



An
Bord
Pleanála

Board Direction
BD-002398-19
ABP-302958-18

The submissions on this file and the Inspector's report were considered at a Board meeting held on 20/02/2019.

The Board decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

Reasons and Considerations

1. No 96 Moyne Road is included on the record of protected structures and is located in an area subject to the zoning objective Z2, *'to protect and/or improve the amenities of residential Conservation Areas'* according to the Dublin City Development Plan, 2016-2022. The proposal for a three-storey side and rear extension, by reason of scale, mass, height and roof profile, is not considered to be sufficiently subservient to the original protected structure on site and would result in an unacceptable impact on the setting and character of the protected structure. In addition, the design and form of the proposed development, incorporating the subdivision of the original house to provide a bedroom for a separate residential unit at ground floor of the proposed extension, would seriously injure the integrity of the protected structure. The proposed development would, therefore, be contrary to policy CHC2 (protect the special interest of the protected structure and not cause harm to its curtilage) and policy CHC4 (to protect the special interest and character of conservation areas) of the Dublin City Development Plan 2016-2022 and would seriously injure the visual and residential amenities of the area and be contrary to the proper planning and sustainable development of the area.

Note: The Board noted that the physical positioning of the proposed extension into the original rear garden, the disposition of the associated private and communal open space elements associated with each of the three proposed residential units on site, (including the need to avoid overlooking of same) along with the proposed development of a garden room/home gym of some 44 square metres, may lead to an adverse impact on the residential amenity of prospective residents. However, having regard to the substantive reason for refusal and on the basis that this matter constituted a new issue, the Board decided not to pursue the matter further.

Board Member

Date: 20/02/2019

Chris McGarry