

SECTION 5 REFERRAL

4A Bresson, Monkstown Crescent
Monkstown, Co. Dublin, A94 VK30

Proposed Installation of Timber Glazed Gates
in Replacement of Existing Modern Mild-Steel Gates

PLANNING AND HERITAGE ASSESSMENT
FINAL LODGEMENT VERSION

Dún Laoghaire-Rathdown County Council Ref. REF9426
Declaration dated 16 July 2026
August 2026

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12.0 Section 5 Referral: Form of Determination Sought

The referrer seeks review by An Coimisiún Pleanála of the declaration issued by Dún Laoghaire-Rathdown County Council under Section 5 of the Planning and Development Act 2000 (as amended). The question is whether the installation of timber glazed gates at the front courtyard entrance at 4A Bresson, Monkstown Crescent, with the modern mild-steel gates retained behind, is or is not exempted development.

It is respectfully submitted that the appropriate determination is that the works constitute development and are exempted development. The works are limited to a contemporary entrance treatment; the historic courtyard and mews grain remain intact and legible; the immediately preceding mild-steel gates are described by the Planning Authority as modern; and the glazed design maintains visual permeability into the courtyard. For the reasons set out in this report, the works do not materially affect the character of the Monkstown Architectural Conservation Area.

Accordingly, the referrer respectfully requests that An Coimisiún Pleanála set aside the Planning Authority's declaration under Ref. REF9426 and issue a declaration that the specified works are exempted development.

13.0 Final Planning Conclusion

Appendix A - Photographic Streetscape Survey

Appendix B - Lodgement Particulars

Executive Summary and Planning Conclusion

Purpose of this Report

This report has been prepared in support of the planning case concerning the entrance and courtyard treatment at the subject premises on Monkstown Crescent. It considers the proposal in the context of the Monkstown Architectural Conservation Area (ACA), the statutory test applicable to works within an ACA, the physical and historical evolution of the Crescent, the planning history examined in this report, and the comparative photographic survey of neighbouring commercial premises.

Central Planning Issue

The central issue is not whether the proposed works would be visible, nor whether the entrance lies within an ACA. The relevant question is whether the works would materially affect the character of the ACA. The assessment must therefore distinguish between the conservation significance of the historic mews/courtyard form and later, non-original interventions at the entrance.

Existing Gates and Historic Fabric

A particularly important distinction arises in relation to the existing gates. The available Council material considered in this report describes the gates as modern mild-steel gates. On the evidence presently available, they have not been established as original historic fabric. The conservation value of the historic courtyard setting should not therefore be treated as automatically attaching to the particular material and design of these later gates.

Character of Monkstown Crescent

The photographic survey demonstrates that Monkstown Crescent is not characterised by a single uniform architectural treatment. Its commercial frontage contains a wide range of interventions, including contemporary glazing, altered openings, modern shopfronts, awnings, canopies, painted finishes, signage, boundary treatments and gates. This diversity does not displace the ACA designation; rather, it forms part of the factual context within which the effect of the proposal must be assessed.

Design and Visual Permeability

The proposal should be assessed by reference to its actual architectural effect. A visually permeable treatment can preserve the legibility of the entrance and courtyard beyond while allowing the premises to function successfully as an established commercial use. The intervention does not require the loss of the underlying mews/courtyard form and can remain clearly identifiable as a contemporary addition rather than a false historic reconstruction.

Planning History and Context

The planning history reviewed in this report is relevant contextual evidence. In particular, decisions concerning other properties on Monkstown Crescent demonstrate that contemporary interventions and differing boundary treatments can be compatible with the ACA where their scale, design and relationship with the streetscape are appropriately considered. These cases are not advanced as binding precedents, but they are relevant to a consistent assessment of the established character of the Crescent.

Overall Planning Conclusion

Taken cumulatively, the evidence supports the conclusion that the proposal can be accommodated without materially diminishing the architectural character, historic grain or visual interest of the Monkstown ACA. The historic significance lies principally in the surviving built form, courtyard relationship, stone and brick fabric, scale and pattern of development. Retention of those characteristics is compatible with a carefully detailed contemporary entrance treatment, particularly where the element proposed to be altered is itself a modern intervention.

Summary of Principal Grounds

- The statutory assessment concerns material effect on the character of the ACA, not visibility alone.
- The existing mild-steel gates have not been demonstrated by the evidence reviewed to constitute original historic fabric.
- The proposal retains the underlying historic courtyard/mews arrangement and does not depend upon demolition of the significant historic built form.
- A visually permeable contemporary treatment can maintain views and legibility through the entrance rather than visually severing the courtyard from the Crescent.
- The Crescent is an evolved commercial environment containing a demonstrable variety of shopfront, glazing, boundary and entrance treatments.
- The relevant planning history provides contextual support for the compatibility of carefully considered contemporary interventions within the ACA.
- The proposed intervention is limited in architectural scope and should be assessed proportionately against the significance of the fabric actually affected.

Requested Planning Assessment

For the reasons set out in the body of this report, it is respectfully submitted that the proposal should be assessed as a limited contemporary intervention to an evolved commercial premises, rather than as the removal of an original defining feature of the ACA. Subject to appropriate detailing and execution, the works can preserve the character and special interest of the Monkstown ACA and should be considered favourably.

1.0 Introduction

1.1 Purpose of Report

This Planning Assessment has been prepared in respect of 4A Bresson, Monkstown Crescent, Monkstown, Co. Dublin. The property is located within the Monkstown Architectural Conservation Area (ACA). The Council's Conservation Division records that No. 4A is not itself a designated Protected Structure included in the Record of Protected Structures contained within the Dún Laoghaire-Rathdown County Development Plan 2022-2028. The group of former mews buildings is nevertheless identified by the Council as making a positive contribution to the built character of the ACA.

A request for a declaration under Section 5 of the Planning and Development Act 2000 (as amended) was submitted to Dún Laoghaire-Rathdown County Council under Ref. REF9426 on 25 June 2026. The works were described as the installation of timber glazed gates to replace existing modern mild-steel gates. By Order dated 16 July 2026 the Planning Authority determined that the works did not constitute exempted development.

