Nancy, France

Joined in 2018

Spacious Double Room with Private Bathroom

August 2019

Comfortable, quiet room, close to St Patrick's Cathedral.

Translated from French · This description was automatically translated using Google Translate and may not be completely accurate.

Show original review

Margaux, Rodez, France

Joined in 2019

Beautiful Double Bedroom with private Ensuite

August 2019

We didnt meet him, the keys were given to us by the barman of the bar downstairs... the kitchen a little bit disaster bc was commun one, but the localization and the room perfect, and with private bathroom.

Translate

Laura, Cádiz, Spain

Joined in 2015

August 2019

I really loved staying there! The room may be small but it's enough if you're going to be exploring the city most of the day. Almost everything is walking distance and the I felt safe in the... read more

Translate

Monica, Palmdale, CA

Joined in 2016

August 2019

To spend a night is not bad, but do not expect great courtesy details. Nothing cozy and everything very concise and basic. We were a couple and we only had one towel to share. The cleanliness is not bad and the location is not bad either read less

Translated from Spanish · This description was automatically translated using Google Translate and may not be completely accurate.

Show original review

Spacious Double Room, with own private bathroom.

August 2019

very well located place, above a very nice pub! Room and bathroom very clean even if a little spartan, but ideal for young people walking in Dublin!

Translated from French · This description was automatically translated using Google Translate and may not be completely accurate.

Show original review

Claude

Joined in 2017

August 2019

Great place that felt newly renovated. Host is quick to answer and helpful.

Translate

Viking, Stockholm County, Sweden

Joined in 2019

August 2019

We would not recommend this airbnb, very small & amenities listed were not included.

Translate

Jill, Dianella, Australia

Joined in 2019

Beautiful Double Bedroom with private Ensuite

July 2019

It was not an experience. Terrible location with bar right under my room. Shouting loud music until very late. Alarms triggering due to personnel smoking in the bill indoors. Without a legal accessory. Kitchen and living room impossible to get in so gross. There was no cleaning in my room during the 10 days I was staying . read less

Translate

Maria Rita, São Paulo, Brazil
Joined in 2019

Spacious Double Room with Private Bathroom

July 2019

Ok place for a few couple of days. Not really far from the center of the city, 15 min walk approx. There are plenty of other people living on the premises, which is basically not a problem, but the kitchen was really a mess and not tidy at all. Not a place to eat any breakfast or prepare any food. **read less**

Translate

Daniel, Skudeneshavn, Norway
Joined in 2012

Spacious Double Room, with own private bathroom.

July 2019

Great location for a reasonable price. Of note, the pub downstairs was quite busy and noisy on Saturday night. I think we were unlucky, specially with other guests, who were really nice, but left the living room unpracticable. Not Brendan's fault anyway! He was really nice and attentive **read less**

Translate

Angela, Barcelona, Spain
Joined in 2016

Spacious Double Room with Private Bathroom

July 2019

Great location, just a few minutes walk to the centre and many attractions but a lovely quiet area. The room was clean, plenty of storage and very comfortable! Would definitely stay here again!

Translate

Sarah, Montreal, Canada
Joined in 2016

Beautiful Double Bedroom with private Ensuite

July 2019

Brandon, Central City, PA
Joined in 2015

July 2019

Great clean room..exactly as advertised
Translate

Eric, Calgary, Canada
Joined in 2015

September 2018

The host canceled this reservation 10 days before arrival. This is an automated posting.
Translate

Gianluca, Termoli, Italy
Joined in 2018

September 2018

The host canceled this reservation 14 days before arrival. This is an automated posting.
Translate

Mateus, Solingen, Germany
Joined in 2015

Spacious Double Room with Private Bathroom

September 2018

The place is located walking distance from the city centre and very near to the all famous places.
Translate

Marcelo, Berlin, Germany
Joined in 2018

September 2018

Very neat and clean! Nice and great for its value.
Translate

Claudia, Bristol, United Kingdom
Joined in 2016

August 2018

This Airbnb is quite difficult to find and definitely not close to O'Connell street. The entrance to the room is littered with construction material then there are too many steps to count to get to room 6. The room has no curtains so therefore no privacy and very bright. Would be hard to sleep. The room also had a very strong deodorizer smell. Make sure you have a three prong adapter. If you want to use the kitchen it was quite messy when I looked. read less
Translate

Pamela, Delray Beach, FL
Joined in 2015

Spacious Double Room, with own private bathroom.

August 2018

Translate

Barry, Belfast, United Kingdom
Joined in 2016

August 2018

Brendan's place is only a 15 minute walk from town. The room itself is small but cosy. Bed was comfortable. Shower was powerful. Entire place was very clean. Good value for money
Translate

Sean, Dublin, Ireland
Joined in 2014

and bright, comfy mattress with super deep pillows. There are shared kitchen facilities with plenty of crockery (wash up after yourself) so take a supply of tea/coffee and sugar :-) Brendan was really good at responding quickly and (although we didn't meet him personally) come across as a friendly guy :-) **read less**

Translate

Claire, Derby, United Kingdom

Joined in 2017

Spacious Double Room, with own private bathroom.

August 2018

Nice room just above a cozy pub where locals drink their Guinness. Highly recommended.

Translate

Vilem, Brno, Czech Republic

Joined in 2016

Spacious Double Room with Private Bathroom

August 2018

Very practical and clean room, walking distance from town center and highly reactive host: when we signaled a problem, we were offered another room in the flat in less than 30min. No disturbance from the pub downstairs. **read less**

Translate

Eleonore, Clamart, France

Joined in 2014

August 2018

The place feels a bit like a hotel/hostel. You get a nice little room with a clean modern bathroom. You can hear the people next to you or the people passing outside so if you get unlucky someone might be loud, I got lucky. If your room faces the street and the pup beneath it might be better to close the window, I got lucky again and faced the other side that was relatively quiet. The area is o.kk... not the nicest do. It is within 30 or so walking distance to the city centre and to the nicer pups, so if you don't might the walk it's fine. Check in was a bit uninformative since she only let me in and

let me find out where everything was my self. There is wifi you just have to look for it, there is even a small kitchen. read less

Translate

Michèle, Teufen, Switzerland

Joined in 2018

August 2018

Before choosing this place I strongly recommend to read carefully the reviews to form an opinion. The host has never answered my messages. It was not possible to check in at the designated time-12 o'clock, because keys had to be received in the pub, which opens at 12.30, but by this time the room was not cleaned, and we were asked to wait another half hour. The room is small-8sq.m. It was stuffy in the room, but the window can not be opened for the night, because it is located close to the bed and opens bottom-up. The bed is narrow, 1.2m. There wasn't Wi-fi in the room as well as a chair, table, hangers, shampoo, TV -the set of the listed amenities in Airbnb. The smell from the fridge in the kitchen was terrible. I was glad that I finally left this place Прежде,чем выбрать это место рекомендую внимательно прочитать отзывы, чтобы составить мнение. На мои сообщения хозяин ни разу не ответил. Заселиться в обозначенное время 12.00 не удалось, т.к. ключи надо было получать в пабе, который открывается в 12.30, но к этому времени комната была не убрана, и нас попросили подождать ещё полчаса. Комната маленькая-8кв.м. Вдвоём душно, но окно не открыть на ночь, т.к. оно расположено вплотную к кровати и открывается снизу. Кровать узкая, 1.2м. Wi-fi в комнате практически отсутствовал, а также стул, стол, плечики, шампунь, телевизор из перечисленных удобств. На кухне из холодильника плохо пахло. Я была рада, что наконец уехала из этого места read less

Translate

Yuliya, Saint Petersburg, Russia

Joined in 2018

Spacious Double Room with Private Bathroom

August 2018

The room was really nice with a private bathroom totally new and super clean.the room is in a sort of youth hostel qith other rooms and a common kitchen,fully equipped.the position is really good,we could easily reach all the attractions by feet. Only problem: under our room, number 3, there's a pub where they partied hard (music,singalong,screams) till late. But if you are in the mood of partying in Dublin it's the perfect place for you! read less

Translate

Spacious Double Room, with own private bathroom.

August 2018

Was as advertised, no complaints

Translate

Ryan, New York, NY

Joined in 2014

August 2018

We enjoyed our stay at this place. It is close to Guinness and Teeling, but the center can also be reached easily. Everything stated in the description was there and the room was clean. Communication and checkin was good, but checkout instructions would have been helpful, since the pub wasn't open when we left. For two persons the room and especially the bed is too small. Good for one night, but we wouldn't stay much longer. read less

Translate

Lucas, Konstanz, Germany

Joined in 2017

August 2018

The bar down stairs has the cheapest pint of Guinness in town. Room has a bed, bathroom has a toilet, location is sweet. All and all good value and good fun. Welcome to Dublin.

Translate

Alice, Toronto, Canada

Joined in 2015

Spacious Double Room, with own private bathroom.

August 2018

Brendan's room was above a café that we had little notice of and is located in a quiet neighborhood. In the kitchen everything was what we needed. The distance to the center was ideal, about 10 minutes walk. We also found a handy bus, line 747 at the

Christian Church, which runs every 10 minutes to the airport and 10 minutes walk from the room. **read less**

Translate

Yvonne, Maastricht, Netherlands

Joined in 2016

Spacious Double Room with Private Bathroom

August 2018

The accommodation is clean, but not in a nice environment and the room, staircase very small!

Translated from German · This description was automatically translated using Google Translate and may not be completely accurate.

Show original review

Marianne, Königstein im Taunus, Germany

Joined in 2017

Spacious Double Room with Private Bathroom

August 2018

The room is very small, too small to be for two people. The bathroom is small but clean and functional, while the bed was dirty, full of hair and really too small for two people. The location is not optimal, it allows you to reach the center in 30 minutes on foot but all in all it was the minor problem. **read less**

Translated from Italian · This description was automatically translated using Google Translate and may not be completely accurate.

Show original review

Lorenzo, Liguria, Italy

Joined in 2018

August 2018

Check in was fast and easy, getting our key at the Lamplighter-pub underneath the accommodation. Bartender Kelly was nice and gave us a quick tour. Our room was small and fitted a 140x200 dubbel bed and a cupboard. It also housed the private shower/toilet. We missed an extra towel and we bought extra toilet paper. There was a clean and spacious kitchen we shared with other guests. Communication was via text and Brendan answered most of my questions quickly. **read less**

Translate

Spacious Double Room with Private Bathroom

August 2018

Well placed and clean accommodation, Brendan was very helpful to us!

Translated from French · This description was automatically translated using Google Translate and may not be completely accurate.

Show original review

Elodie, Quinssaines, France

Joined in 2018

Spacious Double Room with Private Bathroom

August 2018

Thanks!

Translate

Skylar, Spokane, WA

Joined in 2017

August 2018

very clean, very small but shared kitchen available. buses 27 and 150 are very close.

Translated from French · This description was automatically translated using Google Translate and may not be completely accurate.

Show original review

Doris, Renens, Switzerland

Joined in 2018

Spacious Double Room with Private Bathroom

August 2018

Location is great. Host communicates very late and needs to improve on that. Also make sure you ask in advance where to store luggage as it is impossible to leave in the apartment. Room was clean in general and location is close to main sights

read less

Translate

Tamar, New York, NY
Joined in 2014

Spacious Double Room, with own private bathroom.

August 2018

The room is not as big as mentioned and it was not clean, especially the bathroom/shower... Location is ok.

Translate

Renate, Lauterach, Austria
Joined in 2018

August 2018

Cómoda habitación para 2 personas, tal cual se ve en las fotos. La cocina compartida tiene todo los servicios necesarios. A pocas cuadras de todo, pero es muy facil moverse en transporte publico igualmente.

Translate

Mariana, Sant Cugat del Vallès, Spain
Joined in 2014

August 2018

Really near from the city center, many things are visitable with a little walk, private bathroom.

Translate

Camille, Gond-Pontouvre, France
Joined in 2016

Spacious Double Room with Private Bathroom

August 2018

Once we arrived we were worried, that the bar downstairs would be very loud, but it luckily wasn't the case. The bar tender was kind and gave us the keys to the room. We had a very small room, but all in all we enjoyed our stay a lot and felt like we had gotten a great deal! The place was so much cheaper than all the other places close

Zadaf, Hanover, Germany
Joined in 2014

August 2018

Good, clean small room. I do recommend the host puts a small fan in the rooms, since it was so hot with 0 air flow one of the nights.
Translate

Izzy, West Saint Paul, MN
Joined in 2016

August 2018

Super clean, completely overhauled space. Private room and bathroom with shared kitchen space. Easy walking distance to everything. We checked in at the pub below. recommended!
Translate

Jessica, Portland, OR
Joined in 2013

Spacious Double Room, with own private bathroom.

August 2018

Apt 15 min walking distance from center. Ideal if you want to stay for a night in Dublin with a fair price. One of the cheapest option in center
Translate

Nadim, Paris, France
Joined in 2013

August 2018

Central, small room in a back building. Totally okay for one person, rather tight for two. Cleanliness okay, open, bright room, nothing but bed (e.g. no soap in the bathroom). Good location for walking to the city center (approx. 1.5 km). Key

handover and communication very good! read less

Translated from German · This description was automatically translated using Google Translate and may not be completely accurate.

Show original review

Clara, Saarbrücken, Germany

Joined in 2015

Spacious Double Room, with own private bathroom.

August 2018

Clean room, decent price.

Translate

Colm, Knocklyon, Ireland

Joined in 2016

August 2018

Basic but very clean and welcoming. A few steps from the center

Translated from Italian · This description was automatically translated using Google Translate and may not be completely accurate.

Show original review

Livio, Piedmont, Italy

Joined in 2017

August 2018

The room is a nice, tidy, small space perfect for a solo traveler or two travelers who plan to only use the place to store luggage and/or sleep. Though quite comfortable, it may be a bit small for... read more

Translate

Kris, Los Angeles, CA

Joined in 2016

Spacious Double Room, with own private bathroom.

August 2018

Clean, private room and bathroom in an excellent location! It was perfect for our stay

Jamie, Tooele, UT
Joined in 2017

Spacious Double Room with Private Bathroom

July 2018

Very compact bedroom close to the city center. Nice and clean. Check in was perfect. A bit of noise from the pub downstairs. But definitely my choice if I come back. Thank you!

Translate

Klaus, Schorndorf, Germany
Joined in 2015

July 2018

Great place, easy to get in and out of. About a 20 minute walk from all the action of Dublin!

Translate

Izzy, West Saint Paul, MN
Joined in 2016

July 2018

close to city center. nice people in pub downstairs.

Translate

Michaela, Rohr in Niederbayern, Germany
Joined in 2018

Spacious Double Room, with own private bathroom.

July 2018

Thank you Brendan.Nice place

Translate

Gülşah, Izmir, Turkey
Joined in 2018

July 2018

There is noise. It is not for people who seek contact with the host. Otherwise very good and in line with the announcement.

Translated from French · This description was automatically translated using Google Translate and may not be completely accurate.

