



An
Coimisiún
Pleanála

Inspector's Report PL-500005-DS

Development	PROTECTED STRUCTURE: The development will consist of change of use from bank/credit union to dwelling.
Location	59 Morehampton Road, Donnybrook, Dublin 4, D04 XV63
Planning Authority	Dublin City Council South
Planning Authority Reg. Ref.	WEB2671/25
Applicant(s)	Peter O'Reilly
Type of Application	Permission
Planning Authority Decision	Grant Permission + Conditions
Type of Appeal	First Party Normal Planning Appeal
Appellant(s)	Peter O'Reilly
Observer(s)	None
Date of Site Inspection	4th February 2026
Inspector	Patricia Byrne

1.0 Site Location and Description

- 1.1. The appeal site, located at No. 59 Morehampton Road, Donnybrook Dublin 4, relates to a mid-terrace, two-storey over basement structure currently vacant and most recently in use as St. Mary's Credit Union.
- 1.2. The front entrance is served by a short flight of granite steps and by a pedestrian access ramp commencing at the foot of the steps and running parallel to the boundary with No. 57 before aligning parallel with the front of the house on reaching the entrance. The ramp and stairs are flanked by steel railings, and the roadside boundary is formed by a plinth wall with decorative steel railings. A pedestrian gate serves the forecourt which is in hard standing.
- 1.3. The neighbouring property No. 61 to the south-east is two-storey, while it in turn is bounded by 3 no. three storey properties, completing the terrace to the junction with Marlborough Road. No. 57 to the northwest is similar to the appeal property being two-storey over basement
- 1.4. The rear garden/yard of the appeal site addresses a narrow cul-de-sac laneway connecting to Morehampton Terrace. An existing vehicular access spans the width of the plot and is fitted with a roller shutter door and casing. The area has been hard surfaced and most recently served as parking.
- 1.5. A three-storey gable fronted return and an adjoining contemporary glazed extension with lean-to roof are in situ to the rear of the property, with the latter containing the access stairs to all floors. This structure formerly served as an entrance to the Credit Union with an overhead canopy and draft lobby remaining.
- 1.6. Internally the layout of the structure over all floors is commensurate with its most recent commercial use and extends to a stated 209.38 sq.m.

2.0 Proposed Development

- 2.1. In summary, permission is sought for the following:
 - Change of use from bank/credit union to dwelling.
 - Refurbishment works and alterations to internal layout.

- Alterations to the roof profile of rear staircase extension with zinc-cladding to replace the existing glazed roof and façade.
- Alterations to existing window on rear return (basement level) to create glazed door to rear yard.
- Extension (2.5 sq. metres) of the staircase half-landing below first floor level.
- Removal of access ramp to front of house and reconfiguration of front external entrance steps with associated landscaping alterations.
- External steps from rear basement lightwell to rear yard.
- PV panels on south-facing roof slope to rear of building.

The application is accompanied by an Architectural Heritage Impact Assessment (AHIA), Conservation Architect's Method Statement, associated floor plans, sections, elevational drawings and particulars.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. Dublin City Council by Order dated 9th September 2025 granted permission subject to 10 no. conditions. Condition No's. 1, 2, 5, 7, 8, 9, and 10 are standard in nature and Conditions 3, 4 and 6 are the subject of this First Party appeal and are set out below:

Condition 3

The development shall be revised as follows:

- (a) The stairwell extension to the rear shall be omitted.*
- (b) The proposed canopy shall be omitted in order to reduce visual clutter.*
- (c) The proposed ensuite to the front room on the lower grounds floor shall be omitted.*

- (d) The proposed utility room shall be relocated to the storage area under the stairs. The proposed shower/w.c. and utility room at lower ground floor level shall be used as a single family bathroom with the original access doorway retained in its existing position.*
- (e) The proposed application of calcium silicate board insulation shall be omitted.*
- (f) Revised plans of the front garden showing the proposed lower ground floor access steps rearranged in a dog leg arrangement with the main entrance steps, or alternatively at right angles to the main entrance steps. The entrance to the proposed plant room under the main entrance steps may be moved south to accommodate the steps.*

Development shall not commence until revised plans, drawings and particulars showing the above amendments have been submitted to and agreed in writing by the Planning Authority, and such works shall be fully implemented prior to the occupation of the building.

Condition 4

The applicant shall comply with the following conditions from the Conservation Officer:

- (a) Repointing shall match the original in colour, material, style and technique. The applicant shall identify by inspection of the façade and neighbouring facades in the terrace, any remnants of original pointing to inform the appropriate re-pointing method. The new joint shall match the original. A site visit shall be facilitated to the CO to inspect the pointing prior to the raking out of any pointing being undertaken and to agree the extent of pointing, repairs and cleaning required.*
- (b) A full scope of works, specification and conservation methodology for the proposed removal of render, raking out, brick repairs, cleaning and repointing of stone and brickwork to the walls, and boundary plinths shall be submitted for the written agreement of the CO in advance of works commencing on site.*
- (c) 1:10 sections and elevations of the proposed sash windows shall be submitted for the written agreement of the CO in advance of the window works. The*

detailing of the proposed sash windows, including the proposed horns and glazing bars shall be based on surviving historic sashes at No. 57 Morehampton Road (2 over 2). Sashes shall be externally putty faced with a glazing-compatible putty, such as Hodgeson's Heritage putty (for use with slim-profiled double-glazed units). The proposed slim-profiled glazing shall conform to EU directives, shall not contain fritted glass, visible spacers, spacing dots, vacuum seals, or plant-on glazing bars. Glass shall be clear. Draft brushes are a preferred form of draft proofing from a conservation perspective.

