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**Planning and Development Acts 2000 to 2021**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 2762/21**

**APPEAL** by Clonvara Developments Limited care of David Mulcahy Planning Consultants Limited of 67 Old Mill Race, Athgarvan, Newbridge, County Kildare against the decision made on the 5<sup>th</sup> day of July, 2021 by Dublin City Council to refuse permission.

**Proposed Development:** Alterations to the previously granted development (Dublin City Council Planning Reference: 2246/20). The proposed alterations will consist of the construction of an additional storey set back from the front and side elevations, consisting of an additional two-bedroom apartment at third floor level, with private balconies. There will be an increase in units from six to seven apartments. Minor internal and external alterations are also proposed which includes changes to comply with Fire Safety and Disability Access requirements (bike and bin stores). The development will include all associated drainage, ancillary site works, bin store and services at 47-48 Chelmsford Road, Ranelagh, 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 height, scale and massing of the proposed building, together with the prominent position of the proposed bin store at street level onto Chelmsford Road, it is considered that the proposed development would appear overly dominant in relation to adjoining buildings, would detract from the setting of the adjoining protected structure at Number 46 Chelmsford Road, and would seriously injure the visual amenities of the area in the context of the narrow Westmoreland Park to the north. The proposed development would, therefore, be incongruent within the streetscape and wider Conservation Area. In addition, and having regard to its prominent position and design as well as its proximity to the windows of apartments, the bin store would seriously injure the residential amenities of the future residents. The proposed development would, therefore, seriously injure the amenities of the local area, contrary to the zoning objective and other policies of the Dublin City Development Plan 2016-2022 and would, therefore, be contrary to the proper planning and sustainable development of the area.



**John Connolly**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board**

Dated this 26<sup>th</sup> day of JANUARY 2022

