



An
Coimisiún
Pleanála

Inspector's Report ABP-322749-25

Development	Construction of one two-storey, three-bedroom semi-detached mews dwelling with access from Oxford Lane. PROTECTED STRUCTURE
Location	Rear of 8 Old Mountpleasant, Ranelagh, Dublin 6, D06Y017 , fronting onto Oxford Lane
Planning Authority	Dublin City Council South
Planning Authority Reg. Ref.	4267/24
Applicant(s)	Brian Murray.
Type of Application	Permission.
Planning Authority Decision	Grant Permission
Type of Appeal	Third Party
Appellant(s)	Lewis Cummings.
Observer(s)	None.
Date of Site Inspection	31 st July 2025.

Inspector

Carol Hurley

1.0 Site Location and Description

- 1.1. The appeal site is located within the rear garden of No. 8 Old Mountpleasant, Ranelagh, Dublin 6, D06Y017 and fronts onto Oxford Lane to the rear.
- 1.2. The area can be characterised as being established residential however there is a public house on the corner of Old Mountpleasant and Mountpleasant Place in addition to a school being located on the northern side of Old Mountpleasant.
- 1.3. Similarly, along Oxford Lane, there are several commercial properties.
- 1.4. No. 8 Old Mountpleasant forms part of a row of dwellings of similar design which are predominantly two storey with a recessed hip roof profile and parapet detail to the front. No. 5 to the west appears to have an additional floor. The adjoining row of dwellings to the west form part of Selskar Terrace and are 3 storey with a similar roof profile.
- 1.5. The front of the dwellings along Old Mountpleasant are characterised with a railing enclosure at ground floor level.
- 1.6. External finishes to the dwellings along Old Mountpleasant consist of a combination of brick and pebble dash.
- 1.7. Access to the subject site would be via Oxford Lane. The site itself is in an overgrown state.
- 1.8. There is a recently completed dwelling on the adjoining site to the west, rear of No. 7 Old Mountpleasant. This dwelling has been finished with a muted brick to the front elevation and an off-white render with metal parapet capping to the side and rear.
- 1.9. At time of site visit, the boundary to the east (No. 9) consisted of a red brick wall, stepped in height in addition to an unfinished block wall to the west (No. 7).
- 1.10. There were a number of bins located at the western end of Oxford Lane. It was unclear if these were placed there for collection or if they are informally stored at this location.

2.0 Proposed Development

- 2.1. The proposed development comprises the construction of a two storey, three bedroom semi detached mews dwelling with access from Oxford Lane.

- 2.2. The site layout plan indicates that the site would measure c. 5.2m (w) x c. 24m (d).
- 2.3. The proposed dwelling is indicated to consist of bike storage, WC, Utility Room and open plan kitchen and living area at ground floor level with 3 no. bedrooms and bathroom at first floor level.
- 2.4. The dwelling would have a flat roof profile with a principle height of c. 5.8m.
- 2.5. Within the Architectural Heritage Impact Assessment, external finishes are indicated to consist of brick finish (yellow/buff coloured Dolphins Barn Clay Brickwork) with cedar cladding shutter panels.
- 2.6. The dwelling is proposed to adjoin the recently completed development at No. 7 but as clarified in the response to the request for additional information, the proposed eastern gable of the mews house will be constructed entirely within the site of No.8 and will not impact in any way on the Protected Structure boundary wall with No.9.
- 2.7. A proposed boundary wall between the existing house and the mews house will be c.1.8m and constructed of reclaimed handmade clay bricks.
- 2.8. The front façade of the proposed dwelling is indicated to be set back c. 675mm behind the front façade of the recently completed development to the rear of No.7.

3.0 Planning Authority Decision

3.1. Decision

On the 29th May 2025, Dublin City Council issued a Notification of a Decision to Grant Permission for the construction of one two storey, three-bedroom semi-detached mews dwelling with access from Oxford Lane, subject to 10 no. conditions.

The conditions are mainly standard; save for the following

Condition 4 – Transportation

- That the set-back area to the front of the development shall be taken in charge by Dublin City Council and the specifications of this to be agreed in writing with the Planning Authority prior to the commencement of the development
- Refuse bins shall not be stored on the taken in charge laneway and

- Costs incurred by Dublin City Council including repairs to the public road etc arising from the development shall be at the expense of the developer.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The final planning report reflects the decision to grant permission subject to conditions.

