



Planning and Development Acts 2000 to 2018

Planning Authority: Dublin City Council

Planning Register Reference Number: 3703/17

APPEAL by Tim and Margaret Murphy care of O'Dea and Moore Architects of 9 Castlewood Park, Rathmines, Dublin against the decision made on the 5th day of January, 2018 by Dublin City Council to refuse permission.

Proposed Development Refurbishment works to overall four-storey building previously in multiple bedsit/apartment units and conversion into one number single residential dwelling unit over all four floors including replacement of non-original extension on rear return with new two-storey over basement element. Minor internal and external modifications including ensuite bathrooms and enlarged projecting bathroom at second floor level rear return and all associated site development works at 42 Waterloo Road, (a protected structure), Ballsbridge, Dublin.

Decision

REFUSE permission for the above proposed development in accordance with 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 Section 6.4 of the Architectural Heritage Protection Guidelines for Planning Authorities issued by the Department of Arts, Heritage and the Gaeltacht in October, 2011 and to Sections 11.1.5.3 and 16.10.12 of the Dublin City Development Plan 2016-2022, the Board considered that the proposed development, which includes both works to and extension of a protected structure, does not provide a sufficient level of information as to the scope of works proposed and, therefore, does not comply with best practice conservation principles and would result in potential loss of character. It is further considered that the proposed extension would not be in accordance with the said Development Plan policies by reason of its poor design response and finishes and would adversely affect the character and setting of the protected structure. The proposed development would also seriously injure the amenities of the occupants of adjacent buildings by reason of loss of residential amenity and negative visual impact when viewed from these properties and 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 concurred with the conclusion of the planning authority and noted the concerns of the Inspector with regard to the lack of detail with regard to the scope of the proposed works.

Paul Hyde

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

Dated this day of 2018.