



An
Coimisiún
Pleanála

Inspector's Report

ACP 323768-25

Development	Change of use from office/medical use to residential use to form a 2 bedroom apartment and all ancillary site works.
Location	69–71 Morehampton Road, Donnybrook, Dublin 4, D04 K2W8
Planning Authority	Dublin City Council
Planning Authority Reg. Ref.	WEB2633/25
Applicant(s)	Klairon Construction Limited
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	Third Party
Appellant(s)	Frances Kavanagh
Observer(s)	None
Date of Site Inspection	16/12/2025
Inspector	Rosemarie McLaughlin

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1.0 Site Location and Description

- 1.1. The appeal site is located on the first floor of a former bank building, No. 69-71 Morehampton Road, Donnybrook, Dublin 4. The building is at the end of a terrace of commercial buildings on the junction of Morehampton Road and Marlborough Road. A pharmacy is located adjacent to the building on the south-eastern side. No. 2 Marlborough Road (a protected structure, RPS No. 4918) is a large, two storey, L shaped house, to the south-west. A gated lane is located between No.2 and No.4 Marlborough Road providing access to the rear of No. 69-71 Morehampton Road. On inspection, the building was unoccupied with a 'Let' sign.

2.0 Proposed Development

- 2.1. This is an application for a change of use at first floor level from office/medical use to residential use, to form a 2 bedroom apartment (138sqm) accessed from existing entrance on Marlborough Road, with alterations to existing rear first floor windows consisting of the removal of wall from cill to ground level and the formation of fully glazed doors providing access to a new 43sqm, 1st floor terrace formed by enclosing open flat roof with 1.8 metre high opacified glazed screens and all ancillary site works.
- 2.2. The access to the first floor apartment is proposed from a door on the gable of the building via a staircase, which also incorporates a bin storage area. The application drawings also illustrate a right of way outside of the site, between No. 2 and No. 4 Marlborough Road, providing access to the rear of the site.

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority (PA) granted permission subject to 9 conditions summarised below.

3.1.1. Conditions:

1. Standard condition
2. Financial contribution

3. Obscure glass to screens.
4. Naming of units.
5. Opaque glass to southwestern elevation windows.
6. Noise control.
7. Times/hours building works.
8. Site development works.
9. Code of practice for drainage.

3.2. **Planning Authority Reports**

3.2.1. Planning Reports

- **Planning Report (4/9/25):** The planner referred to the history of the site, the observations, and relevant planning policy. The assessment considered the use as consistent with the Development Plan policy. The size and standards provided were described as in excess of the Sustainable Urban Housing: Design Standards for New Apartments. Given the orientation, scale and layout of the proposed terrace, it was considered with the introduction of a 1.8 metre glazed screen, no overlooking to adjoining properties would occur, and the opaque windows are acceptable. Noise levels were considered as acceptable. Permission was recommended to be granted.

3.2.2. Other Technical Reports

- **Drainage Report (25/07/2025):** No objection, subject to the developer complying with the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0.
- **Transportation Division Report (13/08/2025):** No objection to the proposed development subject to, a minimum of 2 no. long term bicycle parking spaces required. Costs incurred by Dublin City Council as a result of the development shall be at the expense of the developer.

3.3. **Prescribed Bodies**

3.3.1. None on file.

3.4. **Third Party Observations**

3.4.1. Two observations were received.

- 3.4.2. An observation from the occupant of No.2 Marlborough Road, the neighbouring property objects to the proposal. The planning history is referred to which was not implemented. The site notices are therefore misleading and the application invalid. The proposed terrace is excessive and will generate noise and loss of amenity to No.2. The screens will not prevent noise. The noise in the general area is not suitable for a residential unit.
- 3.4.3. An observation from No.4 Marlborough Road refers to the proposed use of an existing laneway referred to by the applicant is within the boundary of folio DN147404L of 4 Marlborough Road. Only a finite number of keyholders for specific and limited use have access at certain times. The observer also raised issues of noise pollution, safety and security as well as parking at the laneway access.

4.0 Planning History

- 4.1. The relevant planning history is summarised below.