A further information request dated 4th November 2024 raised several issues as follows; (in summary)

- Submit a detailed site layout plan to clearly illustrate and annotate
 - (a) The front/rear building line to the single and two storey aspects of the proposed dwelling and all existing and proposed boundaries to the application site.
 - (b) The existing/permitted built context to the rear of the parent dwelling no.8 and the neighbouring properties, no.'s 7 and 9 Old Mountpleasant.
 - (c) The permitted dwelling to the rear of no. 7 Old Mountpleasant (Reg.Ref.3310/22)
- The Conservation Officer requested the following;
 - (a) An Architectural Heritage Impact Assessment report, to be prepared by a conservation professional. This report to include detailed coloured photographs of the site including the garden boundary walls. Clarification was sought in relation to the galvanised sheet and the relationship with the early stone wall adjacent and whether it belongs to the same property.
 - (b) Elevation and plan drawings of the existing boundary walls marked to show the extent of historic fabric therein and any proposed demolition and the extent of conservation works required. Drawings to be cross referenced with colour photographs.
 - (c) Revised site plans to show the proposed boundary between the Protected Structure at No.8 Old Mountpleasant and the proposed mews. The location of this wall should allow for a greater proportion of garden space to be retained by the historic building. The drawing to show the permitted

boundary granted under DCC Ref 3310/22 for comparison of locations. Proposed boundary materials to be provided which should be of high quality, such as a traditionally constructed random course limestone and lime mortar wall.

3.2.2. Other Technical Reports

Conservation Officer, the initial report dated 21st October 2024 recommended additional information, which can be summarised as follows;

- Proposed design largely follows the form and general presentation of a previously granted mews house to the rear of the adjacent house, No. 7 Old Mountpleasant.
- Given the protected structure status of the site, the development should be guided by a conservation advisor (RIAI Grade 1 or 2).
- Conservation Method Statement does not adhere to the required guidelines for conservation reports. The AHIA should evaluate each aspect of the development in terms of its impact to on the architectural heritage of the site and setting.
- The use of black and white photographs is less easy to read than colour ones. Photos of the boundary walls of the garden and the immediate development site have not been included.
- The submitted report provides no analysis of the historic boundary walls of the rear garden of No.8 Old Mountpleasant. The rear boundary to the laneway is unclear. Clarification is required regarding the corrugated galvanised sheeting and whether this extends the full width of the property or if some of the extant rubble wall to the east is part of the historic rear boundary. Concern expressed that more of this wall would be demolished to facilitate the proposed scheme.
- No analysis provided in relation to the party walls to the garden and whether the current walls are historic or modern and if they would be impacted by the proposed development.
- Concern expressed regarding the depth of the proposed mews relative to that of No.7. Recommend that the depth be reduced.

- Concerns regarding the setting back of the building line along Oxford Lane and the piece meal nature in the way it is occurring would permanently alter its spatial quality and special architectural character. No discussion in this regard was provided.
- Unclear if the proposed rear boundary between the proposed mews site and the remaining garden of the Protected Structure would align with the permitted boundary between the mews and the Protected Structure at No.7 Old Mountpleasant.
- No description of the proposed rear boundary has been provided in terms of finishes.

Following the receipt of the response to the request for additional information, an updated report dated 13th May 2025 recommended a grant of planning permission and can be summarised as follows;

- An Architectural Heritage Impact Assessment report prepared by a Grade 2 Conservation Architect was submitted.
- Drawings and photographs demonstrating the existing boundary walls were provided.
- Details of the proposed wall were included.

Transportation Planning Division, the report dated 17th October 2024 which recommends a grant of permission, subject to condition, can be summarised as follows;

- Notes the context of Oxford Lane, being a cul de sac public laneway, providing rear vehicular access to several properties including properties fronting Old Mountpleasant, mews dwellings to the rear and commercial premises.
- Width of the laneway - c. 3.9m – 4.3m adjacent to the subject site.
- Notes the existing widening of the lane in parts through various set backs.
- Notes the proposed 1.8m set back which would widen this section of the lane to c.5.7m which corresponds to the set-back of the adjacent mews to the rear of No.7 Old Mountpleasant.
- Would require the set back area to be taken in charge by DCC.

- No car parking provided – having regard to the location of the site and proximity to multiple public transport modes, this is acceptable.
- Cycle storage is proposed within a room towards the front of the dwelling at ground floor level. Notes that no storage of bins shall occur on the taken in charge section of road on the laneway.
- Given the constraints of the laneway, a Construction Management Plan should be conditioned.

Engineering Department – Drainage Division, the report dated 19th September 2024 which recommends a grant of permission, can be summarised as follows;

- The Drainage Planning, Policy and Development Control Section(DPPDC) has no objection to the proposed development subject to the developer complying with the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0.
- Development incorporate Sustainable Drainage Systems in the management of surface water.
- Developer to ensure that an appropriate Flood Risk Assessment in accordance with the OPW Guidelines and the Dublin City Development Plan 2022-2028 Strategic Flood Risk Assessment is carried out for the proposed development.

