



Inspector's Report

PL-500632-DS-26

Development	Change of use of vacant unit to 4 no. studio apartments, a museum/community room and all ancillary works necessary to facilitate the development.
Location	Museum Unit, Block C, Bellevue, Islandbridge, Kilmainham, Dublin 8.
Planning Authority	Dublin City Council South.
Planning Authority Reg. Ref.	WEB5421/25.
Applicant(s)	Logical Development and Consulting Ltd.
Type of Application	Permission.
Planning Authority Decision	Refuse Permission.
Type of Appeal	First Party Normal Planning Appeal.
Appellant(s)	Logical Development and Consulting Limited.
Observer(s)	Bryan Patten. Lucy Riordan. Jane and Dominic Keogh.
Date of Site Inspection	24 th February 2026
Inspector	C. Daly.

1.0 Site Location and Description

- 1.1. The subject site, of area 0.13ha., consists of a vacant part double height ground floor unit with part mezzanine level within Block C which is not a protected structure, Bellevue, an apartment complex, at Islandbridge, formerly Islandbridge House and Mills, Dublin 8. The ground floor area is 101.2sqm and the mezzanine level is 40.6sqm. There are a number of large residential blocks within Bellevue some of which are new and some of which were redeveloped historic buildings and which range in height from two to five storeys.
- 1.2. The subject unit incorporates an area of open floor which is open to a mill pit below the unit and beneath the existing building. The Mill Race to the south of the site is listed on the National Inventory of Architectural Heritage and is of cultural and historic interest. The Islandbridge Mills complex pre-20th century stone and brick mill buildings are listed as protected structures in the Development Plan under RPS no. 1852. The site is noted to be within the zone of archaeological constraint for recorded monuments (RMP DU018-020281 (Islandbridge settlement) and DU018-020278 (Mill Island, Islandbridge)).
- 1.3. The Bellevue site is adjacent to some playing fields to the south and a short distance from the Irish National War Memorial Gardens to the south-west. To the north the Bellevue site is bounded by the River Liffey. There are some houses to the east of Bellevue, a warehouse to the south and a flat complex to the south-east. Across the road to the east is the Clancy Quay build to rent housing development. The site is zoned for residential development and is within a designated Conservation Area and is at the western end of the South Circular Road to the west of the city centre.
- 1.4. The established residential site and surrounding residential development is served by Dublin Bus route no.s 69, 80, C5 and C6 from stop no. 1472 along Chapelizod Road c.590m walking distance from Bellevue.

2.0 Proposed Development

- 2.1. The proposed development, in summary, consists of the following:
 - The change of use of the double height Museum Unit to two studio apartments and 24.6sqm museum/community room at ground floor level and two no. one

bedroom apartments at first floor level of the four storey Block C, and associated internal alterations with apartment no. two at ground floor level to be served by private amenity space at the existing terrace to the south of the building.

- The covering over a mill pit below the existing unit.

3.0 Planning Authority Decision

3.1. Decision

Dublin City Council decided to refuse permission for one reason related to its contravening condition no.s 8 and 15(b) of the parent permission where the purpose built museum unit was intended as a cultural space with the residential development specifically for the display of an historic mill race for public benefit and that regarding the preservation of in-situ archaeological remains it would be contrary to Policy BHA 26 and Objective BHAO 19 and this would negate the potential for a meaningful cultural space within the designated cultural quarter in Kilmainham-Inchicore, contrary to Policy CU 7.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Planner's Report considered the change of use permissible in principle under the Z1 zoning objective for the site. It noted the floorspace was permitted as a museum/exhibition space under the parent permission and the City Archaeologist noted that conditions required details to be submitted for agreement in relation to the use of the space for the display of historic artefacts discovered on the site during archaeological assessment. It noted that the space was never used for this purpose. It noted that the common areas of the development were not transferred to an owners management company as they had not been completed and the site is now in separate ownership.

It noted a letter of support from Bellevue Owners' Management Company (OMC) stating that the remaining museum/community space will provide a vital space for events such as management company meetings and community events and this will reintegrate the area into active use. It noted that no details were submitted in relation

to the operation and management of the remaining community space. It notes that the space is shown with no ancillary spaces such as staff areas or bathrooms which it notes would further reduce the available space. It noted serious concerns in relation to the loss of the original space.

In relation to the apartments it noted compliance with minimum internal floor area standards. In relation to Unit no. 1, a studio unit, it noted its single aspect design with the main access being into the living area and with no private open space. In relation to the first floor one bedroom units, it noted no private open space provision and that permission would be required from the OMC for the access via the adjacent stairway. It recommended that, if permission is granted, that unit 1 be either omitted or amalgamated with unit 2. It also noted no additional communal open space provision but noted that some flexibility is allowed.

In relation to conservation matters, it noted the report from the City Archaeologist which considered the proposal to be contrary to the spirit of the parent permission as it would eliminate the potential for public access to the archaeological heritage of the site and negate the potential for a cultural space to serve the designated cultural quarter. It notes the site to be within the zone of archaeological constraint for recorded monuments (RMP DU018-020281 (Islandbridge settlement) and DU018-020278 (Mill Island, Islandbridge)).

It notes that current whereabouts, condition and plans for the reinstatement of the industrial machinery for display under the subject site is unknown and that no information on this is provided with the application. It noted the application does not include an archaeological impact assessment and that no explanation is provided as to why the museum unit has never been occupied as required.

It notes that the drawings fail to reflect that the mill pit beneath the floor area is open and that it extends the full length of the ground floor. It notes the submitted Planning Report which states that the mill pit will be covered in accordance with a structural engineer's design and a new sealed floor will be installed over the mill stream. It noted no structural engineer's report with the application.

It notes that the proposal to cover and seal off the mill race would have a potentially serious negative visual effect and may impact physically on the historic fabric of this archaeological feature. It states that the impacts have not been considered in the

application. It notes CDP policies in support of cultural clusters and hubs and spaces in the area. It considered that private residential use is not considered compatible in this circumstance. The City Archaeologist report recommended that permission be refused in relation to these issues.