- (d) The applicant shall clarify the location of the solar panels associated service runs and battery storage.*
- (e) The proposed rooflight to the main roof shall be of a traditional style conservation roof light. Full details of the proposed new roof lights including material and colour shall be submitted in advance of works commencing on site. The applicant shall submit drawings and a method statement for the installation of the roof light. The applicant shall clarify if the proposed changes will impact on a lath and plaster ceiling below and any changes that will be required to existing rafters.*
- (f) Details of the proposed roof vent.*
- (g) A specification for proposed cast iron rainwater goods.*

Condition 6

The proposed development shall comply with the following requirements of the Transportation Planning Division:

- (a) The paved car parking area within the rear garden shall be reduced in favour of increased planting and/or other suitable landscaping treatment. The remaining car parking area shall be sufficient to accommodate 1 no. parked car and required turning facilities only. Revised plans shall be submitted for the written agreement of the Planning Authority prior to commencement of development.*

(b) All costs incurred by Dublin City Council including any repairs to the public road and services necessary as a result of the development shall be at the expense of the developer.

3.2. Planning Authority Reports

3.2.1. Planning Report

The planning report reflects the decision of the Planning Authority made on the 9th September 2025 and recommends a decision to grant permission subject to 10 no. conditions.

3.2.2. Other Technical Reports

3.2.2.1. Drainage Division

The Drainage Division report indicates no objections subject to compliance with standard drainage conditions.

3.2.2.2. Transportation Planning

No objections to the development expressed, subject to conditions requiring a reduction of on-site car parking to 1 no. space and the recoupment of costs in the event of repairs to the public road and services as a result of the development.

3.2.2.3. Conservation Officer

The report of the Conservation officer welcomes the change of use from commercial to family dwelling, its original use, and concludes with a recommendation to seek Additional Information to address a number of issues. These include revisions to the design of the glazed staircase extension; amendments to the intended internal layout; omission of calcium silicate board insulation; omission of proposed openings, re-design of the access steps and reduction in hard standing area as well as relocation of the bin storage area. The report also states that should permission be awarded, the forgoing should be addressed by compliance. Other matters to be addressed by condition include, re-pointing of stone and brickwork and removal of render; window

detailing; a revised services strategy; relocation of solar panels to the roof of the rear return; design of roof light; roof vent and rainwater goods detailing.

3.3. **Prescribed Bodies**

None on file.

3.4. **Third Party Observations**

An observation was received with the matters raised summarised as follows:

- The redevelopment is welcomed, particularly regarding the front garden and removal of the concrete structure.
- The new walls to be constructed should not be higher than the existing. The walls and new extension should not result in overshadowing/light obstruction.
- Concerns in relation to loss of parking on Morehampton Terrace and construction traffic.

4.0 **Planning History**

4.1. **Reg. Ref: 0643/99**

Permission sought at No. 59 Morehampton Road, Donnybrook Dublin 4 (a List 2 building) for development comprising (a) Signage to front elevation. (b) Ramped pedestrian access to entrance level at front. (c) 3 storey extension to rear (28 sq. m.). (d) Change of use of rear yard to staff car park with access via Morehampton Terrace.

Decision: Permission GRANTED 4th May 1999.

5.0 **Policy Context**

5.1. **Architectural Heritage Protection -Guidelines for Planning Authorities - October 2011.**

The Guidelines comprise Part 1- Legislative and Administrative Provisions and Part 2 Detailed Guidance Notes.

- **Chapter 6 Development Control**

Refers *inter alia* to documentation required to accompany an application for works to a protected structure or exterior of a building within an ACA.

- **Section 6.7.2** relates to framing conditions in a planning permission.

- **Section 6.8.8 Material Change of Use**

‘The best way to prolong the life of a protected structure is to keep it in active use, ideally in its original use’.

- **Section 7.3 Keeping a Building in Use**

- **Section 7.3.1** *‘The original use for which a structure was built will be the most appropriate, and to maintain that use will involve the least disruption to its character. While a degree of compromise will be required in adapting a protected structure to meet the requirements of modern living, it is important that the special interest of the structure is not unnecessarily affected’.*

- **Section 7.11 Using Appropriate Materials and Methods**

- **Chapter 11 Interiors**

Section 11.2.1 *‘Where the original plan form remains, or is readily discernible, it should be identified and respected’*

Section 11.2.2 *‘Where alterations are essential for the continued viability of a building with an interior of value, attempts should be made to keep works to a minimum and preferably confined to areas of secondary importance’.*

- **Section 11.2.4** *‘Where an earlier, unsatisfactory subdivision or opening up of rooms or spaces has taken place, in a manner which has distorted the original design, the opportunity could be taken to reinstate the earlier plan-form’.*
- **Section 11.2.5** *‘Reinstatement work, such as the removal of later partitions or lobbies, should generally be undertaken where it can be readily achieved and does not involve the loss or damage of later alterations of quality’.*
- **Section 11.2.14 Internal Walls and Partitions**

5.2. Improving Energy Efficiency in Traditional Buildings: Guidance for Specifiers and Installers–Department of Housing, Local Government and Heritage 2023

5.3. Dublin City Development Plan 2022-2028

5.3.1. The Dublin City Development Plan 2022-2028 is the operative Development Plan for the area and came into effect on the 14th December 2022.