The purpose of this report is to provide a structured planning and heritage assessment of the works, having particular regard to the character of the subject property, the commercial streetscape of Monkstown Crescent, the status of the property within the Monkstown Architectural Conservation Area, the Council's confirmation that No. 4A is not itself included in the Record of Protected Structures, and the nature and architectural quality of the existing and proposed gate treatments.

The assessment is evidence-led and is intended to distinguish carefully between the significance of historic fabric and later interventions. In particular, the existing mild-steel gates should not be treated as original historic fabric unless documentary evidence establishes otherwise. The available site evidence indicates that they are modern fabricated elements.

1.2 Approach

The report will assess the proposal against the statutory planning and architectural heritage framework and will be supported by a comparative photographic survey of commercial premises throughout Monkstown Crescent. The purpose of that survey is not to argue that one intervention is acceptable merely because another exists elsewhere, but to establish objectively the present architectural character, degree of alteration and range of entrance and shopfront treatments within the commercial streetscape.

2.0 Site and Surroundings

2.1 Location and Context

The subject property is located at Monkstown Crescent within the established commercial core of Monkstown. The area contains a distinctive mixture of historic buildings and later commercial adaptations accommodating restaurants, cafés, retail units and service uses.

The historic grain of the Crescent remains legible; however, the commercial frontages and courtyard entrances have evolved over time. The present-day streetscape includes traditional fabric alongside replacement glazing, contemporary shopfront systems, modern signage, awnings, external seating areas, painted finishes, lighting installations, modern boundary treatments and replacement gates.

2.2 Subject Entrance and Existing Gates

The entrance relevant to this assessment was historically fitted, in its immediately preceding condition, with mild-steel gates. The Section 5 description expressly refers to these as existing modern mild-steel gates. The Council's assessment records that the timber glazed gates had been installed in front of the existing mild-steel gates and that the mild-steel gates remained in situ behind them. The heritage significance, if any, of those mild-steel gates therefore requires to be assessed on evidence and should not be assumed merely from the fact that they are metal gates.

The proposed timber glazed gates should therefore be assessed principally in terms of their effect on the character of the subject premises and the special character of the wider ACA, including their design, materiality, visual permeability, reversibility and relationship with the established commercial entrance.

3.0 Description of the Proposed Works

The works considered under Ref. REF9426 comprise timber glazed gates installed at the front courtyard entrance, with the existing mild-steel gates retained behind. The central issue for the Section 5 determination was not whether the works constituted 'development' - the Council found that they did - but whether they remained exempted development having regard principally to Section 4(1)(h) and Section 82(1) of the Planning and Development Act 2000 (as amended).

3.1 Relevant Planning and Enforcement History

The Council's Section 5 report records a substantial planning history at the subject site. Of particular relevance, permission under D05A/1621 for redevelopment at No. 4 The Crescent was granted by the Planning Authority and, following appeal under PL06D.219291, was subsequently granted. An earlier proposal under D03A/0739, involving demolition, extensions and change of use to a public house and restaurant, was refused by the Planning Authority but subsequently granted on appeal under PL06D.205640. These decisions demonstrate a long history of adaptation within the commercial mews group, although the precise relevance of each permission to the gate treatment will be considered cautiously and by reference to the approved drawings where available.

The Council also records Enforcement Ref. ENF 13026 concerning the replacement of gates with a wood-and-glass type shopfront at the front courtyard area. The wording of that enforcement record refers to 'wrought iron gates', whereas the later Section 5 development description and Conservation Report describe the gates as modern mild-steel gates. This apparent difference in terminology should be resolved by historic photographs, drawings or fabrication evidence rather than assumed either way in the final submission.

4.0 Planning and Heritage Context

The statutory test is focused and material. Section 4(1)(h) of the Planning and Development Act 2000 (as amended) provides an exemption for maintenance, improvement or alteration works where they do not materially affect the external appearance of a structure so as to render that appearance inconsistent with the character of the structure or neighbouring structures. Section 82(1) applies an additional ACA test: exterior works in an Architectural Conservation Area are exempted development only where they would not materially affect the character of the area. The operative Development Plan policy is Policy Objective HER13, which seeks to protect the character and special interest of ACAs, requires development to be appropriate to their

character, and expressly supports high-quality sensitive contemporary design that is in harmony with its context.

4.1 Statutory Test - Section 4(1)(h)

Section 4(1)(h) exempts works for maintenance, improvement or alteration where the works do not materially affect the external appearance of the structure so as to render that appearance inconsistent with the character of the structure or neighbouring structures. In REF9426 the Council accepted that the installation comprises 'works' and therefore 'development'; the dispute is consequently concentrated on the limits of the exemption.

4.2 Architectural Conservation Area - Section 82

Section 82(1) provides that, notwithstanding Section 4(1)(h), works to the exterior of a structure in an ACA are exempted development only if they would not materially affect the character of the area. The statutory language is important: the test is one of material effect on ACA character, not whether the works are visible, contemporary, or different from the preceding treatment.

4.3 Policy Objective HER13

Policy Objective HER13 of the Dún Laoghaire-Rathdown County Development Plan 2022-2028 seeks to protect the character and special interest of designated ACAs; ensure proposals are appropriate to their character; ensure alterations are appropriate in design, scale and materials; and seek high-quality sensitive design which is complementary and/or sympathetic to context while simultaneously encouraging contemporary design in harmony with the area. The policy therefore supports a contextual assessment rather than a requirement for historic replication.

4.4 HER15 - Shopfronts within an ACA

The Council's Conservation Report also identifies Policy Objective HER15 in relation to shopfronts within an ACA, including the objective that new shopfronts should be well designed through sympathetic use of scale, proportion and materials. While the gates are not a shopfront in the conventional sense, the policy reinforces the Development Plan's emphasis on design quality and contextual compatibility within commercial ACA frontages.

5.0 Character of Monkstown Crescent

The photographic survey assembled for this report demonstrates a commercially active and architecturally varied streetscape. Modern interventions include aluminium and steel glazing systems, replacement shopfronts, contemporary entrance treatments, canopies and awnings, external dining structures, painted façades, modern signage and lighting, and both timber and metal gates.

The planning relevance of this evidence is contextual. It demonstrates that the special character of the area is experienced as a layered historic commercial environment rather than as a

uniformly preserved set of nineteenth-century shopfronts. That does not remove the obligation to protect significant fabric; rather, it provides the proper setting in which the effect of a modest contemporary intervention should be judged.