In relation to access and parking, the Transportation section noted that 0.5 spaces per dwelling would be required and no spaces would be required for the remaining space. It noted that the areas for same are outside the red line boundary with no legal documentation in relation to rights of access, use or allocation such that they are not considered part of the proposal. It noted that F.I. would be required in relation to how car parking is currently assigned.

It considered the cycle parking arrangements to the north acceptable subject to the submission of confirmation of their location within the blue line ownership boundary. It noted the failure to identify a refuse/storage area for the apartments and that a revised proposal would be required in this regard and that their location on the footpath would not be acceptable as it would impede pedestrian movement. It noted that the Drainage Division noted the location within an area susceptible to flooding and that F.I. is required on this.

The report recommended that permission be refused for the reason noted in Section 3.1 above.

3.2.2. Other Technical Reports

- Drainage: Recommended F.I..
- Transportation: Recommended F.I..
- City Archaeologist: Recommended refusal of permission.
- Environmental Health: No objection, subject to conditions.

3.3. Prescribed Bodies

- Uisce Éireann: No report received.
- Irish Rail: No report received.
- Department of Housing, Local Government and Heritage: No report received.

3.4. Third Party Observations

Two no. third party observations were received which can be summarised as follows:

- The site was purchased within the last 4 years knowing it had permission for a museum and amenity space and it has been left vacant.
- Unit 1 would have no privacy.
- The remaining floor space of 24.6sqm is too small to support the 259 homes in Bellevue and access is required for the mill pit reducing space.
- Ceiling height would be below the required standard.
- The area outside the unit is used for taxis, deliveries, bin collection and informal visitor parking with implications for future residents.
- Failure to supply a structural engineering design for managing and covering the mill pit.
- Failure to protect the industrial heritage of the mill pit and mill race and failure to submit a conservation assessment despite the site history.
- The mill pit, mill race and sluices are under the two proposed studio units and are not shown on the ground floor plans where there is a c.1m tall metal and glass surround (photos submitted).
- The residents were not consulted by the management company.
- This space was permitted as an amenity space for the Bellevue development and the museum space was required by condition and the basis for this is still valid.
- The artefacts recovered by the archaeological surveys may have been lost.
- There is no detail on how the museum/community space would operate.
- Failure to mention the cultural quarter and planned new bridge to the Phoenix Park from the War Memorial Gardens which could include the site.
- The common areas in the building, including the mill space were never transferred to the OMC as they were not completed.
- Inconsistent drawings and not clear if apartment 1 will have natural light.

- The car parking spaces should be for the residents of Bellevue and are outside the red line boundary.
- Communal bicycle spaces referred to no longer exist.
- Absence of flood risk assessment.
- A dangerous precedent would be set by granting permission.

4.0 **Planning History**

0992/96: Permission granted by the P.A. and granted on appeal (PL 29s.101952) for a mixed use development of 96 apartments in six no. two to five storey buildings, an exhibition/entrance area of 107sqm and office/ commercial space of 642msqm. Two of the buildings are reconstructed existing mill buildings and the rest of the buildings are designed to replace existing ruined buildings. The buildings surround two restored mill ponds and existing mill races and sluices are also to be restored. The site area is 3.24 acres, of which 1.83 acres are to be reserved as public open space. Road access is from Memorial Square along the side of the Memorial Park with a new bridge to the site. Car parking is for 119 spaces, mainly below the buildings.

Condition no. 8: Arrangements for the display of material, access by the public and management of the exhibition space shall be submitted to and agreed with the planning authority prior to the completion of Building C.

Reason: In the interest of maximising the public use of the proposed Museum.

Condition no. (15) (a) All upstanding walls or buildings being demolished or renovated shall be initially surveyed. The developer shall retain a suitably qualified person to conduct a full architectural survey, including the compilation of a detailed photographic archive of all extant features on site. This shall include the buildings, the extant machinery housed therein, the mill race and ponds.

(b) Any machinery relating to the industrial history of the site extant on the site shall be conserved, using as close as possible contemporary materials. The applicant shall retain a suitably qualified person to advise on the conservation and reconstruction of this machinery. This machinery if not housed in-situ shall be housed in the exhibition building to be erected on site.

(c) The area of the mill race shall be cleaned and maintained in accordance with the requirements of the planning authority.

Reason: In the interest of preserving or preserving by record the industrial archaeological remains on the site likely to be damaged or altered in the course of development.

3261/99: Permission granted by the P.A. for alterations to permitted development pursuant to Planning Permission Reg. Ref. 0992/96 comprising of the following: change to 10 No. two bed apartments in lieu of 10 No. commercial units at ground and first floors and amendments to dormer windows at fourth floor, east elevation.

4086/00: Permission granted by the P.A. for minor changes to previously approved apartment development for 5 no. 2 bedroom apartments changed to 3 bed apartments. 4 no. 1 bedroom apartments changed to 2 bedroom apartments.

3168/01: Permission granted by the P.A. for alterations to Block D to omit 4 no. 3 bedroom duplex apartments and 3 no. 2 bedroom duplex apartments at third and fourth floor levels and replace with 3 no. 2 bedroom apartments and 4 no. 1 bedroom apartments at third floor level and 3 no. 2 bedroom apartments and 2 no. 1 bedroom apartments at fourth floor level giving a total of 5 no. additional apartments (i.e. 29 no. total number units in this block).

EO132/04: A complaint that no museum is on site was closed in June 2006 due to a stated lack of evidence.

Sites in the Vicinity

2733/98: Permission granted by the P.A. and granted on appeal (ABP ref. PL29S.116432) at 765 (E) and (F), South Circular Road, (Formerly Islandbridge House for 88 no. apartments in 4 no. buildings ranging from 3 to 5 storeys in height. The extension of a previously approved semi-basement carpark with the addition of 92 no. car spaces. Access by previously approved new road and bridge from Memorial Square (off South Circular Road) along the side of Memorial park. The Buildings surround an open courtyard and face onto an existing Mill race which is to be restored.