5.3.2. Volume 1 Written Statement

5.3.2.1. Chapter 5 Quality Housing and Sustainable Neighbourhoods

- Policy QHSN2 National Guidelines
- Policy QHSN6 Urban Consolidation
- Policy QHSN8 Reduction of Vacancy

5.3.2.2. Chapter 11 Built Heritage and Archaeology

- Policy BHA2 Development of Protected Structures
- Policy BHA9 Conservation Areas
- Policy BHA11 Rehabilitation and Reuse of Existing Older Buildings
- Policy BHA21 Retrofitting Sustainability Measures
- Policy BHA22 Upgrading Environmental Performance
- Policy BHA24 Reuse and Refurbishment of Historic Buildings
- Section 11.5.4 Retrofitting, Sustainability Measures and Addressing Climate Change.

5.3.2.3. Chapter 14 Land Use Zoning

- The appeal site is within Zone Z2 Residential Neighbourhoods (Conservation Areas) where the objective seeks *‘to protect and/or improve the amenities of residential conservation areas’*.
- The related strategy states *inter alia* that *‘the overall quality of the area in design and layout terms is such that it requires special care in dealing with development proposals which affect structures in such areas, both protected*

and non-protected. The general objective for such areas is to protect them from unsuitable new developments or works that would have a negative impact on the amenity or architectural quality of the area’.

- Residential is listed as a permitted use.
- Volume 3 Mapset H illustrates the appeal site in relation to the Z2 Zoning Objective.

5.3.3. Volume 2 Appendix 5 Transport and Mobility: Technical Requirements

- **Section 4.0 Car Parking Standards.**

Dublin City Council is divided into three areas for the purpose of parking control (Map J). The appeal site is located in Zone 2 which occurs alongside key public transport corridors.

- Morehampton Road is identified on Map J under Existing Public Transport as a Bus Connects Spine (High frequency on existing road network - delivery timeframe 2021-2024). The route is also highlighted as a proposed Bus Connects Radial Core Bus Corridor (indicative alignment) under Future Public Transport.
- **Table 1 Bicycle Parking Standards for Various Land Uses.**
In all zones, a residential dwelling requires 1 no. long term bicycle parking space and 1 no. short stay/visitor per 5 dwellings.
- **Table 2 Maximum Car Parking Standards for Various land Uses** specifies the requisite level of on-site parking to be provided for residents, staff and visitors for various types of development. These car parking standards *‘shall be generally regarded as the maximum parking provision and parking provision in excess of these maximum standards shall only be permitted in exceptional circumstances e.g. boundary areas, or where necessary for the sustainable development of a regeneration area’.*
- Table 2 specifies 1 no. space per dwelling in Zone 2.
- Extant use as office/commercial has existing parking/transport demand.

5.3.4. **Volume 4 Record of Protected Structures**

- The property is listed on the Record of Protected Structures (RPS) contained in Volume 4. Ref. RPS 5338 - House.

5.4. **Natural Heritage Designations**

South Dublin Bay and River Tolka Estuary SPA (Site Code 004024) c. 2.3km

North Bull Island SPA (Site Code 004006) c. 6.0km

South Dublin Bay SAC (Site Code 000210) c. 2.3km

North West Irish Sea SPA (Site Code 004236) c. 6.5km

Rockabill to Dalkey Island SAC (Site Code 003000) c.10.0km

North Dublin Bay SAC (Site Code 000206) c.5.8km

5.5. **EIA Screening**

The proposed development, comprising the change of use from Credit Union/Bank to a dwelling is not a project and 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.

6.0 **The Appeal**

6.1. **Grounds of Appeal**

The decision of the Planning Authority made on the 9th September 2025 is the subject of a First Party appeal by Mr. Peter O' Reilly. A cover letter prepared by the appellant, together with a report prepared by Mr. Michael O'Boyle, RIAI Grade 1 Conservation Architect, are submitted. The focus of the appeal relates to 3 no. conditions applied by the Planning Authority in its decision to award planning permission. The issues raised are summarised below:

