



An
Coimisiún
Pleanála

Inspector's Report

PL-500351-DS-25

Development

Construction of a residential development of 49 no. apartments and all associated engineering and site works necessary to facilitate the development.

Location

Nos. 28-34 Braithwaite Street & Nos. 63-66 Pimlico, Dublin 8, (bounded by No. 35 Braithwaite Street to the east & north, Nos. 61 & 62 Pimlico to the north, Braithwaite Street/Poole Street Playground to the west, & by St. Margaret's Avenue & St. John's Ave

Planning Authority

Dublin City Council South

Planning Authority Reg. Ref.

WEB5136/25

Applicant(s)

Focus Housing Association CLG

Type of Application

Permission

Planning Authority Decision

Grant Permission + Conditions

Type of Appeal

Third Party Normal Planning Appeal

Appellant(s)

Leamore Investments LTD

Observer(s)

None

Date of Site Inspection

25 February 2026

Inspector

Claire McVeigh

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1.0 Site Location and Description

- 1.1. The proposed development site, stated site area of 0.175ha (1751 sqm), is located at nos. 28-34 Braithwaite Street and Nos. 63-66 Pimlico in Dublin 8 (The Liberties South inner-city Dublin). The subject site sits directly opposite and outside the designated Architectural Conservation Area (ACA) Thomas Street & Environs.
- 1.2. The subject site is bounded by no. 35 Braithwaite Street to the east and north and Nos. 61 & 62 Pimlico to the north which comprises 'The Pimlico Tavern' at ground floor and three floors of residential apartments overhead. To the west of the subject site is Braithwaite Street /Poole Street playground and the Braithwaite Street Allotments on the junction with Poole Street. Both St. Margaret's Avenue and St. John's Avenue, two storey residential terraces, are located to the south of the site.
- 1.3. The architectural character of the surrounding area is diverse with two storey terraces dwellings to the south and east of the site and the five-storey flat roofed flat blocks located (Summer Street Flats/ Braithwaite Street) between Braithwaite Street, Pimlico and Marrowbone Lane.
- 1.4. There are no structures on the subject site, a concrete slab covers a significant area of the site, and it is bounded by a mix of blockwork wall, fencing and temporary hoarding along its edge.

2.0 Proposed Development

- 2.1. The proposed development comprises the construction of a residential development of 49 no. apartments and all associated engineering and site works necessary to facilitate the development.
- 2.2. The applicant is Focus Housing Association an Approved Housing Body (AHB) who have included in their operational management statement clarifying that they are a separate legal entity to Focus Ireland but work in partnership to deliver safe and affordable housing with support, where necessary to both long and short term tenants.

2.3. Table 2.1 sets out the key elements of the residential proposal:

Density	280uph	
Plot ratio	2.51	
Gross floor space of proposed works	4398.42 sq. m	
Site Coverage	64.38	
Open Space (Public) Small Play area required (80-100 sqm)	175.11 sq.m	
Communal Open space required	284 sqm	
Communal open space provided	430.73	
Car parking provision	0	
Bicycle parking provision	79 (long stay spaces) Secure within internal cycle storerooms	28 (short stay spaces) located within the communal courtyard area
Studio APT	10 units	20.4%
1 BED APT	9 units	18.4%
2 BED/ 3P APT	11 units	22.4%
2 BED/4P APT	19 units	38.8%

2.4. The proposed development is in the form of two blocks, interconnected at ground floor level. The proposed height ranges from 2-6 storeys. Heat pumps and PV panels are proposed at roof level.

2.5. Upgrades are proposed to existing footpaths and a new pedestrian gate to St. Margaret's Avenue. The proposed residential block has a dedicated entrance from Braithwaite Street and one from Pimlico. A new pedestrian entrance access point is

proposed from the south of the site via St. Margaret's Avenue which would be restricted to emergency access/egress only.

Supporting documents with the application include:

- Planning Data – Development Details
- Apartment Schedule
- Apartments Area Check
- Housing Quality Assessment
- Architects Design Report
- Building Cycle Report
- Operational Waste Management Statement
- Operational Management Statement
- Site Specific Flood Risk Assessment
- Daylight & Sunlight Assessment
- Planning Statement

3.0 Planning Authority Decision

3.1. Decision

On the 5 November 2025 the planning authority granted permission subject to 17 no. conditions.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- Having regard to the scope and nature of the proposed development and the zoning of the land, residential development is welcomed on this site.
- The proposed development largely mirrors the previously permitted scheme granted under register reference 3548/20 in terms of site layout, overall scale and number of apartments.