The report notes that additional information was received on 19th May 2025 – noted – no change.

3.3. **Prescribed Bodies**

None

3.4. **Third Party Observations**

The 3rd party submissions made to the Planning Authority in relation to the proposed development can be summarised as follows;

- Overbearing impact – the proposed development is considerably larger than the previously approved development No. 8 and 9 Old Mountpleasant and

would encroach into the rear garden area at both ground and first floor level. The development would extend out beyond the first-floor building line that has been established by neighbouring permissions.

- The proposed mews would be 1.8m longer than the adjoining mews house at number 7.
- Scale, form and massing of the proposed development is a larger structure and in such close proximity to the objectors boundary wall would impact on light and privacy.
- Concern regarding 60ft of wall blocking light.
- The development previously approved at number 8 and 9 were wrapped entirely in salvaged brick and were 15ft shallower at first floor level.
- The current development ongoing to the rear of No. 7 must be taken into account as part of this assessment as the totality of the development in the immediate vicinity to the objectors property is significant. This would set another precedent for over development within the area.
- The proposed design does not contribute to a unified approach of development and would contravene Section 16.10.16 of the Dublin City Development Plan.
- The garden wall between No.8 and 9 is owned entirely by the owners of No.9 and cannot be disturbed or damaged by building works at No.8.
- Over-looking by two bedroom windows at first floor level, the dwelling under construction at No. 7 has a small top hung opaque glass window for an en-suite shower room on the near side to number 8 OMP and one bedroom window on the far side.

A letter in support for the proposed development was submitted by Councillor Hazel Chu.

4.0 Planning History

Subject site

PL29S.242614 (PA Ref 3060/13) permission refused for the construction of one number pair of semi-detached mews dwellings within the curtilage of Protected Structures. The reason for refusal related to an excessive intervention and inappropriate design response which would be incongruous and visually intrusive in relation to the existing and nearby protected structures.

PA Ref 3147/14 permission granted for the construction of 1 no. pair of 2 bedroom semi-detached mews dwellings within the curtilage of Protected Structures No.'s 8 and 9 Old Mountpleasant.

PA Ref 3147/14 – permission extended until 4th November 2024

Rear of 7 Old Mountpleasant, Fronting onto Oxford Lane

ABP-314227-22 (PA Ref 3310/22) permission granted for the demolition of an existing semi-detached dormer house and the construction of a new two storey house (c.140sqm) with associated site works. The development would be located to the rear of 7 Old Mountpleasant.

5.0 Policy Context

5.1. Development Plan

The relevant development plan is the Dublin City Development Plan 2022-2028 under which the appeal site is zoned Z2: Residential Neighbourhoods (Conservation Areas) with a stated objective 'To protect and/or improve the amenities of residential conservation areas'.

The southern side of Oxford Lane are zoned Z1: Sustainable Residential Neighbourhoods with the stated objective 'To protect, provide and improve residential amenities'

The lands to the north of the subject site are zoned Z15 : Community and Social Infrastructure with a stated objective 'To protect and provide for community uses and social infrastructure.

The subject site is a Protected Structure Ref: 5542 and described as 'house including railings to front'

Policy SC11 – Promotes compact growth through the consolidation and intensification of infill and brownfield lands. This is subject to certain criteria including that the development be appropriate to the context, respects the established character and surrounding amenities in addition to having regard to the requirements of Chapter 15: Development Standards.

QHSN6 – '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.

QHSN04 – 'Densification of Suburbs' To support the ongoing densification of the suburbs and prepare a design guide regarding innovative housing models, designs and solutions for infill development, backland development, mews development, re-use of existing housing stock and best practice for attic conversions.

Policy BHA14 – 'Mews' To promote the redevelopment and regeneration of mews lanes, including those in the north and south Georgian core, for sensitively designed, appropriately scaled, infill residential development, that restores historic fabric where possible, and that removes inappropriate backland car parking areas.

Objective BHAO5 – 'Mews' To prepare a best practice design guide regarding appropriate mews development in the city, including for the north and south Georgian cores.

Policy BHA2 'Development of Protected Structures'- This policy seeks to ensure that the development will conserve and enhance protected structures and their curtilage.

Policy BHA9 'Conservation Areas' – This policy seeks to protect the special interest and character of all Dublin's Conservation Areas identified under Z8 and Z2 Zoning Objectives and denoted by the red line conservation hatching on the zoning maps. Development within these areas must contribute positively to the character and distinctiveness and should protect and enhance the character and appearance of the area and its setting.