Condition No. 3

- The staircase extension constructed in 1999 replaced the historic stairs. The annex, constructed for office use, is unsuited to residential purposes, lacks privacy and is of a design which is at odds with the protected structure. The proposal to square-off the stepped roof profile and align with the southern face of the rear return aims to simplify the presentation, with the design informed by the form and materials of recent extensions in the surrounding area.
- The condition does not clarify whether the replacement of the glazing with zinc cladding is suitable.
- The reconfiguration of the annex is viewed as modest and in keeping with the area. The appellant is amenable to a vertical set back of 300mm from the southern façade of the rear return to ensure subservience to the existing structure if the extension is determined to be excessively dominant.
- The intended canopy is situated below the level of the boundary wall to the neighbouring property and would replace an existing (bulky) canopy which previously facilitated the commercial enterprise. The contention that the proposed canopy adds further visual clutter to a compromised elevation is disputed. The planning condition lacks clarity as to whether the existing canopy is to be removed. The appellant is amenable to a condition requiring redesign in glass if found to be visually dominant.
- Amendments to the layout of the basement as required by condition would significantly compromise the functionality of the floorspace and are viewed as unnecessary given the limited significance attributable to the area. The condition is viewed as unworkable given the prior commitments/constraints of certain floor space for e.g. heating controls/Building Regulation compliance. Basement proposals are viewed as modest interventions with limited impact on a secondary area. The interpretation of specific sections of the Architectural Heritage Protection Guidelines is excessively narrow and deviates from the overarching approach of the guidance.
- The Architectural Heritage Impact Assessment (AHIA) describes and records that the interior of the structure was comprehensively and irreversibly altered during the fit out of the Credit Union and contains no historic window joinery,

decorative plasterwork or historic flat plaster. Accordingly, the application of calcium silicate board insulation to the inner face of the external walls is viewed as acceptable and its omission unjustified. The cold bridge at the junction of the floors can be addressed by insulating the void of the suspended timber floors. Proposals are informed by guidance within *Improving Energy Efficiency in Traditional Buildings: Guidance for Specifiers and Installers*—Department of Housing, Local Government and Heritage 2023.

- Opening up work to confirm the appropriateness of using the proposed material was undertaken by the appellant.
- Condition 3(f) is considered excessively restrictive and does not recognise the extent of previous interventions to the front garden and the expense to be incurred in removing the pedestrian ramp. The historic steps do not survive and there is no evidence to demonstrate the redesign as sought is historically accurate. The central location of the pedestrian entrance would suggest that the lower ground floor steps were separate from the main entrance.

Condition No. 4

- Condition 4 parts (a) (b) (c) (e) (f) and (g) are not in dispute and/or align with the recommendations of the AHIA submitted with the application.
- Part (d) relates to the location of solar panels and associated service runs and battery storage. The appellant disagrees with the findings of the Conservation officer's report that the location would impact the character of the protected structure and the wider historic streetscape when viewed from the cul-de-sac laneway. Relocation to the southeast roof slope as suggested is unworkable, economically unviable and gives rise to difficulties in terms of access/maintenance.
- Appellant refers to *Improving Energy Efficiency in Traditional Buildings: Guidance for Specifiers and Installers* 2023 noting the need for assessment on a case-by-case basis, negating precedent setting.

Condition No. 6

- The appellant is focused on the task of conversion and will direct attention to the requirements of the rear garden in the medium term. The requirement to design the space prior to commencement of development is viewed as unnecessary.
- The condition limits the potential to locate more than one vehicle within the curtilage of the family home. Adequate space is available to accommodate carparking appropriate to the proposed residential use without compromising the setting and character of the structure. The restriction would necessitate the use of on-street parking, and application for a residents parking permit where street parking is limited.
- Negatively impacts resale value where houses of a similar size in the area have no such limits imposed.
- No intent to utilise the entirety of the rear garden as surface car parking/or use as a commercial car park.
- Condition could be amended to require that parking be restricted to the exclusive use of residents.
- Condition 6(b) is not in dispute.

General Matters

- The Conservation officer's report does not account for the extent of loss of fabric and character arising from the works undertaken in 1999 with no historic features surviving. The front external wall and two party walls are the only original surviving walls on the upper floors. The original rear wall of the house was removed as part of the renovation works.
- The planning gain attributable to the proposal is not recognised, including the removal of the pedestrian ramp and oversized front entrance steps; the replacement of aluminium window frames with sash windows; and re-pointing proposals.
- The proposals which are conservation-led, positively impact the structure.

6.2. Planning Authority Response

The Commission is requested to uphold the decision of the Planning Authority, and in the event of a grant of permission, to include conditions relation to naming and numbering and to social housing.

6.3. Observations

None on file.

7.0 Assessment

7.1. This is a First Party appeal against Condition No. 3, Condition No. 4, and Condition No. 6 of Dublin City Council's decision to grant planning permission in respect of Reg. Ref. WEB2671/25. I am satisfied, having examined the details of the application and having visited the site that the appeal can be considered under the provisions of Section 139 of the Planning and Development Act 2000 (as amended) and that the development as proposed is otherwise in accordance with the proper planning and sustainable development of the area. This assessment will therefore be confined to the specific appeal of the aforementioned conditions. I consider, therefore, that the main issues for consideration in this appeal relate to the following:

- Condition No. 3
- Condition No. 4
- Condition No. 6

7.2. Condition No. 3

7.2.1. As indicated, permission was granted under Reg. Ref: 0643/99 for works to the subject property including the ramped pedestrian access, 3-storey rear extension and change of use of the rear yard to staff car park to allow for the conversion of the property to Credit Union use. The AHIA, prepared by the appellants agent Mr. Michael O'Boyle RIAI Grade 1 Conservation Architect, indicates that the property continued in this use up to December 2023, until its closure. From inspection, the interior fit out of the former use remains *in situ*, including cash desk/public counter areas as well as back of house

office accommodation. I also note from inspection that no obvious historical features remain with significant interventions having occurred, particularly to the rear of the property with the introduction of the 3-storey glazed annex /access stairs. A number of opening up examinations were conducted by the appellant to determine the extent of surviving fabric.

