

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

**Dublin City**

**Planning Register Reference Number: 2850/16**

An Bord Pleanála Reference Number: PL 29S.247014

**APPEAL** by Peter Keenahan of 3 High Road, Kilmainham Lane, Dublin against the decision made on the 5<sup>th</sup> day of July, 2016 by Dublin City Council to refuse permission.

**PROPOSED DEVELOPMENT:** Construction of three-bedroom house including areas of balcony and roof terrace and is mainly three-storey but with a four-storey stairwell giving access to the roof terrace, all on site to the side of 5 Church Avenue, Sandymount, 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**

Having regard to the contemporary design approach of the development, to the zoning objective Z2 (residential conservation area) for the site and to the location of the site within a conservation area as set out in the current Dublin City Development Plan and in close proximity to a protected structure, it is considered that the design, scale and siting of the proposed dwelling would constitute a visually dominant and incongruous form of development that would adversely affect the character and setting of the conservation area in which it is located and the adjoining protected structure. The proposed development would, therefore, be contrary to Policy CHC4, as set out in the Development Plan, which seeks to protect the character and appearance of conservation areas, would be contrary to the provisions of the Development Plan relating to corner/side gardens (16.10.9) and infill housing (16.10.10) as it does not adequately have regard to the existing character of the street and design of adjoining properties, would seriously injure the visual amenities of the area and of properties in the vicinity and would, therefore, be contrary to the proper planning and sustainable development of the area.

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

**Dated this            day of            2016.**