

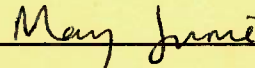
An
Coimisiún
Pleanála

Commission Direction
CD-000687
PL-500816-DS-26

The submissions on this file and the Inspector's report were considered at a meeting held on 09 June 2026.

The Commission decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

Planning Commissioner:



Mary Gurrie

Date: 10/06/2026

DRAFT WORDING FOR ORDER

Reasons and Considerations

Having regard to the Z2 residential conservation zoning objective, the policy framework provided by the Dublin City Development Plan 2022-2028, including for the regulation of works to protected structures and their setting, and the Architectural Heritage Protection Guidelines for Planning Authorities (2011), it

is considered, subject to compliance with the conditions set out below, that the development proposed to be retained and the proposed development would not have an adverse impact on the architectural character, special interest and setting of number 38 Killeen Road, a protected structure (RPS reference number 4249), consistent with Policy BHA2 (development of a protected structure), Policy BHA9 (development in a conservation area), and the requirements of the Architectural Heritage Protection Guidelines for Planning Authorities for the extension of a protected structure. Furthermore, the development would be consistent with Appendix 18 (Ancillary Residential Accommodation), Section 1.2 (Extensions to the Rear) of the Dublin City Development Plan 2022-2028, and would not result in a significant adverse impact on the existing residential and visual amenities of the neighbouring properties at numbers 36 and 40 Killeen Road (Protected Structures) or of properties in the vicinity, and would therefore be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained, carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be retained, carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The developer shall omit the proposed solar panel array from the front roof plane of the house, as indicatively shown on the submitted drawings.

Reason: In order to protect the character and integrity of the Protected Structure.

3. A conservation expert with proven and appropriate expertise shall be employed to design, manage, monitor and implement the works and to ensure adequate protection of the retained and historic fabric during the works. In this regard, all permitted works shall be designed to cause minimum interference to the retained fabric and the curtilage of the Protected Structures and shall be carried out in accordance with best conservation practice and the Architectural Heritage Protection Guidelines for Planning Authorities (2011) and Advice Series issued by the Department of Housing, Local Government and Heritage.

Reason: In order to protect the original fabric, character and integrity of the Protected Structure and to ensure that the proposed works are carried out in accordance with best conservation practice.

4. The site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

5. The disposal of surface water shall comply with the requirements of the planning authority for such works and services.

Reason: To prevent flooding and in the interest of sustainable drainage.

6. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to the commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme

Note: Having regard to the nature and scale of the proposed development, and the fact that the protection of the building relates to the exterior only, the Commission considered that the requirements of the Conservation Section of the planning authority as provided for in the Inspector's recommended Condition 3 were unduly onerous with respect to the development and amended Condition 3 accordingly.