6.0 Comparative Streetscape Assessment

Appendix A presents the comparative photographic survey as numbered plates. Each plate records the visible frontage or entrance treatment and explains its contextual planning relevance. The survey includes modern glazed shopfronts, contemporary restaurant entrances, fabricated steel gate treatments, timber elements, signage, awnings and altered commercial courtyard frontages.

7.0 Planning Assessment

7.1 Principle of Replacement

The proper question is whether the timber glazed gates materially affect the character of the Monkstown ACA and/or render the external appearance inconsistent with the character of the structure or neighbouring structures. The Council's Conservation Division concluded that enclosure of the inner courtyard materially affects the character and appearance of the former mews group and that a gated entrance is more in keeping with its established built character. This report accepts that the courtyard and entrance are relevant to the ACA assessment, but examines whether the conclusion of material adverse effect follows when the actual design, visual permeability, retained steel gates and wider commercial streetscape are considered together.

7.2 Design Response

The proposed intervention is contemporary and readily legible as such. That fact is not, of itself, inconsistent with ACA policy. Policy Objective HER13 expressly contemplates contemporary design where it is high quality, sensitive and in harmony with its context. The relevant assessment therefore turns on the particular scale, proportions, materials, degree of enclosure, visual permeability and relationship of the gates to the courtyard and surrounding mews group, rather than on a presumption that a contemporary timber-and-glass intervention is unacceptable in principle.

8.0 Detailed Response to the Planning Authority

This section addresses the principal reasoning contained in the Conservation Division Report and the Planning Authority assessment. The response accepts the statutory requirement to protect the Monkstown Architectural Conservation Area, but submits that the relevant test is whether the specified works would materially affect the character of the area. The existence of

an external alteration, or the fact that an entrance is visible from the public realm, does not of itself establish a material adverse effect.

8.1 Correct Statutory Test

Section 4(1)(h) of the Planning and Development Act 2000 provides an exemption for works of maintenance, improvement or alteration which do not materially affect the external appearance of a structure so as to render that appearance inconsistent with the character of the structure or neighbouring structures. In an Architectural Conservation Area, Section 82(1) applies the additional and controlling requirement that exterior works are exempt only where they would not materially affect the character of the area.

Accordingly, the question is one of material effect on character. The assessment should identify the particular element of special character said to be affected, the contribution (if any) made by the existing gates to that character, and the nature and degree of change produced by the timber glazed replacement. Visibility and difference in material are relevant considerations, but they are not substitutes for that assessment.

8.2 Status and Significance of the Existing Gates

The Council file contains an important distinction which should be resolved expressly. The Enforcement History entry (ENF 13026) refers to the replacement of “wrought iron gates”. By contrast, the Section 5 proposal considered by the Conservation Division is expressly described as the replacement of “existing modern mild steel gates”, and the Planning Authority assessment likewise refers to “existing mild steel gates”. The latter description accords with the physical appearance of the retained gates: simple fabricated vertical members with pointed finials and without the craftsmanship or detailing normally associated with historic wrought-iron work.

This is not a semantic point. If the gates are modern fabricated mild steel, the proposal does not entail the loss of original nineteenth-century gate fabric. The heritage question is therefore not whether an original feature should be preserved, but whether substituting one modern entrance treatment for another materially affects the character of the ACA. The retained original gates should be photographed and, if possible, supported by documentary or fabrication evidence so that their date and construction can be established objectively.

8.3 The “Integral Feature” of the Inner Courtyard

The Conservation Division describes the inner courtyard as an “integral feature of this group of former mews buildings”. That proposition is accepted as an important starting point. However, preservation of the courtyard as a spatial feature does not necessarily require retention of a particular modern gate design. The relevant issue is whether the proposed gates obscure, subdivide or otherwise materially diminish the legibility of the courtyard and mews composition.

The proposed treatment is glazed and therefore retains a substantial degree of visual permeability. The assessment should distinguish between enclosing the entrance and visually extinguishing the courtyard. A transparent or substantially transparent entrance treatment can continue to allow the courtyard, its depth and the buildings beyond to be read from the public realm. This point should be demonstrated by a straight-on photograph and, ideally, a simple before-and-after photomontage taken from the opposite side of Monkstown Crescent.

8.4 Whether a “Gated Entrance” Requires the Existing Steel Expression

The Conservation Division concludes that “a gated entrance is more in keeping with the established built character of the Mews”. The proposal does not remove the concept of a gated entrance; it replaces one gate treatment with another. The relevant comparison is therefore not between a gated and an ungated opening, but between the character and visual effect of the existing modern mild-steel gates and the proposed timber glazed gates.

The Monkstown ACA Character Appraisal strongly encourages the re-use and maintenance of existing entrances and original boundary walls where appropriate. Significantly, that guidance distinguishes original or character-contributing fabric from later interventions. It also expressly encourages contemporary design where appropriate, provided it is complementary or sympathetic to its context and scale. The proposal should therefore be assessed on design quality and material effect rather than on an assumption that metalwork is intrinsically more authentic.

8.5 Physical Diversity is an Identified Characteristic of the ACA

The Council’s own Monkstown ACA Character Appraisal is particularly relevant to the contextual assessment. It identifies the overriding character and visual appeal of Monkstown as arising from its “physical diversity”, the product of centuries of organic growth, and refers to a rich mix of building styles. In relation to Monkstown Village specifically, it records that the mews houses to the rear of Longford Terrace acquired commercial uses in the latter part of the twentieth century, extending the village function along the Crescent, and states that the mixture of commercial and residential uses lends the village a unique character.

This policy context is important. The case for the proposal is not that the ACA has no coherent character. Rather, its identified character includes historic form, mews grain, commercial adaptation and architectural diversity. The comparative photographic survey in Appendix A provides current on-the-ground evidence of that evolution, including modern glazing, shopfronts, signage, awnings, entrance treatments and fabricated metalwork.

8.6 Public Visibility and Prominence

The Planning Authority places weight on the prominent location of the gates and their visibility from the public realm. This is a legitimate consideration, but prominence increases the need for a careful design assessment; it does not determine the outcome. A highly visible alteration may

remain compatible with an ACA where its scale, proportions, materials and detailing respond appropriately to the context.