- The density is calculated as 272 uph which is marginally above the density range set out in Appendix 3 for SDRA areas which provide a range between 100-250 uph. Raises no concern with respect to the proposed density given the sites inner city location and taking into account the extant permission with the same density raises no concern.
- Proposed height up to 6 storeys with 3 and 2 storey elements is acceptable given the sites central location and prevailing context. The proposed height is c. 17.92m higher than that previously permitted under 3548/20.
- Assessment of the proposed apartments against the SPPR's contained in the Sustainable Urban Housing: Design Standards for New Apartments, Department of Housing, Local Government and Heritage (2025). Complies with all.
- Given the extant permission on site and that the applicant is an AHB considers that the lack of cultural or community spaces within the proposed development is acceptable.
- Reference to the daylight and overshadowing analysis in respect to the proposed development. Noting 81.6% of units meet the minimum 1.5 direct sunlight hours in line with BRE guidelines example.
- All private amenity spaces proposed meet or exceed the minimum floor area requirements set out in Appendix 1 of the apartment guidelines. Landscape plans show a privacy buffer planting where private amenity space abuts communal open space.
- Communal open space c. 430 sqm in terms of its design, usability for recreation and seating, designed to ensure passive surveillance and in terms of sunlight levels is considered acceptable.
- The proposed brick finish is considered to be acceptable in terms of its durability and the variety of brick colour takes account the existing receiving environment.
- Design of windows serving the apartments to minimise undue overlooking. Fenestration changes between the previously approved apartment scheme

and this proposal but set back from the boundaries of windows and balconies remains consistent and undue overlooking is not a concern.

- Balcony screening recommended by condition between the balconies internally serving the studio and the two no. bed units.
- Daylight and Sunlight Assessment submitted notes that a small number of windows would have a reduction marginally below 80% of their existing value. Notes that the assessment states that any reduction in available daylight from the proposed development would be negligible and meets the recommendations of the BRE guidelines BR209:2022(Third edition).
- Acknowledges the third-party submission in respect to the existing pipe work and foul drainage for the pub and apartments on the corner of Pimlico and Braithwaite Street. Notes that no report was received from Uisce Eireann and states that a condition for the applicant to enter into a water and/or wastewater connection agreement with Uisce Eireann to be attached in the event of a grant of permission. The proposed ESB substation, bin store and bike stores are shown sited along the shared boundary and within the red line boundary of the site.
- Concerns raised with regard to the construction management can be addressed by condition.
- No car parking provision is considered acceptable given the site's location noting that the Transportation Planning Division have no objection.
- Considers that significant effects are not likely to arise either alone or in combination as stage 2 Appropriate Assessment is not required.
- Excludes the need for EIA at preliminary examination and a screening determination is not required.

3.2.2. Other Technical Reports

Engineering Department – Drainage Division:

Drainage Planning, Policy and Development Control Section (DPPDC) has no objection to this development, subject to the developer complying with the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0.

-The drainage for the proposed development shall be designed on a completely separate foul and surface water system with a combined final connection discharging into Uisce Éireann's combined sewer system.

-The development shall incorporate Sustainable Drainage Systems in the management of surface water. Full details of the surface water management proposals shall be agreed in writing with DPPDC Section prior to commencement of construction.

-All surface water discharge from this development must be attenuated in accordance with the requirements of the DCC's Sustainable Drainage Design and Evaluation Guide (2021), to 2 l/s.

-The outfall surface water manhole from this development must be constructed in accordance with the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0.

-All private drainage such as, downpipes, gullies, manholes, Armstrong junctions, etc. are to be located within the final site boundary.

Archaeology Section:

The site of the proposed development is in the Zone of Archaeological Constraint for Recorded Monument (RMP) DU018-020 (Historic City) and thus subject to statutory protection under Section 12 of the National Monuments (Amendment) Act 1994. It is the policy of the Dublin City Development Plan 2022-28 (Section 11.5.5; BHA26 Archaeological Heritage) to protect and preserve monuments.

