

An
Bord
Pleanála

Board Order ABP-315550-23

Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

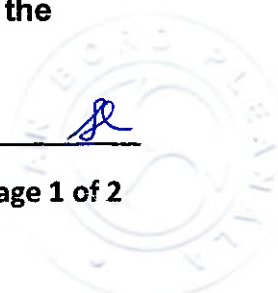
Planning Register Reference Number: 5077/22

Appeal by the Royal Irish Academy of Music care of Manahan Planners of 38 Dawson Street, Dublin against the decision made on the 9th day of December, 2022 by Dublin City Council to refuse permission for the proposed development.

Proposed Development: An amendment to planning register reference number 4085/22, consisting of part removal of non-original roof structure and the addition of fourth floor set-back extension of some 27 square metres with associated roof terrace (11 square metres) to the south; replacement of concrete coping to existing brick gable to the street with granite coping stones, the provision of a new stairs to serve the proposed roof extension and all associated works including fireproofing to facilitate the proposed development at 38 Fenian Street (Protected Structure), Dublin.

Decision

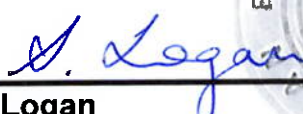
REFUSE permission for the proposed development in accordance with the reasons and considerations set out below.



Reasons and Considerations

The proposed development of a fourth floor involving removal of the existing roof structure and creation of additional floorspace and associated roof terrace would contravene Policy BHA2 and Policy BH11 of the Dublin City Development Plan 2022-2028 and Sections 7.8.1 and 7.8.2 of the Architectural Heritage Protection Guidelines for Planning Authorities (2012). The proposed works would injure the special architectural character of this Protected Structure and would seriously injure the visual amenities of the streetscape and area generally which is zoned as a Georgian Conservation Area in the development plan. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board considered that the establishment of a new fourth level of development through the removal of the existing roof structure would impact adversely on this Protected Structure situated at a location zoned Objective Z8 - Georgian Conservation Areas in the Dublin City Development Plan 2022-2028 where it is the objective 'To protect the existing architectural and civic design character, and to allow only for limited expansion consistent with the conservation objective'.



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

Dated this 8 day of February 2024.