

Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: 5089/22

APPEAL by Caroga Limited care of Hughes Planning and Development Consultants of 85 Merrion Square, Dublin against the decision made on the 13th day of December, 2022 by Dublin City Council to refuse permission for the proposed development.

Proposed Development: Permission for development comprising (i) demolition of the existing two-storey dwellinghouse (157.5 square metres) on the site, and (ii) development of a residential scheme, totalling four number residential houses (comprising four number three bed, three-storey houses). The development will be served by 18 number bicycle parking spaces to be provided at surface level and five number car parking spaces (including one number mobility impaired user parking space). (iii) Associated site and infrastructural works are also proposed, which include: foul and surface water drainage, landscaping, boundary treatments, electric gate at site entrance and all associated site development works necessary to facilitate the development, at Kedleston, 60 Inchicore Road, Kilmainham, Dublin.

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Decision

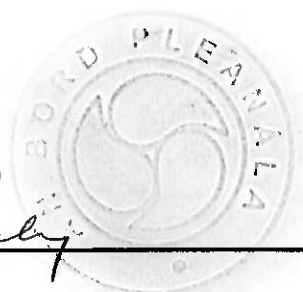
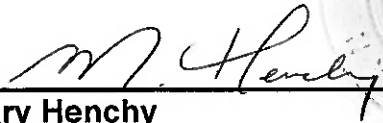
REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

Reasons and Considerations

1. The proposed development, by reason of its proximity to the Protected Structure Kilmainham Congregational Church, and by reason of its design, form, height, siting, and materials, is unsympathetic to the character of the Protected Structure, its historic curtilage and its setting. The development as proposed would seriously injure the amenity, legibility and special architectural character of the Protected Structure and its historic and architectural setting. Furthermore, the proposed development would result in an unacceptable level of overlooking into the northern elevation of this Protected Structure and would appear overbearing. The development as proposed would be contrary to Chapter 11, BHA 2, Development of protected structures and Chapter 15, Section 15.13.4, Backland Housing of the Dublin City Development Plan 2022-2028 and would, therefore, be contrary to the proper planning and sustainable development of the area.

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2. The characterful 20th Century house (Kedleston) makes a positive contribution to the special historic and architectural character of the area. The demolition of this structure would have an adverse impact on the historic and architectural character, setting and context of the area and the Protected Structure and would fail to retain and re-use a building that is of historic interest. The development would, therefore, be contrary to Chapter 11, Policy BHA11, Rehabilitation and Reuse of Existing Older Buildings, and Chapter 15, Section 15.15.2.4, Retention and Reuse of Older Buildings of Significance which are not protected, of the Dublin City Development Plan 2022-2028 and would be contrary to the proper planning and sustainable development of the area.



Mary Henchy

Member of An Bord Pleanála

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

Dated this 16th day of January 2024.