The site is within the precinct of the Priory of St Thomas the Martyr (DU018-020051). This was founded in 1177, later becoming an Augustinian abbey in 1190. Walls, cellars and industrial features are likely to survive at a subsurface level within the subject site as indicated by Rocque's map of Dublin of 1756.

Planning History

The Archaeology Section issued a report on a previous application (Reg. Ref. 3548/20) at this site. This report dated 23 March 2023, noted that the site has

archaeological potential and recommended archaeological monitoring of groundworks.

Application

An undated report entitled Archaeological Impact Assessment for a proposed development at 28-34 Braithwaite Street and Nos. 63-66 Pimlico, Dublin 8 was submitted with the current application. This report was written by Eoin Halpin of Archaeology and Heritage Consultancy Ltd. It provides archaeological baseline information and discusses the results of archaeological test trenching undertaken at the site in 2021 (Eoin Halpin, License Ref: 21E0076).

Recommended Planning Conditions

Due to the thickness of the concrete slab testing was limited to the northern half of the subject site. Testing results suggest the site may be the location of a 17th-century artillery park. It may retain 17th/18th-century walls associated with buildings fronting onto Braithwaite Street. All archaeological material will be impacted by the foundations of the new development.

The submitted report recommends archaeological monitoring of upper levels of the site with all archaeological material on the site to be archaeological excavated and recorded prior to piling. The Archaeology Section concurs with this recommendation.

Recommended conditions for archaeological excavation, as described below, be attached to any grant of planning permission.

1. Archaeological Excavation prior to the commencement of development.
 - i. The developer shall retain a licensed archaeologist to carry out all archaeological requirements of the City Archaeologist.
 - ii. Prior to excavation all site preparation and enabling works shall be subject to archaeological monitoring by a licensed archaeologist.
 - iii. The subject site is to be archaeologically excavated to natural subsoil, unless methodology otherwise agreed.
 - iv. In the event of human remains or archaeological features of significance being located, the archaeologist retained by the developer shall immediately

notify the Planning Authority archaeology@dublincity.ie for advice on preservation.

- v. The archaeologist shall send bi-weekly updates during the excavation and post excavation programme to archaeology@dublincity.ie until project completion.
- vi. The developer shall fund all post-excavation work, site interpretation and publication.

2. The following reports documenting the excavation shall be submitted to the Planning Authority for written agreement:

- i. An archaeological method statement detailing all licensed activities.
- ii. Four weeks after the excavation a preliminary report on the archaeological excavation.
- iii. A final report on the archaeological excavation within one year of the excavation.
- iv. The archaeological paper archive shall be compiled in accordance with the Dublin City Archaeological Archive Guidelines (2008 Dublin City Council) and lodged with the Dublin City Library and Archive, or with another appropriate repository within 2 years of excavation completion.

Reason To ensure the continued preservation [either in situ or by record] of places, caves, sites, features or other objects of archaeological interest.

Transportation Planning

Access proposals

The proposed development is located approximately 1.5km from Dublin City Centre and has good pedestrian accessibility. There are footpaths on both sides of all of the streets in the surrounding area which vary in width. There are no cycle lanes provided on the Braithwaite Street or on Pimlico, but there are on-street cycle lanes on Marrowbone Lane and further away on Thomas Street and Cork Street. Public transport options include bus services along Cork Street and James Street, both within walking distances. The Heuston Luas Redline stop is located within 1.5km of the site.

The proposed development is accessed via two separate entrances, one on Pimlico and a second access on Braithwaite Street. Both of these accesses will be the main pedestrian and cycling access to the development. A pedestrian gate is also noted off St. Margaret's Avenue and a setback with footpath provision is noted and labelled as emergency fire exit only. It is the preference of this division that this also be available for general pedestrian and cyclist access. A new ESB substation will be located on the ground floor fronting Pimlico.

Servicing

A bin store is located at ground floor fronting onto Braithwaite Street with an access door adjacent to the pedestrian / cyclist access. An Operational Waste Management Plan (OWMP) has been submitted as part of the application. It refers to bins collection being managed by facilities management and brought to an external waste collection area before being returned after collection.