PA Ref. 4327/23 – Permission granted (27/11/2023) for change of use at ground floor level from bank/financial services to retail use comprising shop area and change of use at first floor level to office and medical use to form separate unit; alterations to existing ground floor windows modifications to entrances at ground floor level and ancillary site works.

Of note, Condition 2 required prior to the commencement of development, the applicant shall submit details of the proposed hours of operations and details of refuse storage facilities for both units, to be approved in writing.

PA. Ref 4326/23/ABP 319084-24 Permission granted by ABP (18/09/2024) upholding DCC decision, for change of use at ground floor level from bank/financial services to restaurant/cafe use (288sqm) with associated storage and ancillary uses and mechanical ventilation systems; change of use at first floor level to office and medical use to form separate unit (138 sqm); alterations to existing ground floor windows; modifications to entrances at ground floor level; associated signage and all ancillary site works.

Condition 2 (b) stated that the first floor use shall be office and medical use pursuant to Class 8 of Part 4, Schedule 2 of the PD Regulations 2001 as amended.

PA Ref. 4138/16 – Permission granted in January 2017 for replacement of existing external signage elements to façade.

PA Ref. 4876/08 – Permission granted in December 2008 for construction of disabled access ramp and the associated works to the front of AIB Bank.

5.0 Policy Context

5.1. Development Plan

5.1.1. The Dublin City Development Plan 2022-2028 (CDP) applies. The site is zoned Z4 – Key Urban Villages / Urban Villages, where it is an objective “To provide for and improve mixed-services facilities”. Residential use is a permissible use.

- **Section 14.7:** General principles in Key Urban Villages/Urban Villages which includes “Mixed-Use”: Mixed use is to promote an increased density of mixed-use development including residential development with diversity in unit types and tenures capable of establishing long-term integrated communities.
- **Section 15.13.6 Living Over the Shop:** Dublin City Council will actively encourage the development of residential accommodation over existing commercial premises.
- **Section 15.9:** Apartment Standards
- **SC12 Housing Mix:** To promote a variety of housing and apartment types and sizes.
- **Chapter 16:** Table 16.2 Cycle parking standards.

5.2. Relevant National Policy / Ministerial Guidelines

- Project Ireland 2040, the National Planning Framework (NPF), First edition, April 2025. National Policy Objective 7 - Deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements and ensure compact and sequential patterns of growth.

- Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities (2024).
- Design Standards for Apartments, Guidelines for Planning Authorities (2025).

5.3. Natural Heritage Designations

5.3.1. The site is not in or adjacent to a European site. The subject site is c 2.3 km west of the South Dublin Bay SAC (000210) and South Dublin Bay and River Tolka Estuary SPA (004024). The subject site is located c.1.1 km south of the Grand Canal proposed NHA and c 2.3 km west of South Dublin Bay proposed NHA.

6.0 EIA Screening

6.1. The proposed change of use is not a project, and the associated works are not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended. No mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination. Refer to Form 1 in Appendix 1 of report.

7.0 The Appeal

7.1. Grounds of Appeal

- Permission Ref. 4326/23 and 4327/23 have not been implemented. Both applications involved a change of use at first floor, and a commencement notice without compliance is recorded under 4237/23. The public notices are incorrect and misleading. The application is invalid. The application does not include the approved floor plan.
- A commencement notice without compliance is recorded on the building control management system.
- The applicant has commenced work by doing works to the roof to facilitate the terrace and therefore the application is invalid.
- Ref. 4326/23 also provided a kitchen extractor fan at roof level which is inconsistent with the proposed terrace.

- No. 2 Marlborough Road is a protected structure, and this has not been addressed in the assessment by the PA. No. 2 has suffered historically from damp caused by extensions to the bank. Surface water pools on the roof or SuDs have not been addressed.
- The size of the proposed terrace at 42.8 sqm is six times the minimum standard in the Apartment Guidelines 2025 and is larger than the required open space for a 3 bedroom house in the Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities 2024. The excessive size invites use for late night parties, etc. and is only 5 m from No.2. The 1.8m screens will not reduce noise. If it is minded to grant permission, it is requested that the depth of the terrace is reduced to 1.5m. with a 0.5m landscape buffer. This would also reduce the impact on the setting of a protected structure.
- The development as proposed would reduce daylight to the kitchen at No.2. The ground level window already suffers a reduction in light and no further reduction should be approved.
- The subject site is a very noisy environment at the junction. The noise will worsen with the Bus Connects scheme. It is questioned if the site is appropriate for a residential development and is considered speculative development.
- The Z4 zoning should not apply to No.2 Marlborough Road and should be treated as Z2.