Policy Objective HER13 of the County Development Plan requires development within an ACA to be appropriate to its character and supports high-quality, sensitive contemporary design that is in harmony with the area. Policy Objective HER15 similarly requires new shopfronts to be well designed through sympathetic scale, proportion and materials. These objectives support a qualitative assessment of the actual design rather than a presumption against contemporary alteration merely because it is visible.

8.7 Comparative Streetscape Evidence

The photographic survey is not advanced as a precedent-based argument. Each neighbouring alteration may have a different planning history and different heritage circumstances. Its relevance is more fundamental: Section 4(1)(h) expressly refers to the character of neighbouring structures, while Section 82 requires assessment of the character of the area. An evidence-based understanding of those surroundings is therefore directly relevant to the statutory tests.

The survey demonstrates that the commercial section of Monkstown Crescent contains a broad range of later interventions. This evidence should be weighed alongside the historic character appraisal. It supports the conclusion that a carefully detailed contemporary gate is not necessarily inconsistent with the established character simply because it differs from the existing modern steel gate.

8.8 Proportionality and Reversibility

The existing modern mild-steel gates remain in their original position and have never been moved or removed. The timber glazed gates were installed as an additional entrance treatment while the existing steel gates were retained in situ. Accordingly, the works have not resulted in the removal or loss of the existing gate treatment, and the steel gates remain available as part of the entrance arrangement.

These characteristics are relevant when considering materiality. A localised and reversible alteration to non-original gate fabric should be distinguished from demolition, removal of historic masonry, loss of an original shopfront, or an irreversible change to the mews form.

8.9 Overall Planning and Conservation Position

Having regard to the evidence presently available, it is submitted that the Council's conclusion would benefit from a more explicit assessment of the heritage significance of the existing gates and of the actual degree to which the glazed replacement changes the legibility of the courtyard. The Council is correct that the courtyard and mews group contribute to the ACA and that exterior works must be scrutinised carefully. The appellant's case is narrower: the replacement of demonstrably modern gate fabric by a well-designed, visually permeable and reversible

timber glazed treatment does not necessarily amount to a material effect on the character of the Monkstown ACA.

The photographic survey and the drawings submitted with the original Section 5 request should be considered together in assessing the material effect of the works directly and objectively.

8.10 Primary Sources Relied Upon

- Planning and Development Act 2000 (as amended), sections 4(1)(h), 81 and 82.
- Dún Laoghaire-Rathdown County Development Plan 2022-2028, Policy Objectives HER13 and HER15.
- Monkstown Architectural Conservation Area: Character Appraisal & Recommendations (DLRCC, July 2012), particularly Sections 8-10.
- Dún Laoghaire-Rathdown County Council Section 5 file / Chief Executive's Order P/1449/26, including Conservation Division Report dated 02/07/26 and Enforcement History ENF 13026.

9.0 Planning History and Relevant Decisions on Monkstown Crescent

9.1 Purpose and Weight of Planning History

The planning history of Monkstown Crescent is material not because earlier permissions create a binding precedent, but because they provide direct evidence of how the Planning Authority and An Bord Pleanála have previously characterised the built form, commercial evolution and conservation context of the same street. The decisions considered below demonstrate a consistent planning recognition that Monkstown Crescent is an historic mews environment which has also undergone substantial adaptation to commercial use, and that contemporary interventions can be acceptable where their design is complementary to the established streetscape.

9.2 No. 20 Monkstown Crescent – ABP Ref. PL06D.246117 / D15A/0190

This decision is of particular relevance because it concerns another former mews property on Monkstown Crescent, within the same Architectural Conservation Area and within the curtilage of a protected structure at Longford Terrace. The Board Inspector recorded that Monkstown Crescent presents an array of commercial mixed uses and that the former mews relationship with Longford Terrace had long been severed physically and in terms of use. The Council's own assessment of the revised street elevation expressly referred to the mix of boundary-wall treatments to restaurants along the Crescent and considered the proposed change visually acceptable on the streetscape.

Of direct relevance to the present entrance treatment, the Inspector accepted a revised design incorporating contemporary galvanised double steel gates and found the proposal similar to and complementary with the existing streetscape. The Inspector considered that detailed

adjustment to the front boundary could appropriately be dealt with by condition notwithstanding the site's location within an ACA. This is important evidence that the mere introduction of a contemporary gate material or design at a prominent Monkstown Crescent frontage has not previously been treated as inherently inconsistent with the ACA.

9.3 Earlier Decisions Recorded in PL06D.246117

The same Inspector's Report identifies a sequence of Board decisions on Monkstown Crescent. At No. 23, ABP Ref. PL06D.241026 / D12A/0232, the Board upheld permission for change of use to café/restaurant with ancillary retail, having regard among other matters to the pattern of development in the area. At the same address, ABP Ref. PL06D.230271 / D08A/0365, permission for retail use including an ancillary café and off-licence was upheld with revised conditions. At 18A Monkstown Crescent, ABP Ref. PL06D.233343 / D08A/0996, the Board upheld permission for an extension to the side and rear of a retail building. These decisions reinforce the established planning character of the Crescent as an evolving mixed-use mews/commercial environment rather than a static ensemble.

9.4 No. 21 Monkstown Crescent – ABP Ref. PL06D.305448 / D19A/0247

In January 2020 the Board granted permission, with revised conditions, for the change of use of the former motor-car servicing garage at No. 21 Monkstown Crescent to restaurant/café together with new restaurant extensions to the front and rear. The development was expressly identified as lying within the attendant grounds of a Protected Structure. The decision is relevant as further evidence that significant adaptation of former utilitarian/commercial fabric on the Crescent has been accepted where the overall planning and conservation impacts were considered satisfactory.

9.5 Nos. 14/15 Monkstown Crescent – ABP Ref. PL06D.312286 / D21A/0869

In July 2023 the Board granted permission with conditions for the extension and refurbishment of the existing two-storey building at 14/15 Monkstown Crescent together with associated site-layout alterations and services. The Board decision followed a Council refusal. While the scale and nature of that proposal differ from the present works, the decision is relevant to the wider character assessment: the Crescent is not treated in planning practice as an environment in which all later alteration is precluded. Development is assessed by reference to its actual design, relationship with the receiving environment and effect on amenity and character.

