



An  
Bord  
Pleanála

## Board Order ABP-318593-23

### Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: 3869/23

**Appeal** by Philip O'Reilly of 18 Grosvenor Place, Rathmines, Dublin and by Waterloo Road Ventures Limited care of Hughes Planning and Development Consultants of 85 Merrion Square, Dublin against the decision made on the 27<sup>th</sup> day of November, 2023 by Dublin City Council to grant subject to conditions a permission to the said Waterloo Road Ventures Limited in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Demolition of two-storey extension and external staircase to the rear/north of 1 Waterloo Road, removal of the single storey lean-to shed to the side/north of 1 Waterloo Road and demolition of single storey extension to the side/east of 1A Fleming's Place. Subdivision of 1 Waterloo Road to provide for two number separate residential dwellings 1 and 1A Waterloo Road. Internal reconfiguration (inclusive of the blocking up of existing opes and provision of new partition walls), external refurbishment (inclusive of repairing/upgrading/replicating of original windows, as appropriate, and cleaning/repairing/re-pointing of stonework and brickwork to elevations and the repairing/re-pointing of the chimney stacks and the repairing/repainting of decorative ironwork) and provision of a two-storey extension to the rear of 1 Waterloo Road to provide for a three-storey five-bedroom dwelling with private garden and a first floor level balcony to the rear. Internal reconfiguration (inclusive of the blocking up of existing opes and provision of new partition walls),

external refurbishment (inclusive of repairing/upgrading/replicating of original windows, as appropriate, and cleaning/repairing/re-pointing of stonework and brickwork to elevations and the repairing/re-pointing of the chimney stacks) and provision of a single-storey rear extension and three-storey side extension to 1A Waterloo Road to provide for a three-storey five-bedroom dwelling with private garden to the rear. Internal reconfiguration (inclusive of the provision of new partition walls), external refurbishment (inclusive of repairing/upgrading/replicating of original windows, as appropriate, and cleaning/repairing/re-pointing of stonework and brickwork to elevations and the re-opening of an historic opening in the northern boundary wall) and provision of a single-storey rear extension and two-storey side extension to 1A Flemings Place to provide a two-storey three-bedroom dwelling with private gardens and a first floor level terrace to the rear. Provision of one number on-curtilage vehicular parking space to serve 1A Fleming's Place via existing vehicular entrance off Fleming's Place and creation of new vehicular entrance via Fleming's Place to serve 1 and 1A Waterloo Road and provision of three number parking spaces to the front of 1 and 1A Waterloo Road. All ancillary site works, inclusive of boundary treatments, landscaping and SuDS drainage necessary to facilitate the development. The proposed development will result in the creation of one number new dwelling for a total of three number dwellings on the subject site, all at 1 Waterloo Road (a protected structure) and 1A Fleming's Place, Ballsbridge, Dublin.

## **Decision**

**GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.**



## Reasons and Considerations

Having regard to the provisions of the Dublin City Development Plan 2022-2028, including the Z2 land use zoning objective for the area, Policies BHA2 (Development of Protected Structures), BHA11 (Rehabilitation and Reuse of Existing Older Buildings), and BHA24 (Reuse and Refurbishment of Historic Buildings), and having regard to the form, nature, and design of the proposed development, and to 1 Waterloo Road, which is a protected structure, and the existing pattern of development in the area, including neighbouring protected structures, it is considered that, subject to compliance with the conditions set out below, the proposed development would not unduly impact on the character and heritage of the area, including the protected structure on the site and its setting, and those in the area, and would not seriously injure the character and amenities of the area or of property in the vicinity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## Conditions

1. The proposed development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 31<sup>st</sup> day of October 2023, 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 proposed development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.