Chapter 15 :Development Standards:

Section 15.5.2 Infill Development – This section sets out what infill development is and that infill sites are an integral part of the city's development. Infill development should complement the existing streetscape and respect the prevailing scale, mass and architectural design of same.

Section 15.13.4 'Backland Housing' – This section sets out the nature of backland housing and that consideration will be given to access and servicing and the interrelationship between over-looking, privacy, aspect and daylight/sunlight are paramount to the success and acceptability of new development in backland conditions.

Section 15.13.5 'Mews' - This section set out what 'mews' are and submits that applications for 'mews' development should consider servicing, including the impact on existing infrastructure such as waste and water systems.

Section 15.13.5.1 'Design and Layout', 15.13.5.2 'Height, Scale and Massing', 15.13.5.3 'Roofs', 15.13.5.4 'Access', these sections set out design and access criteria for consideration in mews development.

Appendix 5

Section 4.3.7 - this section sets out the design considerations for parking in the curtilage of Protected Structures, Architectural Conservation Areas and Conservation Areas.

5.2. National Guidance

5.2.1. Revised National Planning Framework (NPF)

- NPO 42: To target the delivery of housing to accommodate approximately 50,000 additional homes per annum to 2040.
- NPO 45: Increase residential density in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration, increased building height and more compact forms of development.

5.2.2. Ministerial Guidelines

Sustainable Residential Development and Compact Settlements, Guidelines for Planning Authorities (2024).

Architectural Heritage Protection Guidelines for Planning Authorities. Guidance in relation to development within the curtilage of a Protected Structure is set out in Chapter 13.

5.3. Natural Heritage Designations

The proposed development is not located within or immediately adjacent to any European Site or other Natural Heritage Site.

The subject site is located c. 3.4km to the west of the Special Area of Conservation for South Dublin Bay (000210), South Dublin Bay proposed NHA and the Special Protection Area for South Dublin Bay and River Tolka Estuary (004024).

6.0 EIA Screening

- 6.1. The proposed development has been subject to preliminary examination for environmental impact assessment. 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.

See completed Form 1 and 2 on file.

7.0 The Appeal

7.1. Grounds of Appeal

Lewis Cummings, 9 Old Mountpleasant has submitted a 3rd party appeal against the decision of Dublin City Council to grant permission for the proposed development. The grounds of the appeal can be summarised as follows;

- Excessive impact of the proposed mews on the curtilage of the protected structures at 8 and 9 Old Mount Pleasant.
- Ignores the findings of the Conservation Officers report dated 21st October 2024, which required a reduction in the overall depth to align within the rear elevation of the permitted mews at No. 7 Old Mountpleasant.
- Design of the proposed mews is unsustainable as it provides inadequate natural light and natural ventilation for the proposed mews
- The overall depth is longer than that of the adjoining granted dwelling to the rear of No.7 Old Mountpleasant which has the benefit of a large void over the atrium to provide light.

7.2. Applicant Response

Brian Murray, being the applicant, has provided a 1st party response to the 3rd party appeal. The submission can be summarised as follows;

- The appeal raises a number of points, all of which have been addressed during the planning process or do not introduce new planning concerns.
- Concerns regarding the rear building line do not constitute valid planning grounds for appeal or the following reasons;

- (a) There is no statutory requirement in the Planning and Development Act 2000, as amended or the Dublin City Development Plan 2022-2028 that mandates that new mews dwellings must align rear building lines with that of neighbouring structures. Planning precedent does not establish a binding legal standard, particularly where site conditions differ.
- (b) Planners report accepts that the rear projection is not considered excessive and is acceptable in the context of the varied building line along the lane.
- (c) References the existing staggered and varied building line as being the considered established pattern. The appellants reference to the development to the rear of No. 7 Old Mountpleasant, which is one of several developments along the lane and therefore does not indicate design outcomes for adjacent sites.
- (d) The appellant cites the report of the Conservation Officer at the initial assessment. Following an extensive submission of revised plans, the Planning Authority raised no further concern regarding the proposed depth nor did it impose a condition requiring a revised building line.
- (e) The sites context justifies a distinct layout and is constrained in a way that limits alternative layout options. To impose an arbitrary alignment rule would reduce usable space and result in an inefficient internal configuration without offering any heritage or amenity benefit.
- Concerns regarding Natural Light and ventilation
 - (a) The concerns are misplaced and not supported by planning policy or guidance.
 - (b) The proposed dwelling meets or exceeds the minimum room dimensions as per the document Quality Housing for Sustainable Communities and the Dublin City Development Plan 2022-2028.
 - (c) The comparison to No.7 is misleading and the void over atrium is a design feature and not a planning requirement. It is not appropriate to duplicate design features from other dwellings particularly where the proposed alternative achieves compliance through different but equally valid means.