7.2.2. I am of the opinion having inspected the property that internally and externally the structure has been significantly altered, including substantial removal of historic fabric.

7.2.3. Condition No. 3(a) requires that the stairwell extension to the rear be omitted and part (b) requires the omission of the proposed canopy to reduce visual clutter. The report of the Conservation officer notes the further extension (vertically) would be overly visually dominant and would detract from the legibility and special character of the structure, setting an undesirable precedent. It is contended that the proposed canopy adds additional visual clutter to an already compromised elevation. Revised plans are requested retaining the extant roof profile of the stair core in its current form with a reduction in the number of proposed opes. The First Party states that the annex is unsuited to residential purposes, lacks privacy and is of a design which is at odds with the protected structure. The proposal seeks to align the extension with the southern face of the rear return with the design informed by recent extensions in the surrounding area. I note the relatively minor adjustment in volume of the extension, its alignment with the existing rear return, its sloping roof and proposed zinc cladding. I note also the intended cantilevered canopy feature which broadly aligns with the location of the current canopy. I consider both elements to be acceptable in principle given the limited extent of the new build and intended finishes and I do not consider that the proposals would undermine the character or setting of the protected structure. I refer also to contemporary extensions evident to the rear of properties on Morehampton Terrace to the southwest of the appeal site.

7.2.4. Condition No. 3 parts (c) and (d) require amendments to the layout of the lower ground floor, including the omission of the ensuite in the front room with the utility room relocated to the storage area under the stairs. Part (d) also requires the shower/wc and utility room at this level to be used as a family bathroom with the original access doorway retained in its existing position. The report of the Conservation officer states that the proposed wall partitions to facilitate ensembles and bathrooms would generally have an adverse impact on the historic floor plan and a number of partitions at lower

ground and first floor are proposed at right angles or in front of the original chimney breasts, obscuring legibility. The report seeks revised plans and the omission of the ensuite within the front room of the lower ground floor and additionally, the relocation of the utility under the stairs, obviating the requirement for additional openings in original walls or for new partitions.

- 7.2.5. Given the condition and previous interventions at lower ground floor level, I am of the opinion that the partitioning of bedroom no. 3 to provide a small ensuite bathroom, would if undertaken sensitively and in accordance with the AHIA, not significantly compromise the legibility of the lower ground floor, particularly in view of past interventions. I am of a similar view with respect to the provision of the shower/wc and utility area centrally located within the floor and do not agree that the relocation of the utility room to the under stairs storage area is warranted. There is merit however, in revising the shower/wc and utility room configuration so as to negate the requirement for a second opening and instead requiring the floor space share a common access via the existing door, detailed in record A26 of *Appendix A- Photographic record of 59 Morehampton Road – AHIA*. I consider that Condition No. 3 should be amended accordingly.
- 7.2.6. I note with respect to Condition 3(e) that the requirement to omit calcium silicate board appears to stem from concerns in the Conservation officer's report in relation to the preservation of historic fabric, particularly where application to the inner face of the external walls would not be acceptable where original window joinery, decorative plasterwork and historic flat plaster exist. I again refer to the magnitude of the past interventions and the removal of such features. Provided the use of insulating materials within the refurbishment complies with the AHIA and Conservation Method Statement, I am of the view that the prohibition on its use would not be warranted. I also note the contention by the appellants agent, Mr Michael O'Boyle RIAI Grade 1 Conservation Architect that the cold bridge at the junction of the floors can be addressed by insulating the void of the suspended timber floors.
- 7.2.7. Condition 3(f) requires revised plans to be submitted detailing *'the proposed lower ground floor access steps rearranged in a dog leg arrangement with the main entrance steps, or alternatively at right angles to the main entrance steps. The entrance to the proposed plant room under the main entrance steps may be moved south to accommodate the steps'*.

