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**Planning and Development Acts 2000 to 2018**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 4327/17**

**Appeal** by Mike Horgan care of Stephen Dowds Associates of 5 Mary Street, Galway against the decision made on the 26<sup>th</sup> day of June, 2018 by Dublin City Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** PROTECTED STRUCTURE: (and located in an Architectural Conservation Area). The application consists of the alteration of No. 41 Belvedere Place, currently comprising of 10 number bedsit units, to now provide 4 number apartments as follows: - 1 number one bedroom apartment at basement level, with its own door entrance to the basement front area on Belvedere Place; a new metal external staircase is proposed, together with alterations to the existing railings to provide a new entrance gate at street level, 1 number one bedroom apartment at ground floor level, 1 number one bedroom apartment at first floor level, 1 number three bedroom apartment at second and third floor level, all with access through the existing ground floor entrance to Belvedere Place. Works also proposed are: - alteration of the existing return building, including wall repairs and replacement roof, to be used as storage, access to rear and ancillary use, repairs and repointing to front elevation, repairs to rear elevation, restoration of existing windows, restoration of existing roof, including replacement of roof coverings, removal of existing thrust-out WC to rear of building at first floor

half landing level, reinstate window and repair elevation accordingly; provision of landscaped garden to rear of building; permission is also sought for a one bedroom mews house to the rear, predominantly two-storeys but with a three-storey internal staircase to provide access to a roof terrace. The mews house will abut the existing return building and will be accessed via the rear laneway. Separate independent store for bicycles and bins, to serve the entire development, will be provided within the mews structure, with access from the rear garden and also to the rear lane, all at 41 Belvedere Place, Dublin.

## **Decision**

**Having regard to the nature of the conditions the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to REMOVE condition number 2(a) and the reason therefor and to AMEND condition number 2(c) so that it shall be as follows.**

2.(c) detailed drawing showing appropriate landscaping to rear yard.

## **Reasons and Considerations**

Having regard to the zoning objectives for the area and the pattern of development in the area, it is considered that the proposed mews would not adversely impact the character or setting of the Protected Structure or the Architectural Conservation Area and would not seriously injure the amenities of the area or of property in the vicinity, would not set a negative precedent for similar developments, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

## **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.

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**Paul Hyde**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board.**

**Dated this            day of            2018.**