While no loading bay exists within the immediate vicinity of the site, it is noted the provision an area of double yellow lines, approx. 13m in length to the front of the site on Braithwaite Street that can serve as a loading / drop -off area without the intervention of a dedicated loading bay on a narrow road with on-street parking on either side.

Parking

The proposed development is located within Parking Zone 1 as detailed on Map J of the City Development Plan and the standards as per Table 1 and 2 in Appendix 5 are noted.

The Drawing Proposed Ground Floor Plan Drg No. 010 submitted as part of the application outlines the provision of a total 103 cycle spaces which are split over three dedicated bike stores. Of these, 28 no. short term spaces will be provided. These are separate from the long term parking and located to the rear of the site within an internal courtyard. Drawing No. 25_315-PD-08 provides details on the type and dimensions of the cycle parking accommodation, both for long term and short term cycle parking. Both long term cycle parking stores are located in close proximity to the main access points. The overall cycle parking provision and accommodation is acceptable to this division.

No car parking is proposed as part of the development. A limited rationale is provided within the submitted Planning Report which references planning policy, access to public transport and city centre location justifying a no car parking proposal. The submitted Residential Travel Plan notes access to existing car share provision within the surrounding area. The guidelines and policies within Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities (2024), specifically SPPR 3 and SPR 4 are, in conjunction with Development Plan policy noted and accepted in this case.

Of note, Braithwaite Street and Pimlico do not currently have pay and display schemes in place but a semi-formal parking system is currently on Braithwaite Street with parking areas marked out. There is evidence of a high demand for street parking overspill parking within the area. The submissions on file are noted. However the impact of additional on-street parking demand which is reasonable to expect from developments of this nature is something that can be controlled by the introduction of permit / pay & display parking controls on the adjoining road network.

On balance, having regard to the planning history, location and planning policy this division offer no objection to the proposal for zero car parking at this location.

Public Realm

No building overhang of the public footpath is noted. Entrance doors are outward opening, but setback and as such, will not impact on the public footpath.

It is not clear if the proposed footpath provision along St. Margaret's Avenue is proposed to be taken in charge. This could be clarified through condition in the event consent is forthcoming.

The existing footpath and kerb currently dished on Pimlico at the corner with St. Margaret's Avenue to facilitate vehicular access should be raised and footpath made good. This should be conditioned in the event consent is granted.

1. Prior to the commencement of the development, the applicant/developer shall agree in detail with the Road Maintenance Division any works to the public footpath and roadways including removal of existing dishing on Pimlico and alterations to the footpath along St Margaret's Avenue. Works to the public domain and areas to be Taken in Charge shall be in accordance with the

Construction Standards for Roads and Street Works in Dublin City Council. A drawing detailing areas to be taken in charge shall be submitted. All works shall be at the applicant's expense.

2. Prior to commencement of development, and on appointment of a main contractor, a Construction Management Plan shall be submitted to the planning authority for written agreement. This plan shall provide details of intended construction practice for the development, including traffic management, hours of working, noise and dust management measures and off-site disposal of construction/demolition waste.
3. The St Margaret's Avenue access shall provide pedestrian and cyclists access in addition to facilitating emergency access requirements.
4. Cycle parking shall be secure, conveniently located, sheltered and well lit. Electric bike charging facilities shall be provided. Shower and changing facilities shall also be provided as part of the development. Key/fob access should be required to bicycle compounds. Cycle parking design shall allow both wheel and frame to be locked.
5. Prior to the completion and occupation of the development, a Mobility Management Strategy shall be submitted to the planning authority for written agreement. The strategy shall address the mobility requirements of future residents and shall promote the use of public transport, cycling and walking and the use of car club spaces. A mobility manager shall be appointed to oversee and co-ordinate the roll out of the strategy.
6. In the interests of accessibility and pedestrian safety, refuse collection shall take place directly from the Waste Storage Areas and not from the public footpath.

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

3.2.3. Planning Conditions

In respect to bespoke conditions, I highlight the following:

Condition no. 2 - proposed gate onto St. Margaret's Avenue shall be for emergency access/egress only.