5.0 Policy Context

5.1. Dublin City Development Plan 2022-2028 (the CDP)

The site is located under the Z1 zoning objective and is designated as a conservation area.

Chapter 2 – Core Strategy

Policy CSO 7 Promote Delivery of Residential Development and Compact Growth

To promote the delivery of residential development and compact growth through active land management measures and a co-ordinated approach to developing appropriately zoned lands aligned with key public transport infrastructure, including the SDRAs, vacant sites and underutilised areas.

Chapter 5 – Quality Housing and Sustainable Neighbourhoods

Policy QHSN 6 Urban Consolidation

To promote and support residential consolidation and sustainable intensification through the consideration of applications for infill development, backland development, mews development, re-use/adaption of existing housing stock and use of upper floors, subject to the provision of good quality accommodation.

Policy QHSN 8 Reduction of Vacancy

To promote measures to reduce vacancy and underuse of existing building stock and to support the refurbishment and retrofitting of existing buildings, including Dublin City Council's Estate Renewal Programme.

Policy QHSN 36 High Quality Apartment Development

To promote the provision of high quality apartments within sustainable neighbourhoods by achieving suitable levels of amenity within individual apartments, and within each apartment development, and ensuring that suitable social infrastructure and other support facilities are available in the neighbourhood.

Chapter 6 – City Economy and Enterprise

Vacant Sites

(i) To engage in the ‘active land management’ of vacant sites and properties including those owned by Dublin City Council.

(ii) To engage proactively with land-owners, potential developers and investors with the objective of encouraging the early and high quality redevelopment of such vacant sites.

(iii) To encourage and facilitate the rehabilitation and use of vacant and under-utilised buildings, including their upper floors.

(iv) To promote and facilitate the use, including the temporary use, of vacant commercial space and vacant sites, for a wide range of enterprise including cultural uses.

Chapter 11 – Built Heritage and Archaeology

Policy BHA 9 Conservation Areas

To protect the special interest and character of all Dublin’s Conservation Areas

– identified under Z8 and Z2 zoning objectives and denoted by red line conservation hatching on the zoning maps. Development within or affecting a Conservation Area must contribute positively to its character and distinctiveness and take opportunities to protect and enhance the character and appearance of the area and its setting, wherever possible...

Policy BHA 12 Industrial, Military and Maritime, Canal-side and Rural Heritage

To promote an awareness of Dublin’s industrial, military and maritime, canalside (including lock-keepers’ dwellings, locks and graving docks), rail, and rural (vernacular) heritage.

Policy BHA 16 industrial Heritage

To have regard to the city’s industrial heritage and Dublin City Industrial Heritage Record (DCIHR) in the preparation of Local Area Plans and the assessment of planning applications. To review the DCHIR in accordance with Ministerial Recommendations arising from the National Inventory of Architectural Heritage (NIAH) survey of Dublin City.

Policy BHA 17 Industrial Heritage of Waterways, Canals and Rivers

To support and promote a strategy for the protection and restoration of the industrial heritage of the city's waterways, canals and rivers, including retaining features such as walls, weirs, millraces, and the graving dock structures at Ringsend.

Policy BHA 26 Archaeological Heritage

...3. To seek the preservation in situ (or where this is not possible or appropriate, as a minimum, preservation by record) of all archaeological monuments included in the Record of Monuments and Places; all wrecks and associated objects over 100 years old and of previously unknown sites, features and objects of archaeological interest that become revealed through development activity. In respect of decision making on development proposals affecting sites listed in the Record of Monuments and Places, the council will have regard to the advice and/or recommendations of the Department of Housing, Heritage and Local Government....

BHAO 12 Findings of Licenced Archaeological Activity

To ensure the public dissemination of the findings of licenced archaeological activity in Dublin through the Dublin County Archaeological GIS, publications and public lectures, and to promote awareness of, and access to, the city's archaeological inheritance and foster high quality public archaeology.

BHAO 19 Built Heritage and Archaeology

To provide for the protection, preservation and promotion of built heritage, including architectural heritage, archaeological heritage and underwater heritage, and support the in situ presentation and interpretation of archaeological finds within new developments.

Chapter 12 – Culture

Policy CU 7 Cultural Clusters and Hubs

To support existing, and encourage the growth of, emerging cultural clusters and hubs within the city, which bring together cultural activities interlinked with supporting uses (such as restaurants, retail, galleries and venues) to create vibrant, defined

cultural quarters and communities within the city that give a variety of cultural experiences to all.

Chapter 14 – Land Use Zoning

Section 14.7.1 – Sustainable Residential Neighbourhoods

Land-Use Zoning Objective Z1 (Sustainable Residential Neighbourhoods): To protect, provide and improve residential amenities.

'Residential' is listed as a permissible use under the zoning objective.

Chapter 15 – Development Standards

Section 15.9 Apartment Standards

The Sustainable Urban Housing: Design Standards for New Apartments (December 2020) available at the following link:

http://www.housing.old.gov.ie/sites/default/files/publications/files/december_2020_-_design_standards_for_new_apartments.pdf or any other future amendment thereof, sets out specific planning policy requirements (SPPR) for apartment developments. These Section 28 guidelines should be referenced as part of any planning application for apartment developments. A summary of these SPPR's together with additional requirements and standards for apartment developments are set out below.

Section 15.9.2 Unit Size / Layout sets out minimum floor areas for apartments in line with SPPR 3 of the 2020 guidelines, for a studio this is 37sqm and for a one bed this is 45sqm.

Section 15.9.3 Dual Aspect refers to SPPR 4 of the Apartment Guidelines.

Section 15.9.4 Floor to Ceiling Height requires a minimum height of 2.7m for ground floor residential units and 2.4m for upper floor residential units.

Section 15.9.6 refers to internal storage in line with the guidelines.

Section 15.9.7 refers to private amenity space standards of the guidelines and references the need for same to be screened at ground floor level.