9.6 Recent Retention Decision at 14A/15A Monkstown Crescent – Case Ref. PL06D.500182 / D25A/0517/WEB

The planning history has continued to evolve. In March 2026 An Coimisiún Pleanála granted retention permission with conditions for amendments to the development permitted under D21A/0869 / ABP Ref. 312286-21 at 14A/15A Monkstown Crescent. This recent decision confirms the continuing case-by-case accommodation of alterations within the commercial Crescent, subject to appropriate planning controls.

9.7 Relevance to the Present Section 5 Question

None of the foregoing decisions determines the present Section 5 referral, and they should not be presented as direct precedents. Their evidential value lies in the factual and planning context they establish. In particular, the Inspector in the earlier Board case at No. 20 expressly recognised the mixed boundary treatments along Monkstown Crescent and accepted contemporary galvanised double steel gates as complementary to the streetscape. That finding is difficult to reconcile with any general proposition that the established character of the mews necessarily requires retention of a particular modern mild-steel gate expression.

The present proposal is materially more limited than many of the developments described above. It does not involve a change of use, an extension, demolition of a mews building, an increase in height or a reconfiguration of the historic urban grain. It concerns the replacement of non-original modern mild-steel entrance gates with a timber-and-glass entrance treatment. The correct question remains whether that specific alteration materially affects the character of the ACA. The planning history supports an assessment based on the actual visual and conservation effect of the works, rather than an assumption that contemporary alteration is incompatible with the Crescent.

9.8 Planning History Conclusion

Taken together, the decisions demonstrate three relevant themes: Monkstown Crescent is recognised as a historic mews environment; it is equally recognised as a mixed and evolving commercial streetscape; and contemporary interventions have repeatedly been assessed as capable of being acceptable within the ACA when appropriately designed. This history materially strengthens the submission that the proposed entrance treatment should be judged on its scale, permeability, materials, reversibility and actual effect on the identified special character of the area.

9.9 Sources

An Bord Pleanála Inspector's Report, PL06D.246117 (D15A/0190), including its site description, design assessment and planning-history review.

An Coimisiún Pleanála case record PL06D.305448 (D19A/0247), 21 Monkstown Crescent.

An Coimisiún Pleanála case record PL06D.312286 (D21A/0869), 14/15 Monkstown Crescent.

An Coimisiún Pleanála case record PL06D.500182 (D25A/0517/WEB), 14A/15A Monkstown Crescent.

10.0 Historical Evolution of the Subject Entrance and Courtyard

10.1 Purpose of the Historical Review

The historical question is important but should be stated narrowly. The issue is not whether the former mews group has historic significance; that is accepted. The issue is whether the particular mild-steel gates now relied upon as the established entrance treatment are themselves historic fabric, and whether the timber glazed gates materially alter an historic spatial relationship. On the evidence presently available, neither proposition should be assumed. The Council's own Section 5 description identifies the displaced gates as "existing modern mild steel gates".

10.2 Longstanding Commercial Adaptation of No. 4 / 4A

Contemporary published sources establish that the subject premises had been adapted to restaurant use well before the present Bresson fit-out. The Irish Times recorded Seapoint Fish & Grill operating from the premises in 2013 and described it as one of a line of stone mews on Monkstown Crescent. In 2018, The Irish Times recorded Bresson opening at 4 Monkstown Crescent in the former Seapoint Fish & Grill premises. This chronology demonstrates that the entrance and courtyard have formed part of an actively adapted commercial premises for many years rather than surviving as an untouched mews entrance.

10.3 Evidence of Earlier Courtyard Adaptation

A 2013 contemporary restaurant review provides particularly useful evidence of the physical use of the frontage before Bresson. It describes entry to Seapoint Fish & Grill through a "large, comfortable outdoor eating courtyard under a huge black canopy". That description confirms that the courtyard was already functioning as an intensively used commercial arrival and dining space, with a substantial modern overhead intervention, years before the current timber glazed gates. It would therefore be inaccurate to assess the present courtyard as though its immediately preceding character were solely that of an unaltered nineteenth-century mews yard.

This does not diminish the historic importance of the courtyard as part of the mews grain. Rather, it identifies the correct conservation baseline: a historic spatial enclosure which has undergone successive commercial adaptations while remaining legible as a courtyard. The heritage assessment should distinguish the survival of that spatial form from the age or significance of individual later fixtures placed at its entrance.

10.4 Date and Significance of the Mild-Steel Gates

No documentary source reviewed for this referral establishes a nineteenth-century or other early date for the existing steel gates. The available evidence points the other way: the Council's current development description and Conservation assessment call them modern mild-steel gates. The enforcement history uses the term "wrought iron gates", but that wording, without

supporting historic photographs, drawings or fabrication evidence, is insufficient to establish age, material or heritage significance.

The distinction is material. Conservation policy ordinarily attaches greater weight to retention of authentic historic fabric than to retention of a later replacement merely because it has become familiar. If the gates are modern mild steel, the planning question is principally one of townscape character and design compatibility, not loss of original gate fabric. Accordingly, this referral does not characterise the mild-steel gates as original or historic fabric.

10.5 Continuity of the Courtyard as a Spatial Feature

The proposed works do not remove the courtyard, alter its plan form, demolish its enclosing masonry or change the historic relationship between the mews buildings and the Crescent. The courtyard remains physically present and readable. The relevant visual question is whether the timber glazed gates reduce that legibility to such a degree that the character of the ACA is materially affected.

Glazing is relevant to that assessment because it preserves visual connection into the courtyard in a manner that an opaque wall or solid infill would not. The proposal should therefore be assessed as a gate treatment across an existing opening, not as the creation of a new permanent building line or the physical infilling of the courtyard. The works are therefore properly assessed as a gate treatment across an existing opening rather than as the creation of a new permanent building line or the physical infilling of the courtyard.

10.6 Evolution Rather Than Reconstruction

The documented history of the premises supports an approach based on managing change rather than attempting to reconstruct an undocumented historic condition. Restaurant use has been established at the site since at least 2008; the courtyard was already used as an outdoor commercial space beneath a substantial canopy by 2013; Seapoint was subsequently replaced by Bresson in 2018; and the Council itself now identifies the steel gates as modern. The entrance has therefore evolved through a sequence of contemporary commercial interventions.

