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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 2071/19**

**APPEAL** by Matt and Ellen McHugh care of CPA Architects of 18 Dartmouth Square, Ranelagh, Dublin against the decision made on the 12<sup>th</sup> day of March, 2019 by Dublin City Council to refuse permission.

**Proposed Development:** Retention of a car protection canopy for vintage cars constructed on the site, this canopy was constructed after permitted works completed on site in 2016 under planning register reference number 4351/15 at 71 Rathgar Road, Rathgar, 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 the Z2 Zoning Objective 'to protect, and/or improve the amenities of residential conservation areas', to Policy CHC2 of the Dublin City Development Plan 2016 - 2022 which seeks to ensure that the special interest of protected structures is protected, and to the established pattern, scale and architectural character of the area, it is considered that the canopy structure proposed to be retained fails to integrate satisfactorily with the existing Protected Structure, would constitute substandard development within the curtilage of a Protected Structure, and would result in a loss of visual amenity. Furthermore, the development proposed to be retained would be obtrusive and overbearing in impact and would set an undesirable precedent for similar development in the area. The development proposed to be retained would, therefore, contravene Policy CHC2 of the Development Plan and would be contrary to the proper planning and development of the area.

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**Maria FitzGerald**

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

**Dated this            day of            2019.**