An Coimisiún Pleanála

# Commission Direction CD-001480 PL-501723-DS-26

The submissions on this file and the Inspector's report were considered at a meeting held on 28 October 2026.

The Commission decided to treat this case under section 139 of the Planning and Development Act, 2000. The Commission also decided, based on the Reasons and Considerations set out below, that the planning authority be directed, as follows:

Having regard to the nature of the condition the subject of the appeal, the Commission is satisfied that the determination by the Commission of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to AMEND condition number 2(a) and REMOVE condition 2(b), condition number 2(c) condition number 2(d)(i) and condition 2(d)(iv) and INSERT condition 2(b), 2(c) and RENAME condition 2(d)(ii) and condition 2(d)(iii) so that it shall be as follows for the reason set out below

**Planning Commissioner:**

**Emer Maughan**

**Date:** **3rd day of November 2026**

**DRAFT WORDING FOR ORDER**

2. (a)Prior to the commencement of development on the Protected Structure the applicant shall submit for the written agreement of the planning authority confirmation that:

(i) the development will be monitored by a suitably qualified architect with conservation expertise and accreditation and

(ii) competent site supervision, project management and crafts personnel will be engaged, suitably qualified and experienced in conservation works.

2(b) The opening width in the side (south) elevation to the rear return shall be agreed in writing with the planning authority with reference to the structural method statement required under Condition 2(c)(i) below

2(c)

(i) Prior to the commencement of development on the Protected Structure the applicant shall submit, for the written agreement of the planning authority, a detailed method statement covering all works proposed to be carried out, including a full specification, structural engineering method statement for proposed

removals, excavation, and mitigating measures to ensure the structural stability of the first floor rear return and shared boundary wall, including details of materials and methods, to ensure the development is carried out in accordance with current Conservation Guidelines issued by the Department of Arts, Heritage & the Gaeltacht, methodology for the recording and/or retention of concealed features or fabric exposed during the works, details of features to be temporarily removed/ relocated during construction works and their final re-instatement and materials/ features of architectural interest to be salvaged.

(ii) Prior to the commencement of development on the Protected Structure the applicant shall submit, for the written agreement of the planning authority, a strategy including drawings showing the proposed new drainage layout on the rear elevation, noting that all new / replacement rainwater goods above the valley shall be cast iron

(iii) Prior to the commencement of development on the Protected Structure the applicant shall submit, for the written agreement of the planning authority, detail drawings at a scale of 1:20, demonstrating that the proposed timber structure providing storage cover would be constructed entirely independently of the historic boundary wall

In the event of agreement not being reached between the applicant and the planning authority, the matter may be referred to An Coimisiún Pleanála for determination, and all works shall be carried out in accordance with any determination made resulting from such referral.

**Reason:** In the interest of the protection of architectural heritage in accordance with the provisions of the Architectural Heritage Protection Guidelines for Planning Authorities.

**Reasons and Considerations**

Having regard to the residential conservation zoning objective (Z2), the policies and objectives of the Dublin City Development Plan 2022-2028, in specific the provisions providing for works to protected structures including inter alia BHA2 (a) which requires development proposals to protected structures to have regard to the Architectural Heritage Protection Guidelines (2011), BHA2 (c) which requires that works are carried out in line with best conservation practice as advised by a suitably qualified person with expertise in architectural conservation, and the relevant policies and objectives of the Architectural Heritage Protection Guidelines (2011), including Section 8.3 (Extensions) it is considered that the proposed demolition of an existing extension and its replacement with a new garden room extension (16 square metres) would be acceptable in principle, given the contemporary design of the garden room would be clearly distinguishable from the original structure and the retention of the external corner of the existing return would retain the legibility of the existing rear return, subject to condition. In this regard it is considered that the width of the proposed opening in the side wall of the return should not compromise the structural stability of the upper level or result in the loss of legibility of the original floor plan such that it would be indistinguishable from the new extension.