



Comhairle Cathrach  
Bhaile Átha Cliath  
Dublin City Council

Planning & Property Development Department  
Dublin City Council, Block 4, Floor 3, Civic Offices, Wood Quay, Dublin 8

An Roinn Pleanála & Forbairt Maoin  
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August 7, 2019

The Secretary,  
An Bord Pleanála,  
64 Marlborough Street,  
Dublin 1.

RE: 18 Mountjoy Square, Dublin 1.  
Your Ref: ABP-304954-19  
Reg. Ref: 0275/19

A Chara

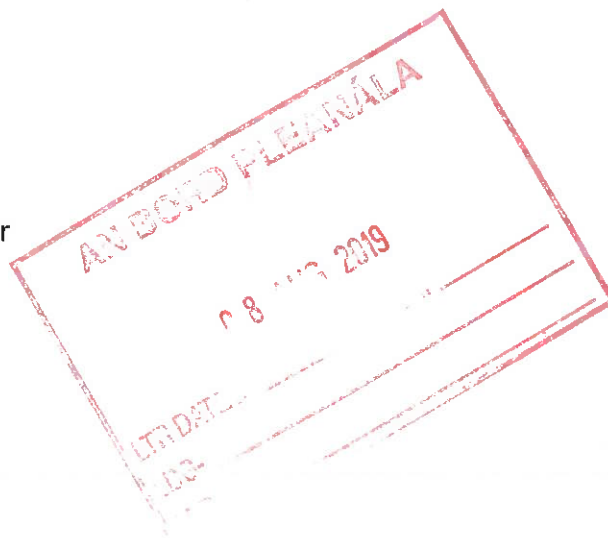
I refer to your letter dated 24<sup>th</sup> July 2019 regarding the above application.

Please find attached our response in relation to the above referral.

Mise le meas

Oliver O'Leary  
Asst. Staff Officer  
for Executive Manager

<b>AN BORD PLEANÁLA</b>	
LDG-	_____
ABP-	_____
08 AUG 2019 <i>L.C.</i>	
Fee: €	_____ Type: _____
Time: <i>15:00</i>	By: <i>Hand</i>







Dublin City Council  
Comhairle Cathrach Bhaile Átha Cliath

**Archaeology, Conservation & Heritage Section**  
Planning & Property Development Department  
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Decisions Section  
Planning & Property Development Department  
Dublin City Council  
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6<sup>th</sup> August 2019

### APPEAL COMMENTS

**EXPP:** 0275/19 (Section 5 Declaration Application)

**BORD PLEANALA REF:** ABP-34954-19

**LOCATION:** 18 Mountjoy Square, Dublin 1.

**PROPOSAL:** EXPP: Protected Structure: Basement: Removal of kitchen from apartment No. 18 and installation of replacement kitchen unit in alternative location. Opening to be created between existing apartments No. 17 & 18. Existing kitchen in apartment No. 17 to be removed.

### CONSERVATION COMMENTS

No. 18 Mountjoy Square East is on the current Record of Protected Structures (Dublin City Development Plan 2016-2022). The reference number is 5429 and the description reads 'House'.

According to the details submitted with the application, the nature and extent of development proposed may be summarised as follows:

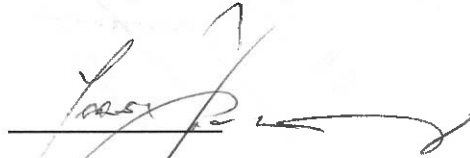
- **Basement:** Removal of kitchen from apartment No.18 and installation of replacement kitchen unit in alternative location. Opening to be created between existing apartments No.17 & 19. Existing kitchen in apartment No.17 to be removed.
- **Ground Floor:** Opening in wall between apartment No.1 & 2 to be created and 1 kitchen and sanitary ware to be removed.
- **First Floor:** Ladders to be removed from existing studios 6, 7 & 8. The amalgamation of studios 6, 7 & 8 to be a 2 bed apartment, including the removal of 2 kitchen units from existing apartments No.6 & 7.

- Third Floor: Alterations to the internal layouts of apartments (No.14 & 15) existing to 1 bed apartment including removal of one kitchen unit and the knocking through of one wall.

It is the opinion of the Planning Authority that the proposed works comprise development. In this regard it is noted that Article 6 and Class 14, Schedule 2, Part 1 of the Planning and Development Regulations 2001 (as amended) provide that development consisting of a change of use "(e) from use as 2 or more dwellings, to use as a single dwelling, of any structure previously used as a single dwelling," is exempted development.

The subject Section 5 Declaration application includes proposed development comprising a reduction in the number of dwellings in the building at 18 Mountjoy Square East, consisting of the amalgamation of studio/apartment dwelling units to provide a reduced number of dwellings; but not consisting of a change of use to a single dwelling unit. In the opinion of the Planning Authority this would be development and would not be exempted development having regard to the provisions of Section 4 of the Planning and Development Act, 2000 (as amended) and Article 6, Schedule 2, Part 1, Class 14(e) and, therefore, requires planning permission.

Furthermore, the nature and extent of alterations proposed would be likely, both individually and in combination, to have a material impact on the remaining historic fabric and architectural character of the protected structure. Accordingly the proposed works would not come within the meaning of Section 4(1)(h) and Section 57 of the Planning and Development Act 2000 (as amended) and would, therefore, require planning permission



Paraic Fallon  
Senior Planner  
Archaeology, Conservation & Heritage Section

02/08/19.