Show original review

Amelie, Ondes, France
Joined in 2018

July 2018

We stayed at his place 3 nights. Check in / out was ok. Very dirty bathroom. A lot of hair and dust. Make up from other person on the towel. Very noisy because above a pup with loud music and traficlights near the window. read less

Translate

Simon, Hanover, Germany
Joined in 2018

July 2018

fantadric place! own bathroom and shared kitchen! verry clean

Translate

Niels, Rotterdam, Netherlands
Joined in 2016

July 2018

Nice clean room, very comfy bed and Awesome pressure in the shower. (:

Translate

Shane, Reutlingen, Germany
Joined in 2018

clean and bigger than I expected. But be cautious about your check-in time if you're doing it late cuz the apartment is above a pub where you collect the keys and they closed after midnight read less

Translate

Gio, La Paz, Bolivia

Joined in 2017

July 2018

clean room, private. host is flexible with check in time. the issue that a i had with the place is about the noise. the room is on top of a bar, so most of noise will go in the room making it impossible to sleep read less

Translate

Luis, Monterrey, Mexico

Joined in 2016

Spacious Double Room, with own private bathroom.

July 2018

Good location, just a bit noisy during the night.

Translate

Shing, Oxford, United Kingdom

Joined in 2016

July 2018

Good place but it requires curtains. Everyone knows that blinds do not keep out light and there is a street lamp just outside. Was awake at 0500 each monring

Translate

Gwyn, Calford Green, United Kingdom

Joined in 2017

July 2018

Good place. Thanks.

Translate

Phil, Lafayette, CA

Joined in 2010

July 2018

Extremely clean and modern. Smaller than I assumed, but that presented no problems whatsoever. Located right above The Lamplighter Pub, which was awesome to visit and chat with locals!

Translate

Dustin, Portland, OR

Joined in 2017

July 2018

Great location, walking distance to many great attractions, including Guinness factory. Clean and has everything you need for a night stay or so.

Translate

Ian, Ewing Township, NJ

Joined in 2016

July 2018

Brendan helpful and friendly. accommodation was all that was needed for my short stay. located easy enough to get to most places. i would stay again

Translate

Theresa, United Kingdom

Joined in 2016

July 2018

Really enjoyed my stay at Brendan's. Brilliant location, everywhere is a short walk Authentic Dublin neighborhood Brand new renovated rooms, with ensuite, new beds and bedding Brendan is great, friendly and helpful. Great attitude and very nice to deal with I'd recommend it to anyone and I look forward to my next stay there.

read less

Translate

Spacious Double Room with Private Bathroom

July 2018

Very nice place.

Translate

Fabrício, São Bernardo do Campo, Brazil

Joined in 2017

July 2018

Excellent place, the rooms are very clean and is nice that the bathroom is private, kitchen pretty clean, everything was brand new. The hosts were very helpful and were in contact in case something was not right. **read less**

Translate

Daniela, Monterrey, Mexico

Joined in 2016

Spacious Double Room, with own private bathroom.

July 2018

Good value for money

Translate

Cyril, United Kingdom

Joined in 2016

Spacious Double Room with Private Bathroom

July 2018

The room was freshly renovated and clean, rather small. Brandon was very nice and easy with the check in. Great place if you wanna be close to restaurants, pubs and shops in walking distance. The place also offeres a brand new kitchen for those who wanna cook. **read less**

Translate

Lui, Portland, OR
Joined in 2012

July 2018

eine neu renovierte Unterkunft mit schönen, sauberen und zweckmässigen Zimmern mit integriertem Badezimmer. Ruhige Lage und doch sehr zentral.
Translate

Christa, Lucerne, Switzerland
Joined in 2014

Spacious Double Room, with own private bathroom.

June 2018

Very nice room, Very nice host and location.
Translate

Bill, Dundalk, Ireland
Joined in 2017

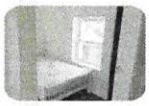
Spacious Double Room, with own private bathroom.

June 2018

Great location, great communication and clean and comfortable. Highly recommend Brendon's place for a stay in Dublin!
Translate

Isobel, Belfast, United Kingdom
Joined in 2013

Spacious Double Room with Private Bathroom



June 2018

This an amazing value which I will recommend to friends since it is within walking distance of the city center and has newly renovated rooms with ensuite bathroom which was more spacious than others we had used, plus it has access to large kitchen. Unfortunately we didn't have time to visit the pub on the property except to meet Brendan to pick up the key but the atmosphere was great! read less
Translate

June 2018

Fantastic place.

Translate

Robert, Marshfield, MA

Joined in 2018

Spacious Double Room with Private Bathroom

June 2018

Lovely people central location id stay again

Translate

Walter, Waterford, Ireland

Joined in 2018

Spacious Double Room with Private Bathroom

June 2018

Excellent

Translate

Richard, Athlone, Ireland

Joined in 2015

June 2018

Nice place, still in construction by the time we stayed over. Very convenient location, also there is a pub downstairs where local people gave us valuable tips what to visit. Ideal for young couples.

Translate

Adam, Pardubice, Czechia

Joined in 2018

Report this profile

ABOUT

How Airbnb works

Newsroom

Airbnb Plus

Airbnb Luxe

HotelTonight

Airbnb for Work

Olympics

Careers

COMMUNITY

Diversity & Belonging

Accessibility

Airbnb Associates

Frontline Stays

Invite friends

HOST

Host your home

Host an Online Experience

Host an Experience

Responsible hosting

Open Homes

Resource Centre

Community Centre

SUPPORT

COMHAIRLE CATHRACH BHAILE ÁTHA CLIATH

DUBLIN CITY COUNCIL

FIRE SAFETY NOTICE

FIRE SERVICES ACTS, 1981 and 2003 - SECTION 20 (2) (b)

Creative Real Estate Limited, Registered Office: College House, 71/73 Rock Road, Blackrock, Co. Dublin, A94 F9X9

Owner of: 1st and 2nd Floors, 79 The Coombe, Dublin 8, D08 PT9Y.

You are hereby required by the Dublin City Council (hereinafter called "The City Council"), the Fire Authority for the County Borough of Dublin, to refrain from using: -

1st and 2nd Floors, 79 The Coombe, Dublin 8, D08 PT9Y

which appears to the City Council to be a potentially dangerous building for the purpose mentioned in Part I of the Schedule attached hereto unless or until the precautions specified in Part II of the Schedule hereto are taken to the satisfaction of the City Council. This Notice will come into effect on the expiration of fourteen days from the service thereof on you if no appeal is taken against it. If an appeal is taken against this Notice to the District Court pursuant to Section 21 of the Fire Services Acts, 1981 and 2003 and this Notice is confirmed with or without modifications the Notice as so confirmed will come into effect on the day upon which the decision of the Court is pronounced.

DATED THIS 15 DAY OF 8 2018

ACTING CHIEF FIRE OFFICER

TO WHOM THE APPROPRIATE POWERS HAVE BEEN DELEGATED BY ORDER OF THE CHIEF EXECUTIVE, DUBLIN CITY COUNCIL DATED 7th August 2018.

Premises No. 2663/1

Re: 1st and 2nd floors, 79 The Coombe, Dublin 8, D08 PT9Y

PART I

Purpose for which the premises is not to be used unless or until the precautions specified in Part II have been taken to the satisfaction of the Fire Authority:

Residential (to include hostel and guest accommodation)

PART II

1. The ground floor public house and first floor accommodation is to be separated horizontally by not less than 60 minute fire resisting compartment construction meeting the appropriate minimum provisions when tested to BS 476 Parts 22-31.
2. The first and second floor levels are to be separated horizontally by not less than 30 minute fire resisting construction meeting the appropriate minimum provisions when tested to BS 476 Parts 22-31.
3. Escape from first and second floor levels to a place of safety outside the building is to be provided by way of a stairway and corridor enclosed in at least 30 minute fire resisting construction to BS 476 Parts 20-22, including 30 minute fire resisting self-closing door sets, to BS 476 Parts 20-22 and 31, complete with cold smoke seals, i.e. FD30S.
4. Any access route from the ground floor public house to the protected stairs is to be by way of a protected lobby enclosed in at least 30 minute fire resisting construction to BS 476 Parts 20-22, including 30 minute fire resisting self-closing door sets, to BS 476 Parts 20-22 and 31, complete with cold smoke seals, i.e. FD30S.
5. Ancillary accommodation including the kitchen, boiler room & laundry room are to be enclosed in at least 60 minute fire resisting construction to BS 476 Parts 20-22, including 60 minute fire resisting self-closing door sets, to BS 476 Parts 20-22 and 31, complete with cold smoke seals, i.e. FD60S.
6. Protection of openings and fire-stopping throughout the building is to comply with Section 3.4 of Technical Guidance Document B.
7. All doors on the escape route to be fitted with simple fastenings only that can be readily operated without the use of a key.
8. The bedrooms at first and second floor level are to be so located that they are not inner rooms i.e. they do not pass through another room, such as a kitchen, as part of the means of escape.
9. All habitable rooms are to have at least one openable window (minimum opening size of 850 mm high x 500 mm wide, with the bottom of the opening not more than 1100 mm and not less than 800 mm above the floor level of the room) which is available for the purpose of escape or rescue
10. Suitable and adequate portable first aid fire fighting equipment to be provided and stored conforming to the requirements of I.S. 291:2015 and EN 3:2004.
11. Emergency lighting complying with I.S.3217: 2013 to be provided throughout the common escape routes, kitchen, and bedrooms.

application) regulations 2007. Emergency directional signage to be removed from flat roof access door.

13. A Type L1 fire detection and alarm system to be provided throughout the residential accommodation. The fire detection and alarm system is to be designed, installed and maintained in accordance with I.S. 3218:2013. This fire detection and alarm system is to be interlinked to that of the ground floor public house.
14. All walls and ceiling linings in circulation areas and escape routes to be Class 0.
15. A suitable fire safety management system to be put in place. Details of the system to demonstrate compliance with "Fire Safety in Guest Accommodation" published by the Department of the Environment and Local Government.

On completion of the works described above, a certificate to be provided by a suitably qualified, competent and experienced person to the effect that he/she has supervised the carrying out of the works and is satisfied that the works have been carried out in accordance with Part II of this schedule.

Note: The above certificate is considered necessary by the Fire Authority, along with any inspection of the completed works as it may carry out, in order to be able to state that the works have been carried out to its satisfaction.

End.

F91 DN12
Tel: 07191 61886 /9171299
Fax : 07191 61886
email: reception@dmcdsolicitors.com
DX 5003 Sligo

Dermot G. McDermott B.C.L
M. Ita Lyster B.A. Dip.Comm.Law

The Chief Fire Officer,
Dublin City Council,
165/169 Townsend Street,
Dublin 2.

Dublin Fire Brigade H.Q.
29 AUG 2018 am pm
RECEIVED

Our Ref: DMcD/GK

28th August 2018.

Re: Creative Real Estates Limited.
Premises: The Lamp Lighter Pub, 79 The Coombe, Dublin 8.

Dear Sirs,

We refer to the Fire Safety Notice dated the 15th August 2018.

We enclose herein Notice Of Appeal which we have lodged in the District Court Office in relation to same.

We will revert to you with a hearing date in due course.

Yours faithfully,

Dermot G. McDermott & Co.

Fire Prevention Dublin Fire Brigade
Premises No. 26631
29 AUG 2018
DISTRICT: B.
F.P.O: Keoin Kinneally

District Court Area : Dublin Metropolitan District

FIRE SERVICES ACT, 1981, SECTION 21

NOTICE OF APPEAL TO DISTRICT COURT AGAINST FIRE SAFETY NOTICE.

Creative Real Estate Limited ..... Appellant

Dublin City Council ..... Respondent

TAKE NOTICE that Creative Real Estate Limited, c/o The Lamp Lighter Pub, 79 The Coombe, Dublin 8 the above named Appellant intends to appeal to the Court at on the day of 2018 at 10.30 am against the Fire Safety Notice served on the 15th August 2018 in respect of a building situate at 79 The Coombe, Dublin 8 within the court area and district aforesaid on the following grounds:

(1) That the building is not a potentially dangerous building.
(2) That the notice is unreasonable because of the fact that the Appellants Fire Safety Expert, Mr. James Briscoe was not afforded an opportunity to submit a full report/deal with matters raised in the original notification letter dated the 1st August 2018.
(3) The Appellants Fire Safety Expert furnished a letter to the Respondent on the 28th July 2018 prior to the original warning letter been issued by the Respondent on the 1st August 2018 and submitted a detailed report to the Respondent on 18th August 2018.
(4) That the notice is unreasonable because of the improbability of a fire occurring in the building or because of the improbability of serious danger to life arising from fire or arising from the use of the building.
(5) The Appellant was not given the facility to fully engage with the Respondent and given an unreasonable short period of time to prepare a full and detailed assessment in relation to the issues raised.
(6) The Appellant has fully responded to the Respondent by letter dated the 18th August 2018 and is awaiting a response to same from the Respondent.

Dated the 28th day of August 2018.

Signed:_____

Dermot G. McDermott,

Solicitor for the Appellant, 1 Union Street, Sligo

To: The Chief Fire Officer, Dublin City Council, Fire Brigade Head Quarters,

165/169 Townsend Street, Dublin 2.

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AN CHÚIRT DÚICHE THE DISTRICT COURT

DUBLIN METROPOLITAN DISTRICT

COURTS (No. 2) ACT, 1986
Section 4

NOTICE OF OBJECTION TO RENEWAL OF INTOXICATING LIQUOR LICENCE

Objector DUBLIN CITY COUNCIL

TAKE NOTICE that the above-named objector, being the Fire Authority of Civic Offices, Wood Quay, Dublin 8, will object at the sitting of the District Court at Court No. 23, Ground Floor, Áras Uí Dhálaígh, Inns Quay, Dublin 7 on the The 27th Day of September, 2018 at 11am to the **RENEWAL** of the Public House On-licence attached to the premises situate at Lamp Lighter Pub, 79 The Coombe, Dublin 8 in the court area and district aforesaid on the following grounds: -

On grounds of Fire Safety and pursuant to section 24 of the Fire Services Act 1981

Dated The 29th day of August, 2018

Signed: Terence G. O'Keeffe

Terence G. O'Keeffe,
Law Agent,
Solicitor for the Fire Authority
Civic Offices,
Wood Quay,
Dublin 8

FIRE

To Weavers Taverns Limited

having its registered office at
College House
71-73 Rock Road
Blackrock
Co. Dublin.

(the holder of the licence attached to the above premises).

7162200
337800

LICENSEE
SO282
29.08.2018

Dublin City Council
€0035.00
CS90021

ORDER OF THE ACTING CHIEF FIRE OFFICER

DUBLIN FIRE BRIGADE

DFB A/CFO 211 /18

Issue of Fire Safety Notice – 1st and 2nd Floors, 79 The Coombe, Dublin 8, D08 PT9Y

An inspection was carried out on the above building on the 27/07/2018 by Fire Officers from the Fire Prevention Section. It was found that the building constitutes a potentially dangerous building as defined under the Fire Services Acts, 1981 and 2003 for the following reasons:

1. The absence of adequate means for the automatic detection of an outbreak of fire.
2. The absence of adequate appliances for extinguishing fires occurring in the building.
3. The absence of adequate fittings for giving warning to persons in case of fire.
4. The absence of adequate emergency lighting.
5. The absence of adequate means of egress from the upper floors.
6. The fact that a fire therein would be likely to spread rapidly within the building.
7. The absence of any adequate notices as to the procedure which should be followed in the event of fire.

I recommend that a Fire Safety Notice be served on the owner of the building prohibiting the use of the building as outlined in Part I of the attached schedule, unless or until the requirements specified in Part II of the schedule are carried out.