Section 15.9.8 Communal Amenity Space

Section 15.9.11 Security

Section 15.9.13 Refuse Storage

Section 15.9.15 Operational Management and Maintenance

Appendix 5

Section 3.0 Table 1 Bicycle Parking Standards for Various Land Uses requires 1 long-term space per apartment and 1 short stay space per two apartments. Section 3.1 notes that *“a departure from the standards set out in Table 1 may be acceptable in limited circumstances on a case by case basis at the discretion of Dublin City Council”*.

Section 4.0 Table 2 Maximum Car Parking Standards for apartments in zone 2 is 1 space per dwelling.

A relaxation of maximum car parking standards will be considered in Zone 1 and Zone 2 for any site located within a highly accessible location. Applicants must set out a clear case satisfactorily demonstrating a reduction of parking need for the development based on the following criteria:

- *Locational suitability and advantages of the site.*
- *Proximity to High Frequency Public Transport services (10 minutes' walk).*
- *Walking and cycling accessibility/permeability and any improvement to same.*
- *The range of services and sources of employment available within walking distance of the development.*
- *Availability of shared mobility.*
- *Impact on the amenities of surrounding properties or areas including overspill parking.*
- *Impact on traffic safety including obstruction of other road users.*
- *Robustness of Mobility Management Plan to support the development.*

5.2. Relevant National Ministerial Guidelines

- Planning Design Standards for Apartments (2025) (the 2025 Apartment Standards).
- Sustainable and Compact Settlements – Guidelines for Planning Authorities (2024). (the Compact Settlement Guidelines)
- Sustainable Housing Design Standards for New Apartment Guidelines (2020).
- Architectural Heritage Protection Guidelines (2011).

5.3. National Inventory of Architectural Heritage (NIAH)

The adjacent mill race is listed under the NIAH (reg. no. 50080004) inventory with description “*Mill race from River Liffey, built c.1770, created by rubble stone sluice constructed to north of river. Rubble stone retaining wall to north, recent concrete retaining wall to north of east of mill race. Timber sluice gate having cast-iron lifting mechanism to north*”.

5.4. Natural Heritage Designations

In relation to designated sites, the subject site is located:

- c.1km north of Grand Canal PNHA (site code 002104).
- c.2.7km south-east of Liffey Valley PNHA (site code 000128).
- c.2.75km south-west of Royal Canal PNHA (site code 002103).
- c.5.3km south-west of North Dublin Bay PNHA (site code 000206).
- c.6.km north of Dodder Valley PNHA (site code 000991).
- c.6.6km north-west of South Dublin Bay and River Tolka Estuary SPA (site code 004024).
- c.6.6km north-west South Dublin Bay SAC and PNHA (site code 000210).
- c.7km south-west of Santry Demesne PNHA (site code 000178).
- c.8.7km south-west of North Bull Island SPA (site code 004006).
- c.8.7km south-west of North Bull Island SAC and PNHA (site code 000206).
- c.9.7km north-east of Fitzsimon’s Wood PNHA (site code 001753).

6.0 The Appeal

6.1. Grounds of Appeal

- The cultural / community room has been redesigned into a reduced floor area due to the vacant nature of the existing unit. This will promote its use and encourage other community uses.
- It will support the local cultural clusters and Policy CU7.
- There will be a similar glass cover to the existing mill race which will be on permanent display and will be covered by a glass floor to be visible to the public with information boards within the room consistent with Objective BHAO19.
- There will be no adverse impact on any Record of Monuments and Places (RMP) consistent with Policy BHA 26.
- The proposal is the more efficient and sustainable use of the existing vacant and under-utilised building which is an appropriate response and provides a high standard of residential accommodation. This supports policies SC12, CCUV 22, CSO 7 and QHSN 8.
- This will enhance the streetscape in Bellevue by providing a high quality residential development which relates to its surrounding context and is consistent with the Urban Design Manual.
- The high quality apartments accord with the design standards for apartments.
- It will be consistent with NPF policies including Objective 35 where 40% of all new housing will be delivered within the existing built-up areas of cities and towns.
- The residential use is permissible in principle under the Z1 zoning objective and there is no adverse effect on residential amenities in the vicinity.
- It accords with the regional strategy in that it contributes to the compact growth target of at least 50% of all new homes within the built-up area.
- It is consistent with the National Development Plan for sustainable development of under-utilised sites.

- The proposal accords with the proper planning and sustainable development of the area and ACP should overturn the refusal and grant permission.
- An alternative design has been put forward with a revised design more cognisant of the mill race incorporating a revised glazed floor treatment to ensure the protection of the archaeological heritage. This had cognisance of the permission granted under reg. ref. 3971/15 where a glass floor in the Lidl store allows views of the preserved archaeological findings.
- The alternative design provides for the permanent display within the unit with camera monitoring and water sensors and access to the mill race via a man hole for maintenance purposes (photos submitted of the existing and revised ground floor proposed floor plan submitted).
- The development is consistent with the CDP urban design guidance (Policy SC 20) including in how it relates to its context, connections, inclusivity, variety, efficiency, distinctiveness, layout, public realm, adaptability, privacy and amenity, parking detailed design, particularly with regard to the design of the wider development, its efficiency, revitalisation of a partially vacant building and the enhancement of passive surveillance.
- The development is consistent with the 2025 Apartment Guidelines in relation to housing mix and minimum floor areas.
- There is ample communal open space adjacent to the south of the development.
- Three of the four units are dual aspect.
- Maximisation of passive surveillance allows for secure streets and spaces.
- External communal cycle parking is provided to the north of the site which can be utilised by residents of the proposed units.
- Two car parking spaces are proposed within the development. The site is within Zone 2 where there is a requirement for 0.75 spaces per one bed apartment which gives a requirement for 3 spaces which is justified given the accessibility of the location.

- The development is consistent with the 2009 Guidelines on Sustainable Residential Development in Urban Areas in that it consolidates the area while protecting amenities.

6.2. **Planning Authority response**

No response received.