(d) Concerns regarding daylight or ventilation were not raised in the originally submission to the Planning Authority and have only been introduced at the appeal stage.

- The first part response concludes by stating that the proposed development has been the subject of a thorough assessment which resulted in a grant of permission without objection to either the rear building line or natural lighting strategy. It is requested that the decision of the Planning Authority is upheld.

7.3. Planning Authority Response

- The Planning Authority request that the decision is upheld. If permission is granted that conditions regarding the payment of a Section 48 Development Contribution and naming and numbering be included.

7.4. Observations

None

7.5. Further Responses

None

8.0 Assessment

8.1. 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 visited the site, and having regard to the relevant local policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows;

- Principle of Development
- Impact to the Curtilage of the Protected Structure
- Impact to Residential Amenities
- Other Matters
- Water Framework Directive Screening
- Appropriate Assessment

8.2. Principle of Development

- 8.2.1. The proposed development is located within an area which is zoned for residential uses (Z2) in the Dublin City Development Plan 2022-2028 (Map Set H). The principle of the proposed development as it relates to the application site is generally acceptable, subject to further assessment below.

8.3. Impact to the Curtilage of the Protected Structure (including design and integration)

- 8.3.1. The appellant raises concerns regarding the impact of the proposed development upon the setting of the Protected Structure. The appeal submits that the decision ignores the findings of the Conservation Officers report dated 21st October 2024 in respect of the impact of the proposed mews on the curtilage of the Protected Structure. The foregoing appears to relate to the Conservation Officers concerns regarding the depth of the proposed mews at ground floor level being longer than that of the adjacent dwelling to the rear of No.7. In their assessment, the Planning Officer considered that the site layout plan indicated (although difficult to discern, stated by the PO) that the rear two storey elevation of the proposed development would align with that of the adjacent dwelling (to the rear of No.7 Old Mountpleasant) while the single storey element would project a further 1.8m beyond. The Planning Officer contended that the increase in depth over the permitted dwelling to the rear of No.7 would not present significant impacts on the curtilage of the Protected Structure. From review of the plans, while I acknowledge the overall depth, I would also note the overall separation distances between the opposing structures together with the modest scale and height of the development and the boundary definition which in my opinion cumulatively ameliorates for undue impact to the setting of the Protected Structure(s) and I would concur with the assessment of the Planning Officer in this regard. Furthermore, in response to the request for Further Information, the applicant provided plans and details to illustrate front and rear building lines of the proposed development in addition to providing more information regarding the context of the adjacent sites. The updated report of the Conservation Officer dated 13th May 2025 raised no further objection to the depth of the proposed dwelling and recommended a grant of permission.

At time of site visit, the subject site was in an unmanaged state and already informally separated from the overall plot of No.8 Old Mountpleasant. Given the context of the subject site, there are no mature trees that are required to be removed, nor would I

describe the area along Oxford Lane as being of a characteristic sylvan setting. The Architectural Heritage Impact Assessment states that the proposed development will extend to the eastern boundary but will not be attached to the boundary wall of No.9 Old Mountpleasant. I am therefore satisfied that the proposed development would not unduly impact upon or require the removal of any features from the overall curtilage of the Protected Structure that contribute to the setting.

- 8.3.2. Having regard to the current state of disrepair of the site together with the recently completed development at No. 7, I would consider that the development of the subject site would contribute to the setting of the Protected Structure by addressing the unmanaged appearance.
- 8.3.3. Following the foregoing assessment, I do not agree with the appellants contention that the proposed mews would have an excessive impact upon the curtilage of the protected structure. It is my opinion that the scale of the proposed mews dwelling is subservient to the main dwelling and would enable the focus of the Protected Structure to remain. I consider that the development as proposed would accord with Policy BHA2 of the Development Plan.
- 8.3.4. In relation to the visual integration within Oxford Lane, I consider that the proposed development has been designed in a manner which is consistent with the adjacent dwelling to the rear of No. 7 Old Mountpleasant.
- 8.3.5. Section 15.13.5.1 of the Development Plan encourages a unified approach to the development of mews lanes but also recognises that individual proposals will be considered on a case-by-case basis. From my site visit, I note that development has occurred in a somewhat piece-meal basis along Oxford Lane. In the context of the subject site, I consider that the development would integrate appropriately within the emerging character that is forming along Oxford Lane. I am satisfied that the proposed development would not give rise to undue visual impact and would not be discordant in approach. I note that the Architectural Heritage Assessment submitted as part of the response to the request for further information on 2nd May 2025 sets out that the finishes to the elevations would be yellow/buff-coloured Dolphins Barn Clay brickwork. I would recommend that a condition be included to require written agreement with the Planning Authority in respect external finishes.