The owner of the building is:
Creative Real Estate Limited, Registered Office: College House, 71/73 Rock Road, Blackrock, Co. Dublin, A94 F9X9

Daniel Fitzgerald
ASSISTANT CHIEF FIRE OFFICER

RDER: Issue of Fire Safety Notice under the Fire Services Acts, 1981 and 2003 and service on Creative Real Estate Limited, Registered Office: College House, 71/73 Rock Road, Blackrock, Co. Dublin, A94 F9X9 as recommended by the Assistant Chief Fire Officer, approved. Law Agent to be so instructed and counsel to be engaged if so advised.

Dennis Kelly
ACTING CHIEF FIRE OFFICER

15/08/2018
DATE

To whom the appropriate functions have been delegated by Order of the Chief Executive, Dublin City Council dated 7th August 2018.

Premises No. 2663 / 1

Helen Lyons

From: Kevin Kinneally
Sent: 17 January 2019 10:21
To: Helen Lyons
Subject: RE: Court Hearing re; Appeal of FSN - 79 The Coombe, Dublin 8

Fire Prevention Dublin Fire Briga
Premises No. 2663/1
17 JAN 2019
DISTRICT: B.
F.P.O: Kevin Kinneally

Hi Helen,

Sorry, forgot to get back to you!

The Fire Safety Notice was annulled on 14/01/2019 as all works stipulated in the Schedule of Works included in the Fire Safety Notice had been completed by
There was no objection from DFB.

Should I drop down the red file to you?
Kevin

From: Helen Lyons <helen.lyons@dublincity.ie>
Sent: 17 January 2019 10:19
To: Kevin Kinneally <kevin.kinneally@dublincity.ie>
Cc: Katie Jordan <katie.jordan@dublincity.ie>
Subject: Court Hearing re; Appeal of FSN - 79 The Coombe, Dublin 8

Hi Kevin,

Can you let me know the outcome of the Court Hearing regarding the Appeal of FSN served on 79 The Coombe, Dublin 8.

Regards,

Helen

Dublin City Council

OFFICERS REPORT

To: John Downey
Acting Planning Enforcement Manager

From: Neil Cameron
Planning Enforcement Officer

ENF: E0864/18

Date of complaint: 18/09/2018
Date of inspection: 22/11/2018
Date of report: 12/12/2018

Premises: 1 Brabazon Street, Dublin 8

Reputed Owner:

Protected: No

Contact:

Complaint: **It is alleged that an unauthorised change of use from residential to short term let has occurred at 1 Brabazon street / 79 The Coombe, Dublin 8 without the benefit of planning permission.**

Planning History; 2676/18

Assessment:

A complaint was received on 05/01/18 in relation to unauthorised change of use from residential to short term let has occurred at 1 Brabazon street / 79 The Coombe, Dublin 8 without the benefit of planning permission. A Warning Letter was issued on 25/09/18.

A phone call and submission were received from in which he stated that he had been providing holiday/AirBnb type lets but had ceased and a number of permanent tenants in situ in the premises The submission received also with an attached lease for a lodger in room 6 of the building and another room that did not have the number attached.

A desktop investigation showed that that the listing that formed part of the complaint was no longer showing on the AirBnB site. A check of the www.airbnb.ie/26229073 that was in the complaint shows on the AirBnB page as "This listing is no longer available".

A follow phone call to the owner stated he has 9 rooms and the 9 are let out in the building on leases.

The property was inspected on 22/11/18. There were works being carried on foot of a request by Dublin Fire Brigade. There is 9 bedrooms and a shared communal kitchen and sitting room. The sitting room was being constructed and relocated at the time of the visit. There is currently access from the bedrooms upstairs to the pub on the ground floor. DFB requested

bedroom and toilet/shower room. The owner stated all rooms are the same.

The agent for the lamplighter pub sent a declaration from the previous owner stating that the years 1997-2017 during his ownership of the building the upper floors of the pub were let as residential accommodation.

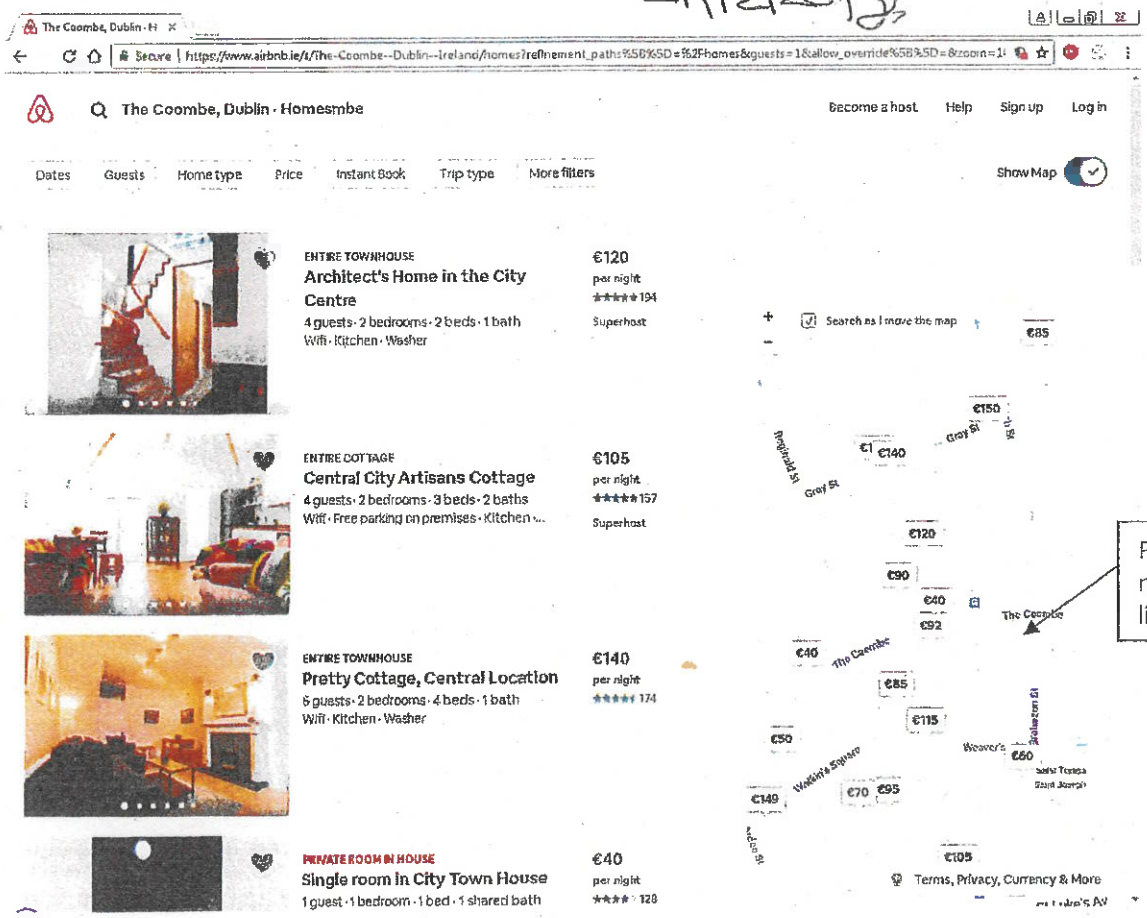
Recommendation:

The property is set up as a house share with a communal sitting room and kitchen facilities. The previous owner has sent a declaration that the rooms where used for accommodation for the years 1997-2017 when he was in ownership of the building.

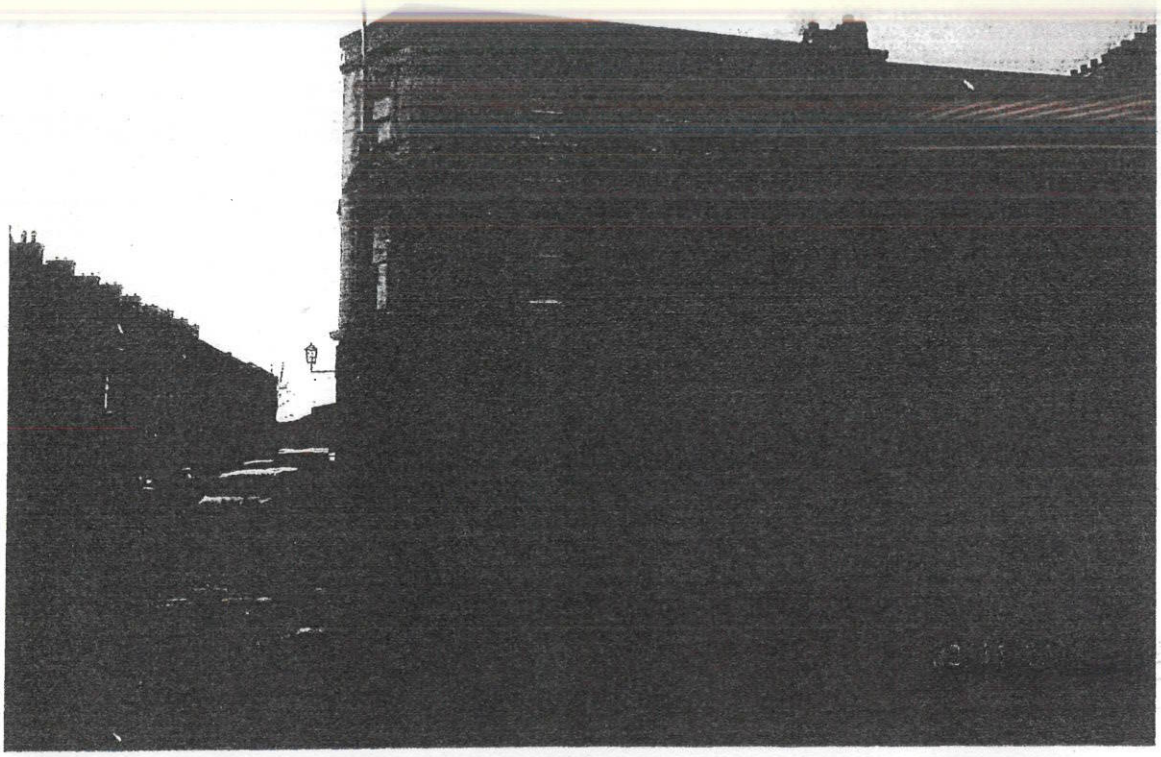
Close the file.

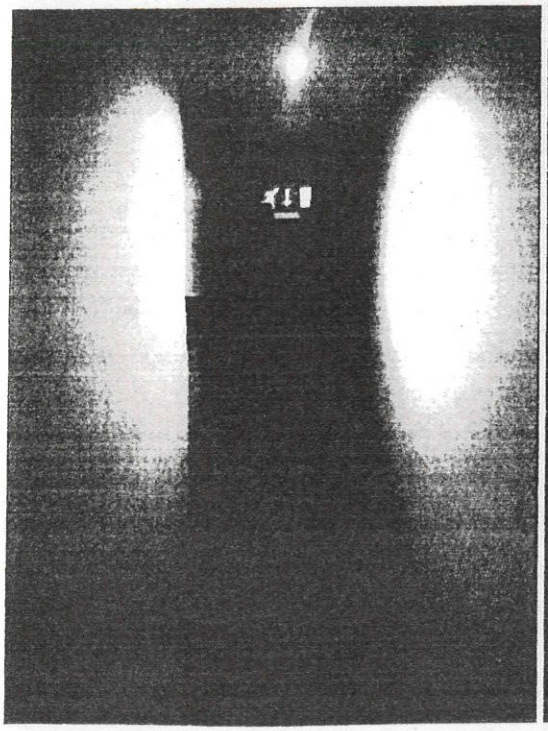
Noted + agreed
Close file
J Berry
A/PEM
21/12/2018

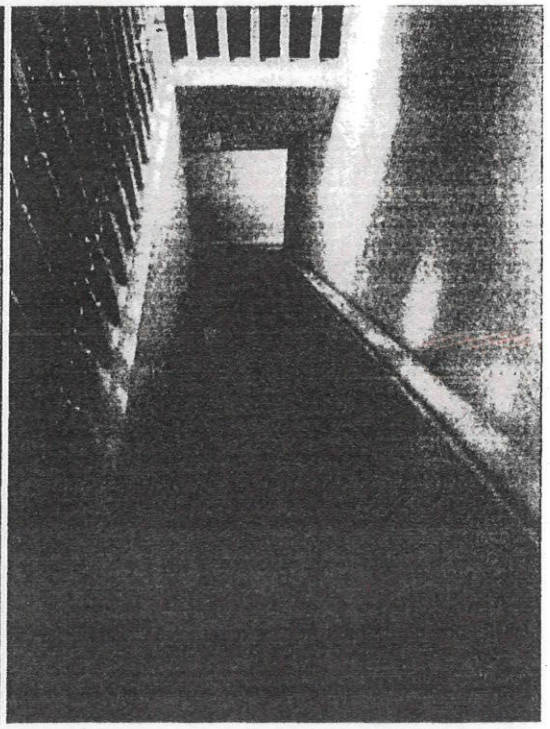
Neil Cameron
Planning Enforcement Officer



Ana/3







A 101A

Wood Quay, Dublin 8
PH: 01 222 2147
E-mail: planningenforcement@dublincity.ie

Lamplighter Lounge,
1 Brabazon Street/79 The Coombe
Dublin 8

6982 4040 IE
posted on 30/8/19

30th August 2019

Warning Letter under Section 152 of the Planning and Development Acts 2000 (as amended)

Re: 1 Brabazon Street/79 The Coombe, Dublin 8

Dear Sir,

It has come to the attention of Dublin City Council, the Planning Authority, that unauthorised development may have been, is being or may be carried out at the above premises.

It is alleged that the following breaches of planning regulations have occurred at 1 Brabazon Street/79 The Coombe, Dublin 8 without the relevant grant of planning permission.

1. The unauthorised use of a roof to the rear roof of Lamplighter Lounge 1 Brabazon Street/ 79 the Coombe, Dublin 8 as a seating area without the benefit of planning permission.

2. The unauthorsed construction of a 2 metre High wooden fence with metal supporting poles to the rear roof of Lamplighter Lounge 1 Brabazon Street/ 79 the Coombe, Dublin 8 without the benefit of planning permission.

3. The unauthorsed construction of a smoking area/beer garden with seating and barrels, wooden shelves and paneling recessed spot lighting in a blue fixed canopy with an opening to the centre without the benefit of planning permission.

4. The installation of seven upward facing lights three to the Barbazon street elevation and four to The Coombe elevations and colour changing lights installed to front elevations of Lamplighter Lounge without the benefit of planning permission.

5. The breach of condition 2 of An Bord Pleanala ruling ABP-301303-18 which states that details of shopfronts and signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development with regard to the signage on the Lamplighter Lounge that is displayed to the front elevations of 1 Brabazon Street/79 The Coombe with built in spotlights and four recessed roller shutters to the four windows, two windows on both elevations of the Lamplighter Lounge.

Please note that this matter is under investigation by the Planning Enforcement Section of Dublin City Council.

You may make submissions or observations in writing to Dublin City Council [Planning Enforcement Section, Planning Department] in this regard <u>not later than four weeks from the date of service of this warning letter.</u>

When a Planning Authority considers that unauthorised development has been, is being or may be carried out, an Enforcement Notice pursuant to Section 154 of the Planning and Development Acts 2000 (as amended) may issue.

