

An
Coimisiún
Pleanála

Commission Order
PL-501328-DS-26

Planning and Development Act 2000, as amended

Planning Authority: Dublin City Council

Planning Register Reference Number: WEB2766/25

Appeal by Catherine Butler against the decision made on the 15th day of April 2026 by Dublin City Council to grant, subject to conditions, a permission to Telfer Limited in accordance with plans and particulars lodged with the said Council.

Proposed Development: Change of use from former Post Office, a two storey protected structure (625 square metres), to licensed bar restaurant with retail and gallery (606 square metres). The proposal will involve removal of a lean-to roof and demolition of external storage (19 square metres); lowering of cills at both levels and breaking out of one opening to provide new door at first floor level; and building up of walls on southern boundary up to first floor level, all along the side passage/south elevation; provision of new external stairs and terrace to the south side and rear. Repair works to roof, rainwater goods, windows & doors, repointing of brickwork, minor interior alterations, fit out and provision of signage, and all associated services and site works at Ballsbridge Post Office, Shelbourne Road, 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 land use zoning of the subject site, the policies and objectives of the Dublin City Development Plan 2022-2028, including BHA2 and BHA9 and fact that the change of use secures the long-term conservation of the structure, the site context, the limited intervention and the pattern of development of the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with the provisions of the Dublin City Development Plan 2022-2028 and would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding to accept the Inspector's recommendation to grant permission the Commission considered that this development is in a Transitional Zone Area, therefore Section 14.6 of the development plan is relevant, and greater consideration of the impacts of the proposed use of the structure on the amenity of adjoining residential properties is required. The Commission noted the proximity of the structure to the rear of Estate Cottages, and the location of the windows relative to the dwellings. The Commission considered the nature of the proposed use, as a licensed bar and restaurant, had the potential to have an impact on the amenity of the residents if noise mitigations were not implemented and the impacts of the hours of operation were not addressed. The Commission considered the totality of the documentation on the file and the description of the protected structure, Recorded Protected Structure reference number 7509, as set out in appendix 4 of the Plan. The Commission concluded the benefits of securing the future use of this

Protected Structure in this area, with a tight urban grain, would justify mitigations to ameliorate the impact on the residential amenity of adjoining dwellings, subject to those interventions being sensitive to the Protected Structure. The Commission considered the mitigation proposed by the applicant's Conservation Architect, secondary glazing to be fitted to the internal face of glazing along the northern boundary to specialist specification and conservation design, and agreed with the planning authority, to be a reasonable measure to assist in ensuring operational noise is mitigated within this transitional zone area; in addition, to address the hours of operations, the secondary windows should include an integrated blind system to limit lightspill.

Furthermore, the Commission considered the modifications made by the applicant at further information stage; reducing the extent of alteration to the building fabric maintained the integrity of the original design and layout. The Commission considered the amendments recommended by the planning authority to the stairs, balcony and the configuration of internal space are not warranted, as the proposed alterations do not undermine the character or special interest of the Protected Structure and would potentially undermine the operation of the premises. The Commission noted the proposed location of the first floor kitchen assists in retaining the hierarchy of spaces within the building as the fenestration, flooring and volume of the function room can be appreciated by patrons, the balcony extending to the eastern boundary has the benefit of providing passive surveillance to the walkway along the Dodder, and the proposed stairwell (to the front of the property between Bar A and Bar B as shown on the proposed ground floor plan) benefits the ground floor circulation and does not detract from the special interest of the Protected Structure. The Commission considered the proposed open railing balcony boundary treatment has the potential to impact on the adjoining college due to its open nature and with regard to views of the building from the public realm. A revised balcony boundary treatment more akin to the glazed flood relief barrier on the opposite side of the Dodder would retain the open views of the Protected Structure while achieving a solid boundary treatment, which the

Commission concluded can be addressed by way of condition. The proposed development provides for the evolution of the heritage structure, securing its long-term conservation in a manner that respects both its Protected Structure status and its location within a Conservation area. The proposed use accords with the zoning and, subject to compliance with conditions, will not be detrimental to the amenity of adjoining dwellings.

Conditions

1. The 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 day of the 29th day of July 2025 and the 23rd day of March 2026, 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 developer shall comply with the following requirements of the planning authority:
 - (a) The facility shall only operate between the hours of:
 - (i) 1030 to 0030 hours (following day) Mon-Fri;
 - (ii) 1030 to 0130 hours (following day) Fri-Sat; and
 - (iii) 1230 to 2400 hours Sundays and Bank Holidays.