8.4. Impact to Residential Amenities

- 8.4.1. I note that the grounds of appeal do not specifically refer to residential impact, however I refer to the 3rd party submissions received by the Planning Authority in this regard and as such the impacts will be considered.
- 8.4.2. Concerns raised regarding over-looking are noted. Based on the separation distances (c.23.4m) between opposing first floor windows as indicated and calculated from the site layout plan, I would consider that the proposed development would not give rise to undue over-looking between opposing properties. I am satisfied that the proposed development would accord with the following sections of the Development Plan, Section 15.11.4 'Separation Distances (houses)' which notes the traditional requirement for 22m between the rear first floor windows of two storey dwellings and Section 15.13.5.1. 'Design and Layout' of the Development Plan which states that 'The distance between the opposing windows of mews dwellings and of the main houses shall ensure a high level of privacy is provided and potential overlooking is minimised'.
- 8.4.3. I would also consider that perception of over-looking from adjoining private amenity spaces would be oblique rather than direct and having regard to the overall size of the surrounding private amenity spaces, the development as proposed would not be considered detrimental.
- 8.4.4. I note that concern was raised in relation to the overall depth of the proposed dwelling. The Planning Authority sought clarity on this as part of the request for additional information. I note that the building line associated with the proposed first floor level aligns with that of the recently completed dwelling to the rear of No. 7. The rear building line of the ground floor level would project c. 1.8m beyond that of the aforementioned dwelling. I would consider that a greater impact arises from the depth of buildings at first floor level, where building lines are inconsistent. In this regard I do not consider that the marginal breach of the rear building line at ground floor level creates unnecessary scale that would contribute to excessive bulk amounting to an undue impact. It is also my opinion that the modest scale of the proposed development together with the overall size of the surrounding private amenity spaces would ensure that issues of undue overbearance impact would not arise. Furthermore, the existing dwelling would retain a rear garden depth of 13.323m. I would consider that the development accords with Section 15.13.5.1 'Design and Layout' of the Development Plan in respect of the rear building line.

- 8.4.5. Having regard to the orientation of the site relative to the path of the sun together with the modest scale of the proposed dwelling, the relationship with the surrounding built footprints and the context of the surrounding layouts, no undue overshadowing impact would arise.
- 8.4.6. In relation to the foregoing assessment as it relates to residential impact, I acknowledge the original concerns raised in relation to the overall depth of the proposed dwelling compared to the comprehensive development approved on site No.8 and No.9. I acknowledge that the development would present as a blank wall to the rear garden to the east however I submit that the modest height would ameliorate for undue overbearance. Furthermore, I consider that the development plan supports development of this nature along mews lanes and that the development of the site to the rear of No. 9 would be likely at some point in the future, being cognisant there has already been a planning application approved.
- 8.4.7. To reduce apparent bulk, architectural tools such as a variety to the finished could be employed. Considering the development potential for the lands to the east, I submit that it would be onerous to require that the east side elevation of the proposed development to be finished in brick. I would consider that this would be more appropriate for a 'bookend' site.
- 8.4.8. Comprehensive development of these lanes would be preferential for the purposes of consistent design and mitigation of residential impact, however this approach is not always possible, as reflected in the development plan which enables for case by case assessment. I also acknowledge the comprehensive development granted on sites No.8 and 9 and while this application is standalone, it does align with the development granted on the site to the west, to the rear of No.7, being of a contemporary design approach and remains subservient to the Protected Structure and in my opinion therefore accords with Section 15.13.5.1 of the Development Plan.
- 8.4.9. In the event development occurs to the east it is submitted that the design approach could be reflected to ensure that the future development of the laneway demonstrates unity.
- 8.4.10. While I am of the opinion that the proposed depth of the dwelling at ground floor level raises no undue impact to the setting of the Protected Structure in relation to scale, I

do consider that the overall depth could impact upon the available private amenity space and resulting residential amenities for the future occupants.