Against that background, the conservation test should focus on whether the latest intervention is well designed, visually permeable, reversible and compatible with the mews character. It should not depend on an unsupported assumption that the immediately preceding mild-steel gate arrangement represents the historically authentic form of the entrance.

10.7 Evidential Position

The available sources establish the commercial chronology and prior adaptation of the courtyard but do not establish the precise installation date of the mild-steel gates. That evidential gap is acknowledged. The referral does not rely on a specific installation date; it relies on the Council's own description of the gates as modern mild steel and on the absence of evidence identifying them as original historic fabric.

10.8 Historical-Evolution Conclusion

On the evidence presently assembled, the strongest defensible conclusion is that the courtyard is an historic component of the former mews group but its commercial treatment has evolved substantially. The existing mild-steel gates have not been demonstrated to be original or historic and are expressly described by the Council as modern. The proposed timber glazed gates should consequently be assessed by reference to their actual effect on the legibility and character of the courtyard and ACA, rather than by attributing unproven heritage significance to the displaced steel gates. The long-established pattern of commercial adaptation at the subject premises materially supports that evidence-based approach.

10.9 Sources

Dún Laoghaire-Rathdown County Council, Section 5 Ref. REF9426, 4A Bresson, Monkstown Crescent (2026).

The Irish Times, “Seapoint Fish and Grill: What’s in a name”, 2 September 2013.

The Irish Times, “Ready to order, ladies? A new old-fashioned spot in Monkstown”, 3 March 2018.

An Coimisiún Pleanála / An Bord Pleanála records referred to in Section 9 of this report.

11.0 Core Planning Grounds and Overall Case

This section draws together the statutory, conservation, historical, streetscape and planning-history evidence set out in the preceding sections. The submission does not dispute the importance of the Monkstown Architectural Conservation Area or the contribution made by the former mews group and its courtyard form. The issue is narrower: whether the particular replacement of modern mild-steel entrance gates with a carefully detailed timber-and-glazed gate treatment would materially affect the character of the Architectural Conservation Area. On the evidence assembled, it is submitted that the proposal should not be treated as causing such a material adverse effect.

11.1 Ground 1 – The Assessment Must Address Material Effect on ACA Character

The statutory focus is the material effect of the works on the character of the Architectural Conservation Area. Section 82 of the Planning and Development Act 2000 requires the material effect, if any, on ACA character to be taken into account. The correct exercise is therefore not simply to identify that an alteration is visible, or that the entrance forms part of an historic

mews setting. It is necessary to identify the character-contributing element affected and to assess the degree of effect arising from the specific works.

The proposed intervention is localised to the entrance treatment. It does not remove the courtyard, alter the historic plot pattern, change building height or roofscape, demolish masonry, or remove an identified original architectural feature. Visibility from the public realm is relevant, but visibility and material effect are not synonymous.

11.2 Ground 2 – The Existing Mild-Steel Gates Have Not Been Established as Historic Fabric

The evidential distinction between the historic courtyard and the present gates is fundamental. The Council's own current documentation describes the gates as modern mild steel. No documentary evidence located for this report establishes the gates as original to the mews, as nineteenth-century fabric, or as an element of special architectural or historical interest in their own right.

Accordingly, the conservation assessment should not proceed as though the proposal removes authentic historic ironwork. The relevant comparison is between one later gate treatment and another. While a modern feature can contribute positively to an ACA, any such contribution should be demonstrated rather than assumed from its present existence.

11.3 Ground 3 – The Historic Courtyard and Mews Grain Are Retained

The courtyard is accepted as an important spatial component of the former mews group. The proposal does not extinguish that feature. Its plan form, enclosing structures, relationship with the Crescent and underlying mews grain remain intact. The intervention occurs across the existing entrance opening and is capable of being read as an entrance treatment rather than as a new building frontage or permanent infill of the courtyard.

The glazed component is material to this conclusion. It maintains visual permeability and a view into the courtyard. The proposal should therefore be distinguished from an opaque wall, solid shopfront or other intervention that would visually close the opening and materially alter the legibility of the courtyard behind.

11.4 Ground 4 – Monkstown Crescent Is an Evolved and Architecturally Diverse Commercial Streetscape

The Monkstown ACA Character Appraisal expressly recognises the area as one whose character has developed over time and identifies physical diversity as part of its visual appeal. The photographic survey undertaken for this report confirms that the commercial section of Monkstown Crescent contains a wide range of entrance treatments, shopfronts, glazing systems, canopies, boundary treatments, signs, colours and later architectural interventions alongside historic stone and brick fabric.

This evidence is not advanced on the basis that one unauthorised or permitted alteration justifies another. Its relevance is contextual. The character against which material effect must

be judged is the actual character of Monkstown Crescent: historic and valuable, but also commercially adapted and visibly layered. A sensitively detailed contemporary intervention is not inherently inconsistent with that established character.

11.5 Ground 5 – Relevant Planning History Supports a Contextual, Design-Led Approach

The planning history demonstrates that both the Planning Authority and the Board have previously assessed substantial contemporary interventions on Monkstown Crescent within the ACA. Of particular relevance is ABP Ref. PL06D.246117 at No. 20 Monkstown Crescent. In that case the Inspector considered a revised proposal incorporating contemporary galvanised double steel gates to be similar to and complementary with the existing streetscape.

That decision is not binding on the present case and the physical circumstances are not identical. It is nevertheless directly relevant contextual evidence. It demonstrates that the conservation value of the Crescent has not previously been interpreted as requiring a single historicist vocabulary for gate or boundary treatments. The appropriate question is the quality and contextual effect of the particular design.

11.6 Ground 6 – The Premises and Courtyard Have a Documented History of Commercial Adaptation

The historical evidence establishes restaurant occupation of the subject premises from at least 2008 and records the courtyard in active commercial use before the present Bresson fit-out, including a substantial canopy over an outdoor dining area. This demonstrates that the courtyard's historic spatial form has coexisted with successive and visually significant commercial adaptations.