Please note that officials of Dublin City Council may at all reasonable times enter on the land described above for the purposes of inspection.

Section 151 of the Planning and Development Acts 2000 (as amended) provides that any person who has carried out or is carrying out unauthorised development shall be guilty of an offence. Section 154 of the Planning and Development Acts 2000 (as amended) provides that any person on whom an enforcement notice is served who fails to comply with the requirements of the notice within the specified period or within such extended time as the planning authority may allow, not exceeding 6 months, shall be guilty of an offence. A person who is guilty of an offence under section 151 and/or 154 shall be liable to a fine or term of imprisonment or both.

Section 156 of the Planning and Development Act detailing the penalty provisions are set out in full in the Schedule to this letter.

Any costs reasonably incurred by Dublin City Council in relation to Enforcement Proceedings may be recovered from a person on whom an Enforcement Notice is served or where court action is taken.

If you require any further information please contact **Mr Neil Cameron,** Planning Enforcement Officer at **222 3534.**

Yours faithfully,

For Acting Planning Enforcement Manager

Ref: Shane Kearney
Tel.: 01 222 3585
Please quote File Ref.: E0528/19
Email: planningenforcement@dublincity.ie

A AA/A

I Declan Brad [redacted] previous owner of 79 The Coombe & 1 Brabazon Street Dublin 8 from 1998 to 2017 and as operator of the ground floor pub trading as the Lamplighter during this period, aged 18 years and upwards **MAKE OATH** and say as follows:

I make this affidavit from facts within my own knowledge save where otherwise appears and where so otherwise appears believe same to be true.

1. I, your deponent, aver that the upper floors of the building were used as residential accommodation on a short-term and long-term basis during my ownership and by the previous owners.

2. I, your deponent, aver that the ancillary accommodation was used by up to 11 people during my ownership and by the previous owner.

3. I, your deponent, aver that on the 1st floor I had one large bedroom which [redacted] accommodated 3 people and on the 2nd floor I had four rooms which each had 2 people in them.

4. I, your deponent, aver that there was a shared shower room and separate toilet on the 2nd floor, communal kitchen and sitting room on the 1st floor.

5. I, your deponent, aver that the roof to the rear of the 1st floor was also used as a roof garden for drying clothes and as a general outside space for dinning and general relaxation.

6. I, your deponent, aver that the guests or tenants I would have had over the years were bar staff, students and visitors to Dublin city from UK or the Country.

7. I, your deponent, aver that this property was never used as my Principal Private Residence during my ownership and I believe the same for the previous owner.

8. I, your deponent, aver that during my ownership I resided at my house in Harold's Cross Dublin 6 which was my Principal Private Residence.

9. I, your deponent, aver that that I was the owner of the above specified property from 1998 to 2017 and the person who was operating the above property during that time.

10. This Affidavit is made for the benefit of CREATIVE REAL ESTAT

Sworn by the said Declan Brady a

[redacted]

County of Dublin, this 12th day of October 2020 before me a Commissioner for Oaths by the deponent, who has been identified to me by the production of Public Services Card Number [redacted] ssued by the authorities of Ireland.

DECLAN BRADY

AUDREY HUGHES
Commissioner for Oaths

Audrey Hughes
Commissioner for Oaths
Doyle & Company
Solicitors
1 Main Street
Blanchardstown
Dublin 15
Phone 01-8200666

A 014

AFFIDAVIT OF BRENDAN JOHNSTON

I BRENDAN JOHNSTON, [redacted]
Meath, aged 18 years and upwards **MAKE OATH** and say as follows:

I make this affidavit from facts within my own knowledge save where otherwise appears and where so otherwise appears believe same to be true.

1. I, your deponent, aver that I made an error in the classification of the upstairs accommodation in the application to Dublin City Council dated the 6th April 2018 with application number 2676/18.

[redacted]

2. I, your deponent, aver that I incorrectly classified the accommodation as private residence when it should have stated residential accommodation. I can confirm that the residential accommodation was not the principal private residence of the owner.

3. I, your deponent, aver that the accommodation was set out as shared accommodation, was used by 11 people during my inspection, on the 1st floor there was one large bedroom which accommodated 3 people marked incorrectly as lounge in my floor plans, the 2nd floor had 4 Rooms which each had 2 people in them. There was a shared shower room and separate toilet on the 2nd floor, communal kitchen and sitting room on the 1st floor. The roof to the rear of the 1st floor was also being used as a roof garden for

A 12/2

drying clothes and as a general outside space for dinning and general relaxation.

4. This Affidavit is made for the benefit of Creative Real Estate.

Sworn by the said Brendan Johnston
in the County of Dublin, this 16th day of
October 2020 before me a ~~Commissioner for~~ Practising Solicitor
Oaths by the deponent, who has been
identified to me by the production of
Passport issued by the authorities of
Ireland [redacted]

Brendan Johnston

~~Commissioner for Oaths~~
Practising Solicitor
Heathers Killeen.

KILLEEN
SOLICITORS
COMMISSIONER FOR OATHS
14 Mountjoy Square, Dublin 1

A 43/1

Comhairle Cathrach
Bhaile Átha Cliath
Dublin City Council

Planning Enforcement Section

PLANNING ENFORCEMENT OFFICERS REPORT

To: John Downey
Acting Planning Enforcement Manager

From: Neil Cameron
Planning Enforcement Officer

ENF: E0528/19

Date of inspection: 12/07/2019 & 01/08/19

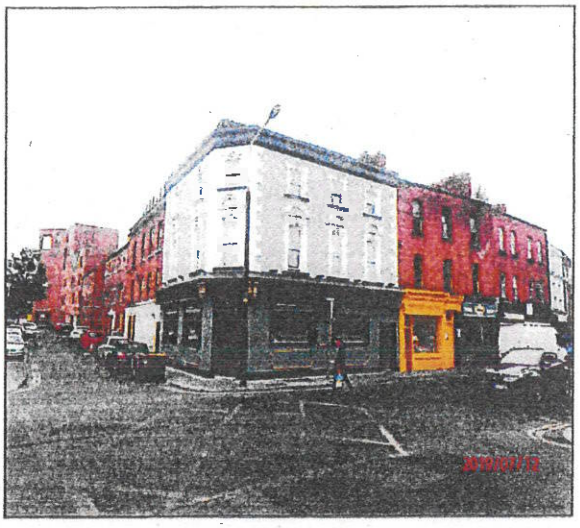
Date of report: 21/08/2019

Premises: 1 Brabazon Street, Dublin 8

Reputed Owner:

Protected: No

Contact: 087 2749666



Complaint: **It is alleged that the roof of the above premises is being used as a roof garden/balcony without the relevant grant of planning permission.**

A 13/2

Previous Enforcement: E0864/18

Assessment:

An Inspection was held with

There are a number of complaints relating to the premises. A beer garden is being constructed to the rear, a guesthouse is being operated, roof being used as a balcony to the rear, the roof to the rear has been raised, shutters to the front and lighting to the front elevations of the public house.

There is a smoking area/beer garden is currently being constructed with a store to the rear of the property. This area had been toilets and a store. The area of this beer garden is 19 sqm approximately and the store is 7sqm approximately. The roof has an opening in it.

stated that there are 9 room with 5 currently on lease and 4 are vacant till tenants return in September. There is signage for a guest house on the front. stated the rooms upstairs had always used for the purpose of residential. There was a previous enforcement file E0864/18 that was closed as the owner stated there was lodger agreement and the previous owner stated the use had been residential for 20 years previous. was advised that under new regulations if he was to use as of these rooms as short term let he must notify Dublin City Council of this.

The roof to the rear has been raised by 100mm on the upper roof and 200 on the lower roof. There had been a new 2.1 metre high wooden fence constructed to the rear roof. There was a sofa on the roof. stated there has always been access to the roof and it is used by tenants as an open area.

There are four windows to the front elevations. The two existing windows onto The Coombe remain and two new windows as granted under planning reference 2008/18. All these windows have recessed roller shutters. The shutters are behind the signage on both elevations of the pub.

Seven lights have been placed to the front elevations of the Lamplighter pub. Three to the Barbazon elevation and four to the The Coombe elevations. These lights face up and light up the elevations. There is also spot lights under the signage and color changing lights in the windows .There is a planning permission granted 2008/18 with regard to changes to the elevations of the property.

A follow up inspection was held with 01/08/19 on of the beer garden/smoking area. It was still being constructed. stated the beer garden/smoking area was not in use yet.

A further complaint has been received the beer garden/smoking area is now in use and a new allegation of short term letting is occurring. A desktop investigation showed that there is three rooms on Airbnb. Reviews had been placed for July and August 2019

A 49/2

Issue a new warning letter and update the complainant

The warning letter:

1. The unauthorised use of a roof to the rear roof of Lamplighter Lounge 1 Brabazon Street/ 79 the Coombe, Dublin 8 as a seating area without the benefit of planning permission.

2. The unauthorsed construction of a 2 metre High wooden fence with metal supporting poles to the rear roof of Lamplighter Lounge 1 Brabazon Street/ 79 the Coombe, Dublin 8 without the benefit of planning permission.

3. The unauthorsed construction of a smoking area/beer garden with seating and barrels, wooden shelves and paneling recessed spot lighting in a blue fixed canopy with an opening to the centre without the benefit of planning permission.

4. The installation of seven upward facing lights three to the Barbazon street elevation and four to The Coombe elevations and colour changing lights installed to front elevations of Lamplighter Lounge without the benefit of planning permission.

5. The breach of condition 2 of An Bord Pleanala ruling ABP-301303-18 which states that details of shopfronts and signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development with regard to the signage on the Lamplighter Lounge that is displayed to the front elevations of 1 Brabazon Street/79 The Coombe with built in spotlights and four recessed roller shutters to the four windows, two windows on both elevations of the Lamplighter Lounge.

   SD 26/9/2019

6. The unauthorsed use of ~~habitable~~ rooms located on the first and second floor of the lamplighter Lounge as short term accommodation without the benefit of planning permission.

Issue notice to

Lamplighter Lounge
1 Brabazon Street/ 79 The Coome
Dublin 8

Noted + agreed
J. Byrne
A/PEM
26/9/2019

Neil Cameron

Neil Cameron
Planning Enforcement Officer

(a) Total site area	221.5.00m²
(b) Floor area* of buildings proposed to be retained within site	395.00m²
(c) Floor area* of new buildings proposed within development	53.00m²
(d)(i) Total floor area* of proposed development (i.e. new and retained)	478.00m²
(ii) In the case of existing residential extensions, exempt or not, please state floor area	m²
(e) Floor area* of buildings to be demolished	m²
(f) Total *Non-Residential* floor area* DCC PLAN NO 2977/20 RECEIVED: 07 JUL 20	220.00m²

(g) Proposed plot ratio: 1:1.75 (h) Proposed site coverage: 70%

11. If the proposal involves the provision of Child Care/Crêche facilities please state:

No. child care spaces: N/A Total floor area*: N/A m²

12. In the case of residential developments please provide:

For all residential applications please complete separate Schedule clearly indicating total floor area of each individual residential unit type.

(a) A breakdown of residential mix:

Number of	Studio/ Live Work	Granny Flat	1 Bed	2 Bed	3 Bed	4 Bed	4+ Bed	Total
Houses								
Apartments								
No. of carparking spaces to be provided	N/A							

(b). Total net floor area** 478 (c). Total gross floor area* 454

*Gross floor area i.e. the total floor space on each floor measured from the inside of the external walls.
**Gross floor area minus common circulation areas

13. In the case of mixed development (e.g. Residential, Commercial, Industrial etc.), please provide breakdown of the different classes of development and breakdown of the gross floor area of each class of development:

Class of Development	Gross Floor area in m²
PUBLIC HOUSE	220
RESIDENTIAL (GROSS AREA)	258

An Roinn Pleanála & Forbairt Maoine
Bloc 4, Urlár 3, Oifigi na Cathrach, An Ché Adhmaid, Baile Átha Cliath 8.

Planning & Property Development Department,
Dublin City Council, Block 4, Floor 3, Civic Offices, Wood Quay, Dublin 8.

T. (01) 222 2288
E. planning@dublincity.ie

Date: 21-Aug-2020

James M. Briscoe
[redacted]

20
I-2020

REQUEST DATE:	18-Aug-2020
REQUEST ORDER NO:	P4043
LOCATION:	The Lamplighter, 79 The Coombe/1 Brabazon Street, Dublin 8
PROPOSAL:	Permission for development at the rear of The Lamplighter. The development consists of the erection of an extension at first and second floor level of 2 no. bedrooms with en-suite on each floor to the rear of and above the existing public house, with associated drainage and site works.
APPLICANT:	Brendan Trears
APPLICATION TYPE:	Permission

PLEASE NOTE THE FOLLOWING

- **Under Article 33/and/or Article 34 of the Planning & Development Regulations 2000 (as amended) , the application shall be declared to be withdrawn if the request for FURTHER INFORMATION is not complied with within a period of 6 months from the date of this request.**
- **To facilitate consideration of this proposal please clearly mark your reply FURTHER INFORMATION and quote the Application Number**
- **If you have any queries regarding this Further Information Request, please contact the number shown above**

NOT1adinfo

4 15 12

An Roinn Pleanála & Forbairt Maoine
Bloc 4, Urlár 3, Oifigi na Cathrach, An Ché Adhmaid, Baile Átha Cliath 8.

Planning & Property Development Department,
Dublin City Council, Block 4, Floor 3, Civic Offices, Wood Quay, Dublin 8.

T. (01) 222 2288
E. planning@dublincity.ie

Date: 21-Aug-2020

Dear Sir/Madam,

With reference to the above application, I am directed by the Assistant Chief Executive to formally request that you submit **six copies (seven copies in the case of a Protected Structure)** of the following **FURTHER INFORMATION** in accordance with Article 33/and/or Article 34 of the Planning and Development Regulations 2001 (as amended).

1. The applicant is requested to clarify the use of the existing 9 ensuite bedrooms at both first and second floor level and the planning status for same.

In this regard, It is noted that in the previous application on this site lodged in 2018 under Reg. 2676/18 that planning permission was refused for a change of use of first and second floors over existing ground floor public house from "private residence" to boutique hostel. So this implies that in 2018 the accommodation above the pub was a "private residence". There is no record of any change of use application on record at this property.

If these rooms are being used for another use other than a private residence this use should be clarified and the planning status for same stated.

Depending on the use of these bedrooms the applicant should demonstration how they comply with the relevant National and Development Plan standards.

2. The drawings submitted to the Planning Authority are poorly labelled and no internal dimensions are shown for either the existing or proposed accommodation. It is also not clear how the upper floors exit the building. In this regard the applicant is requested to submit a revised set of floor plans, which are clearly labelled indicating the use of each room, internal dimensions should be shown of the accommodation of both the first and second floor and also a ground floor plan which clearly shows the access and egress arrangements for the living accommodation on the upper floors.

3. The applicant has made internal changes to the interior of the first and second floors to accommodate additional bedrooms, this can be demonstrated as the submitted 'Existing' floorplans' lodged in the 2018 application show a different configuration on both floors, to that currently submitted. The applicant is requested to clarify when these internal amendments were made to provide additional bedrooms.

A 15/3

An Roinn Pleanála & Forbairt Maoine
Bloc 4, Urlár 3, Oifigi na Cathrach, An Ché Adhmaid, Baile Átha Cliath 8.