- 8.4.11. Section 15.11.3 of the Development Plan sets out that 'A minimum standard of 10 sq. m. of private open space per bedspace will normally be applied'. In this instance this would generate a requirement of 50sqm. From review of the site layout plan and the stated dimensions, the provision of private amenity space would be c. 36.4sqm. The Planning Officer in their report noted the quantum indicated with a rationalisation against the caveat of SPPR 2 of the Sustainable and Compact Settlements, Guidelines for Planning Authorities that provision maybe relaxed for urban infill schemes such as this.
- 8.4.12. I would also refer back to Section 15.11.3 of the Development Plan which also states, 'These standards maybe relaxed on a case by case basis subject to qualitative analysis of the development'. I am satisfied in this regard that a reduction in the provision of private amenity space below the recommended quantum can be considered without constituting a material contravention of the Development Plan. As per the foregoing assessment, I would submit that the general design of the proposed development in addition to the considered approach to the setting of the protected structure is sufficient justification in this instance for the proposed development to be assessed within this 'case by case' caveat.
- 8.4.13. While I am satisfied as to how the proposed development complies with the requirements of the Development Plan, I also acknowledge SPPR 2 of the Sustainable and Compact Settlements, Guidelines for Planning Authorities, which requires the provision of 40sqm of private open space for 3 bed dwellings. SPPR 2 also sets out the following caveat, 'For building refurbishment schemes on sites of any size or urban infill schemes on smaller sites (e.g. sites of up to 0.25ha) the private open space standard may be relaxed in part or whole, on a case-by-case basis, subject to overall design quality and proximity to public open space'. The design quality has already been addressed however I note that the subject site is within reasonable walking distance to Ranelagh Gardens which contains a playground. I would consider the location of the site to be a reasonable compensatory measure for the justification of the deficiency in private amenity space.

- 8.4.14. Having comprehensively considered the proposed provision of private amenity space, I am satisfied that the proposed development would provide a reasonable and acceptable residential amenity for the future occupants.
- 8.4.15. Notwithstanding the foregoing assessment, to protect the setting of the Protected Structure, I would recommend however that a condition be included that restricts the undertaking of Class 1 and/or Class 3 Exempt Developments and the need to obtain planning permission.
- 8.4.16. In relation to internal amenity, I note the issue raised regarding the availability of natural light into the proposed dwelling. I acknowledge that the first party response submits this issue was not raised in the original submission to the Planning Authority. In this regard, I would consider that the proposed large open plan living area would be sufficiently served by the floor to ceiling slider on the rear elevation in addition to a light tunnel. I do not concur with the appellant that the development would be unsustainable in this regard.
- 8.4.17. I do not consider that the proposed development would give rise to undue impact to the surrounding residential amenities or the internal amenities of the future occupants.

9.0 Other Matters

- 9.1. Given the location of the subject site to the rear of the No.8 Old Mountpleasant, I would recommend that a Construction Environmental Management Plan be submitted for the written agreement of the Planning Authority. This plan should set out details regarding intended construction practice for the development including traffic management, construction access and associated parking of vehicles for the subject site.

10.0 Water Framework Directive

- 10.1. The subject site is located on a site to the rear of 8 Old Mountpleasant, Ranelagh, Dublin 6, D06Y017, fronting onto Oxford Lane.
- 10.2. The proposed development comprises permission for the construction of 1 no. semi-detached mews dwelling with associated access.
- 10.3. No water deterioration concerns were raised in the planning appeal.

10.4. I have assessed the development seeking permission and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.

10.5. The reason for this conclusion is as follows:

- Nature of works e.g. small scale and nature of the development
- Location-distance from nearest Water bodies and/or lack of hydrological connections.

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

11.0 AA Screening

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

11.2. The subject site is located within an established urban area, c. 3.4km to the west of the Special Area of Conservation for South Dublin Bay (000210) and the Special Protection Area for South Dublin Bay and River Tolka Estuary (004024) and c. 11.km to the west of the Special Area of Conservation for Rockabill to Dalkey Island (003000).

11.3. No further nature conservation concerns were raised in the planning appeal.

11.4. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site.

11.5. The reason for this conclusion is as follows

- The nature of the works
- The distance from the nearest European site and the lack of connections.

11.6. I conclude, on the basis of objective information, that the proposed development would not have a likely significant effect on any European site either alone or in combination with other plans or projects.

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

12.0 Recommendation

12.1. I recommend that planning permission be granted for the proposed development subject to the conditions set out below.

13.0 Reasons and Considerations

13.1. Having regard to the location of the site on residentially zoned lands, and the design and subservient scale of the proposed dwelling together with the policies and objectives of the Dublin City Council Development Plan 2022-2028, it is considered that, subject to compliance with the conditions set out below, the proposed development would not be injurious to the setting of the Protected Structure, would integrate appropriately within the established streetscape as it addresses Oxford Lane without undue impact to the visual and residential amenities in the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

14.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 2nd May 2025, except as may otherwise be required in order to comply with the following

conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Development described in Classes 1 or 3 of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001, or any statutory provision modifying or replacing them, shall not be carried out within the curtilage of any of the proposed dwellinghouses without a prior grant of planning permission.

Reason: In the interest of residential amenity.

3. Details of the materials, colours and textures of all the external finishes shall be submitted and agreed in writing with the Planning Authority prior to the commencement of the development.