7.2. Applicant Response to 3rd Party Appeal

- An agreement to lease the ground floor has been signed. The applicant has been unable to secure a tenant for medical/office use at first floor.
- The planning history, planner's report and assessment are repeated. Ref 4327/23 has been implemented under commencement notice Ref.CN0120791DC.
- Ref 4327/23 was valid and authorised a change of use at two levels. There is no statutory requirement that a permission must be implemented before a

subsequent application can be lodged. The lawful status of site is that established under the most recent permission on record. The application is therefore valid. As the application was validated by DCC, this confirms it is valid. The drawings in the application are consistent with Ref. 4327/23.

- DCC do not consider that unauthorised works have taken place. All works that have taken place are maintenance/repair works under section 4(1)(h) of the Regulations.
- Localised water on the roof does not demonstrate unauthorised work or drainage issues. Condition 9 requires compliance with the Drainage code of Practice where runoff and SuDs will be addressed.
- In relation to the applicant's submission that works have commenced without permission, Ref. 4326/23 and 4327/23 remain legally extant but unimplemented. The applicant may only implement one permission when a number are extant.
- The reference to the kitchen extractor is immaterial, and the current design does not include such. There is no design conflict.
- No works are proposed to the protected structure, and the development will not alter the fabric, facade or curtilage. The report of the DCC planner is repeated.
- The proposed opaque glass to the screen allows light transmission and is comparable to a standard parapet.
- Potential late parties are speculative. The proposed terrace is integral to the design. It is appropriate and enhances the proposed residential amenity.
- The noise at the site is comparable to other properties in the vicinity.

7.3. Planning Authority Response

- It is requested that the decision of the PA be upheld. It is also requested that a section 48 contrition condition and a naming and numbering condition be imposed.

7.4. Observations

None on file.

8.0 Assessment

8.1. I consider the main issues in this appeal may be addressed under the following headings.

- The validity of the application having regard to the planning history.
- Impact on residential amenity of No. 2 Marlborough Road.
- Other

8.2. The validity of the application having regard to the planning history.

8.2.1. The grounds of appeal and response are summarised above. I consider this to be a technical matter relating to the wording of public notices. This is raised as the first issue in the appeal, and I will assess the issue and come to a conclusion.

8.2.2. There are two relevant extant permissions on the subject site. The applicant's response to the appeal, states that permission Ref. 4327/23 is the relevant permission and that a lease has been signed for the ground floor. This permission permits a ground floor retail unit, and I note this reference is annotated in the submitted application drawings.

8.2.3. The applicant in the response to the appeal makes two somewhat conflicting statements. In relation to Ref. 4327/23, they state on page 3 of their submission that this "*permission has been implemented under commencement Notice Ref.CN0120791DC.*" and on page 9 that "*Both Reg. Refs.: 4326/23 and 4327/23 remain legally extant but unimplemented*". The current application was made to DCC on 10th July 2025, and the date the commencement notice was lodged has not been provided by the applicant or appellant.

8.2.4. I consider the service of a commencement notice does not in itself mean the permission has been implemented, as a commencement notice may be lodged but development may, for various reasons, not proceed. A permission that is not implemented will expire at the end of the relevant period and the original use would be retained. It may be noted that the appellant states (and it is not contested) that

a Commencement Notice without Compliance Documentation was submitted (i.e. limited works) and the applicant in the response to the appeal also states it was submitted. As above, I consider that there is no evidence from either party that this was lodged prior to this application being made. I consider that logically, for the development to have commenced, the works should have commenced prior to the current application being lodged.

