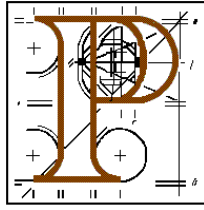


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Dublin City

Planning Register Reference Number: 2004/16

An Bord Pleanála Reference Number: PL 29S.246364

APPEAL by Hermitage Taverns Limited care of Sheridan Woods Architects and Urban Planners of 10 Adelaide Road, Dublin against the decision made on the 26th day of February, 2016 by Dublin City Council to refuse permission.

PROPOSED DEVELOPMENT: Development consisting of: (a) the complete restoration and reconfiguration of the existing licensed premises inclusive of internal revisions, external courtyard, stores and roof lights, (b) the demolition all of the existing single and two storey buildings, sheds and returns to the rear of the property, (c) the reconfiguration of the existing two number first floor apartments to the front of the site, (d) the change of use of the existing office space at second floor to the front of the site to provide for two number one bedroom apartments along with the provision of a new access staircase, (e) the revision of the existing roof to provide for an additional two bedroom loft apartment at third floor, along with associated dormer windows and terrace to the rear of the property, (f) the construction of a new two-three-four storey building to the rear of the site comprising one number two-bedroom duplex apartments and one number two-bedroom duplex along with all associated terrace, rooflights and site works, to provide a total development of seven number apartments and (g) the provision of a mechanical car parking installation to provide parking for three cars, associated refuse and bicycle storage areas and a new vehicular access onto Lower Mountpleasant Avenue, along with associated fenestration revisions to the front of the property, all at 27-28 Lower Mountpleasant Avenue, Rathmines, Dublin.

DECISION

REFUSE permission for the above proposed development based on the reasons and considerations set out below.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

While considered acceptable in principle the proposed development, involving works proximate to and within an Edwardian public house, designated a landmark building in the Rathmines Draft Local Area Plan, constitutes an overdevelopment of this confined site, would result in accommodation of poor design and layout, would, having regard to its design, height and scale, detract from the character of the landmark structure, would seriously injure the amenities and character of the area and would be contrary to Section 17.10.5 relative to the sensitive retention and re-use of older buildings of the Dublin City Development Plan 2011-2017 and Section 5.9 relative to infill development and impact on the character of the area in the Sustainable Residential Development in Urban Areas Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in May, 2009. The proposed development, would, therefore, be contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2016.