- 7.2.8. The first party considers Condition 3(f) excessively restrictive and fails to recognise the extent of previous interventions to the front garden permitted by the Planning Authority under Reg. Ref. 0643/99, as well as the expense to be incurred in removing the installation. The historic steps do not survive, and it is contended there is no evidence to demonstrate such access arrangements served the dwelling. The appeal contends that the central location of the pedestrian entrance suggests the lower ground floor steps were separate from the main entrance.
- 7.2.9. I note in this regard that No. 57 the adjoining property is similar in form and design, noting the location of an entrance door serving the lower ground floor positioned under the entrance level window. The forecourt area is paved and slopes towards the entrance in this instance.
- 7.2.10. The proposal as set out on Drawing Ref. *Proposed Plans 25-03-FH-00-ZZ-SH-A* would see the removal of the not insignificant raised concrete pedestrian ramp and the provision of a granite paved terrace, walls and steps with cast iron railings to match the existing. The lower ground level would be provided with a granite paved terrace and a sloping garden. The Sectional Drawing submitted indicates the existing granite steps are to be salvaged and relocated towards the front door, aligning with No. 57. A small timber bin storage area is positioned to the rear of the boundary wall, adjacent the pedestrian gate.
- 7.2.11. It is my view that the removal of the raised pedestrian ramp and the refurbishment of the front garden is a significant component of the refurbishment project and would significantly enhance the setting and appearance of the protected structure. I note the Planning Authority's Conservation report considers the proposed access arrangement to the lower ground floor, with steps at the north west boundary wall, to be poorly considered and states that the *'traditional arrangement for lower ground steps would be adjacent to the main front entrance steps in a dog-leg arrangement, with the lower ground floor accessed under the front entrance steps'*. The appeal documentation indicates that no historical steps survive at this location and no cartographic or photographic evidence in support has been proffered by the Planning Authority.
- 7.2.12. On balance, having regard to the significant alteration of the forecourt under past contemporary interventions, the design rationale put forward by the appellant, the quality of the intended finishes and the extant access arrangements at no. 57 the

adjoining property, I am of the view that Condition 3(f) is not warranted and should be omitted.

7.3. Condition No. 4

- 7.3.1. In respect of Condition No. 4 parts (a), (b), (c), (e), (f) and (g) I note no concerns have been raised by the appellants and that the items in question are not in dispute and/or align with the recommendations of the AHIA provided.
- 7.3.2. With respect to Condition 4(d), I refer to the requirement to '*clarify the location of the solar panels associated service runs and battery storage*'. In noting that the intent of the Condition is not directional in seeking to have the solar panels relocated, the text would appear to truncate a recommendation contained within the Conservation officer's report which sought '*in advance of works commencing on site, the applicant shall submit revised drawings showing the proposed solar panels relocated to the roof of the rear return*' with the applicant to also clarify the location of associated service runs and battery storage. In noting the single pile nature of the subject roof, rather than double pile as in neighbouring houses, the Conservation officer found that the panels would be visible from Morehampton Hall to the rear; would impact the character of the protected structure and the wider historic streetscape; and would contravene policies BHA2 and BHA22 of the Development Plan, setting an undesirable precedent.
- 7.3.3. Policy BHA2 and BHA22 refer respectively to the Development of Protected Structures and to Upgrading Environmental Performance with regard to historic and other buildings subject to heritage protection. While Policy BHA2 sets out general requirements to conserve and enhance protected structures and their curtilages, Policy BHA22 recognises the need to upgrade environmental performance of such structures requiring that '*the installation of renewable energy measures and equipment will be acceptable where sited and designed to minimise the visual impact*' and where it does not result *in any significant loss of historic fabric or otherwise affect the significance of the structure*. [own emphasis]
- 7.3.4. Drawing Ref. '*Existing and Proposed South Elevations Sheet No. 25-03-FH-00-ZZ-SH-A*' indicates an array of 6 no. photovoltaic panels (PV) with anti-reflective coating

to the rear (southwestern) roof slope, positioned below the roof ridge. The AHIA undertaken refers on pages 16/17 to national guidance contained in *'Improving Energy Efficiency in Traditional Buildings': Guidance for Specifiers and Installers'* and to factors to be considered when assessing the suitability of solar panel systems. The AHIA concludes that the PV panels would have a modest and manageable impact on the character and setting of the protected structure. I note also the significant amendments to the roof design and comments within the Conservation Report finding that *'it is possible that the roof was extended upwards to form a single pile roof in the late 20th century but the provenance of this is unknown'*.

- 7.3.5. I have inspected the structure and have viewed the appeal site from numerous vantage points in the surrounding area, including from Morehampton Terrace and Marlborough Road. While the land use Zoning Objective of Z2 -City Residential Neighbourhoods (Conservation Areas) pertains, the appeal site is not located within an Architectural Conservation Area (ACA), and the solar panel installation would not be readily visible from the closest ACA to the south-east designated for Belmont Avenue/Mount Eden Road and Environs. I am satisfied in this particular instance, that the proposal would have limited impact on the protected structure and would not contravene Policy BHA2 or BHA22 of the Dublin City Development Plan 2022-2028, noting in particular that Policy BHA22 specifically recognises the need to upgrade environmental performance of such structures. The policy stipulates that the installation of renewable energy measures and equipment will be acceptable where sited and designed to minimise the visual impact and where it *'does not result in any significant loss of historic fabric or otherwise affect the significance of the structure'*. I am of the view that the proposal complies with the foregoing, and I recommend that Condition No.4(d) is amended and the remainder of the Condition re-numbered accordingly.

7.4. Condition No. 6

- 7.4.1. The site in its entirety is included within the red line application boundary as set out under Reg. Ref. WEB 2671/25. This is inclusive of the rear garden/yard area accessed

from a laneway off Morehampton Terrace. The rear garden/yard is served by a roller shutter gate and its overhead casing which spans the width of the site. The area is devoid of landscaping/planting and was formerly in use as a car park. No discernible demarcated parking spaces were observed on inspection. I note Drawing Ref. *'Existing Proposed Site Plan/Context Sheet No. 25-03-FH-00-ZZ-SH-A'* illustrates parking for two vehicles, however the depth of the site and current surface treatment would suggest that additional vehicles could be accommodated.