The appropriate conservation objective is therefore to manage further change so that the underlying character remains legible. The evidence does not support treating the present mild-steel gates as a fixed historic endpoint to which all subsequent interventions must conform.

11.7 Ground 7 – The Scale, Reversibility and Detailed Design of the Works Favour a Proportionate Conclusion

The proposal is limited in scale and, subject to the final fixing specification, is capable of being substantially reversible. It does not involve irreversible loss of identified historic fabric. These factors do not determine the statutory question by themselves, but they are relevant to the degree and permanence of any effect on ACA character.

A proportionate conservation response should distinguish this type of localised entrance alteration from works involving demolition, loss of original masonry or joinery, major changes to roofscape, or alteration of the historic urban grain. The timber-and-glazed treatment is limited in scale and its visual permeability is central to the assessment.

11.8 Cumulative Planning Balance

When the seven grounds are considered together, the case is not dependent on any single neighbouring example or planning precedent. It rests on a cumulative assessment: the gates are acknowledged by the Council to be modern mild steel; the historic courtyard itself is retained; the proposed treatment remains visually permeable; the Crescent is demonstrably diverse and commercially evolved; contemporary gate treatments have previously been accepted within the same ACA; the subject courtyard has a documented history of adaptation; and the physical works are limited and potentially reversible.

In those circumstances, it is submitted that the replacement gate treatment can be accommodated without undermining the special character, historic mews grain or appreciation of the Monkstown Architectural Conservation Area. At a minimum, the evidence warrants a design-specific assessment of the proposed timber-and-glazed treatment rather than an assumption that retention of the present modern mild-steel expression is necessary to preserve ACA character.

11.9 Referral Position

The foregoing grounds are advanced cumulatively and should be read together with the drawings and photographic material forming part of the Section 5 record and the comparative streetscape survey at Appendix A. The referral remains focused on the statutory material-effect test and does not rely on neighbouring works as binding precedents.

11.10 Core Sources

- Planning and Development Act 2000 (as amended), in particular section 82 concerning development in Architectural Conservation Areas.
- Dún Laoghaire-Rathdown County Council, Monkstown Architectural Conservation Area: Character Appraisal & Recommendations.
- Dún Laoghaire-Rathdown County Council Section 5 file / Chief Executive's Order P/1449/26, including the Conservation Division assessment and Enforcement History ENF 13026.
- An Bord Pleanála Inspector's Report, PL06D.246117 / D15A/0190, No. 20 Monkstown Crescent.
- Comparative photographic streetscape survey and historical sources reproduced and discussed in Sections 6 and 10 of this report.

13.0 Final Planning Conclusion

Having regard to the statutory tests, the nature of the fabric affected, the retained courtyard and mews form, the documented evolution of the commercial premises, the varied architectural character of Monkstown Crescent and the limited scale of the intervention, it is respectfully

submitted that the timber glazed gates do not materially affect the character of the Monkstown Architectural Conservation Area.

The works are properly understood as a contemporary and substantially reversible alteration to a modern entrance treatment rather than the removal of an original defining feature. The historic spatial arrangement and the principal architectural characteristics that contribute to the ACA remain legible. The evidence assembled in this referral therefore supports a declaration that the works are exempted development.

Appendix A - Photographic Streetscape Survey

The following photographic plates record the present-day commercial streetscape of Monkstown Crescent. The survey is included as contextual evidence of the range of shopfront, entrance, glazing, signage, awning, boundary and gate treatments presently visible within the Architectural Conservation Area. The existence of a particular treatment elsewhere is not relied upon as a precedent in itself. Rather, the survey assists in identifying the actual character against which the subject entrance should be assessed.

Plate A1



Visible character: Traditional commercial frontage incorporating painted joinery and later commercial signage.

Planning relevance: Illustrates the coexistence of traditional proportions with contemporary commercial occupation.

Plate A2



Visible character: Commercial frontage with modern glazing, signage and associated street furniture.

Planning relevance: Demonstrates that later commercial interventions form part of the current streetscape.

Plate A3



Visible character: Contemporary treatment to a commercial frontage within the historic building line.

Planning relevance: Relevant to the assessment of whether contemporary materials are inherently inconsistent with ACA character.

Plate A4



Visible character: Altered commercial frontage with extensive glazing and modern detailing.

Planning relevance: Shows the degree of adaptation that has occurred while the wider historic urban form remains legible.

Plate A5



Visible character: Commercial premises incorporating contemporary signage and entrance treatment.

Planning relevance: Supports assessment of the Crescent as an evolved commercial streetscape rather than a uniform historic composition.

Plate A6



Visible character: Modern commercial intervention expressed through glazing, finish and signage.

Planning relevance: Provides context for evaluating the scale and visual prominence of the subject works.

Plate A7



Visible character: Commercial frontage with later architectural and branding elements.
Planning relevance: Demonstrates variety in materials and detailing along the Crescent.

Plate A8



Visible character: Contemporary frontage/entrance treatment within the established commercial core.

Planning relevance: Relevant to the existing visual vocabulary of entrances and shopfronts.

Plate A9



Visible character: Commercial frontage incorporating modern interventions.

Planning relevance: Assists in establishing the cumulative present-day character of the ACA.

Plate A10



Visible character: Modernised commercial frontage and associated signage.

Planning relevance: Shows that commercial adaptation is a recurring characteristic of the streetscape.

Plate A11



Visible character: Altered frontage with contemporary shopfront elements.

Planning relevance: Provides comparative context for material, colour and glazing treatments.

Plate A12



Visible character: Commercial frontage displaying a mix of historic building fabric and later intervention.

Planning relevance: Illustrates the layered character of the commercial core.

Plate A13



Visible character: Contemporary entrance/shopfront treatment.

Planning relevance: Relevant to assessment of visual compatibility within an evolved ACA.

Plate A14



Visible character: Modern commercial treatment including glazing and signage.

Planning relevance: Demonstrates diversity of shopfront expression.

Plate A15



Visible character: Commercial frontage incorporating later materials and detailing.

Planning relevance: Further evidence that the streetscape is not architecturally uniform.

Plate A16



Visible character: Contemporary adaptation of a commercial premises.

Planning relevance: Provides context for judging the proportionality of the subject intervention.

Plate A17



Visible character: Commercial frontage with modern shopfront/entrance elements.