8.2.5. Condition 2 of Ref. 4327/23 also required as mandatory, prior to the commencement of development, that the applicant “shall” submit details to be approved in writing by the Planning Authority. At the time of the application (10/7/25), appeal (29/9/25) and response to the appeal (24/10/25), no evidence was provided by the applicant that agreement in writing had been obtained in compliance with condition No.2 of Ref. 4327/23. Lodgement of a compliance is recorded on the Council website on 24/11/25, but an agreement by the PA in writing has not been provided to An Coimisiún. Overall, this leans towards the presumption that the development permitted under Ref. 4327/23 had not commenced when this application was made.

8.2.6. The following relevant applications (and summarised public notice wording) are summarised below:

- Ref. 4326/23/ABP 319084-24 for change of use at ground floor level from bank/financial services to restaurant/cafe use and change of use at first floor level to office and medical use.
- Ref. 4327/23 for change of use at ground floor level from bank/financial services to retail use and change of use at first floor level to office and medical use.
- Current application - change of use of first floor office/medical use to residential.

8.2.7. The application could have been made for an amendment to a permitted development Ref. 4327/23, or the wording could have been consistent with the previous two applications for change of use of ground and first floors but instead, this application seeks a change of use from medical/office to residential use at first floor. This implies that a medical/office use is in place. I am not satisfied that a

medical/office use was or is in place, as this particular use has never commenced on the site. I am also not satisfied when the application was submitted that planning application Ref. 4327/23 had been implemented at that time.

- 8.2.8. On balance, I consider that the wording of the public notice should have included the previous use or stated change of use from the permitted use, but I also note, that the appellant was aware of the proposal and had an opportunity at the application stage to make an observation through an agent and make this appeal. I also note that the first floor use under both ref. 4326/23 and Ref. 4327/23 was identified as office use.
- 8.2.9. While I consider that the wording of the public notices should have been clearer, this is a technical ground and I consider on balance, that the wording is acceptable as it was clear to the public what was proposed, I will therefore proceed to consider the other substantive issue of the impact on the residential amenity of No. 2 Morehampton Road. The alternative is to consider that the wording is so inaccurate as to warrant a refusal, and I do not consider that threshold has been reached. I consider that a condition would clarify that the proposed development is an amendment to a permitted development Ref. 4327/23 at first floor only so there can be no confusion about which permission is being implemented at ground floor.
- 8.2.10. The appeal contends that the existing floor plan is not provided per Ref. 4327/23, and this is correct. An existing first floor plan of the original office use has been provided, which reinforces the confusion in the public notices. As above, as I consider the wording of the public notices as imperfect but acceptable and I consider that the floor plan accurately describes what is present on site.
- 8.2.11. In relation to the submission in the appeal on the extractor fan on application Ref. 4326/23 / ABP 319084-24, that decision related to a permission for restaurant at ground floor, whereas the appellant states that Ref. 4327/23 is the permission that is being developed (retail).
- 8.2.12. The appellant considers that works have commenced on the roof which should be included as retention and the applicant in response, claims the works are maintenance and do not require permission. From the photographs provided in the appeal and that the building was unoccupied on inspection, the applicant's contention is reasonable. I do not consider on the basis of the information before

me that the application needs to be revised to include retention of roof repairs but it is open to the appellant to raise this matter with the enforcement section of the PA or to seek a section 5 declaration. Enforcement is outside the scope of this appeal.

