



Planning and Development Acts 2000 to 2024

Planning Authority: Dublin City Council

Planning Register Reference Number: WEB1834/25

Appeal by Margaret Courtney against the decision made on the 2nd day of September, 2025 by Dublin City Council in relation to the application for development comprising of retention of the development which will consist of internal alterations, comprising of: replacement of all MEP services to each unit using existing routes, replacement of existing/previous modern partition walls with new partitions, in the same locations, where damp and signs of rot was present, relocation of kitchenette in two of the existing units, introduce breathable insulation lime-based finish to internal face of external walls, carry out essential repairs to historic lime plaster and lath and plaster finish to internal partitions, for planning the development will consist of internal and external alterations, comprising of: insertion of new timber frame and sliding sash windows in existing window openings to the front and rear return, install new door sets to entrance door opening of each unit to replace existing non-historic doors, re-open door at the basement level and block up the existing door opening, redecoration of historic staircase and interiors to main entrance hall using suitable breathable paints, Install insulation recycled foam aggregate to sub floor void of lower ground floor/basement level, re-point externally exposed stone masonry walls of rear elevation and return using traditional lime mortar and carry out thermal upgrades to internal side of the

walls of the rear 1990s extension (non-historic), all at 36 Leinster Road, Rathmines, Dublin in accordance with the plans and particulars lodged with the said Council (which decision was to grant subject to conditions retention of the development which will consist of internal alterations, comprising of: introduce breathable insulation lime-based finish to internal face of external walls, carry out essential repairs to historic lime plaster and lath and plaster finish to internal partitions, for planning the development will consist of internal and external alterations, comprising of: insertion of new timber frame and sliding sash windows in existing window openings to the front and rear return, install new door sets to entrance door opening of each unit to replace existing non-historic doors, re-open door at the basement level and block up the existing door opening, redecoration of historic staircase and interiors to main entrance hall using suitable breathable paints, install insulation recycled foam aggregate to sub floor void of lower ground floor/basement level, re-point externally exposed stone masonry walls of rear elevation and return using traditional lime mortar and carry out thermal upgrades to internal side of the walls of the rear 1990s extension (non-historic) and to refuse permission for replacement of all MEP services to each unit using existing routes, replacement of existing/previous modern partition walls with new partitions, in the same locations, where damp and signs of rot was present, relocation of kitchenette in two of the existing units).

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 location and character of the protected structure and surrounding area in a “Z2” zoned conservation area, together with the provisions of the Dublin City Development Plan 2022 - 2028 including policy objectives BHA 2 and BHA 9, it is considered that, subject to compliance with the conditions set out below, the scale and nature of the proposed development would be acceptable and would not negatively impact the historic character of the protected structure or the character and distinctiveness of the conservation area. The proposed development 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, as amended by the further plans and particulars received by the planning authority on the 6th day of August 2025, 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. Revised drawings, details and method statement(s), signed off by a suitably qualified architect with conservation expertise and accreditation, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development for:
 - (a) any replacement MEP services that deviate from existing routes;
 - (b) any new MEP services, not explicitly included in the planning application;
 - (c) the replacement of any existing/previous modern partition walls with new partitions that deviate from the existing/previous locations; and
 - (d) the relocation of any kitchenette.

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

3. Prior to the commencement of development on the Protected Structure and occupation of any unit, the developer shall submit for the written agreement of the planning authority confirmation that:
 - (a) the development will be monitored by a suitably qualified architect with conservation expertise and accreditation, and
 - (b) competent site supervision, project management and crafts personnel will be engaged, suitably qualified and experienced in conservation works.

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

4. Prior to the commencement of development on the Protected Structure the developer shall submit, for the written agreement of the planning authority, a detailed method statement covering all works proposed to be carried out, including:
 - (a) a full specification, 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 and the Gaeltacht;
 - (b) methodology for the recording and/or retention of concealed features or fabric exposed during the works;
 - (c) details of replacement windows including drawings of an appropriate scale of not less than 1:20 scale for the protected structure and historic return and 1:5 scale of the proposed horn type. Windows shall be historically accurate and evidence based. Slim-profiled double glazing shall conform to EU directives, shall not contain visible spacers, spacing dots, visible vacuum seals, fritted glass or plant-on glazing bars. Glazing shall be traditionally putty faced with a putty that is compatible with glazing. Timber glazing slips shall not be acceptable. Window units shall be traditionally installed without the use of expanding foam. A flush, Irish sill shall be provided. High quality, non-uPVC windows shall be specified for the rear extension; and

(d) a set of conservation drawings to show all proposed conservation repairs cross referenced with conservation method statements and specifications for materials.

Reason: In the interest of the protection of architectural heritage.

5. The landscaping scheme shown on drawing number PD07, as submitted to the planning authority on the 6th day of August 2025, shall be carried out within the first planting season following the grant of this Order. A new native species hedgerow shall be planted along the east and southern boundaries of the soft landscaping area in the front curtilage of the site. All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased within a period of five years shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interests of residential and visual amenity.

6. All surface water generated within the site boundaries shall be collected and disposed to SUDS features within the site or to the public drain such that no surface water discharges onto the public road or adjoining properties.

Reason: In the interest of traffic safety and to prevent flooding or pollution.

7. Site development and building works shall be carried out only between the hours of 0700 and 1800 from Mondays to Friday inclusive, between 0800 and 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.



Declan Moore

Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.

Dated this 29th day of JANUARY 2026.