- (b) There shall be no speakers located in the outdoor terrace or in such a way that music played on the premises is audible outside the premises.
- (c) The external seating area shall only be used between the hours of 0800 and 2200, Monday to Sunday.
- (d) The LAeq level measured over 15 minutes (daytime) or 5 minutes (nighttime) at a noise sensitive premises when plant associated with the development is operating, shall not exceed the LA90 (15 minutes day or 5 minutes night), by 5 decibels or more, measured from the same position, under the same conditions and during a comparable period with no plant in operation.
- (e) Noise levels from the proposed development shall not be so loud, so continuous, so repeated, of such duration or pitch or occurring at such times as to give reasonable cause for annoyance to a person in any premises in the neighbourhood or to a person lawfully using any public place. In particular, the rated noise levels from the proposed development shall not constitute reasonable grounds for complaint as provided for in B.S. 4142. Method for rating industrial noise affecting mixed residential and industrial areas.

Reason: In the interest of protecting residential amenity.

3. Prior to the commencement of development, the applicant/ developer shall submit, for the written agreement of the planning authority, proposals for:

- (a) secondary glazing with an integrated blind to address light spills, to be fitted to the internal face of existing windows along the northern boundary; and
- (b) a ventilation strategy.

Reason: To protect the amenity of adjoining residential property.

- 4. The boundary treatment of the first-floor terrace shall be revised to a glass balustrade, details of which shall be agreed with the planning authority.

Reason: To provide a solid boundary treatment with adjoining property and to retain views of the protected structure.

- 5. The developer shall comply with the following requirements:
 - (a) An RIAI (Royal Institute of the Architects of Ireland) Grade 1 Conservation Architect with proven and appropriate expertise shall be employed to design, manage, monitor and implement the works to the building 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 building and facades structure and/or fabric.
 - (b) Prior to the commencement of development, the applicant/ developer shall submit, for written agreement of the planning authority, a specification and method statement covering all works to be carried out including repointing, to ensure the development is carried out in accordance with good conservation practice.

- (c) In advance of the respective packages of work commencing on site, and during construction works on site, the developer shall submit the following to the planning authority, for their written agreement:
- (i) Record drawing of historic decorative tiling in Ground Floor Entrance Hall 01.
 - (ii) Marked-up drawings of the interior of the Protected Structure following determination of proposed structural repairs to be executed, indicating extent of repair of surviving plasterwork, joinery and the proposed finish of internal walls demonstrating best conservation practice.
 - (iii) Flat-roofed two-storey rear building - Revised drawings and details of finalised rainwater disposal arrangement from the rear flat roof - to ensure that rainwater run-off is properly discharged within the property boundary.
 - (iv) Making good of the masonry base – North Elevation (Crimmins Architects drawing number P-24): Updated final detail and proposed elevation for the consolidation of the top of the coursed rubble stone wall at the base of the North Elevation (which is part of the shared boundary to the Estate Cottages), finishing with a robust lime flaunching on the top of the masonry wall clarifying whether the masonry base will be consolidated and completed up to a consistent horizontal line. A lead flashing would be preferred and shall be introduced.
 - (v) Pitched roof two-storey building parapet gutter (north elevation): Following detailed investigation at close quarters when scaffold is in place, 1:10 parapet detail section and

1:50 elevation and roof plan drawings shall be submitted, illustrating the satisfactory discharge of rainwater from the north elevation and location of internal/external downpipes.

- (d) Revised drawings to be submitted for the written agreement of the planning authority for the following works in advance of their execution:
 - (i) The upper band of rooflights only shall be installed, to be in-line conservation-style and not raised as indicated on Drawing GWA-P-123.
- (e) Existing and proposed basement arrangement: The developer shall submit 1:50 updated plan and section drawings of the basement enclosure between the staircase Hall 03 and the sewer; indicating if it is intended to use this space and create a conventional door opening between staircase Hall 03 and the adjoining basement room. 1:50 record plan of the existing floor hatch in ground floor room G3, and proposed floor arrangement in the new restaurant shall be submitted.
- (f) All works to the protected 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 the Environment, Heritage and Local Government. 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 re-instatement.

Reason: To ensure that the integrity of this protected structure is maintained and that the proposed repair works are carried out in

accordance with best conservation practice with no unauthorised or unnecessary damage or loss of historic building fabric.

6. The construction of the proposed development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of all intended construction practice for the proposed development, including hours of working, noise management measures and off-site disposal of construction/demolition waste.

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

7. 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 or 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: In order to safeguard the amenities of property in the vicinity.

8. Prior to occupation of the premises the applicant shall submit, for the written agreement of the planning authority, details of any proposed lighting and signage for the development.

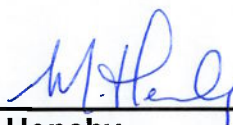
Reason: In the interest of proper planning and sustainable development.

9. (a) Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.
- (b) The developer shall ensure that an appropriate Flood Risk Assessment (FRA), in accordance with the OPW Guidelines and the Dublin City Development Plan 2022-2028 Strategic Flood Risk Assessment, is carried out for the proposed development.

Reason: In the interest of public health and surface water management.

10. The developer shall pay to the planning authority a financial contribution of 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, 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. The application of any indexation required by this condition shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine.

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.



Mary Henchy

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

Dated this *16th* day of *September* 2026

