An Coimisiún Pleanála

Commission Order

PL-501663-DS-26

Planning and Development Act 2000, as amended

Planning Authority: Dublin City Council

Planning Register Reference Number: WEB1843/26

Appeal by Harry Leech and Emma Sharke against the decision made on the 8th day of June, 2026 by Dublin City Council to grant, subject to conditions, a permission to Declan and Maeve O'Neill in accordance with plans and particulars lodged with the said Council.

Proposed Development: (1) removal of the existing single storey conservatory at the rear of the existing protected structure, to allow reinstatement of the original garden area and external facades to the rear of the existing residence; (2) removal of the existing single storey garage to the rear of the site, with associated remedial works to boundary walls around the curtilage of the property; and (3) the construction of a new two-bedroom, three-person dwelling house over two storeys on the site of the former garage, including the subdivision of the existing garden to the rear of the original property to provide separate private gardens, and all associated site landscaping and services works. All at the site to the rear of 84 Leinster Road, Dublin (facing onto Grosvenor Lane).

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 protected status of the existing structure, the nature, scale and design of the proposed dwelling and the "Z2" - Residential Neighbourhood Conservation Area zoning assigned to the site, as well as the provisions of the Dublin City Development Plan 2022-2028, it is considered that the proposed development, subject to compliance with the conditions set out below, would not give rise to any undue overlooking or overshadowing impacts on the residential amenities of neighbouring dwellings, would not adversely impact on the character or setting of the protected structure or of the surrounding area, and would be in accordance with Policy BHA2 of the development plan. The proposed development would, therefore, be in accordance 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. Prior to commencement of works, 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 development including noise and dust management measures, location of the site and materials compound(s), timing and routing of construction traffic, and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and amenity.

3. A detailed Construction Traffic Management Plan shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The plan shall include details of arrangements for routes for construction traffic, parking during the construction phase, the location of the compound for storage of plant and machinery and the location for storage of deliveries to the site.

Reason: In the interests of sustainable transport and safety.

4. Prior to commencement of development, a Resource Waste Management Plan (RWMP), as set out in the EPA's "Best Practice Guidelines for the Preparation of Resource and Waste Management

Plans for Construction and Demolition Projects" (2021), shall be prepared and submitted to the planning authority for written agreement. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

Reason: In the interests of reducing waste and encouraging recycling.

5. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

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

6. Prior to the commencement of development, the following details shall be submitted to, and agreed in writing with, the planning authority:

(a) a finalised Conservation Specification and Conservation Method Statement covering all works to be carried out and materials to be used in such works, prepared by an accredited Conservation Architect;

(b) details for the monitoring of the construction works by a suitably qualified architect with conservation expertise and accreditation;

(c) competent site supervision, project management and crafts personnel will be engaged, suitably qualified and experienced in conservation works; and

(d) full specification of materials, methods, finishes and/or workmanship to ensure the development is carried out in accordance with current Conservation Guidelines issued by the Department of Arts, Heritage and the Gaeltacht.

In the event of agreement not being reached between the developer and the planning authority, the matter may be referred to An Coimisiún Pleanála for determination, and all works shall be carried out in accordance with any determination made resulting from such referral.

Reason: In the interest of the protection of architectural heritage in accordance with the provisions of the "Architectural Heritage Protection Guidelines for Planning Authorities", issued by the Department of Arts, Heritage and the Gaeltacht in October 2011.

7. The developer shall ensure that the development is served by adequate water supply and/or wastewater facilities and shall enter into connection agreement(s) with Uisce Éireann (Irish Water) to provide for 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.

8. Site development and building works shall be carried out only between the hours of 0800 and 1900 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 will 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.

9. 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, 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 Coimisiún 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.

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

Dated this 6th **day of** November **2026.**