

Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: 3877/23

APPEAL by Martin Kirk of 165 Richmond Road, Dublin against the decision made on the 4th day of March, 2024 by Dublin City Council to grant subject to conditions a permission to GAEL Property Investments Limited care of Bury Architects of 2 Bury Street, Ballina, County Mayo for the proposed development.

Proposed Development: Works to a Protected Structure (7357) consisting of (1) internal and external renovation of existing dwelling house, consisting of a two-storey terraced building, having a maximum ridge height of 7.63 metres above existing ground level, (2) removal of the plaster to front elevation and repointing of the original brickwork, (3) the demolition of the existing mono-pitch and flat roof rear extensions, (later additions to the original structure), (4) construction of a new rear two-storey flat roof extension and (5) ancillary site works at 163 Richmond Road, Drumcondra, Dublin.

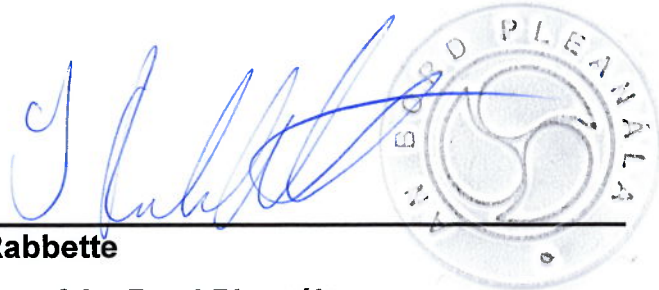
Decision

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

Reasons and Considerations

The proposed development for which planning permission is sought differs materially from the existing characteristics of the appeal site and the statutory notices, specifically, the existing dwelling on the application site, which it was proposed to extend, has been demolished, such demolition did not form part of the development description in the statutory notices. Furthermore, the demolished dwelling is a protected structure (Record of Protected Structures reference 7357 Dublin City Development Plan 2022-2028), the Board is prohibited from granting permission for the demolition of a protected structure save in exceptional circumstances, as indicated section 57(10)(b) of the Planning and Development Act 2000, as amended. The demolition of a protected structure did not form part of the development description in the statutory notices and there is no evidence in the submitted documentation to demonstrate the required exceptional circumstances for such works.

In this regard, it is considered inappropriate to grant permission in a circumstance where the statutory description of the proposed development is not consistent with the existing status of the subject site. The proposed development would, therefore, be contrary to proper planning and sustainable development of the area.



Tom Rabbette

Member of An Bord Pleanála

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

Dated this 20th day of MARCH 2025.