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## Planning and Development Acts 2000 to 2020

**Planning Authority:** Dublin City Council

**Planning Register Reference Number:** WEB1090/21

**APPEAL** by Anthony Sheehy of 42 South Circular Road, Kilmainham, Dublin against the decision made on the 29<sup>th</sup> day of March, 2021 by Dublin City Council to refuse permission to Anthony Sheehy and Sile Lane.

**Proposed Development:** The construction of external access steps at the rear of 742 South Circular Road' from ground level to first storey roof and installation of an external metal spiral staircase located at the side of the properties to facilitate access from the first storey roof to the second storey roof, all at 742, South Circular Road, Kilmainham, 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**

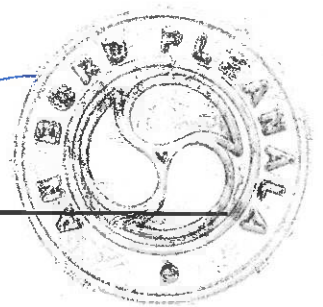
Having regard to the nature and scale of the proposed development and the location of the site within an area zoned Z2 - Residential Neighbourhoods (Conservation Areas in the Dublin City Development Plan 2016 – 2022, for which the objective is "To protect and/or improve the amenities of residential conservation areas", it is considered that the proposed development would detract from the special interest and character of the residential conservation area and would set an undesirable precedent for similar development in the vicinity. The spiral stairs structure, by reason of its location, would also be visually obtrusive and would seriously injure the residential amenities of adjoining properties, including adjoining property number 744 where it would be visible from and result in overlooking onto the rear private amenity space and first floor windows when in use. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



**Paul Hyde**

**Member of An Bord Pleanála**

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



Dated this 28<sup>th</sup> day of June 2021.