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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 4382/23**

**APPEAL** by JMA Ventures Limited care of Hughes Planning and Development Consultants of 85 Merrion Square South, Dublin against the decision made on the 20<sup>th</sup> day of October, 2023 by Dublin City Council to refuse permission for the proposed development.

**Proposed Development:** The proposed development will consist of the following:- internal alterations at each floor level to reconfigure the existing nine number flats. The proposed works include: (i) removal of non-original partition walls, kitchenettes and bathrooms; (ii) removal of all non-original boxing out and services throughout; (iii) formation of simplified kitchenettes and bathrooms; (iv) installation of new fire-rated internal doors in original style off circulation spaces and installation of modern flush doors within apartments; (v) upgrading fire and acoustic performance of existing suspended timber floors; (vi) provision of a one square metre automatic air opening vent of area to the roof over the existing stairs to comply with fire regulations; (vii) replacement throughout of non-original windows with timber sash incorporating trickle vents; (viii) replacement of the non-original front door with an historically appropriate panelled hardwood door with bronze finish ironmongery; (ix) demolition of the solid masonry balustrade to the front

entrance steps and replacement of same with cast iron handrail to match the adjoining original; (x) removal of non-original facades vents and making good of walls; (xi) replacement of non-original lower ground floor external doors with new hardwood picture framed doors; (xii) repair of the broken stone string course on the rear façade; (xiii) making good to damaged window ope to rear return façade at first floor; (xiv) provision of a flat roofed single storey extension to the rear return providing a kitchenette and utility rooms; (xv) relocation of existing stone steps to rear garden; (xvi) removal of concrete paving to front yard and replacement of same with a lawn; removal of broken clay paving to rear yard and replacement of same with stone paving; (xvii) installation of upgraded services including electrics, plumbing, fire and burglar alarms, intercoms, CCTV and data/phone points; (xviii) repair and restoration of original features including window surrounds, painted timber shutter boxes, skirting and plasterwork; (xix) drainage and all associated site development and ancillary works necessary to facilitate the development; all at 101 North Circular Road (a protected structure: Ref. 1617), Dublin.

## **Decision**

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

## **Reasons and Considerations**

Having regard to the proposed development of nine residential units involving extensive building works resulting in the significant loss of the historic fabric of the building, it is considered that the proposed development would seriously injure the special architectural character of this Protected Structure and would contravene sections (e), (f) and (g) of Policy BHA2 of the Dublin City Development Plan 2022-2028. The proposed development would be contrary to the zoning objective Z2 – “To protect and/or improve the amenities of

residential conservation areas” for this site as set out in the Dublin City Development Plan 2022-28 and 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 significant alterations, extension and re-configuration of the building and the provision of new internal services including for kitchens and bathrooms would adversely affect this Protected Structure situated at a location zoned Objective Z2 in the Dublin City Development Plan 2022-28. The Board did not concur with the Inspector's conclusion that the proposed development would be consistent with the residential conservation zoning objective for this site and its Protected Structure status.

  
Stewart Logan

Member of An Bord Pleanála

duly authorised to authenticate  
the seal of the Board.

Dated this 10<sup>th</sup> day of July 2024.