



An
Coimisiún
Pleanála

Commission Order
PL-500124-DS

Planning and Development Act 2000, as amended

Planning Authority: Dublin City Council

Planning Register Reference Number: WEB1359/25

Appeal by James Hennessy and by Others against the decision made on the 6th day of October 2025, by Dublin City Council to grant, subject to conditions, a permission to Carmel Murphy and Colm Gilmore in accordance with plans and particulars lodged with the said Council.

Proposed Development: The development will consist of the demolition of the 20th century non-original two-storey side extension and single storey side lean-to shed, removal of external rear modern shed, and rear cast-iron stairs to upper ground floor. The proposed works include the construction of a part single and part two-storey side and rear addition, containing a new entrance, living, and plant rooms at lower ground floor and kitchen and dining rooms, and an external terrace at upper ground floor. Alterations to the existing structure at lower ground floor include the opening up of an internal non-original hallway partition wall, new stairs in the original location to the upper ground floor, and the blocking up of an internal rear window. At upper ground floor, alterations include a new opening in the entrance hall and rear wall linking to the proposed kitchen, and the removal of a non-original partition in a room-linking door opening.

At first floor level, the partial removal of two non-original partitions and enlargement of an existing partition opening. All existing windows to be retained and restored and non-original single glazing to be replaced with double glazing. Externally, the existing entrance gate to Palmerston Park is to be enlarged for the creation of vehicular access to the front. To the rear, a boundary wall and lean-to shed are proposed and all associated hard and soft landscaping all at 20 Palmerston Park, Rathmines, Dublin, a three-storey semi-detached house, A Protected Structure (RPS Reference Number 6162).

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 sites Z2 Residential Conservation Areas zoning objective within the Dublin City Development Plan 2022-2028, for the regulation of Protected Structures and their setting, and the Architectural Heritage Protection Guidelines for Planning Authorities (2011), it is considered that, subject to compliance with the conditions set out below, the proposed development would not have an adverse impact on the architectural character, special interest(s) and setting of number 20 Palmerston Park, a Protected Structure, would be consistent with Policy BHA2 (Development of a Protected Structure), Policy BHA9 (Development in a Conservation Area) and Appendix 5 (Transport and Mobility: Technical Requirements), Section 4.3.7 (Parking in the Curtilage of Protected Structures) of the Dublin City Development Plan 2022-2028, would satisfy the requirements of the

Architectural Heritage Protection Guidelines for Planning Authorities (2011), for the restoration and extension of a Protected Structure, and would not result in a significant adverse impact on the existing residential amenities of the neighbouring properties at numbers 19 and 21 Palmerston Park (Protected Structures). The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

In choosing not to accept the Inspector's recommendation to exclude the upper floor terrace and the glazed access door, the Commission noted the existing link from the upper floor to the garden and considered retaining that link, an important amenity for the future residents of the house. The Commission did not agree with the Inspector that removal of the upper ground floor terrace, access to the garden, and alteration of the doorway is warranted in this case, considering the distance from the site boundary and the orientation of the property. The Commission considered the impact on the neighbouring property, number 19, on both the use of the terrace and passive overlooking from the house could be addressed by way of a condition requiring the proposed upper ground floor terrace railing be replaced by an opaque glazed balustrade to a height of 1.6 metres on its western perimeter.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, and as amended by the further plans and particulars received by the planning authority on the 10th day of September 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 carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Prior to the commencement of development, the applicant shall submit for the written agreement of the planning authority revised floor plans, section and elevation drawings providing for the following modification, the proposed upper ground floor terraces railing along the western facing boundary shall be omitted and replaced by an opaque glazed balustrade, a minimum of 1.6 metres in height, measured from the floor of the upper ground floor terrace.

Reason: In the interest of protecting the amenity of the adjoining property.

3. The applicant shall comply with the following requirements of the planning authority:
 - (a) 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.
 - (b) Prior to the commencement of the development, the applicant shall submit the following for the written approval of the planning authority:
 - (i) Conservation method statement for the repair/reconstruction of the hallway subfloor structure and preservation and repair of mosaic floor. The applicant shall engage the services of an experienced historic mosaic restorer.

- (ii) Revised conservation method statement for original timber floorboards to omit sanding.
 - (iii) Detailed specification and methodology (to be completed by a specialist historic iron forger/blacksmith) for the proposed work to the historic railings and stone plinth to accommodate a new vehicular gate shall be submitted. Details of the proposed automation and all fixtures/fittings shall be provided that shall be to the minimum necessary so as to ensure that they would have no visual impact on the historic railings and repurposed railings.
- (c) During the course of development, the applicant shall submit the following for the written approval of the planning authority:
- (i) Site samples for the restoration of the entrance hall mosaic.
 - (ii) The Conservation Officer shall be given the opportunity to inspect existing brickwork, a raking sample, brick repair sample (if necessary), brickwork cleaning sample, a historically accurate pointing sample and stonework repair sample for written agreement. The applicant shall contact the planning authority to arrange a site inspection.
- (d) The proposed development shall be carried out in accordance with the following:
- (i) All works to the structure 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 off-site shall be recorded prior to removal, catalogued and numbered to allow for authentic reinstatement.

- (ii) All existing original features, in the vicinity of the works shall be protected during the course of the refurbishment works.
- (iii) All repair of original fabric shall be scheduled and carried out by appropriately experienced conservators of historic fabric.
- (iv) The architectural detailing and materials in the new work shall be executed to the highest standards so as to complement the setting of the Protected Structure and the historic area.

Reason: In order to protect the original fabric, character and integrity of the Protected Structure at number 20 Palmerston Park and to ensure that the proposed works are carried out in accordance with best conservation practice.

- 4. Prior to the commencement of development, the applicant shall submit a revised elevation drawing and site plan for the written agreement of the planning authority to reduce the width of the vehicular entrance to a maximum 2.6 metres.

Reason: In order to protect the original fabric, character and integrity of the Protected Structure at number 20 Palmerston Park and in compliance with Appendix 5 (Transport and Mobility: Technical Requirements), and Section 4.3.7 (Parking in the Curtilage of Protected Structures) of the Dublin City Development Plan 2022-2028.

5. 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.

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

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

7. 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. 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 the Commission to determine the proper application of the terms of the Scheme.

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



Mary Henchy

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



Dated this *2nd* day of *March* 2026.