Planning relevance: Relevant to the range of accepted present-day treatments visible from the public realm.

Plate A18



Visible character: Altered commercial frontage within the Crescent.

Planning relevance: Demonstrates ongoing adaptation of commercial buildings.

Plate A19



Visible character: Contemporary commercial treatment with modern materials.

Planning relevance: Contributes to the evidence of a layered and varied streetscape.

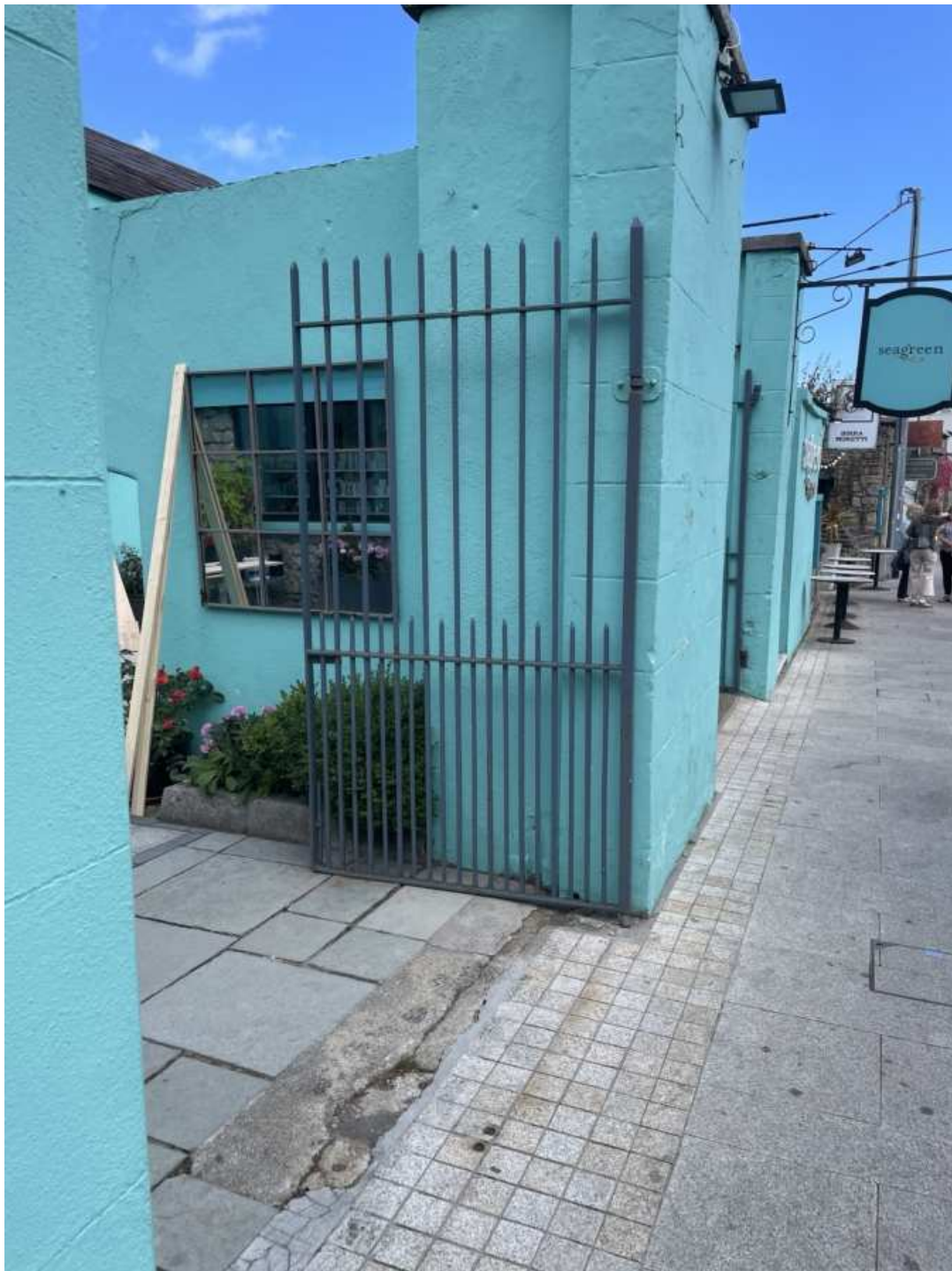
Plate A20



Visible character: Commercial premises with later frontage interventions.

Planning relevance: Provides further comparative townscape context.

Plate A21



Visible character: Painted mild-steel gate comprising simple vertical bars and pointed finials, associated with a contemporary commercial frontage.

Planning relevance: Particularly relevant to the gate assessment: it demonstrates the presence of modern fabricated metal gate treatments within the commercial streetscape; it is not relied upon as evidence that any particular replacement is automatically acceptable.

A.1 Findings of the Streetscape Survey

Taken as a whole, the survey identifies a commercial streetscape in which historic urban form and building fabric coexist with numerous later interventions. The evidence does not support characterising the commercial core as having a single uniform shopfront or entrance language. Contemporary glazing, signage, painted finishes, awnings, entrance treatments and fabricated metalwork are recurring visible elements.

This finding does not dilute the statutory protection afforded to the Architectural Conservation Area. It does, however, inform the factual baseline. The relevant planning question is whether the subject timber glazed gates would materially affect the character of the ACA, assessed against the special character that actually exists on the ground and having regard to the significance of the fabric being altered.

Particular weight should therefore be given to (i) whether the existing mild-steel gates are themselves historic or significant fabric; (ii) the scale and visual prominence of the replacement; (iii) the extent to which the intervention is reversible; and (iv) whether the design maintains the legibility of the historic entrance and wider mews composition.

Appendix B - Lodgement Particulars

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Authority Section 5 Reference: REF9426

Declaration date: 16 July 2026

Referral type: Section 5(3)(a) referral for review by An Coimisiún Pleanála

Prescribed referral fee (R1): €220

The statutory referral period is four weeks from the date of issue of the declaration. The referrer should ensure that the referral is received by An Coimisiún Pleanála within that statutory period and that the prescribed fee is paid.

The Commission's online platform currently accepts Section 5 referrals. Where lodging online, the submission should be prepared in advance and completed in one session in accordance with the Commission's current electronic filing requirements.