6.3. **Observations**

Three no. third party observations were made by Lucy Riordan (Bellevue Owners Management Company); Jane and Dominic Keogh; and Bryan Patten which can be summarized as follows:

- The unit has never been operational as a museum space and is outside the common areas owned by the OMC.
- The application lodged differs substantially from that to which the OMC consented in that two ground floor studios are provided instead of a single two bed unit (drawings attached).
- The proposal would remove the cultural function and is inconsistent with the parent permission conditions, CDP policies requiring preservation in situ of archaeological features and the objectives for the cultural quarter.
- Granting permission would create an incentive for developers to ignore requirements for community facilities in future.
- The design option presented with the appeal has not been subject to public consultation or assessment and should be considered by DCC's archaeological experts and should be a separate application.
- Residential amenity for unit 1 would be inadequate including by reference to space and natural light.
- Ceiling height information is inconsistent.
- The museum/community room is too small to function and lacks facilities.
- Questions how living above the river and waterflow will be addressed.

- The information provided omits the full footprint of the mill pit, the extent of water flow and structural details with no reports from a structural engineer and no archaeological impact assessment provided.
- No flood risk assessment was submitted despite DCC Drainage requesting it.
- Parking is outside the applicant's control and no bin storage is provided.
- A high quality development could be achieved that restores the museum function and ensures proper residential standards in new housing units.
- The refusal of permission should be upheld and the revised design should be disregarded.
- If granting permission, require condition to omit units 1 and 2, submit an Archaeological Impact Assessment, restore the museum/community space, submit a plan for the space to be maintained and accessed including provision for heating, lighting, WC and tea station, a flood risk assessment and clear proposals for access, parking, cycle and bin storage.
- A community room of 24.6sqm for 259 no. homes is simply too small.
- The proposed glass cover will reveal only c.25% of the currently visible mill race.
- Questions if the unit was originally purposed as a museum given the flood risk and absence of engineer's report.
- The building is only underutilised because the owners failed to use it.
- With minor alterations, how can it enhance the streetscape or provide a quality residence?
- It is not possible to determine the quality of the residential units.
- Amenity space was the conservation and community gain from the original permission.
- There will be an adverse impact from the reduced community space and there is no reference to increased waste disposal requirements.
- The area has grown in cultural significance since the original permission.

- There are insurance implications for existing residents from taking on the flood risk of the proposed units
- Nowhere does it say the management company will take responsibility for the maintenance and upkeep of the mill race.
- There is no evidence to support that trips will be by foot or bicycle and the bicycle parking spaces referred to do not exist..
- There is no documentation to support the claim that care will be taken over siting of flues, vents, bins, storage etc.
- The recent purchase of the site negates the reasoning in relation to underutilisation being a justification.
- Does the floor to ceiling height meet the required standard?
- The unit is currently double height, would the mill wheel fit into the reduced height space?
- Residential amenity will not be enhanced but will be destroyed.
- The drawing are inaccurate in relation to the existing ground floor.
- The appeal documents miss out on the second part of the mill race and the sluice gates.
- Access for the first floor apartment will be via the stairwell wall and questions the authority to do this.
- The applicant omits reference to document 2733/98 which address the restoration of the mill race.
- The appeal title states change of use to 4 no. studio apartments, is this a mistake?

7.0 **Assessment**

- 7.1. Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, the reports of the local authority, and having inspected the site, and having regard to the relevant

local/regional/national policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:

- Principle of Development.
- Heritage Impacts.
- Residential Amenity.
- Transportation Issues.
- Other Matters.

7.2. Principle of Development

7.2.1. I note the Z1 zoning objective for the site Z1 (Sustainable Residential Neighbourhoods) which is *“To protect, provide and improve residential amenities”*. The site is designated as within a conservation area. I note that ‘residential’ and ‘cultural/recreational building and uses’ are permissible uses under this zoning. I note the existing permitted use, by condition no.s 8 and 15(b) of the parent permission, is for a museum type unit over the double height unit. Noting this, and the proposed change of use to four no. residential units and a museum/community room, I consider the residential use and the amendment to include a community room, is permissible in principle under the Z1 zoning. This is subject to detailed assessment in relation to impact on residential amenities below.

7.3. Heritage Impacts

- 7.3.1. I note the appeal has asserted that the proposed development is consistent with CDP policies in relation to heritage matters noting that the glass floor will allow for the visibility of the mill race which will be on permanent display consistent with Objective BHAO19. It noted no adverse impacts on any recorded monuments. I note that this is disputed by third parties including one observer. Having visited the site, I note that it is currently vacant and that a substantial area of the floor is open to the ground beneath where the mill pit is located and this is surrounded by railings. I note that the existing layout or mill pit feature, was not shown on the drawings submitted with the application but that it has been outlined on the plans submitted with the appeal.
- 7.3.2. I note the report from the City Archaeologist which recommended that permission be refused. It noted that the provisions requiring the display of archaeology found on

the site during construction of the overall development were never complied with and that the location of such archaeological features is unknown. It considered it would have a potentially serious negative visual effect and may impact physically on the historic fabric of this archaeological feature. I note that no expert archaeological report was submitted with the application or appeal.

- 7.3.3. I note the Inspector's Report (PL 29S.101952) referred to a consultant's report which inter alia noted that *"the most important structures are the weir (not in the application), mill races, reservoirs and tail races. These are still structurally intact, but the controlling sluices are in need of extensive repair. The two wheels, with the exception of the heavy cast iron cruciform axles, have virtually disappeared"* and that *"the weir...mill race and tail race be conserved and necessarily the sluices and their controls [be] reinstated"*. It stated that *"the location of the waterwheels may be indicated by leaving the original axels in situ, with perhaps a plain steel cylindrical framework showing the size and position of the original wheels"*. The Inspector noted that these recommendations have been incorporated into the proposed development.
- 7.3.4. In relation to the F.I. response of the applicant in relation to the footprint of the historic buildings, the Inspector's report noted the response included that *"prior to commencement, a list of all the likely salvaged materials will be prepared. During the clearance operation this list will provide the baseline for the salvage and storage of all reusable artifacts and materials"*. The Inspector's assessment in relation heritage/conservation noted that *"the mill races are to be restored"* and that a satisfactory attempt is being made to respect the historical character and heritage.
- 7.3.5. I note that per Policy BHA 26 (Archaeological Heritage) that the preservation in situ of archaeological monuments is sought. I note the site to be within the zone of archaeological constraint for two recorded monuments (RMP DU018-020 (historic city) and DU018-020278 (mill island, Islandbridge)) and that the mill race is noted to be of historic architectural interest per the NIAH record.
- 7.3.6. I note that Objective BHAO 19 (Built Heritage and Archaeology) includes support for preservation in situ of archaeological finds within new developments and this was provided for in Condition no.s 8 and 15(b) of the parent permission. I do not consider this policy or Policy BHA 26 to be contrary to SPPR 6 of the Apartment Standards