2. A maximum of two car parking spaces shall be provided in the front garden of 1 Waterloo Road. Prior to commencement of development, the developer shall submit for the written agreement of the planning authority a revised front garden layout and landscaping plan showing a maximum of two car parking spaces to serve units 1 and 2 accessed via a new vehicular access from Fleming's Place. These two car parking spaces shall be located to the northern end of the front garden. This revised site layout plan shall retain the maximum extent of soft landscaping to the front garden of the protected structure and shall provide for the omission of the proposed detached bicycle storage structure and relocation of proposed bicycle storage to the space under the front steps to 1 Waterloo Road. In addition, this revised landscaping plan shall make clear provision for the retention of the existing mature tree to the north-east corner of the garden.

**Reason:** In order to protect the amenity, setting and curtilage of the protected structure at 1 Waterloo Road and to ensure that the proposed works are carried out in accordance with best conservation practice.

3. The developer shall submit the following architectural conservation details for the written agreement of the planning authority prior to commencement of development:
  - (a) Details of the proposed door to the side wall of the entrance steps to unit 1.
  - (b) Details of the proposed external finishes to the extensions to unit 1 and unit 2.
  - (c) Details of the proposed brick finish to the extension of the former coach house.
  - (d) Confirmation of the extent of works proposed to the historic windows, including any proposed replacement glazing.



- (e) Details of the proposed new slate to the roof.
- (f) Treatment of the boundary between units 1 and 2.

**Reason:** In order to protect the amenity, setting and curtilage of the protected structure at 1 Waterloo Road and to ensure that the proposed works are carried out in accordance with best conservation practice.

- 4. (a) All proposed works 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. Any repair works shall retain the maximum amount of surviving historic fabric in situ. Items to be removed for repair offsite shall be recorded prior to removal, catalogued and numbered to allow for authentic reinstatement.
- (b) 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 structure.
- (c) All repair of original fabric shall be scheduled and carried out by appropriately experienced conservators of historic fabric.



- (d) The planning authority shall be notified in writing of the erection of scaffolding to the façades of the buildings on site, prior to the commencement of any re-pointing of the original brickwork, to allow the planning authority's Conservation Officer an opportunity to inspect the condition of the brickwork. No repointing, or other external works to the protected structure, shall be commenced until a proposed strategy for repair, including details of joining profile and mix, have been submitted to, and agreed in writing with, the planning authority.

**Reason:** In order to protect the amenity, setting and curtilage of the protected structure at 1 Waterloo Road and to ensure that the proposed works are carried out in accordance with best conservation practice.

5. The developer shall comply with the following requirements:

- (a) The flat roof over the living room in unit 1, and over the living room in unit 3, shall not be used as an amenity terrace or balcony.
- (b) The proposed bathroom and w.c. windows for units 1, 2 and 3 shall be fitted with opaque glazing and permanently maintained as such.

**Reason:** To protect the residential amenities of the proposed dwelling and those of existing residential properties in the vicinity.

6. (a) Public lighting works, including any relocation or removal of existing public lighting columns adjacent to the site, shall be carried out in accordance with a scheme which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development and all such works shall be at the developer's expense.
- (b) All entrance gates onto Waterloo Road and Fleming's Place shall not be outward opening.

**Reason:** In the interest of traffic and pedestrian safety and the proper planning and sustainable development of the area.

7. The disposal and attenuation of surface water shall comply with the requirements of the planning authority for such works and services. Prior to commencement of development, the developer shall submit details for the disposal of surface water within the site for the written agreement of the planning authority.

**Reason:** In the interest of public health.

8. Prior to commencement of development, the developer shall enter into connection agreement(s) with Uisce Éireann to provide for a service connection(s) to the public water supply and/or wastewater collection network.

**Reason:** In the interest of public health and to ensure adequate water/wastewater facilities.

9. Prior to commencement of development, the developer shall submit to, and agree in writing with the planning authority, a Construction Management Plan which shall be adhered to during construction. This plan shall provide details of intended construction practice for the proposed development, including hours of working, noise and dust management measures, and off-site disposal of construction/demolition waste.

**Reason:** In the interest of public safety and amenity.





10. 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 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 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 Bord 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 made under Section 48 of the Act be applied to the permission.



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Liam McGree

Member of An Bord Pleanála

duly authorised to authenticate  
the seal of the Board.

Dated this 20 day of NOVEMBER 2024.