



Planning and Development Acts 2000 to 2018

Planning Authority: Dublin City Council

Planning Register Reference Number: 3778/18

APPEAL by Peshawar Limited care of Scullion Architects of 10 Herbert Street, Dublin against the decision made on the 17th day of October, 2018 by Dublin City Council to refuse permission.

Proposed Development: Change of use from three number bedsits to a single residential unit, internal alterations and modifications to existing side elevation, demolition of existing single storey side extension apartment and construction of new three storey side and rear extension comprising a one bedroom duplex apartment over first and second floor with private roof terrace at first floor, and ground floor one bed apartment with private terrace, construction of new single storey garden room home gym with new roof lights, associated landscaping and drainage works, all at 96 Moyne Road (Protected Structure), 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

Number 96 Moyne Road is included on the Record of Protected Structures and is located in an area subject to the zoning objective Z2, 'to protect and/or improve the amenities of Residential Conservation Areas' according to the Dublin City Development Plan, 2016-2022. The proposal for a three-storey side and rear extension, by reason of scale, mass, height and roof profile, is not considered to be sufficiently subservient to the original protected structure on site and would result in an unacceptable impact on the setting and character of the protected structure. In addition, the design and form of the proposed development, incorporating the subdivision of the original house to provide a bedroom for a separate residential unit at ground floor of the proposed extension, would seriously injure the integrity of the protected structure.

The proposed development would, therefore, be contrary to policy CHC2 (to protect the special interest of the protected structure and not cause harm to its

curtilage) and policy CHC4 (to protect the special interest and character of conservation areas) of the development plan, would seriously injure the visual and residential amenities of the area and would be contrary to the proper planning and sustainable development of the area.

Chris McGarry

Member of An Bord Pleanála

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

Dated this day of 2019.