which requires communal, community and cultural facilities not be required on a threshold basis in apartment schemes.

- 7.3.7. I consider the applicant has not provided a satisfactory explanation as to the failure to display the historic fabric that was found on the site during construction or in relation to proposals to remedy this. There is no information as to whether the artefacts would fit into the reduced space. I also note that the area whereby the existing mill pit is displayed would be substantially reduced and changed to include a glass floor instead of the existing opening to the ground.
- 7.3.8. I note some similarities with the example put forward in relation to a retail development by the appellant. However, I note it has not been demonstrated that the museum/community room part of the proposed development has been designed specifically to protect or preserve the extant features or to display the archaeological finds from the original site development.
- 7.3.9. I also note no assessment, at application or appeal stage, has been provided of the relationship between the existing heritage features and the proposed development. I note the absence of a submitted Archaeological Impact Assessment and report from structural engineers in relation to the proposed development of the ground floor and how it relates to the mill pit beneath.
- 7.3.10. In this context and noting the relatively small floor area of 24.6sqm for the museum/community room, I do not consider that a robust justification has been put forward in relation to Objective BHAO 19 or Policy BHA 26 which seeks the protection, preservation and promotion of built and archaeological heritage in situ including underwater heritage. I note this was effectively required as a condition of the parent permission and in my view no strong planning rationale has been put forward to depart from this approach.
- 7.3.11. In this context, I consider that the retention of the entire ground floor would be required to facilitate heritage protection of the mill pit and to provide a useable museum/community facility including allowing an area for appropriate support facilities. I also note that the double height space was originally provided to accommodate the remnants of mill wheel such that I note the retention of the entire unit would also be required to accommodate the original intended heritage displays intended for the unit.

- 7.3.12. I agree with one of the third party observers that the precedent that would be set by allowing the conversion of the majority of the unit for residential use and the reduction in the museum area, would be deleterious to archaeological preservation in the future as it could encourage the non-provision of spaces for such preservation where they are specifically required to meet heritage objectives within schemes and where otherwise planning permission would not be granted for a scheme.
- 7.3.13. I note this also in the context of the alternative design put forward in the appeal which in my view does not fundamentally alter the absence of a strong case for the proposed development and the loss of the majority of the ground floor space for the museum use. I note that it is stated that camera monitoring and water sensors and access to the mill race via a manhole for maintenance purposes would be provided in the alternative design. I note the relationship between the proposed ground floor use and the mill race is not satisfactorily described/outlined in the drawings submitted. I note there is no detail on whether the OMC would take over the management of the space.
- 7.3.14. Based on the above assessment, I consider that the P.A. refusal reason is substantially justified. I note Policy CU 7 refers to support for emerging cultural clusters and hubs within the city but I consider the policy wording to not be sufficiently specific to the site to warrant its inclusion in the refusal reason. Therefore, I recommend the refusal of permission be upheld except insofar as it relates to Policy CU 7 of the CDP. I also note that SPPR 6 of the Apartment Standards does not allow for requirements for communal, community and cultural facilities within apartment schemes other than in specific identified locations in the CDP. I note this generally applies to new apartment developments and I note this is a case of a permitted development where an amendment is being sought such that I do not consider that SPPR6 applies in this instance.

7.4. **Residential Amenity**

- 7.4.1. I note that the proposed development effectively involves the loss of the majority of the community / museum function. I note this facility was for the amenity of the Bellevue residential development as well as for the purposes of the protection of archaeological heritage. I note the area remaining would be 24.6sqm for the museum/community room from a previous ground floor area of 101.2sqm (plus

mezzanine area of 40.6sqm). I note also that there would be no provision for ancillary areas with residential units proposed behind in the existing ground floor space. I note the policies and objectives cited in the appeal to encourage re-use of under-utilised spaces.

- 7.4.2. I note that while the space is currently under-utilised, this appears to be because of the failure to implement and adhere to the relevant conditions of the parent permission. The space, in my opinion, is under-utilised by choice or circumstance, and appears to be related to the failure to fully implement the parent permission conditions at the time the original development was carried out. I note that it has not been adequately explained why the parent permission conditions cannot be implemented in this case. I note this was required in return for allowing the proposed apartment development.
- 7.4.3. In this context, noting the proposed significant loss of community/museum floorspace for the Bellevue development, I consider that the proposed development would result in the loss of significant area of the permitted and required museum/cultural space which would contravene the conditions of the parent permission such that refusal of permission is justified in relation to this issue.
- 7.4.4. I note the appeal asserts that relevant apartment standards are met and that one third party observer has concerns in relation to residential amenity within the scheme. I note the proposed two no. one bed units at first floor level. I note unit 3 would be 47.7sqm and unit 4 would be 49.7sqm. I note that studio unit 1 would be 37sqm and unit 2 would be 37.3sqm. I note that per Table 15-5 of the CDP that the minimum total floor area requirement would be met. I note that the CDP is stated to be informed by the Sustainable Housing Design Standards for New Apartment Guidelines (2020) and updates thereof.
- 7.4.5. In relation to the 2025 standards and the detailed standards of Appendix 1, I note the bedroom minimum widths in the studios would be below the required 4m. I note the minimum storage requirements of 3sqm would not be met for units 1, 3 and 4. In relation to communal amenity space standards of 4sqm per studio unit and 5sqm per one bed unit, this would result in a requirement for 18sqm within the Bellevue development. I note no reference in the application in relation to how this can be achieved within the development.