7.4.2. No detailed plans or proposals demonstrating the intended layout, including landscaping of the rear garden are provided and I note the appellant will initially focus on the refurbishment of the house before addressing the design of this area. I refer also to statements within the appeal documentation that there is no intent to utilise the entirety of the area as surface carparking or to operate a commercial parking enterprise. The area will instead function as an adjunct to the residential use.

7.4.3. The Dublin City Development Plan, Volume 2 Appendix 5, Transport and Mobility: Technical Requirements, establishes under Section 4.0 Car Parking Standards that the Council's functional area is divided into three zones for the purpose of parking control. The appeal site is shown on Map J located in Zone 2 for the purposes of Parking Standards. Table 2 Maximum Car Parking Standards for Various Land Uses specifies the requisite level of on-site parking per zone to be provided for various developments. The Plan states that car parking standards are generally regarded as maximum parking provision and allocation in excess of these maximum standards shall only be permitted in exceptional circumstances e.g. boundary areas, or where necessary for the sustainable development of a regeneration area. In this regard, the requirement as set out in Table 2 is for 1 no. space per dwelling unit in Zone 2. As the appeal site is not located within a regeneration area and cannot be classified as a boundary location, the provision of car parking levels above the maximums stipulated do not apply.

7.4.4. I note also that Table 1 of the same Appendix relates to Bicycle Parking Standards for Various Land Uses and requires a residential dwelling to provide for 1 no. long term bicycle parking space and 1 no. short stay/visitor space per 5 no. dwellings in all zones. Given the size of the site, bicycle parking can be comfortably accommodated.

- 7.4.5. While I note the intent to focus on refurbishment with external works to the rear garden to follow in the medium term, I do not hold that the requirements of Condition No. 6 are particularly onerous. I refer to the requirement under Condition 6(a) to reduce the extent of the paved area in favour of increased [planting] / other suitable landscaping treatment and to provide accommodation for 1 no. parked car and its associated turning facilities. Part (b) refers to the recoupment of any costs by Dublin City Council in the event of repairs to the public road/services. The report of the Transportation Division did not otherwise raise concerns in relation to the use of the rear of the property for parking purposes. The adjoining laneway is narrow, and the site entrance is located in close proximity to a cul-de-sac and a sharp turn in the lane alignment.
- 7.4.6. I recognise the acceptability of continued vehicular access from the lane to the site, noting that Reg Ref. 0643/99 consented to the use of the rear yard for staff car parking with access via the adjoining laneway. Notwithstanding the approved use of the rear yard and the the transport and parking demands arising from the former commercial use, I am satisfied given the current policy context; the stated requirements of the statutory Development Plan in force and the absence of specific detail within the planning application with regard to the design/layout of the rear garden and parking allocation, that the requirements of Condition No. 6 are reasonable and justified. Accordingly, I consider Condition No. 6 should be attached.

8.0 Appropriate Assessment Screening

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

The appeal site is located on zoned, serviced lands and relates to an existing two storey over basement property which is a protected structure. The separation distances between the appeal site and Natura 2000 sites situated in the wider area are set out below:

South Dublin Bay and River Tolka Estuary SPA (Site Code 004024) c. 2.3km

North Bull Island SPA (Site Code 004006) c.6.0km

South Dublin Bay SAC (Site Code 000210) c. 2.3km

North West Irish Sea SPA (Site Code 004236) c. 6.5km

Rockabill to Dalkey Island SAC (Site Code 003000) c.10km

North Dublin Bay SAC (Site Code 000206) c.5.8km

- 8.2. The development comprises a change of use from Credit Union/Bank to a dwelling with internal and external works. The structure benefits from existing connections to public infrastructure.
- 8.3. The Planning Authority undertook Appropriate Assessment Screening, determining that there was no likelihood of significant effects on a European Site.
- 8.4. No nature conservation concerns were raised in the planning appeal.
- 8.5. 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. The reason for this conclusion is as follows:
- Nature of the works i.e. change of use from commercial to residential, together with minor external and internal works within the existing historic property.
 - Location and distance from the nearest European site and lack of connections.
 - Taking into account determination of the Planning Authority.
- 8.6. 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.

Likely significant effects are excluded and thereafter Appropriate Assessment (under Section 177V of the Planning and Development Act 2000), as amended, is not required.

9.0 **Water Framework Directive**

- 9.1. The subject site concerns No. 59 Morehampton Road, Donnybrook Dublin 4 and relates to the change of use from a Credit Union/Bank to residential use with associated internal and external works. The appeal site is separated by a distance of approximately 1.0km from the Grand Canal Main Line (Liffey and Dublin Bay) IE_09_AWB_GCMLE and is approximately 540m from the River Dodder

IE_EA_09D010900. The site is within the Liffey and Dublin Bay Water Framework Directive Catchment ID09.