Planning & Property Development Department,
Dublin City Council, Block 4, Floor 3, Civic Offices, Wood Quay, Dublin 8.

T. (01) 222 2288
E. planning@dublincity.ie

Date: 21-Aug-2020

4. The applicant is requested to clarify the intended use of the additional four additional en-suite bedrooms which had not been mentioned in the statutory notices.

5. The applicant should clarify where the bin storage area and bicycle storage is provided for the accommodation above the pub.

6. It is noted that the position of the window on the western elevation of number 2 Brabazon Street has been shown in the incorrect position. In this regard the applicant should submit a revised drawing showing the correct position of this window.

7. The Planning Authority is concerned about the impact of this two storey extension on the adjoining properties, and in particular number 2 Brabazon Street in terms of loss of light and overbearing impact. The applicant is requested to submit a sunlight daylight analysis showing the impacts of this extension on the adjoining properties.

Signed on behalf of the Dublin City Council: _____

For Assistant Chief Executive

NOT1adinfo

A 16/1

	Architect	

Planning Department,
Civic Offices,
Wood Quay,
Dublin 8

15/02/2021

FURTHER INFORMATION

Dear Sirs,

PLAN NO:2977/20 ADD.
INFO REC. 17/02/2021

RE: Application No. 2977/20

Location The Lamplighter, 79 The Coombe/1 Brabazon Street, Dublin 8

Proposal Development to the rear of the Lamplighter, consisting of the erection of an extension at first and second floor levels of 2No. bedrooms with en-suite on each floor to the rear of the above existing public house with associated drainage and site works.

On behalf of Brendan Trears, I wish to make the following response to the issues raised in your request of 16th ult.

1. The Lamplighter public house premises was constructed in the 1830's as a commercial property and has been in use as a commercial property since, including on 1st October 1964 and is an established use extending across the full extent of the then established planning unit, both horizontally and vertically. The premises is a public house on the ground floor and accommodation on two floors overhead.

   The planning officer is correct to note that there is no record of a material change of use application, as there has been no material change of use.

   The planning application with reference number 2676/18 had mistakenly described the accommodation as "private residence and incorrectly labelled a bedroom on the 1st floor please refer to affidavit from Brendan Johnston confirming those mistakes in Appendix 3.

   It must be also noted that a recent Section 5 application on this site with reference number 0444/20 which was applied for to clarify issues raised in the Section 5 application reference 0098/20. The purpose of the application 0444/20 was to supply to the planning authority with fundamental information that was overlooked by ABP in their decision on application number 0098/20. Please see attached the planners report that was published for application 0444/20 Appendix 4.

   The application 0444/20 is supported by 5 no. sworn Affidavits (Appendix 5) which confirm that the accommodation on the first and second floor of the Lamplighter Pub has been used for residential accommodation, for individuals on both a short term and long-term basis and that the accommodation was never the principle private residence of any individual or owner.

   One of the affidavits submitted is from the architect who prepared the previous drawings submitted under planning Ref. 2676/18. The affidavit identifies that an error was made both the floor plan drawings and in the description of the existing accommodation as a private residence in the notices.

and long term basis during the period 1997 to 2017 and an affidavit is also submitted from a previous staff member of the Lamplighter Public House who also stayed in the subject accommodation.

It should be noted that the property was also subject of Fire Safety Notice in respect of the annual Licensing Renewal for the entire premises and a detailed planning history was provided to the Court to confirm the history of use as a public house with ancillary accommodation that was used on a letting basis. This was confirmed with the support of a declaration from the previous owner of the premises.

The accommodation is let for periods in excess of 15 days per letting in accordance with the information provided to the DCC Planning Enforcement Section.

2 Attached revised drawings with internal dimensions shown and each room labelled.
The upper floors are accessed via the stairway from the existing entrance on Brabazon Street as shown in photos below.

PLAN NO:2977/20 ADD.
INFO REC. 17/02/2021

3. The application Reg. Ref: 2676/18 related to the use of the first and second floor as a boutique hostel and no works were undertaken on foot of that application.

The subdivision of rooms to create bedrooms and provision of en-suites occurred in late 2018 and I refer to 1 above in relation to the number of bed spaces being reduced.

I also refer you to the assessment in the Planners report attached to Planning Decision 0098/20 which states:
the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures. The works are deemed exempted development within the meaning of the Planning and Development Acts 2000, as amended, as set out under Section 4(1)(h) of the Planning and Development Act 2000 (as amended).

4 I refer to Question 13 on the application form which defines the residential use as guest accommodation, the proposed additional bedrooms would for the same guest (short term letting) accommodation.

5 The cleaning services in the accommodation will be managed as in the public house and the refuse bins will those as for the for the public house.

The site is located in the heart of the city centre within walking distance of all amenities, work and colleges. No separate bicycle storage is required however, the cash office may be adapted to provide a bicycle store as shown on attached drawing if required.

6 The drawings have been revised to show the correct position of window on western elevation of number 2 Brabazon Street.

breach refer to photos below.

The premises at 2 Brabazon Street was constructed as a single aspect townhouse with windows only to the front and existed in this condition for almost 200 years until the current owner breached the façade.

As this Door/Window was constructed without the consent from the owners of 79 The Coombe/1 Brabazon Street Dublin 8 and no planning permission was applied for or granted which led to no actual drawing/architectural measurements being available to the owners of 79 The Coombe/1 Brabazon Street Dublin 8.

Also attached is signed Affidavit from Brendan Trears of Creative Real Estate Ltd. and Declan Brady in relation to the Doorway/Window (Appendix 1&2).

7. *As explained above in question 6, the doorway and the breach of the party wall was carried out across the party line by the neighbour and has no status to establish any context for consideration by reference to overbearing or loss of light* .As indicated in the report by the Senior Inspector in ABP (Ref. 303117): - There is no apparent evidence, from visual inspection of the rear façade as to any former openings at second floor level and it can therefore be assumed that No 2 Brabazon Street is a small artisan house, the depth of which, at three metres is shallow was intentionally designed and built as a single aspect dwelling. However, given that we wanted to answer the planners question correctly "the impact of this two-storey extension on the adjoining properties" we attach a Sunlight daylight Analysis by CSC (Chris Shackleton Consulting) to ensure the planned extension does not have any impact on all adjoining properties.

Given that the request stated, "in particular number 2 Brabazon Street" we have gone into as much detail as necessary for this subject property. As can be seen by this report the proposed development has no impact on 2 Brabazon Street Dublin 8. The opening of a doorway/window through the party wall into a hallway of no 2 Brabazon Street Dublin 8 was carried out in 2015 at No 2 Brabazon Street Dublin 8 by our neighbour, Andreas Bruggener, without consent from the owner of The Lamplighter (See attached signed Affidavit from the previous owner Declan Brady Appendix 1). The neighbour had no right to interfere with the party wall on the side of the Lamplighter, this is a civil matter not a planning matter. This wall is in fact governed by the rights under the party wall legislation in the Land and Conveyancing Law Reform Act. See Appendix 2 from current owner in relation to the party wall doorway / windows. In the submission from no 2 Brabazon Street he claims the door and two further proposed windows have a declaration of exempted development from ABP. However, this is incorrect as the decision by ABP is currently under Judicial Review to the High Court and it must also be noted that having permission or exempted development status does not grant a proprietary right to the party wall. It must also be noted that the current window/ doorway is also into a hallway and this is classified as circulation space, not a habitable room and there is already a window facing east therefore this unauthorised window/ doorway is also

cannot create these windows without permission from 79 The Coombe / 1 Brabazon Street Dublin 8. As the amenity area of No. 2 Brabazon Street is to the south of the proposed development there is no impact as the space is already enclosed on the east side by a building of similar height.

The amenity area of No. 3 Brabazon Street is enclosed on the north and east by three storey house itself and the proposed has no visual impact apart from that to the windows to the stairs which is acceptable. The proposed development would have no impact on the properties on Weavers Close as they are bounded to the rear by a c. 5M high wall which would obscure the proposed development.

At the time of the submission of the application the property to the West (78 The Coombe) was vacant with a flat roofed extension at ground floor to the rear. The property has since been renovated and extended to the rear at first and second floor level and doors were provided at first floor level accessing a roof top space. The use of the building and the rooms to which the windows/doors adjoin the subject property is not known but have been assumed to be living/kitchen at first floor and bedroom at second floor. The area of the flat roof available is assumed to be 12sq. mts. and the present unaffected area is 4sq. mts. The space affected by the proposed extension is marginal in that it is only 8% of the total space i.e. 1sq. mts. The proposed extension being at a similar height to the extension erected to this property would have a very minimum impact.

In conclusion the Lamplighter as a public house has been in existence since the 1830's. The premises were constructed as a public house as distinct from a private house. Public House, also then referred to as Inn, Hostelry Lodge or Tavern, was a place at which people took lodging. It can be inferred that accommodation for guests was available at the premises since its construction. The premises is located in the heart of the city, which has traditionally provided overhead accommodation for short-stay persons visiting the city centre for health, work, study and other purposes and who do not want or require long-stay accommodation. This type of accommodation is an essential part of the accommodation mix in a thriving city centre.

Should any further information be required to assist you in the consideration of the application please do not hesitate to contact me.

Should any further information be required to assist you in the consideration of the application please do not hesitate to contact the undersigned.

Yours faithfully

PLAN NO:2977/20 ADD. INFO REC. 17/02/2021

James M Briscoe B Arch FRIAI

RIAI Registered Architect 2021

Dublin City Council, Block 4, Floor 3, Civic Offices, Wood Quay, Dublin 8

T: (01) 222 2288

E:decisions@dublincity.ie

19-Mar-2021

James M. Briscoe

[redacted]

Application No.	2977/20
Registration Date	17-Feb-2021
Decision Date	16-Mar-2021
Decision Order No	P2729
Location	The Lamplighter, 79 The Coombe/1 Brabazon Street, Dublin 8
Proposal	Permission for development at the rear of The Lamplighter. The development consists of the erection of an extension at first and second floor level of 2 no. bedrooms with en-suite on each floor to the rear of and above the existing public house, with associated drainage and site works.
Applicant	Brendan Trears
Application Type	Permission

- **If you have any queries regarding this Decision, please contact the email shown above**

NOTIFICATION OF DECISION TO REFUSE PERMISSION

In pursuance of its functions under the Planning & Development Acts 2000 as amended, Dublin City Council, being the Planning Authority for the City of Dublin has by order dated 16-Mar-2021 decided to REFUSE PERMISSION for the development described above, for the following reason(s).

REASON(S)

1) Having regard to the nature and scale of the existing development which contains a public house and short term letting accommodation, it is considered that the proposed development to accommodate a further 4 ensuite bedrooms for short term lets would lead to overdevelopment of this restricted site due to the lack of private open space for these units, the inadequate nature of the communal facilities for these rooms in terms of common room/kitchen facilities and the lack of any bicycle parking. The proposal would therefore result in a substandard form of development and would seriously injure the residential amenity of the occupants of the proposed units and be contrary to the proper planning and sustainable development of the area.

Dublin City Council, Block 4, Floor 3, Civic Offices, Wood Quay, Dublin 8

T: (01) 222 2288

E:decisions@dublincity.ie

- Any observations or submissions received by the Planning Authority in relation to this application have been noted.

- Appeals must be received by An Bord Pleanala within **FOUR WEEKS** beginning on 16-Mar-2021. (N.B. not the date on which the decision is sent or received). This is a strict statutory time limit and the Board has no discretion to accept late appeals whether they are sent by post or otherwise. The appeal **MUST BE FULLY COMPLETE** in all respects - including the appropriate fee - when lodged. It is not permissible to submit any part of it at a later date, even within the time limit.

- Refund of Fees submitted with a Planning Application. Provision is made for a partial refund of fees in the case of certain repeat applications submitted within a period of twelve months, where the full standard fee was paid in respect of the first application, and where both applications relate to developments of the same character or description and to the same site. An application for a refund must be made in writing to the Planning Authority and received by them within a period of 8 weeks beginning on the date of the Planning Authority's decision on the second application.

Signed on behalf of the Dublin City Council

For Administrative Officer

Advisory Note:

Please be advised that the development types shown below can now be submitted via our online service

Domestic Extensions including vehicular access, dormers /Velux windows, solar panels

Residential developments up to & including four residential units (houses only)

Developments for a change of use with a floor area of no more than 200 sq. m

Temporary permission (e.g. accommodation for schools)

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T: (01) 222 2288

E:decisions@dublincity.ie

Outdoor seating / smoking areas.

Shopfronts / signage

A 10/1

CONSULTANTS

Principal Officer,
Planning Department,
Dublin City Council,
Civic Offices,
Wood Quay,
Dublin 8

PLANNING
- 7 APR 2021
REGISTRY
DEPARTMENT

7th April 20201

Your Ref: - EXPP 0103/21

Re: Request for Declaration re accommodation at Lamplighter Pub, The Coombe, Dublin 8.

Dear Sir/Madam,

I refer to your letter dated 24th March 2021 addressed to Creative Real Estates Ltd, owners of the Lamplighter pub, who have been notified of an application for Declaration under Section 5 of the Planning and Development Act in respect of 2 items listed in a letter accompanying the application form by Andreas Bruggener, relating to: -

1 Internal alteration of accommodation to 9 bed accommodation;
2 Use of short term letting for any period not exceeding 14 days.

I have been requested to respond to the contents of the application on behalf of the owners of the subject property.

Institiúid Pleanála na hÉireann

Simon Clear B.A. Dip. T.P. MIPI
Darran Quale B.A. MRUP MSc BLUP MIPI
Paula Shannon B.A. MRUP MIPI

3 TERENURE ROAD WEST,
TERENURE,
DUBLIN 6W
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Vat No. 960319911

Contents of Application

The applicant has raised two 'matters'. The first relates to internal alterations to upgrade accommodation to modern standards with individual ensuite bedrooms. The Applicant indicates that bedrooms measuring between 7.45m^2 and 8.9m^2 are to be construed as double bedrooms, which they are not. There is no basis for the applicants proposition that 7.45m^2 or 8.9m^2 bedrooms are doubles. If there is, he should be required in a Further Information request to supply it. For comparison, the Apartment Guidelines indicate the minimum floor area for a double bedroom is 11.4m^2 and a twin 13m^2. Clearly, the bedrooms are in the single category.

In response, it is submitted that the owner is entitled to improve and alter the structure to provide modern day accommodation under section 4(1)(h) of the Planning Act. In established use terms, it is not the size of the bedrooms that matters but how they are let out by the landowner.

The time period referred to by the applicant to support his point relating to letting is in the past, in 2018, referring to a format (Air B&B) no longer used. While the legislation provides that anyone can ask any question under section, the point of making this query is moot and a waste of time for the authority and the owner of the premises.

The second 'matter' refers to lettings for less than 14 days, referring back to information from 2018. A Section 5 Declaration was issued by DCC on the 22nd January 2021 under Ref.0444/20, which declared that *"Having regard to the information submitted, including the Sworn Affidavits, it is considered that the continued use of accommodation at first and second floor level above the Lamplighter Public House, for short term lettings in excess of 15 days duration per letting, is deemed exempted development, as set out under Section 3A of the Planning and Development Act 2000 (as amended).*

If the applicant wishes to make a point about current letting of the accommodation, he should be requested by a further information request to provide the Planning Authority with current information from 2021. Otherwise, the question is moot, as it cannot be answered in respect of the subject premises.