- 7.4.6. I note the minimum private amenity space requirements would only be met for unit 2 with no such space provided for the other units. Based on the above failure of each apartment unit to meet all of the detailed standards required in the Apartment Standards, I have significant concerns in relation to the quality of the residential amenity that would be provided in each residential unit within the scheme. If a grant of permission is contemplated by the Commission, I would also draw its attention to ground floor unit 1 which is a single aspect unit with limited window openings on its eastern elevation such that the quality of daylight provision is likely to be limited.
- 7.4.7. In relation to floor to ceiling heights, I note that for the ground floor unit this would be 2.65m and for the first-floor unit it would be 3.167m. I note per the section drawings that this aligns with the existing ceiling heights within the building across the corridor. As this is an internal refurbishment/change of use in an existing building, noting the flexibility provided in Section 3.5 of the Apartment Standards and in SPPR 4 thereof and noting that it considers a minimum floor to ceiling height of 2.4m to be good building practice, I have no significant concerns in relation to the 2.65m ceiling height being below the 2.7m standard.
- 7.4.8. In relation to refuse storage, I note that the application has not identified an area for such storage within the Bellevue development and the red line area is limited to the subject site. I note that the proposed addition of 4 no. apartments within the context of the permitted development would have a negligible impact on density such that I have no significant concerns in relation to density. I note also that while consent to the development has been provided by the Bellevue OMC, that there is no indication that it would be incorporated into their area of responsibility for ongoing management purposes.
- 7.4.9. I note Section 3.8 of the Apartment Standards provides that provision of private amenity space may be reduced where high quality useable communal open space is provided or where the amenity value is negligible. It provides that the number of units without direct access to private open space should not exceed 50%. It notes the private amenity space requirements may be further relaxed on a case-by-case basis subject to overall design quality.
- 7.4.10. In terms of overall design quality, I note that the minimum room widths would not be met for the studio units and that the proposed ground floor unit 1 would be a single

aspect unit with limited window openings on its eastern elevation such that the quality of daylight provision is likely to be limited. I also note that the standards provide for flexibility in relation to private open space for building refurbishment schemes or urban infill sites on sites up to 0.25ha. Noting the site size is below 0.25 ha, I consider that flexibility can be allowed in relation to private open space provision such that I consider the proposed development acceptable in this regard.

7.4.11. Overall, in my opinion, the proposed apartment units would be deficient relative to the Apartment Standards, particularly in relation to the detailed room width and storage standards and this would be contrary to Section 15.9 (Apartment Standards) of the CDP such that I consider that it would result in a poor standard of residential amenity for future occupants. As this did not form part of the P.A. refusal reasons, I consider this matter to be a new issue. Noting this, and that I have otherwise recommended that permission be refused in relation to another matter, I do not propose to include this as an additional refusal reason.

7.4.12. In relation to impacts on residential amenities in the vicinity, I have no concerns in relation to undue visual impacts with the minimal external changes proposed in keeping with the existing building and not significantly impacting on the conservation area. In relation to potential overlooking or loss of privacy, I note that the adjacent block to the east would be c.13m from the side elevation of the existing building. I note the proposed window layout at first floor level would be largely consistent with the existing units whereby the secondary windows are located on the east elevation and primary windows are on the north and south elevations. This repetition of the established precedent in relation to internal separation distances is in my opinion justified accordingly given this is a redevelopment within an existing building and scheme.

7.5. **Transportation Issues**

7.5.1. I note the appellant has asserted that two car parking spaces would be available within the apartment scheme and one third party observer has disputed this. I note no supporting documentation in this regard including in relation to whether any parking was allocated to the permitted unit and that the red line area is limited to the area within the building for the change of use only. I note no site layout plan has been submitted by the applicant to indicate which spaces would be allocated and in

relation to what these spaces currently serve or the total number of car spaces within the scheme relative to the number of units.

7.5.2. I note that the site is within Parking Zone 2 where there is a maximum limit of 1 space per dwelling for apartments. I note that SPPR 3 of the Compact Settlement Guidelines provides that parking provision be substantially reduced with the maximum rate of provision in accessible locations being 1.5 spaces per dwelling only where justified. Noting the location along a public transport corridor served by Dublin Bus route no.s 69, 80, C5 and C6 from stop no. 1472 along Chapelizod Road c.590m walking distance from Bellevue and that the relevant standards are maximums, I consider that the absence of car parking provision would be consistent with policy for the proposed four no. units in this case.

7.5.3. In relation to cycle parking, I note the appellant refers to such provision within the Bellevue scheme within the courtyard to the north-east. I note this is outside the red line area and no supporting documentation has been submitted including in relation site plans and existing cycle parking provision within the scheme and how this would be affected. Having visited the site, and as raised by a third party observer, the cycle parking spaces referred to are not within the courtyard. There is also no consent provided to use these spaces should they be provided.

7.6. Noting this, and the standard of 1 long-term space per bedroom per Appendix 5 Table 1, I consider that no cycle parking spaces would be provided. This would be contrary to Appendix 5, Table 1, of the CDP. As this did not form part of the P.A. refusal reasons, I consider this matter to be a new issue. Noting this, and that I have otherwise recommended that permission be refused in relation to another matter, I do not propose to include this as an additional refusal reason.

7.7. **Other Matters**

7.7.1. I note the issues raised by the third party observer in relation to the proposed entrance to the first-floor apartments through the hallway wall and that no consent has been provided for same. I note the OMC have provided consent to make the application but not to carry out the development. Noting this, that the new opening into the building for the doorway would be within the red line area, I consider that the applicant would require consent for the development in order to carry it out should permission be granted. Per the provisions of Section 34(13) of the 2000 Act I note

that a grant of permission does not confer automatic legal authority to carry out a development in any event. Therefore, I am satisfied that granting permission would not confer any right to carry the development where no such right exists. In this context, I do not consider that a refusal of permission is merited in relation to this issue.

