

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

**Dún Laoghaire-Rathdown County**

**Planning Register Reference Number: D16A/0398**

An Bord Pleanála Reference Number: PL 06D.247108

**APPEAL** by Breege Muldowney care of Paul C. O'Toole Architects of 18 Whitehall Road, Terenure, Dublin against the decision made on the 25<sup>th</sup> day of July, 2016 by Dún Laoghaire-Rathdown County to refuse permission.

**PROPOSED DEVELOPMENT:** Amendment to previously permitted development planning register reference number: D09A/0891. The proposal consists of the demolition of two rear returns and construction of a four-storey over basement extension to the rear to include stairs core and lift, sanitary accommodation, revisions to the permitted two-storey extension to the rear to include a new basement floor and an additional floor to provide three-storey over basement element, form a new side passage for access to the garden at basement level, renovation, refurbishment and re-arrangement of the existing 18 bedrooms to allow another floor with nine bedrooms within the permitted building providing a total of 44 beds in 42 bedrooms in total when complete,. elevational changes including relocation of the existing entrance door and raising the permitted roof/parapet level and ancillary site works at Aclare House Nursing Home, 4/5 Tivoili Terrace South, Dún Laoghaire, County 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**

1. It is the policy of the planning authority, as set out in the Dún Laoghaire-Rathdown County Development Plan 2016-2022, to retain and encourage the rehabilitation and suitable reuse of existing older buildings which make a positive contribution to the character and appearance of a streetscape. Numbers 4 and 5 Tivoli Terrace South are distinct Victorian structures of architectural and historic merit which make a positive contribution to the historic built environment of the residential area in which they are located, add positively to the streetscape and, as a consequence, have a role in the sustainable development of the area. Having regard to the contribution the established structures make to the built heritage of the area and to the remaining integral design features of these structures, it is considered that the proposed alterations to the building, including increased building height, removal of doorways and fenestration, and provision of a mansard-type roof, would constitute a significant intrusion into the character of the structure and would conflict with the provisions of the Dún Laoghaire-Rathdown Development Plan relating to the rehabilitation of vernacular heritage and older buildings. The proposed development would, therefore, seriously injure the visual amenity of the area and of property in the vicinity and would not be in accordance with the proper planning and sustainable development of the area.

2. It is considered that the proposed development would constitute overdevelopment of a restricted site, would be substandard in terms of residential amenity and private open space and would, therefore, be contrary to the proper planning and sustainable development of the area.
  
3. It is considered that the proposed development, by reason of its siting, scale, bulk, height and proximity to adjoining established residential properties, would seriously injure the amenity of nearby residential property by virtue of overbearing impact on neighbouring residential properties to the rear. The proposed development 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.**