8.3. Impact on residential amenity on No. 2 Marlborough Road.

- 8.3.1. The Development Plan and National policies favour living over the shop scenarios and a mixture of residential types in urban areas. Residential use is permitted in the applicable zoning objective and therefore subject to assessment, the principle of a residential unit on the subject site is acceptable.
- 8.3.2. The main issues raised in the appeal relate to impact on the residential amenity of No.2 Marlborough Road, a protected structure (RPS No. 4918), due to the proposed size of the balcony, potential noise and loss of light.
- 8.3.3. The proposed balcony is very large compared to minimum standards in the Design Standards for Apartments, Guidelines for Planning Authorities (2025). The appellant would like the size of the amenity space to be reduced to 1.5 m deep should permission be granted, providing an area of c 14 sqm. There is nothing in the Guidelines or any policies preventing a large amenity space and I consider the proposal it is an appropriate design solution in an existing older building rather than having an unutilised dead space. The proposed floor area of the residential unit is large at 138 sqm and is suitable for family size accommodation. I consider the proposed generous amenity space to be proportionate to the size of the dwelling and acceptable.
- 8.3.4. I consider that the proposed development is consistent with the Design Standards for Apartments, Guidelines for Planning Authorities (2025) and the CDP.
- 8.3.5. The main concern about the size of the proposed amenity open space is that it will generate noise that will have a negative impact on No.2 Marlborough Road. Any amenity open space provision has the potential to create noise, but in this urban scenario, the provision of a dwelling unit and associated amenity space complies with the CDP policy and I do not consider there is a reason to reduce it. The issue of excessive noise is also a legal matter between parties outside of the planning process.

- 8.3.6. I note a landscape area indicated on the drawings of c 0.5 m around the boundary of the proposed terrace as well as planted space. I consider that given the size of the terrace, that it is appropriate to provide a landscaped border which would create some biodiversity in a central urban location, would increase privacy between neighbours, would mitigate noise and would assist in SuDs on the site. As the terrace is over a commercial unit, the landscaping would have to be considered carefully and should be submitted for agreement to Dublin City Council.
- 8.3.7. The appellant queries if the site is suitable for residential use due to noise in the area and from Bus connects and believes that the development is speculative. The Z4 zoning permits residential use, and the CDP encourages residential use on upper floors. I consider that the noise at the unit will be similar to what is experienced by the appellant in their home adjacent. Whether the development is speculative or not has no bearing on my assessment of the proposed development and the proper planning and development of the area.
- 8.3.8. The PA imposed a condition that the windows on the southwest elevation shall be obscured glass. These four slim windows serve a bathroom and utility space, and I consider this is reasonable but should be clarified to just these windows forward of the rear building line.
- 8.3.9. The appellant wishes An Coimisiún to disregard the applicable zoning and apply a residential zoning to No. 2. I disagree as the irregular shaped house, forward of the building line of the neighbouring houses to the south west, also sits within an urban plot fronting Morehampton Road and matches the north west building line of the appeal site.
- 8.3.10. In terms of loss of light to the ground floor window facing north east as submitted in the appeal, I note the window has a solid louvered blind which also diminishes light into that room. I consider that the proposed opaque glazed screens and landscaping is a reasonable design solution in a dense urban area and would be unlikely to have any significant impact on light to the adjoining property.

8.4. **Other**

- 8.4.1. The appellant raises an issue about surface water on the existing roof, and the applicant responded that this will be addressed in upgraded surface water

arrangements, in accordance with the PA condition and this represents surface water ponding on an older flat roof. I note that no additional hardstanding is proposed as part of the proposed development. I consider a drainage condition should be imposed which will ensure the development is in accordance with the drainage requirements of the PA.

8.4.2. The appellant raises the issue of dampness, and I consider that this is this is a civil matter between the parties.

8.4.3. An observation to the planning application raised the issue about the lane to the rear of the site and this was not raised in the appeal. The current application is for access from a door on the gable of the building and the right of way to the overall site is a legal matter between the parties and not relevant to this appeal.

8.4.4. The DCC Transport section required a minimum of 2 no. long term bicycle parking spaces, but this was not imposed in the conditions. I consider that the 1.74 sqm bin area under the stairs cannot accommodate bicycles and domestic waste. The CDP considers in over the shop situations, that access to adequate bicycle storage will be required where feasible, and each application will be assessed on a case by case basis. The Apartment Guidelines 2025 provide that a deviation from the cycle provision standards shall be at the discretion of the planning authority and shall be justified with respect to factors such as location. The proposed residential use is over a commercial use, in an existing building, without a level open area available. Given the over the shop scenario and the proximity to short-term bike rentals and on street cycle parking, I concur with the approach of the PA and consider that a cycle provision condition should not be imposed in this particular case. This issue was not raised in the appeal, and I refer to the matter for completeness.

