

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

Dublin City

Planning Register Reference Number: 3482/16

An Bord Pleanála Reference Number: PL 29S.247414

APPEAL by David and Reita Powell care of Diarmuid Ó Gráda of 16 Louvain, Roebuck Road, Dublin and by Richview Residents Association care of Marion Masterson, Secretary, of 21 Temple Gardens, Dublin against the decision made on the 29th day of September, 2016 by Dublin City Council to grant subject to conditions a permission to Mike Maloney care of Gilligan Architects of 20 Anglesea Road, Ballsbridge, Dublin.

PROPOSED DEVELOPMENT: On front/west elevation: essential remedial works to be carried out to existing windows/doors. On side/north elevation: essential remedial works to be carried out to existing windows/doors. On rear/east elevation: demolition of existing single and two-storey structures. Removal of one number existing sliding sash window. Construction of new single storey extension (maximum height from ground level = 4,650 millimetres approximately). Alterations to existing steps. Essential remedial works to be carried out to existing windows/doors. Internal works: internal demolitions and material alterations/remodelling works. Site works: existing site entrance gates along west boundary to be fitted with automation control devices and all associated works at 42F Palmerston Road (a protected structure), 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

It is considered, on the basis of the documentation submitted with the application and appeal, that the proposed development, which involves the demolition of part of a Protected Structure, that is, the rear return, has not been adequately justified in conservation terms, and that it has not been established, to the satisfaction of the Board, that exceptional circumstances exist to permit such demolition, having regard to the provisions of Section 57 (10)(b) of the Planning and Development Act 2000, as amended. Furthermore, by reason of its bulk, height and design, and by reason of its location relative to adjoining property, in particular number 42G Palmerston Road, it is considered that the proposed extension would materially affect the character of the protected structure, and would seriously injure the residential amenities of adjoining property. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board was not satisfied that the applicant had adequately shown that the proposed development would not interfere with the character of the protected structure, nor that the demolition of the original rear return of the subject house had been justified. Furthermore, the Board did not consider that the modifications to the proposed development, recommended by the Inspector, would have been sufficient to ameliorate the impacts of the proposed development on the amenities of adjoining property, and on the protected structure itself.

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

Dated this day of 2017.