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**Planning and Development Acts 2000 to 2018**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 4378/17**

**APPEAL** by IDV Molesworth Limited care of CDP Architecture of 4 The Mall, Main Street, Lucan Village, County Dublin against the decision made on the 30<sup>th</sup> day of January, 2018 by Dublin City Council to refuse permission.

**Proposed Development** Construction of a three-storey over basement lightweight structure to the rear of 20 Molesworth Street, Dublin. Demolition of some existing partitions and walls within the existing building and the removal of the existing two-storey 19th century annex building to the rear in its entirety. Construction of a new structure to the rear at basement, ground, first and second floor level for office use at each floor to be integrated with the remainder of the main building currently in office use. All with associated site works and development works at 20 Molesworth Street, Dublin (Protected Structure).

**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 the provisions of the Dublin City Development Plan 2016-2022, the proposed development, incorporating demolition of the later 19<sup>th</sup> century rear annex structure and replacement with a new three-storey over basement extension extending almost full width including an additional floor to previously approved; would not be subservient to this protected structure, adversely affecting its architectural and cultural significance and overall amenity and setting. The development, due to its scale and form and further internal alteration would constitute overdevelopment of this sensitive site, would be contrary to Policy CHC2 and Section 11.1.5.3 of the Dublin City Development Plan 2016-2022 which seeks to ensure that the special interest of protected structures is protected. The proposed development would, therefore, be contrary to development plan provisions, to the Architectural Heritage Protection Guidelines for Planning Authorities issued by the Department of Arts, Heritage and the Gaeltacht in October, 2011 and to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board agreed with the planning authority and considered that the 19th century rear annex structure forms an important part of the narrative of number 20 Molesworth Street and was an important element in the cumulative historic interest of the building. The Board considered in this context that the comprehensive demolition of the structure was not acceptable. The Board, therefore, concurred with the planning authority's reason for refusal and considered that the proposed development would be contrary to development plan provisions, and would, therefore, be contrary to the proper planning and sustainable development of the area.

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

**Dated this            day of            2018.**