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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 3353/19**

**Appeal** by Kostas Efthymiou care of MESH Architects of 69 Middle Abbey Street, Dublin against the decision made on the 26<sup>th</sup> day of September, 2019 by Dublin City Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** The development will consist of the following works at number 54 Heytesbury Street; replacement of the front facade, internal walls and ground floor, the enclosure of the existing external yard at basement and ground floor levels, the reduction of the basement floor level, a new external access route and door to the existing basement store, a change of use to the ground floor from storage to commercial use as a surgery and the incorporation of an external amenity space at roof level serving the existing house. Development works at number 55 Heytesbury Street will consist of internal amendments to the previously granted permission register reference number 2006/19 at ground floor level and the addition of a new bedroom extension at first floor level which will serve the main house. All associated above and below ground site works are to be included as part of the proposed development works at numbers 54 and 55 Heytesbury Street, Dublin (Number 55 Heytesbury is a protected structure).

## **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 ATTACH condition number 2 and the reason therefor.**

## **Reasons and Considerations**

The proposed insertion of the zinc clad first floor extension over the single storey structure and private amenity space at number 54 Heytesbury Street, abutting number 55 Heytesbury Street, a protected structure within an area subject to the zoning objective Z2 (residential conservation areas) according to the Dublin City Development Plan, 2016-2022, would, by reason of the form, mass and design and selection of materials and finishes, be visually conspicuous, obtrusive and incompatible with and adversely affect the integrity and character and setting of existing buildings included on the record of protected structures and the established historic architectural character of the streetscape along Heytesbury Street within the residential conservation area. The proposed first floor extension and private amenity space would, therefore, be contrary to 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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**Terry Ó Niadh**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board**

**Dated this            day of            2020**