Conclusion

The Lamplighter premises is a Victorian era public house with accommodation overhead and a significant presence in the streetscape. It is an established use and occupies the same planning unit as it did on the introduction of modern planning legislation on 1st October 1964. The planning unit has not been altered.

The premises has been refurbished in recent years and modernised to current standards with no increase of the area of the planning unit or material intensification of use.

Provision of short-term rented accommodation in rooms is an established use, as would be expected overhead a large commercial premises providing rooms in the city centre close to work and transport termini. There is evidence from previous owners in relation to the nature of rental history (provided under Ref.0444/20). The accommodation referred to is not subject to any temporal restriction on the duration of letting. In any event lettings are normally longer than 15 days duration.

The owner of the property is entitled to benefit, as is anyone, from exempted development that would come within the scope of the exemption afforded under Section 4 (1)(h) of the Planning and Development Act 2000, as amended, being works for the improvement or other alteration of the existing structure, which is what has been done.

I trust that this response adequately addresses all of the points raised in your letter and confirms that there is no material issue of development other than exempted development at this premises.

Should you have any query relating to any matter in this response, please do not hesitate to contact the undersigned.

Yours sincerely,

Simon Clear.

Date 19-Apr-2021

Andreas Bruggener

[redacted]

Registration Date	22-Mar-2021
Decision Date	16-Apr-2021
Decision Order No	P3125
Location	Lamplighters Pub, 79 The Coombe / 1 Brabazon Street, Dublin 8
Proposal	EXPP; 1.) Whether the internal alteration of a 5 bed accommodation for a max of 11 guests to a 9 bedrooms accommodation for a maximum of 18 guests, is or is not development and if development , whether it is exempted development or not. 2) Whether the change of use from short term lettings in excess of 15 days duration per letting to short term letting for any period not exceeding 14 days, is or is not development and if development , whether it is exempted development or not.
Applicant	Andreas Bruggener

Dear Sir/Madam

With reference to the above proposal submitted by you, you are hereby notified that the Planning Authority in pursuance of the powers conferred on it by the Planning & Development Acts 2000 (as amended) has decided to **GRANT EXEMPTION** for:

The internal alteration of a 5 bed accommodation for a max of 11 guests to a 9 bedrooms accommodation for a maximum of 18 guests.

subject to the conditions specified in Schedule 1,

SCHEDULE 1 CONDITIONS AND REASONS

The Planning Authority considers that whereas the scope of the internal works carried out would come under Section 4(1) (H) of the Planning and Development Act, 2000, as amended, and would not constitute a material change of use under Article 10(1) of the Planning and Development Act, and is therefore exempted development.

A 19/2

Date 19-Apr-2021

and to **REFUSE EXEMPTION** for :

The change of use from short term lettings in excess of 15 days duration per letting to short term letting for any period not exceeding 14 days.

for the reasons set out in Schedule 2

SCHEDULE 2 REASONS

The Planning Authority consider that any proposed change of use from short terms lettings in excess of 15 days duration per letting to short term letting for any period not exceeding 14 days would constitute a material change of use as defined in section 3 of the Planning and Development Act, 2000 (as amended). In this regard any proposed change of use from short terms lettings in excess of 15 days duration per letting to short term letting for any period not exceeding 14 days would be considered development and not exempted development.

Signed on behalf of Dublin City Council

for Assistant Chief Executive

Section 5 of the Planning and Development Act 2000

EXPP: 0103/21

Location: Lamplighters Pub, 79 The Coombe / 1 Brabazon Street, Dublin 88

Date Received: 22nd March 2021

Decision Due Date: 16th April 2021

Proposal: EXPP; 1.) whether the internal alteration of a 5 bed accommodation for a max of 11 guests to a 9 bedrooms accommodation for a maximum of 18 guests, is or is not development and if development, whether it is exempted development or not.

2) Whether the change of use from short term lettings in excess of 15 days duration per letting to short term letting for any period not exceeding 14 days, is or is not development and if development , whether it is exempted development or not.

Proposal

This section 5 is from a third party application from the adjoining property.

This application seeks a declaration on whether the following works are development or exempted development:

EXPP; 1.) Whether the internal alteration of a 5 bed accommodation for a max of 11 Guests to a 9 bedrooms accommodation for a maximum of 18 guests, is or is not development and if development, whether it is exempted development or not.

2) Whether the change of use from short term lettings in excess of 15 days duration per letting to short term letting for any period not exceeding 14 days, is or is not development and if development, whether it is exempted development or not.

Site Description

The subject site is a Licensed Premises (Public House) located on the corner of Brabazon Street and the Coombe in the south inner city of Dublin. The subject site is not a Protected Structure.

Site Zoning

The subject site has the Land Use Zoning Objective Z4 *'To provide for and improve mixed-services facilities"*

The subject site is located within the boundary of SDRA 16 Liberties and Newmarket Square.

2196/21: The Lamplighter, 79, The Coombe / 1 Brabazon Street, Dublin 8. A split decision was issued on an application fro RETENTION: The development consists of the retention of:

a) The relocated toilets in an area previously used as lounge bar and renewing of roof to comply with current insulation standards,

b) Removal of portion of existing roof in previous area occupied by toilets to form smoking area to comply with public health act,

c) The continued use of the flat roof to rear at first floor level as amenity area for those in the the residential accommodation,

d) 1800mm high timber fencing enclosing roof top open space at first floor level to rear.

A split decision was issued:

Permission is granted for

- the relocated toilets in an area previously used as lounge bar and renewing of roof to comply with current insulation standards,
- the continued use of the flat roof to rear at first floor level as amenity area for those in the residential accommodation,
- 1800mm high timber fencing enclosing roof top open space at first floor level to rear.

Permission was refused for:

And that permission be refused for the Removal of portion of existing roof in previous area occupied by toilets to form smoking area to comply with public health act, for the reason set out in Schedule 2

2977/20: Permission refused at the rear of The Lamplighter. The development consists of the erection of an extension at first and second floor level of 2 no. bedrooms with en-suite on each floor to the rear of and above the existing public house, with associated drainage and site works.

EXPP0444/20: Section 5 Declaration for "Whether the continued use of accommodation at first and second floor level above the Lamplighter Public House, for short term lettings in excess of 15 days duration per letting, is or is not development and if it is development, whether it is exempted development.

Dublin City Council decided that 'having regard to the information submitted, including the Sworn Affidavits, it is considered that the continued use of accommodation at first and second floor level above the Lamplighter Public House, for short term lettings in excess of 15 days duration per letting, is deemed exempted development, as set out under Section 3A of the Planning and Development Act 2000 (as amended)'.

EXPP0098/20: Section 5 Declaration for

1. Construction of a smoking/beer garden to rear of pub.
2. Use of upstairs rooms as student/short term letting.
3. Raising of flat roof to rear by c.600mm and construction of a 2m high fence to create an outside amenity area.

An Bord Pleanála, determined that the construction of a smoking/beer garden to rear of pub, the use of upstairs rooms as student/short term letting, the raising of flat roof to rear by circa 600 millimetres and the construction of a two metres high fence to create an outside amenity area is development and is not exempted development:

2676/18: Permission refused for change of use of first and second floors over existing Ground floor public house from private residence to boutique hostel. Also extensions

A 20/2

1.Having regard to the nature and scale of the proposed development to accommodate a proposed 'boutique hostel', the lack of adequate information submitted regarding the nature of this hostel, the proximity of the first, second and third floor extensions to adjoining residential properties along Brabazon Street, it is considered that the proposed development would be seriously injurious to the residential amenities of properties in the vicinity, could lead to overshadowing, loss of daylight , excessive noise and general disturbance and would therefore be contrary to the proper planning and sustainable development of the area.
2.Having regard to the architectural significance of this building, and having regard to the removal of the roof and inappropriate addition at third floor level, it is considered that the proposed development would be an incongruous form of development at this important street corner, would be visually obtrusive and would seriously injure the residential and visual amenities of properties in the vicinity and would be contrary to the proper planning and sustainable development of the area.

2008/18: Permission granted/3rd party appeal/granted for repositioning of front door to corner, modification and upgrade to front facia, new signage, 2 new windows to side facing onto Brabazon Place. Increasing windows by 200mm facing onto Coombe Road for additional light and all associated site works.

Enforcement

EO52819: Enforcement Notice issued to applicant requiring:

1. The cessation of the use of the roof to the rear of 1 Brabazon Street/ 79 the Coombe as a seating area.
2. The reinstatement of the rear roof to its previous height prior to the works being carried out at the Lamplighter Lounge 1 Brabazon Street/ 79 the Coombe, Dublin 8.
3. The removal of the 2m high fence wooden fence to the rear roof with metal supporting poles of the Lamplighter Lounge 1 Brabazon Street/ 79 the Coombe, Dublin 8
4. The cessation of the use of the beer garden/smoking area with seating and barrels, wooden shelves and paneling recessing spot lighting in a blue fixed canopy with an opening to the centre located were the previous toilets and store area to the rear of the Lamplighter Lounge 1 Brabazon Street/ 79 the Coombe, Dublin 8
5. The removal of beer garden/smoking area with seating and barrels, wooden shelves and paneling recessing spot lighting in a blue fixed canopy with an opening to the centre located were the previous toilets and store area to the rear of the Lamplighter Lounge 1 Brabazon Street/ 79 the Coombe, Dublin 8

<u>Statutory Provisions</u>

Planning and Development Act 2000 (as amended)
Section 2 (1) of the Act states: -
Section 2(1): In this Act, except where the context otherwise requires 'works' includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal ...; 'structure' means any building, structure, excavation or other thing constructed or made on, in or under any land, or any part of a structure so defined and (a) Where this context so admits, includes the land on, in or under which the structure is situated'.

Section 3 (1) states:-
'In this Act, 'development' means, except where the context otherwise requires, the carrying out of works on, in, over or under land, or the making of any material change of use of any structures or

Section 4 (1)(h) states:- *(h) development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures;*

Section 3A defines short-term letting as *'the letting of a house or apartment, or part of a house or apartment, for any period not exceeding 14 days.'*

Article 10(1) Development which consists of a change of use within any one of the classes of use specified in Part 4 of Schedule 2, shall be exempted development for the purposes of the Act, provided that the development, if carried out would not—

(a) involve the carrying out of any works other than works which are exempted development,
(b) contravene a condition attached to a permission under the Act,
(c) be inconsistent with any use specified or included in such a permission, or
(d) be a development where the existing use is an unauthorised use, save where such change of use consists of the resumption of a use which is not unauthorised and which has not been abandoned.

Background

This section 5 application is from a third party, who owns the adjoining property. They note the following in their letter.

In the planning application Reg.2977/20, the agent of the owner has now said for the first time that the rooms on the 1st floor and 2nd floor have only been rented to a maximum of 11 guests previous to its conversion into 9 bedrooms. This alteration with the aim of accommodating a further 7 guests represents a 64% increase in guest capacity.. They refer to the Planning Enforcement case by DCC.

They also bring up the matter that arises as a result of the agent of the owner representing 9 bedrooms as guest (short term letting) accommodation in the planning application 2977/20. However they note that the current planning status of the rooms is private residence or at most short term lettings in excess of 15 days duration per letting to a short term letting for any period but not short terms for any period not exceeding 14 days.

They conclude that the increase in capacity of guest accommodation and the change of use from short term lettings in excess of 15 days duration per letting to a short term letting for any period not exceeding 14 days will mean an intensification of use of the public house and an intensification of nuisance to their property as the only access to the guest accommodation is through the entrance to 1 Brabazon Street which is located under their first floor bedroom and the stairwell runs behind this bedroom.

Comments from Owner

A letter has been submitted from Simon Clear & Associates on behalf of the owners of the subject property, in response to issues raised.

A2015

the owner. The time period referred to by the applicant to support his point relating to letting is in 2018 referring to a format Air B&B, no longer used. While the legislation provides that anyone can ask any question under a Section 5 Declaration, the point of making this query is moot and a waste of time for the authority and the owner of the premises.

The second matter refers to lettings for less than 14 days referring back to information from 2018. A section 5 declaration was issued by DCC on 22nd Jan 2021, Reg 0444.20. They note that if the applicant wishes to make a point about current letting of the accommodation, he should be requested by a further information request to provide the planning authority with current information from 2021. Otherwise the question is moot as it cannot be answered in respect of the subject premises. They note that the premises has an established use and occupies the same planning unit as it did on the introduction of the planning legislation in 1964, and has not been altered. The premises has been refurbished in recent years and modernised to current standards with no increase of the areas of the planning unit or material intensification of use. Provision of short term rented accommodation in rooms is an established use, as would be expected overhead, a large commercial premises. They further note that the accommodation referred to is not subject to any temporal restriction on the duration of letting. In any event lettings are normally longer than 15 days duration. The owner is entitled to benefit as is anyone from exempted development that would come with the scope of the exemption afforded under Section 4(1) (h).

Assessment

Dublin City Council has recently granted an exemption certification for the following:

EXPP0444/20: Section 5 Declaration as to whether the continued use of accommodation at first and second floor level above the Lamplighter Public House, for short term lettings in excess of 15 days duration per letting, is or is not development and if it is development, whether it is exempted development.

Dublin City Council decided that 'having regard to the information submitted, including the Sworn Affidavits, it is considered that the continued use of accommodation at first and second floor level above the Lamplighter Public House, for short term lettings in excess of 15 days duration per letting, is deemed exempted development, as set out under Section 3A of the Planning and Development Act 2000 (as amended)'.
In the planning officers report under EXPP044/20 it was noted *"A previous Section 5 Declaration was sought by a third party on this issue under Reg. Ref. 0098/20 (ABP-307112-20). An Bord Pleanála determined that the use of upstairs rooms as student/short term letting was not exempted development. The inspectors report for this decision noted that the two floors in question above the public house were previously indicated as a private residence in the public notices for Reg. Ref. 2676/20. The submission with the application notes that the accommodation at first and second floor level is an established use and occupies the same planning unit as it did on the introduction of modern planning legislation on 1st October 1964. The submission states that the premises has not been used as a 'principle private residence' and that the provision of short-term rented accommodation in rooms on the first floor of the premises to students, workers and visitors is an established pre 1963 use and that the lettings are typically longer than 15 days duration. The request for a declaration is supported by 5 no. sworn Affidavits which confirm that the accommodation on the first and second floor of the Lamplighter Pub has been used for residential accommodation, for individuals relating to the owner, on both a short term and long term basis and that the accommodation was never the principle private residence of any individual or owner. One of the affidavits submitted is from the architect who prepared the previous drawings submitted*

the continued use of accommodation at first and second floor level above the Lamplighter Public House, for short term lettings in excess of 15 days duration per letting, is or is not development and if it is development, whether it is exempted development', this has previously been adjudicated on and will not be dealt with here.

Current Section 5

There are two questions asked in this section 5 application which will be assessed separately.

Part 1

Question Asked: " Whether the internal alteration of a 5 bed accommodation for a max of 11 guests to a 9 bedrooms accommodation for a maximum of 18 guests, is or is not development and if development, whether it is exempted development or not."

In terms of internal works, an owner is entitled to carry out certain works under Section 4(1)(h) of the Planning and Development Act 2000(as amended)

Section 4 (1)(h) states:- *(h) development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures;*

Internal works carried out do constitute works under the meaning of Section 2(1) of the Planning and Development Act and would constitute development.