Reason: In the interest of visual amenity and to ensure an appropriate high standard of development.

4. All works shall be carried out in accordance with best conservation practice and the Architectural Heritage Protection Guidelines for Planning Authorities (2011) and Advice Series issued by the Department of the Environment, Heritage and Local Government. Any repair works shall retain the maximum amount of surviving historic fabric in situ. Items to be removed for repair off site shall be

recorded prior to removal, catalogued and numbered to allow for authentic reinstatement.

Reason: In order to protect the original fabric, character and integrity of the Protected Structure and to ensure that the proposed works are carried out in accordance with best conservation practice.

5. Proposals for an estate/street name, house/apartment numbering scheme and associated signage shall be submitted to an agreed in writing with the planning authority prior to commencement of development. Thereafter, all estate and street signs, and house/apartment numbers, shall be provided in accordance with the agreed scheme. No advertisements /marketing signage relating to the name(s) of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name(s).

Reason: In the interest of urban legibility.

6. The developer shall comply with the following requirements;
 - (a) The set-back to the front of the development shall be taken in charge by Dublin City Council. Prior to commencement of the development, details of works within the setback area including materials, roads line markings, drainage and public lighting provision shall be agreed in writing with the planning authority. All works shall be at the applicant/developers expense.
 - (b) Refuse bins shall not be stored on the taken – in – charge laneway.
 - (c) All costs incurred by the Planning Authority, including repairs to the public road and services necessary as a result of the development shall be at the expense of the developer.

Reason: In the interest of pedestrian and vehicular safety.

7. The disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of

development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the Planning Authority.

Reason: To prevent flooding and in the interests of sustainable drainage.

8. Prior to the commencement of development the developer shall enter into a Connection Agreement (s) with Uisce Eireann (Irish Water) to provide for a service connection (s) to the public water supply and/or wastewater collection network.

Reason: In the interest of public health and to ensure adequate water/wastewater facilities.

9. Prior to commencement of works, the developer shall submit to, and agree in writing with the planning authority, a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the development, including routes for construction traffic, parking during the construction phase, hours of working, noise and dust management measures and off-site disposal of construction/demolition waste.

Reason: In the interest of public safety and amenity.

10. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Friday inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation

from these times will only be allowed in exceptional circumstances where prior written approval has been received from the Planning Authority.

Reason: In order safeguard the residential amenities of property in the vicinity.

11. All necessary measures be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works.

Reason: To protect the amenities of the area.

12. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

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

Carol Hurley
Planning Inspector

29th August 2025

Appendix 1 - Form 1

EIA Pre-Screening

An Bord Pleanála Case Reference	ABP-322749-25		
Proposed Development Summary	Construction of a one two storey three bedroomed semi detached mews dwelling with access from Oxford Lane		
Development Address	Rear of 8 Old Mountpleasant, Ranelagh, Dublin 6, D06Y017, Fronting onto Oxford Lane.		
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	Tick if relevant and proceed to Q2.
		No	Tick if relevant. No further action required
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
Yes	X	S. 5 P.2 10(b)(ii) construction of more than 500 dwelling units.	Proceed to Q3.
No			Tick if relevant. No further action required
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
Yes		State the relevant threshold here for the Class of development.	EIA Mandatory EIAR required
No	X	S. 5 P.2 10(b)(ii) construction of more than 500 dwelling units.	Proceed to Q4
4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes		S. 5 P.2 10(b)(ii) construction of more than 500 dwelling units.	Preliminary examination required (Form 2)

5. Has Schedule 7A information been submitted?		
No	X	Screening determination remains as above (Q1 to Q4)
Yes		Screening Determination required

Inspector: _____ Date: _____

Form 2 - EIA Preliminary Examination

Case Reference	ABP-322749-25
Proposed Development Summary	Construction of a one two storey three bedroomed semi detached mews dwelling with access from Oxford Lane
Development Address	Rear of 8 Old Mountpleasant, Ranelagh, Dublin 6, D06Y017, Fronting onto Oxford Lane.
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).	Infill development in character with the surrounding pattern and character of development.
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).	The subject site is zoned and urban in nature adjacent to residential lands. The existing dwelling within the subject site is a Protected Structure, however having regard to the subservient scale of the dwelling, in addition to the surrounding pattern of development, the development would not give rise to significant impact.
Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).	Having regard to the characteristics of the development and the sensitivity of its location, it is not considered that significant effects upon the environment would arise

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.
There is significant and realistic doubt regarding the likelihood of significant effects on the environment.	
There is a real likelihood of significant effects on the environment.	

Inspector: _____ Date: _____

DP/ADP: _____ Date: _____

(only where Schedule 7A information or EIAR required)