9.0 **AA Screening**

9.1. I have considered the proposed development in light of the requirements S177U of the Planning and Development Act 2000 as amended.

9.2. The subject site is c 2.3 km west of the South Dublin Bay SAC (000210) and South Dublin Bay and River Tolka Estuary SPA (004024). The subject site is

located c.1.1 km south of the Grand Canal proposed NHA and c 2.3 km west of South Dublin Bay proposed NHA.

- 9.3. The proposed development comprises of a change of use of part of a building in a city centre location and minor works. No nature conservation concerns were raised in the planning appeal.
- 9.4. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site.
- 9.5. The reason for this conclusion is as follows:
- Small scale and nature of the development.
 - The Location-distance from nearest European site and lack of connections.
 - Connection to public water, sewer and drainage
- 9.6. I conclude, on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects.
- 9.7. Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required.

10.0 **Water Framework Directive**

- 10.1. The subject site is located c 500 m east west of a waterbody code IE_EA_09D010900, EPA name, Dodder_050, designated with a moderate ecological status. The site is also c 1.1 m south of Code IE_09_AWB_GCMLE EPA Name, Grand Canal Main Line (Liffey and Dublin Bay). The waterbodies are separated from the appeal site by urban areas.
- 10.2. The proposed development comprises change of use of part of an existing building in an urban area and minor works. No water deterioration concerns were raised in the planning appeal.
- 10.3. I have assessed the development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good

status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.

10.4. The reason for this conclusion is as follows :

- Small scale and nature of the development.
- The Location-distance from nearest Waterbodies and lack of connections.
- Connection to public water, drain and sewer.

10.5. I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

11.0 **Recommendation**

11.1. I recommend that permission be granted.

12.0 **Reasons and Considerations**

Having regard to the provisions of the Dublin City Development Plan 2022–2028, the Z4 zoning objective, “To provide for and improve mixed-services facilities”, and the pattern of development in the area, it is considered that, subject to compliance with conditions set out below, the proposed development would not seriously injure the character of the area or the residential amenities of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area.

13.0 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 permitted development relates to an amendment of Planning Ref.4327/23 at first floor only.

Reason: In the interest of clarity.

3. The terrace shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of residential and visual amenity, biodiversity and having regard to the terrace located over a commercial unit.

4. The four windows serving the proposed utility and bathroom on the southwest elevation shall be manufactured in opaque or frosted glass and shall be permanently maintained. The application of film to the surface of clear glass is not acceptable.

Reason: In the interest of residential amenity.

5. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground.

Reason: In the interest of visual and residential amenity.

6. Water supply and 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 interest of public health and surface water management.

Proposals for a naming and numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. No advertisements/marketing signage relating to the name of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name.

Reason: In the interest of urban legibility

7. 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 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 residential amenities of property in the vicinity.

8. 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 Board 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 made under section 48 of the Act be applied to the permission.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Rosemarie McLaughlin
Planning Inspector

5th January 2026

Appendix A: Form 1 EIA Pre-Screening

Case Reference	ACP 323768-25
Proposed Development Summary	Change of use from office/medical use in existing building to residential use and ancillary site works.
Development Address	69 - 71 Morehampton Road, Donnybrook, Dublin 4
IN ALL CASES CHECK BOX / OR LEAVE BLANK	
1. Does the proposed development come within the definition of a 'Project' for the purposes of EIA?	<input type="checkbox"/> Yes, it is a 'Project'. Proceed to Q.2.
	<input checked="" type="checkbox"/> No, No further action required.
(For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q.3	

<p>3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?</p>	
<p><input checked="" type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994.</p>	<p>Associated works are not a class Specified in Part 2, Schedule 5</p> <p>No Screening required.</p>
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.</p> <p>EIA is Mandatory. No Screening Required</p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p> <p>Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</p>	
<p>4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?</p>	
<p>Yes <input type="checkbox"/></p>	<p>Screening Determination required (Complete Form 3)</p>
<p>No <input checked="" type="checkbox"/></p>	<p>Pre-screening determination conclusion remains as above (Q1 to Q3)</p>

Inspector: _____

Date: _____