Section 2(1): In this Act, except where the context otherwise requires 'works' includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal ...; 'structure' means any building, structure, excavation or other thing constructed or made on, in or under any land, or any part of a structure so defined and (a) Where this context so admits, includes the land on, in or under which the structure is situated'.

In the Act, section 3 (1) states:-
'In this Act, 'development' means, except where the context otherwise requires, the carrying out of works on, in, over or under land, or the making of any material change of use of any structures or other land.'

In terms of the internal works, it is considered that a property owner is entitled to carry out works in relation to the maintenance, improvement, alterations to the structure being works that only affected the interior of the structure and would not material affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures.

Whereas the scope of the works carried out may come under Section 4(1) (H), the question now arises as to the stated use of the rooms.

The second part of the question is whether changing from a 5 bed accommodation for a max of 11 guests to a 9 bedrooms accommodation for a maximum of 18 guests is development and whether

In deciding this case the Planning Authority has had regard to the previous section 5 that was granted at this location.

EXPP0444/20 refers to a section 5 declaration as to "whether the continued use of accommodation at first and second floor level above the Lamplighter Public House, for short term lettings in excess of 15 days duration per letting, is or is not development and if it is development, whether it is exempted development."

Dublin City Council decided in that case that 'having regard to the information submitted, including the Sworn Affidavits, it is considered that the continued use of accommodation at first and second floor level above the Lamplighter Public House, for short term lettings in excess of 15 days duration per letting, is deemed exempted development, as set out under Section 3A of the Planning and Development Act 2000 (as amended)'.
The question arises whether the works in question are a material change in use in terms of intensity of activity. The Planning Authority considers the alterations would be unlikely to have a material impact in regards to traffic and would not constitute an intensification of use with any material planning impact. I would consider that the nature of the alterations internally are minor and unlikely to have any discernible planning impact over and above the existing operation of the premises. I would also note that the alterations is development and is exempted development under the provisions of Section 4(1)(h) of the Planning and Development Act) as the changes are minor in nature and do change the external appearance significantly so as to render it inconsistent with itself.

In conclusion the Planning Authority consider that the works would come under 4(1) (h) and would not constitute a material change of use under Article 10(1) of the Planning and Development Act, and is therefore exempted development.

Part 2

The second part of the question asked was as follows:

"Whether the change of use from short terms lettings in excess of 15 days duration per letting to short terms lettings in excess of 15 days duration per letting to short term letting for any period not exceeding 14 days , is or is not development and if development , whether it is exempted development or not.

This question is presumably on foot of the previous exemption to DCC under EXPP0444/20.

EXPP0444/20 was a Section 5 Declaration as to whether the continued use of accommodation at first and second floor level above the Lamplighter Public House, for short term lettings in excess of 15 days duration per letting, is or is not development and if it is development, whether it is exempted development.

Dublin City Council decided that 'having regard to the information submitted, including the Sworn Affidavits, it is considered that the continued use of accommodation at first and second floor level above the Lamplighter Public House, for short term lettings in excess of 15 days duration per letting, is deemed exempted development, as set out under Section 3A of the Planning and Development Act 2000 (as amended)'.

In deciding on the current question being asked, the Planning Authority has regard to the following:

c) Parts 1 and 4 of the Second Schedule to the Planning and Development Regulations , 2001, as amended;
d) The existing use of the premises at first and second floor for use of the accommodation for short term lettings in excess of 15 days duration per letting,
e) The absence of any evidence of occupation of the property by any permanent resident, and the commercial nature of the property.
f) The planning history on the subject site,
g) The submissions of the referrer.
h) The submission on behalf of the owner.
i) Relevant cases previously decides by An Bord Pleanala,

Having regard to the above, it is considered that a potential change of use from short term lettings in excess of 15 days duration per letting to short term letting for any period not exceeding 14 days, raises planning considerations that are materially different to the planning considerations relating to the current use. In particular it is considered that short term lettings for periods not exceeding 14 days would result in an intensification of use of the property and increase the extent of the frequency of comings and goings to and from the property by short terms renters and servicing staff, and also would raise issues regarding security and general disturbance, and also the fully commercial nature of the activity. In light of the above it is considered that this would constitute a material change of use and that the material change of use is development as defined in section 3 of the Planning and Development Act, 2000. The change of use in this case does not come within the scope of the exemption provided for in Article 6(5) (a) of the Planning and Development Regulations, 2001, as amended by Article 3 of the Planning and Development Act 2000, Exempted Development (No.2) Regulations 2019,.

Recommendation

In the case of **Part 1** which asks "Whether the internal alteration of a 5 bed accommodation for a max of 11 guests to a 9 bedrooms accommodation for a maximum of 18 guests, is or is not development and if development, whether it is exempted development or not." ;

The Planning Authority considers that whereas the scope of the internal works carried out would come under Section 4(1) (H) of the Planning and Development Act, 2000, as amended, and would not constitute a material change of use under Article 10(1) of the Planning and Development Act, and is therefore exempted development.

In the case of **Part 2** which asks "Whether the change of use from short term lettings in excess of 15 days duration per letting to short term letting for any period not exceeding 14 days, is or is not development and if development , whether it is exempted development or not;

The Planning Authority consider that any proposed change of use from short terms lettings in excess of 15 days duration per letting to short term letting for any period not exceeding 14 days would constitute a material change of use as defined in section 3 of the Planning and Development Act, 2000(as amended). In this regard any proposed change of use from short terms lettings in excess of 15 days duration per letting to short term letting for any period not exceeding 14 days would be considered development and not exempted development.

K. Sweeney,
Senior Executive Planner,
14-04-21

An: Andreas Brüggener
Anlagen: image001.png

Dear Mr Bruggener,

Your email has been received and noted.

You will receive a response in due course.

Neil Cameron

Sent from my Samsung Galax

A 21b

-------- Original message --
From: Andreas Brüggener [redacted]
Date: 09/11/2020 12:25 PM (GMT+00:00)
To: Neil Cameron <Neil.cameron@dublincity.ie>
Subject: Re: E0528/19 1 Brabazon Street, Dublin 8.

Dear Mr. Cameron,

I hope you have been keeping well.

I trust that at this stage you have been able to discuss the matter with the responsible manager within the planning enforcement division.
I would like to ask you if an enforcement notice pursuant to Section 154 with regards to the below has been issued to the owner/occupier of the Lamplighter Public House?
If this has not occurred, is such due to be issued?

- ***the unauthorzied development of a beer garden/ smoking area***
- ***the unauthorzied development of a 2 m high wooden fence***
- ***the conversion of the private residence into Guest House accommodation without planning permission***

I ask as I have a court hearing on 25th November 2020, which will also deal with these unauthorized developments. I would like to provide the above information to the judge together with the warning letter issued by Dublin City Council dated 30th August 2019.
Therefore, I would like to kindly request that you provide this information prior to this date.

Kind Regards,
Andreas Brüggener.

A 21a/1
2

Von: "neil.cameron@dublincity.ie" <Neil.cameron@dublincity.ie>
Datum: Mittwoch, 30. September 2020 um 15:05
An: Andreas Brüggener <andreas@brueggener.com>
Cc: Planning Enforcement <planningenforcement@dublincity.ie>
Betreff: E0528/19 1 Brabazon Street, Dublin 8.

Dear Mr Brüggener,

Manager of Planning Enforcement on his return from leave in the coming days.

When there is an update I will contact you with regard to the file as soon as possible.

Regards

Neil Cameron
Planning Enforcement Officer

Planning Enforcement | Planning & Property Development Department | Dublin City Council | Block 4, Floor 2 | Civic Offices | Dublin 8

T: + 353-1-222 3534
E: neil.cameron@dublincity.ie

Comhairle Cathrach
Bhaile Átha Cliath
Dublin City Council

t: 066 7122900 D.X. No: 41012
e: lawyers@pmcl.ie e: firstname.secondname@pmcl.ie w: www.pmcl.ie

our ref: NL/CB/BT.462/7 your ref: date: 27th November 2020

Mr. Neil Cameron,
Planning Enforcement Office,
Planning Enforcement Planning
and Property Development Department,
Dublin City Council,
Block 4,
Floor 2,
City Offices,
Dublin 8

e-Letter & Post: neil.cameron@dublincity.ie

RE: Our client: Andreas Bruggener
An Bord Pleanala Decision dated 15th September 2020 (PL29S.307112)
Enforcement Action Reference: E0528/19
No. 1 Brabazon Street, Dublin 8

Dear Mr. Cameron,

We refer to the above matter and to previous correspondence to hand between our client Andreas Bruggener and your office.

We note from the decision of An Bord Pleanala that the various developments carried out by our client's neighbour are deemed wholly unauthorised developments by the Bord.

Our client awaits confirmation that the Dublin City Council, as the Planning Enforcement Authority will now fulfill its statutory obligations and continue to require this unauthorised development to be taken down and to have the property re-instated.

We await hearing from you with such confirmation that Dublin City Council will immediately attend to the foregoing without further delay. Thank you.

Yours sincerely,

Sent by e-mail and accordingly bears no signature.

NIALL LUCEY
Pierse McCarthy Lucey LLP
E-mail: niall.lucey@pmcl.ie

c.c. Mr. Andreas Bruggener

PLANNING AND DEVELOPMENT ACTS 2000 (as amended)

ENFORCEMENT NOTICE

Pursuant to Section 154 Planning and Development Acts 2000(as amended)

(UNAUTHORISED DEVELOPMENT)

Lands at: 1 Brabazon Street / 79 The Coombe, Dublin 8

Development comprising of

1. The unauthorised use of a roof to the rear roof of Lamplighter Lounge 1 Brabazon Street/ 79 the Coombe, Dublin 8 as a seating area without the benefit of planning permission.

2. The unauthorised increase in height of the rear roof of Lamplighter Lounge 1 Brabazon Street/ 79 the Coombe, Dublin 8 as a seating area without the benefit of planning permission.

3. The unauthorised construction of a 2 metre High wooden fence with metal supporting poles to the rear roof of Lamplighter Lounge 1 Brabazon Street/ 79 the Coombe, Dublin 8 without the benefit of planning permission.

4. The unauthorised construction of a smoking area/beer garden with seating and barrels, wooden shelves and panelling, recessed spot lighting in a blue fixed canopy with an opening to the centre without the benefit of planning permission.

Take Notice that Dublin City Council being the Planning Authority for the area comprising the City of Dublin having considered in exercise of the power conferred on it by Section 154 of the Planning and Development Acts 2000 (as amended) and of every other power in that behalf it enabling,

HEREBY REQUIRES:

1. The cessation of the use of the roof to the rear of 1 Brabazon Street/ 79 the Coombe as a seating area.

3. The removal of the 2m high fence wooden fence to the rear roof with metal supporting poles of the Lamplighter Lounge 1 Brabazon Street/ 79 the Coombe, Dublin 8

4. The cessation of the use of the beer garden/smoking area with seating and barrels, wooden shelves and paneling recessing spot lighting in a blue fixed canopy with an opening to the centre located were the previous toilets and store area to the rear of the Lamplighter Lounge 1 Brabazon Street/ 79 the Coombe, Dublin 8.

5. The removal of beer garden/smoking area with seating and barrels, wooden shelves and paneling recessing spot lighting in a blue fixed canopy with an opening to the centre located were the previous toilets and store area to the rear of the Lamplighter Lounge 1 Brabazon Street/ 79 the Coombe, Dublin 8.

This notice is to be complied with, within the period commencing Thursday 10th December 2020 and ending on Thursday 1st April 2021.

If the steps specified in this Enforcement Notice are not taken within the period specified above or within such extended period (not being more than six months) as Dublin City Council may allow, Dublin City Council may enter on the land and take such steps, including the removal, demolition or alteration of any structure and may recover any expenses reasonably incurred by them in that behalf.

You are required by Dublin City Council to refund the costs and expenses reasonably incurred by the Local Authority in relation to the investigation, detection and issue of this Enforcement Notice and any warning letters issued under Section 152 of the aforementioned Act, including costs incurred in respect of the remuneration and other expenses of employees, consultants and advisers and Dublin City Council may recover these costs and expenses incurred by it in that behalf.

If you do not take the steps specified in this Notice within the period specified above or such extended period not being more than 6 months as Dublin City Council may allow, you may be guilty of an offence.

Dated this 8th day of December 2020

John Downey
A/Planning Enforcement Manager
To whom the appropriate powers
have been delegated by Order of the
Chief Executive Dublin City Council
dated 10th August 2020

To:

Bloc 4, Urlar 2, Oifigí na Cathrach ,An Ché Adhmaid, Baile Átha Cliath 8

Planning Enforcement,
Planning & Property Development Department,
Block 4, Floor 2, Civic Offices
Wood Quay, Dublin 8
T. 01 222 2147 E. planningenforcement@dublincity.ie

Andreas Bruggener
[redacted]

14th December 2020

Re: 1 Brabazon street / 79 The Coombe, Dublin 8

Dear Andreas,

I refer to your complaint regarding the above address.

The Planning Enforcement Section of Dublin City Council issued an Enforcement Notice under Section 154 of the Planning and Development Act 2000(as amended) in respect of the above property on the 10th December 2020

Requiring:

1. The cessation of the use of the roof to the rear of 1 Brabazon Street/ 79 the Coombe as a seating area.
2. The reinstatement of the rear roof to its previous height prior to the works being carried out at the Lamplighter Lounge 1 Brabazon Street/ 79 the Coombe, Dublin 8.
3. The removal of the 2m high fence wooden fence to the rear roof with metal supporting poles of the Lamplighter Lounge 1 Brabazon Street/ 79 the Coombe, Dublin 8
4. The cessation of the use of the beer garden/smoking area with seating and barrels, wooden shelves and paneling recessing spot lighting in a blue fixed canopy with an opening to the centre located were the previous toilets and store area to the rear of the Lamplighter Lounge 1 Brabazon Street/ 79 the Coombe, Dublin 8.

5. The removal of beer garden/smoking area with seating and barrels, wooden shelves and paneling recessing spot lighting in a blue fixed canopy with an opening to the centre located were the previous toilets and store area to the rear of the Lamplighter Lounge 1 Brabazon Street/ 79 the Coombe, Dublin 8.

This notice is to be complied with, within the period commencing Thursday 10th December 2020 and ending on Thursday 1st April 2021.

Yours faithfully,

For Acting Planning Enforcement Manager

Ref: Sharon O'Neill
Tel: 222 3461
Please quote file ref: E0528/19
Email: planningenforcement@dublincity.ie

Dublin City Council
Freedom of Information Officer
Information Management Unit
Corporate Services Department
Civic Offices
Wood Quay
Dublin 8

14th December 2020

Re: FOI Request – Enforcement Case Ref.: E0528/19
79 The Coombe/ 1 Brabazon Street

Dear Sir/Madam,

In accordance with the Freedom of Information Act 2014, I would like to request copies of all records/documents which relate to the ***Enforcement Case Ref: E0528/19*** – complied and originated ***after October 2019***.

In particular:

- *any communication between Dublin City Council and the owner of the Lamplighter Public Houses and/or its agents.*
- *any communication between Dublin City Council and third parties.*
- *any communication between Dublin City Council and other public authorities.*

Should you need any more information, please feel free to contact me at the above quoted number or email address.

Many thanks in advance,

Andreas Brüggener.