9.2. I have assessed the development seeking permission and have considered the objectives as set out in Article 4 of the Water Framework Directive which seeks to protect and, where necessary, restore surface and 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. The reason for this conclusion is as follows:

- Nature of works concerned, providing for the change of use from Credit Union/Bank to residential use and associated internal and external works, on zoned lands and noting existing connections to public wastewater, water supply and surface water systems.
- Distance from nearest water bodies and/or lack of hydrological connections.

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.

10.0 Recommendation

Having regard to the nature of the conditions the subject of this appeal, the Commission is satisfied that the determination by the Commission of the relevant application as if it has been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of Section 139 of the Planning and Development Act, 2000, as amended to,

- (a) Amend Condition No.3 as set out below:

(b) Amend Condition No.4(d) as set out below with all remaining parts of Condition No.4 unaltered.

(c) Amend Condition No. 6 as set out below:

All remaining conditions should be re-numbered accordingly.

11.0 Reasons and Considerations

11.1. Having regard to the planning history of the site and the nature, scale and extent of previous amendments and alterations to the property, both internally and externally, and having regard to the pattern of development locally, it is considered that the proposed development would adhere to the relevant provisions of the Dublin City Development Plan 2022-2028 and would not seriously injure the amenities of the area, or property in the vicinity and would not have an adverse effect on the character and setting of the protected structure. Condition No.3 of the Planning Authority's Decision should be amended; Condition No.4(d) should be amended, noting the location of the proposed solar panels would not have a significant negative impact on the protected structure or the surrounding area. Condition No. 6 should be amended.

Conditions:

Condition No. 3 The following shall be complied with:

- (a) The shower/wc and utility at lower ground floor level shall be configured so as to negate the requirement for a second door opening. The floor space shall be accessed only by the existing door to the current Safe Room at the location of photographic record A26 shown in the *Photographic Record of 59 Morehampton Road Appendix A of the AHIA*. Revised plans, drawings and particulars detailing the foregoing shall be submitted to and agreed in writing with the Planning Authority, prior to the commencement of development.
- (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, issued by the Department of Arts, Heritage and the Gaeltacht. Any repair works shall retain the maximum amount of surviving historic fabric *in situ*.

(c) The development shall be carried out in compliance with:

(i) the Conservation Architect's Method Statement and

(ii) the Architectural Heritage Impact Assessment Report, both prepared by Michael O'Boyle RIAI Grade 1 Conservation Architect and lodged on the 16th July 2025.

(d) All repair of original fabric shall be scheduled and carried out by appropriately experienced conservators of historic fabric.

Reason: In the interest of the protection of architectural heritage and in order to ensure the protection of original fabric, character and integrity of the protected structure.

Condition No. 4

(d) The solar panels to the rear roof slope shall accord with the location indicated on Drawing Ref: *Existing and Proposed South Elevations Sheet No. 25-03-FH-00-ZZ-SH-A* lodged with the Planning Authority on the 16th July 2025. Prior to the commencement of development, the developer shall submit details confirming the location of the storage battery and service cabling to the Planning Authority for written agreement. All works shall be carried out under the supervision of a suitably qualified conservation architect in accordance with a method statement to be agreed with the Planning Authority prior to the commencement of development. When no longer required, the installation, including all associated cabling and battery storage, shall be removed.

Reason: In order to protect the character and integrity of the protected structure and to ensure that the proposed works are carried out in accordance with best conservation practice.

Condition No. 6

Prior to the commencement of development, revised plans and particulars shall be submitted to the Planning Authority for written agreement demonstrating the following:

- (a) The rear garden area shall be appropriately planted and landscaped and shall demonstrate provision for 1 no. car parking space and associated turning facilities.
- (b) The car parking space shall be for the exclusive use of the dwelling house and shall not be sold, let or otherwise separated from the residential use on site.
- (c) All costs incurred by Dublin City Council, including any repairs to the public road and services necessary as a result of the development, shall be at the expense of the developer.

Reason: In order to ensure a satisfactory standard of development and to ensure compliance with the requirements of the Dublin City Development Plan 2022-2028.

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 me, directly or indirectly, following my professional assessment and recommendation set out in my report in an improper or inappropriate way.

Patricia Byrne
Planning Inspector

10th February 2026

Appendix 1 - Form 1
EIA Pre-Screening

An Coimisiún Pleanála Case Reference	PL-500005-DS		
Proposed Development Summary	The development comprises the change of use from Bank/Credit union to dwelling with internal and external works.		
Development Address	No. 59 Morehampton Road Donnybrook Dublin 4 D04 XV63		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)	Yes	X Change of Use is not a project, but associated works are a project	
	No	No further action required	
2. Is the proposed development of a class specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) and does it equal or exceed any relevant quantity, area or limit where specified for that class?			
Yes			EIA Mandatory EIAR required
No	X		Proceed to Q.3
3. Is the proposed development of a class specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) but does not equal or exceed a relevant quantity, area or other limit specified [sub-threshold development]?			
		Threshold	Comment (if relevant)
Conclusion			
No	X		No EIAR or Preliminary

				Examination required
Yes				Proceed to Q.4

4. Has Schedule 7A information been submitted?				
No	X			Preliminary Examination required
Yes				Screening Determination required

Inspector: _____

Date: _____ .