



Planning and Development Act 2000, as amended

Planning Authority: Dublin City Council

Planning Register Reference Number: WEB2816/25

Application for Leave to Appeal against the decision of the planning authority by Niamh Gibney having an interest in land adjoining the land in respect of which Dublin City Council decided on the 6th day of July, 2026 to grant subject to conditions a permission to the Health Service Executive.

Proposed Development: Demolition of four number existing structures on site (circa 440 square metres, 106 square metres, 228 square metres and 198 square metres) located at the centre, northern and eastern boundary of the site and the removal of the boundary wall on the western element of the site (circa 19 metres in length). Construction of a part-one to part-five number storey primary health care facility (total gross floor area circa 5,495 square metres) with associated lift risers at sixth floor parapet level. The facility is to be over a one number storey basement carpark (circa 1,825 square metres) with natural ventilation grills around the building perimeter. The facility is to be comprised of GP consulting rooms, community mental health facilities, physiotherapy and paediatric gyms, therapy and activity rooms, dining room, ancillary reception, office, staff and patient facilities, and an older person's day care centre at ground floor level and an internal therapeutic garden courtyard (circa 195 square metres). The development will also provide for PVs at

fifth floor roof level, external plant (circa 104 square metres) at fourth floor roof level, a first floor roof terrace on the southern element of the site (circa 265 square metres), a second floor roof terrace on the eastern element of the site (circa 237 square metres), public vehicular access road from Gulistan Terrace with turning hammerhead, including pedestrian footpaths and associated set-down area and accessible parking, staff car parking spaces at basement level accessed via a controlled access road and ramp, EV parking facilities, SUDs, including intensive green roof provision, tanks and associated water hydrants, plant rooms, site lighting, one number substation, bin storage, including clinical waste storage, signage and wayfinding installations, services provision, deliveries and marshalling yards, removable bollards, boundary treatments, hard and soft landscaping, changes in level, secure cycle parking facilities, ducting and piping, lighting, and all ancillary site development and excavation works above and below ground, all on a site of circa 0.3 hectares on lands at the Rathmines Waste Management Bring Centre, Gulistan Terrace, Rathmines, Dublin.

Decision

REFUSE leave to appeal under section 37 (6) of the Planning and Development Act 2000, as amended, based on the reasons and considerations set out below.

Reasons and Considerations

The Commission, having considered all the conditions as applied by the planning authority, and, in particular, having considered condition numbers 4, 5, 7 and 8, and the matters raised by the applicant for leave to appeal regarding those conditions, concluded that none of the conditions applied by the planning authority will result in the proposed development for which permission has been granted being materially different from the proposed development as set out in the planning application. Consequently, the conditions, as applied, will not materially affect the applicant for leave to appeal's enjoyment of her home or reduce its value. The Commission was satisfied that the applicant for leave to appeal had failed to demonstrate that the criteria of Section 37(6)(d)(i) and (ii) of the Planning and Development Act 2000, as amended, were met in this instance.



Tom Rabbette

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

Dated this 19th day of August 2026.