A27

An: planning@dublincity.ie

Priorität: Hoch

Anlagen: Planning application Info 12012020.png, Planning 0444.docx, Decision.pdf, Inspector`s Report.pdf

Dear Rhona Naughton,

As the weekly planning lists for weeks 51 and 52 of 2020 were only published online today the 12th January 2021, I have only now become aware of the new for a section 5 exemption application by Creative Real Estate dated 18/12/2020 bearing the application number 0444/20. Further, this application does not yet appear in the map search function on the DCC website under the directory titled "*related application info*" (see attachment).

The question raised in this application, namely:

> *„Whether the continued use of accommodation at first and second floor level above the Lamplighter Public House, for short term lettings in excess of 15 days duration per letting, is or is not development and if it is development, whether it is exempted development. "*

has already been decided by An Bord Pleanala ("ABP") with decision number 307112 dated 09/09/2020 (attached) stating that it ***is a development and not an exempt development***. The decision was explained in detail in the ABP report dated 28/08/2020 (attached) between sections 8.3.9 to 8.3.15 inclusive.

I therefore cannot imagine a scenario where Dublin City Council would seek fit to reach a different decision. Frankly, this application should be rejected.

However, if Dublin City Council seeks to consider such an exemption application, I would like to kindly ask for the opportunity to make submissions under the Planning and Development Act 5/2 (c) before a decision is made. As the owner of 2 Brabazon Street, I will be directly affected by the decision as the application is my immediate adjourning neighbour.

Regards,

A 0014

Planning Department,
Dublin City Council, Civic Offices,
Wood Quay,
Dublin 8

18th December 2020

Re: Section 5 Declaration for The Lamplighter Public House, 79 The Coombe/1 Brabazon Street, Dublin 8

Dear Sir/Madam,

On behalf of the applicants and owners of the property, Creative Real Estate Limited of College House, 71/73 Rock Road, Blackrock, Co. Dublin, we wish to make an application for a Declaration under Section 5 of the Planning and Development Act 2000, in respect of the question below;

> *Whether the continued use of accommodation at first and second floor level above the Lamplighter Public House, for short term lettings in excess of 15 days duration per letting, is or is not development and if it is development, whether it is exempted development.*

Please find enclosed:-

- Section 5 Application Form;
- Site Location Map;
- Floor Plans;
- Affidavits (5);
- Fee €80.00 (cheque).

Institiúid Pleanála na hÉireann

Simon Clear B.A. Dip. I.P. MIPI

Darran Quaile B.A. MRUP MSc BLUP MIPI

Paula Shannon B.A. MRUP MIPI

3 TERENURE ROAD WEST,
TERENURE,
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D6W YY79,
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Web: www.clearconsult.ie
Vat No. 9803199H

overhead. The accommodation at first and second floor level is an established use and occupies the same planning unit as it did on the introduction of modern planning legislation on 1st October 1964. The primary use is identifiable as a commercial premises that is an established licensed public house with overhead accommodation for letting. The premises was never a single dwelling.

The premises is not and has not been a 'principal private residence' as defined in recent regulations (Article 6(5)(i)). Provision of short-term rented accommodation in rooms is an established use, as would be expected overhead a large commercial premises providing rooms in the city centre close to work and transport termini.

Sworn testimony indicates that the accommodation above ground floor level was set out to accommodate 11 persons on a shared and short term basis and the external roof at first floor level was used as an amenity including for clothes lines for drying clothes and for sitting out. As in many public houses in the city a barbed wire fence secured the first floor against attempted break-in, which was a common threat to these types of premises. Remnant stays for the fence remain embedded in the wall at the edge of the roof. For similar reasons, landlord/owners mostly did not reside above licensed premises with their families. Therefore, the accommodation was commonly used as rental accommodation.

In recent years the accommodation has been improved internally, with no external works and without increase of capacity, to provide modern comfortable and private bedrooms including ensuite bathrooms, as described below. These works were works for the maintenance, improvement or other alteration of the structure, being works which affected only the interior of the structure and which did not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures. The works were exempted development under the provisions of Section 4(1)(h) of the primary Planning and Development Act legislation.

A Section 5 declaration was sought by a third party to determine whether the following constituted exempted development:-

- Construction of a smoking/beer garden to rear of pub;
- Use of upstairs rooms as student/short term letting;
- Raising of flat roof to rear by c.600mm and construction of a 2m high fence to create an outside amenity area.

On the 25th March 2020, DCC issued a declaration stating that all of the above are exempt from the requirement to obtain planning permission. This declaration was subsequently referred by the applicant (3rd party) to An Bord Pleanala for consideration.

On the 15th September 2020, ABP issued a decision stating that the above is development and is not exempted development. As the Section 5 Declaration was submitted by a 3rd party, no adequate evidence of the use of the upper floors as short term accommodation was included for assessment by either DCC or ABP by either the 3rd party or the owner of the property.

Bord Pleanala Inspector's Assessment

An extract from the Bord Pleanala Inspector's Report relating to this issue is appended. The report indicated: -

- The Inspector did not inspect the accommodation internally;
- The Inspector relied on descriptions drawn from a previous planning application for change of use of the upstairs accommodation to boutique hotel use;
- The Inspector speculated that the upstairs accommodation may have been let to a single family, in which case it was speculated the letting to 9 individuals would be considered a material change in use and an intensification of use;
- The Inspector used irrelevant Referral cases to bolster this conclusion;
- The Inspector noted that there is significant disagreement between the two parties to this referral regarding the status of the subject premises. The nature of a section 5 referral to the Board is not to find in favour of one party over another, as may be the case in a legal dispute. There are limitations on the remit of the Board under

Purpose of Declaration

This Declaration is sought to clarify, with the support of appropriate evidence in the form of affidavits and other information, that the use for multiple, unrelated to owner occupancy is established and that the continued use of the established use of the accommodation at first and second floor level, in accommodation as currently modified, above the public house is exempted development.

This request for a declaration is supported by 5 no. Sworn Affidavits from a range of individuals which includes:-

- A previous owner of the premises;
- A previous staff member of the Lamplighter public house who also stayed in the subject accommodation;
- An Architect who prepared plans for the premises in 2018;
- Brendan Trears, who lived on the property during refurbishment while also letting short term accommodation.

The enclosed Sworn Affidavits confirm that the accommodation on the first and second floor of the Lamplighter has been used for residential accommodation, for individuals unrelated to the owner, on both a short-term and long-term basis and that the accommodation was never the principal private residence of any individual or owner.

The affidavit of Brendan Johnston, architect, identifies that an error was made in floor plan drawings submitted under planning Ref.2676/18 and the architect had now provided details of the correct layout of the accommodation at first and second floor level of the Lamplighter premises at the time.

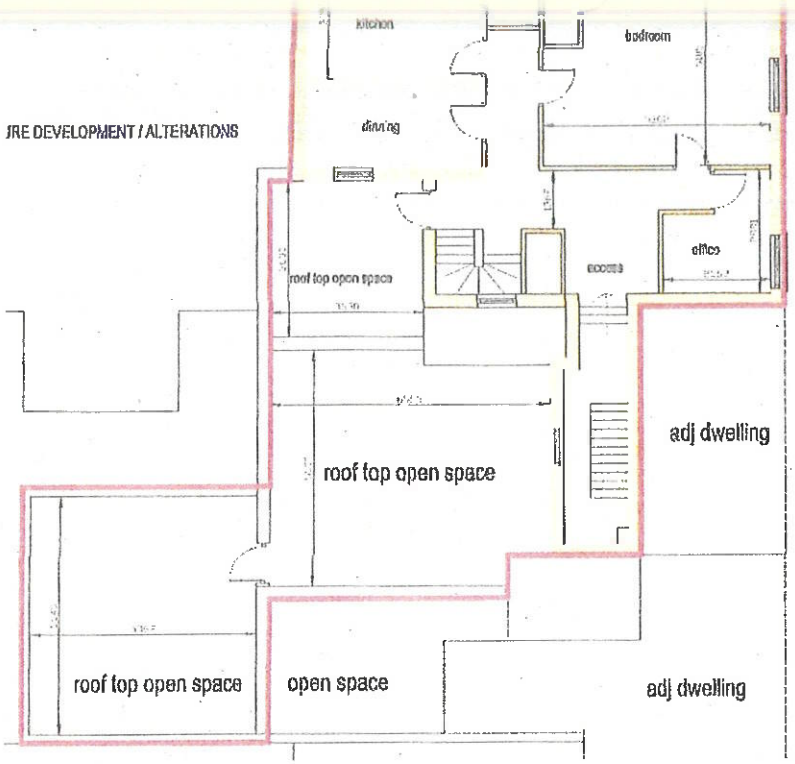
There was also an understandable error in the description of the upstairs as a private residence in the notices. At the time, during refurbishment, the client, Brendan Trears, lived in the accommodation for the duration of works but he also let rooms on a short term basis at the same time and this is on record in DCC. It was taken by the architect to

The descriptive layout of the accommodation is confirmed in the affidavits of Declan Brady, previous owner and Greg Crawford, previous barman/manager. Both the affidavits of Declan Brady and Greg Crawford confirm that the accommodation on the first and second floor has an established use as short term and long term residential accommodation.

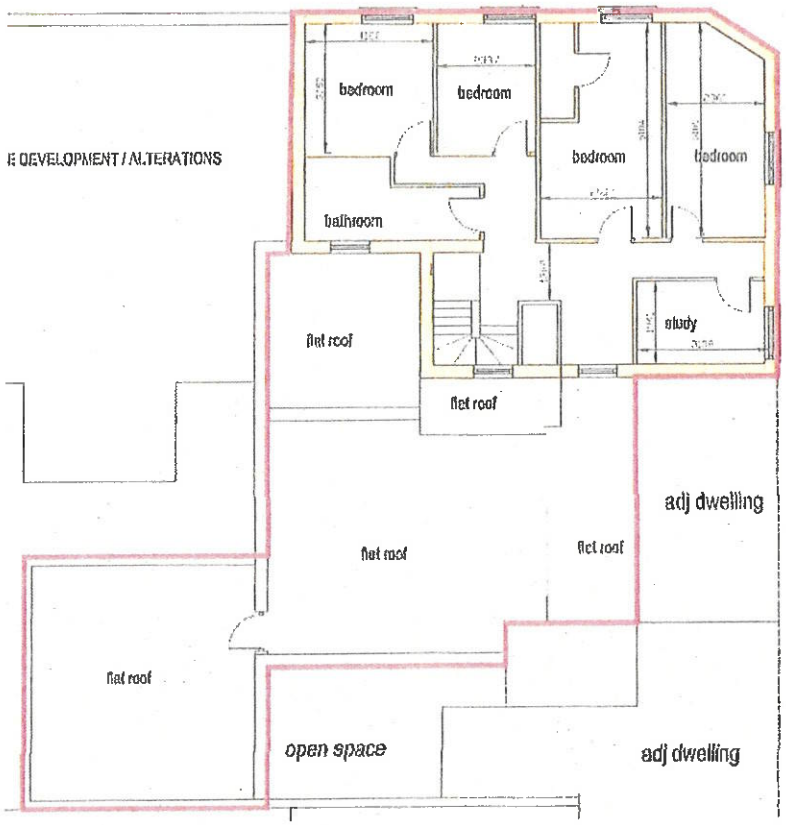
Affidavits of other previous, non-staff residents have been prepared but have not been sworn due to Covid restrictions on persons living in London and New York, with one person falling ill with the virus. Further sworn testimony may be made available.

Internal Alterations

As noted in the enclosed Affidavits, the first and second floors of the Lamplighter premises were previously configured to provide accommodation for up to 11 no. persons. The first floor consisted of a large bedroom, which could accommodate up to 3 people, with a communal kitchen and a sitting room. The second floor consisted of 4 no bedrooms, which could accommodate up to 2 people in each, a shower room and separate toilet.



Layout of First Floor Prior to Internal Alterations



Layout of Second Floor Prior to Internal Alterations

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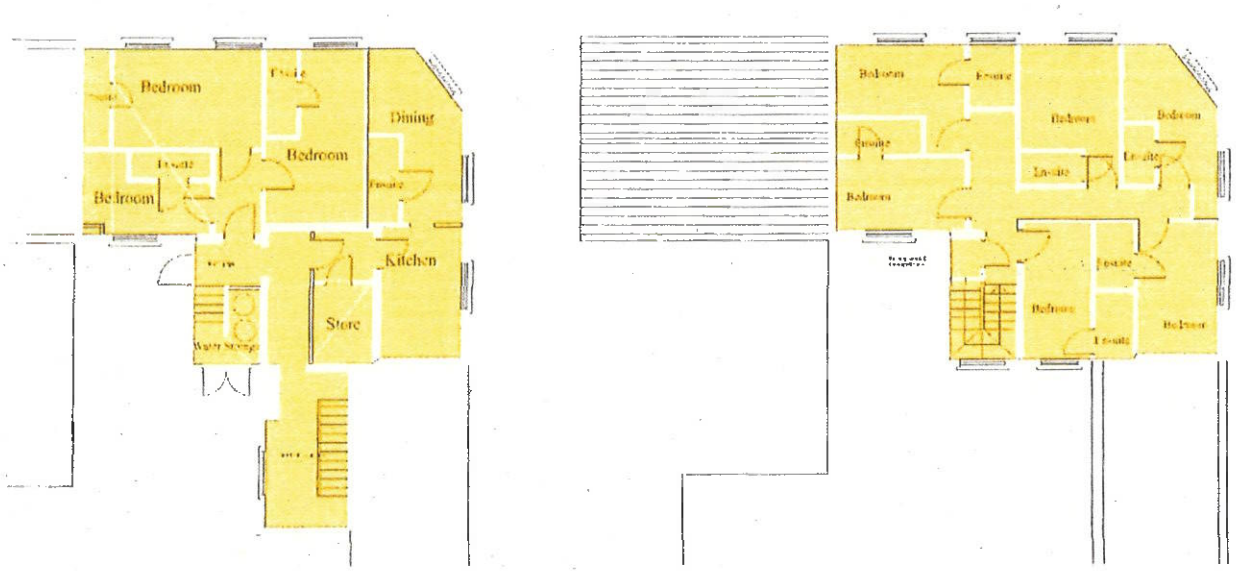
rooms in recent years. The accommodation at first and second floor has been reconfigured to provide a total of 9 no. ensuite bedrooms. The first floor consists of 3 no. ensuite bedrooms, a dining room, kitchen and storage area. The second floor consists of 6 no. ensuite bedrooms. Please refer to the floor plans prepared by James M. Briscoe Architect enclosed, for further details.

The internal alterations were carried out as exempted development in accordance with Section 4(1)(h) of the Planning and Development Act, 2000



Existing First and Second Floor Plan of the Lamplighter Public House

Source: James M. Briscoe Architect

Conclusion and Request for Declaration

In making this request for declaration we are aware that the decision process is not open to submissions from the public.

The accommodation on the upper floors of the Lamplighter public house has been used for short term lettings ancillary to the primary use of the planning unit as a public house and is therefore a long established use.

It is requested Dublin City Council declare that the continued use of the first and second floors above the Lamplighter public house, which is established for short-term letting, is exempted development.

Should you have any queries please do not hesitate to contact the undersigned.

Yours sincerely,

Simon Clear.

Encls.

Affidavits;

Photos;

Extract from ABP Inspector's Assessment;

Site Location Map and Floor Plans.

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