



An  
Coimisiún  
Pleanála

Commission Order  
PL-500384-DS

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**Planning and Development Act 2000, as amended**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: WEB5183/25**

**Appeal** by Orla Brennan against the decision made on the 13<sup>th</sup> day of November, 2025 by Dublin City Council for development comprising the following: Proposed external alterations to include, alterations to existing opes to rear at ground and first floor level, replacement of all non-original windows and doors, alterations including new roof to existing rear extension, internal alterations including provision of new partitions, new opes, replacement of sanitary ware and kitchen fittings, and general refurbishment to include all associated conservation and ancillary site works including creation of new vehicular access to an existing end of terrace two-storey dwelling which is a protected structure, all at 39 Oakley Road, Dublin (which decision was to grant subject to conditions, permission for alterations to existing opes to rear at ground and first floor level, replacement of all non-original windows and doors, alterations including new roof to existing rear extension, internal alterations including provision of new partitions, new opes, replacement of sanitary ware and kitchen fittings, and general refurbishment to include all associated conservation and ancillary site works and to refuse permission for the creation of new vehicular access, to an existing end of terrace two storey dwelling which is a protected structure.

## **Decision**

**GRANT permission for alterations to existing opes to rear at ground and first floor level, replacement of all non-original windows and doors, alterations including new roof to existing rear extension, internal alterations including provision of new partitions, new opes, replacement of sanitary ware and kitchen fittings, and general refurbishment to include all associated conservation and ancillary site works in accordance with the said plans and particulars based on the reasons and considerations marked (1) under and subject to the conditions set out below. REFUSE permission for or the creation of new vehicular access, to an existing end of terrace two storey dwelling which is a protected structure for the reasons and considerations marked (2) under.**

## **Reasons and Considerations (1)**

Having regard to the 'Z2' zoning and to the policies and objectives, as set out in the Dublin City Development Plan 2022 - 2028 including Policies BHA2 and BHA9 and Sections 15.15.2.2 and 15.15.3.3, it is considered that all other works to the protected structure would not seriously injure the character or residential amenities of the surrounding area, would protect and enhance the protected structure and Conservation Area and would, therefore, be in accordance with the provisions of the Development Plan and with the proper planning and sustainable development of the area.

## Conditions

1. The development shall be 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 carried out and completed in accordance with the agreed particulars.

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

2. The proposed vehicular entrance shall be omitted.

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

3. (a) Prior to the commencement of the development, the applicant shall submit for the written approval of the planning authority:
  - (i) Details of all proposed finishes and materials for the new roof to the existing extension and 1:10 flashing details for junctions between the new roof and the historic structure;
  - (ii) Visual samples of the proposed cladding to the existing extension and shed;
  - (iii) Details of the proposed finishes where the blocking of external openings is proposed;
  - (iv) Specifications for the proposed windows and doors. The proposed window and doors shall be timber and/or steel (crittal or similar);
  - (v) Specifications for the proposed hard landscaping; and

- (vi) Revised drawings that show where new or enlarged openings are proposed, nib walls shall be retained and a methodology for the proposed structural works and interventions required to facilitate the proposed removal of the chimney breast.
- (b) 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 and monitored by a suitably experienced conservation expert. 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. Prior to the commencement of development, a Conservation Method Statement shall be submitted to and agreed in writing with the planning authority which shall provide for the following:
- (i) Measures to identify if hitherto concealed original stone flags or quarry tiles exist beneath the concrete floor. Investigations shall be carried out as part of carefully considered opening-up works prior to the installation of the concrete floor, to ensure the retention, lifting, conservation and reintegration of concealed original stone flags or tiles, if any exist, following the installation of the floor;
  - (ii) Confirmation that historic floorboards shall be numbered, carefully lifted (six at a time maximum), and stored securely within the protected structure, in line with best conservation practice), to accommodate the new floor insulation, prior to reinstatement;

- (iii) All existing original features, in the vicinity of the works shall be protected during the course of the refurbishment works;
- (iv) All repair of original fabric shall be scheduled and carried out by appropriately experienced conservators of historic fabric; and
- (v) 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 and to ensure that the proposed works are carried out in accordance with best conservation practice

- 4. All necessary measures should be taken by the applicant and contractor to prevent the spillage or deposit of clay, rubble or other debris on the public road network, repair any damage to the public road arising from carrying out works and avoid conflict with between construction activities and pedestrian and vehicular movements on the surrounding public roads.

**Reason:** In the interests of amenities, public health and safety and environmental protection.

5. 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.

6. Site development and building works shall be carried out only between the hours of 0700 and 1800 from Mondays to Fridays inclusive, between 0800 and 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

**Reason:** To safeguard the residential amenities of adjoining property in the vicinity.

## Reasons and Considerations (2)

Having regard to the proposed removal of a designated on-street parking space to accommodate a private off-street parking space, it is considered that the proposed vehicular access would be contrary to Policy SMT25, Section 8.5.7 and Section 4.1 of Appendix 5 of the Dublin City Development Plan 2022 - 2028, which aim to manage on-street parking to serve the needs of the city alongside the needs of residents, visitors, businesses, kerbside activity, and accessible parking requirements. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.



**Paul Caprani**

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

Dated this 5<sup>th</sup> day of March 2026.

