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**Planning and Development Acts 2000 to 2018**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 2526/18**

**APPEAL** by Roz Morrissey care of Brazil Associates Architects of The Studio, Maple Avenue, Stillorgan, County Dublin against the decision made on the 9<sup>th</sup> day of May, 2018 by Dublin City Council to refuse permission to the said Roz Morrissey.

**Proposed Development** Widening of existing inward opening gates by 650 millimetres, revised front railings and landscaping and all associated site works at 37 Mespil Road, Dublin (a 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**

Number 37 Mespil Road is a Protected Structure that forms part of a terrace of Protected Structures within an area zoned 'Z8', as set out in the Dublin City Development Plan, 2016-2022. This land use zoning seeks to protect the existing architectural and civic design character as well as to only allow development that is consistent with the zoning objective. Development in such locations has to also demonstrate compliance with Section 16.10.18 and Policies CHC2, CHC4 and CHC8 of the Development Plan which seek to protect the intrinsic character and special attributes of Protected Structures and Conservation Areas. These policies are considered reasonable. The proposed development, if permitted, would visually detract from, and diminish the integrity of, Number 37 Mespil Road, a Protected Structure, the terrace of protected structures and the wider 'Z8' zoned setting, and would also adversely add to the incremental and cumulative diminishment of integrity that has occurred to the streetscape scene in which Number 37 Mespil Road forms part of. The proposed development, would, therefore seriously injure the visual amenities of the area and would be contrary to the proper planning and sustainable development of the area.

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**Michelle Fagan**

**Member of An Bord Pleanála**

**duly authorised to authenticate  
the seal of the Board.**

**Dated this            day of            2018.**