- 7.7.2. In relation to flood risk, I note the site location within an area at low probability risk of river flooding. While noting that no external works are proposed and no expansion of the footprint of the building is propose, I note that it could be argued that the proposed use is of a higher vulnerability to flooding that the current use. In this context, I note the absence of a flood risk assessment which would be required to evaluate this issue. I note the Council's Drainage Department recommended that an FRA be requested. As this did not form part of the P.A. refusal reasons, I consider this matter to be a new issue. Noting this, and that I have otherwise recommended that permission be refused in relation to another matter, I do not propose to include this as an additional refusal reason.

8.0 **EIA Screening**

- 8.1. The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 and Form 2 in Appendices of this report). Having regard to the characteristics and location of the proposed development and the types and characteristics of potential impacts, it is considered that there is no real likelihood of significant effects on the environment. The proposed development, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required.

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. The subject site is located

c.6.6km north-west South Dublin Bay SAC and South Dublin Bay and River Tolka Estuary SPA, the nearest European sites.

- 9.2. The proposed development comprises the change of use of a Museum Unit to two no. studio apartments and 24.6sqm museum/community room and two no. one bedroom in Block C and the covering over of a mill pit below the existing unit. No nature conservation concerns were raised in the planning appeal.
- 9.3. 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 an effect on a European Site. The reason for this conclusion is as follows:
- The relatively small-scale nature of the development.
 - The distance from the nearest European site.
 - That the building footprint would not be expanded.
 - Taking into account the screening determination by the P.A..
- 9.4. I conclude, on the basis of objective information, that it can be ruled out that the proposed development would have a likely significant effect on any European Site either alone or in combination with other plans or projects.
- 9.5. Likely significant effects can be 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 above the Dublin (IE_EA_G_008) ground waterbody (status “good”) and is c.80m south of the Liffey Estuary Upper (IE_EA_090_0400) river waterbody (status “moderate”). The proposed development comprises the change of use of a Museum Unit to two no. studio apartments and 24.6sqm museum/community room and two no. one bedroom in Block C and the covering over of a mill pit below the existing unit
- 10.2. I have assessed the proposed development 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.

10.3. The reason for this conclusion is as follows:

- The relatively small-scale nature of the development and the nature of the construction impacts which can be managed by condition.
- There would be no expanded building footprint requiring no additional surface water drainage.
- The connections to the public sewer network with adequate capacity noted at Ringsend WWTP.
- The absence of emissions to the water bodies.

10.4. I conclude on the basis of objective information, that the proposed development would 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 jeopardize 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 refused for the below reasons.

12.0 Reasons and Considerations

1. Having regard to the Dublin City Development Plan 2022-2028, the proposed substantial reduction in a community and cultural space required as part of a permitted residential development to display and interpret an historic mill race for public benefit, would contravene the terms and conditions of the parent permission (Reg. Ref. 0992/96, ABP ref. PL 29S.101952) including Condition numbers 8 and 15(b) and would be contrary to Policy BHA 26 and Objective BHAO 19 of the Development Plan regarding the preservation of archaeological remains. The proposed development would therefore erode and would be

detrimental to the amenities of the existing residential development at Bellevue and would set an undesirable for similar development in the future and is contrary to the proper planning and sustainable development of the area.

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.

Ciarán Daly

Planning Inspector

17th April 2026

Appendix 1 - Form 1

EIA Pre-Screening

An Coimisiún Pleanála Case Reference	PL-500632-DS-26		
Proposed Development Summary	Change of use of a Museum Unit to two no. studio apartments and 24.6sqm museum/community room and two no. one bedroom in Block C and the covering over of a mill pit below the existing unit.		
Development Address	Museum Unit, Block C, Bellevue, Islandbridge, Kilmainham, Dublin 8.		
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
		No	
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			No EIAR or Preliminary Examination required
Yes	X	Part 2, Class 10(b)(i). Threshold: Construction of more than 500 dwelling units.	Proceed to Q.4

4. Has Schedule 7A information been submitted?

No	X	Preliminary Examination required
Yes		Screening Determination required

Inspector: _____ **Date:** _____

Appendix 2

Form 2 – EIA Preliminary Examination

Case Reference	PL-500632-DS-26
Proposed Development Summary	Change of use of a Museum Unit to two no. studio apartments and 24.6sqm museum/community room and two no. one bedroom in Block C and the covering over of a mill pit below the existing unit.
Development Address	Museum Unit, Block C, Bellevue, Islandbridge, Kilmainham, Dublin 8.
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	Briefly comment on the key characteristics of the development, having regard to the criteria listed. Change of use with internal works in a unit of gross floor space of 142.6sqm on a site area of 0.013ha in a rural area. 4 additional residential units in a residential scheme of 252 units.
Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).	Briefly comment on the location of the development, having regard to the criteria listed The urban site is within an apartment development above a Mill pit and a short distance north of a mill race. The Mill Race to the south of the site is listed on the National Inventory of Architectural Heritage and is of cultural and historic interest. The site is within the zone of archaeological constraint for recorded monuments (RMP DU018-020281 (Islandbridge settlement) and DU018-020278 (Mill Island, Islandbridge)). The Islandbridge Mills complex pre-20 th century stone and brick mill buildings are listed as protected structures in the Development Plan under RPS no. 1852.
Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration,	Having regard to the characteristics of the development and the sensitivity of its location, consider the potential for SIGNIFICANT effects, not just effects. Modest scale with internal works no increase in building footprint would not give rise to significant environmental effects on the site or in the vicinity.

cumulative effects and opportunities for mitigation).	
Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA
There is no real likelihood of significant effects on the environment.	EIA is not required.

Inspector: _____ Date: _____

DP/ADP: _____ Date: _____

(only where Schedule 7A information or EIAR required)