Condition no. 3 - 1.8m opaque glass privacy screen required to the side of the balconies serving adjoining apartments facing the communal open space.

Condition no. 6 - prior to the commencement of development the developer shall agree works to the public footpath and roadways including removal of existing dishing on Pimlico and alterations to the footpath along St. Margaret's Avenue.

Condition no. 7 – Archaeological monitoring.

Condition no. 8 – Landscape Architect to be retained throughout the life of the site development works. Amended landscape scheme to be submitted and agreed in writing.

Condition no. 9 – naming.

3.3. **Prescribed Bodies**

None.

3.4. **Third Party Observations**

There were five observations received from the following: Jennifer McAuley, Kiera Carroll, Shauna Byrne, Leamore Investments Ltd and Andrew Abbott.

The submissions made by Jennifer McAuley, Kiera Carroll and Shauna Byrne in their submissions, which are identical, make reference to a youth café proposal/use of the public house which I highlight does, for clarity ,not form part of the subject application.

In summary the key issues raised include:

- Concerns about the development potentially leading to an increase in existing anti-social behaviour/noise experienced in the area.
- Devaluing property.
- Inadequate parking provision/Parking impacts /overspill into existing parking.
- Construction impact on existing residents, noise, litter and construction routing and staff parking.

Leamore Investments LTD as property owners of the building immediately adjoining and abutting the subject site highlight specific concerns:

- Building line and existing right of access
- Impact on existing services
- Loss of daylight/sunlight
- Invasion of privacy

4.0 Planning History

Planning register reference 3548/20/XA (17 December 2025) Extension of duration granted for a further period of three years from the date of expiry of the original planning permission register reference 3548/20.

Planning register reference 3548/20 – (6 May 2021) Permission granted for development on a site of 1,764sqm approximately (c.0.18ha) at Nos. 28-34, Braithwaite Street and Nos. 63-66 Pimlico, Dublin 8. The development will consist of the provision of a residential apartment scheme with a gross floor area of c.4,327 in 2no. blocks, each with separate street access via private entrance lobbies from Braithwaite Street and Pimlico, respectively; an overall height of 6 storeys above ground level (with screened and setback rooftop plant) comprising 49no. residential apartments (consisting of 6no. studio apartments, 14no. one-bedroom apartments and 29no. two-bedroom apartments); private amenity space in the form of ground level courtyard terraces and upper level balconies; communal amenity space in the form of a centrally located courtyard and open space area near the southwest corner of the site (482sqm approx. in total) each with dedicated children play areas; and

103 no. cycle parking spaces. The overall development will also include: a new ESB substation; piped infrastructure and ducting; hard and soft landscaping; changes in level; boundary treatments; pedestrian circulation areas and footpaths; drainage works; provision of bio-diverse roofs for assisting with drainage attenuation; communal refuse storage areas; and all associated site development and excavation works above and below ground.

Condition no. 3: The gate onto St. Margaret's Avenue shall be for emergency access/egress only and will not function as a primary means of accessing the development. Reason: In the interest of residential amenity.

Planning register reference 4795/19 – 25 February 2020 Planning permission refused for a residential & ESB sub-station development of 51 apartments comprising 21 one-beds & 30 two-bed apartments all with balconies or terraces. The development is in two blocks with heights ranging from two storeys facing St. Margaret's Avenue to a set-back sixth storey facing Braithwaite Street. The development is a total of 4,702 square metres.

One reason for refusal:

1. Having regard to the design, scale and architectural treatment of the proposal and the proximity of the development to adjoining properties, it is considered that the proposed development would constitute overdevelopment of the site and would have an excessively overbearing effect and cause loss of daylight, noise disturbance and overlooking of adjoining properties. The proposed development fails to integrate or be compatible with the design and scale of the adjoining buildings, in particular the two storey terrace dwellings along St. Margaret's Avenue and Pimlico Street and as a result, would seriously injure the visual amenities of the streetscape and would have an adverse impact on the character of the area. The proposed development would, therefore, by itself and by the precedent it would set for other development, seriously injure the amenities of property in the vicinity, would be contrary to the provisions of the Development Plan and would be contrary to the proper planning and sustainable development of the area.

Planning register reference 2495/99 Planning permission refused (22 November 1999) for development of 44 apartments, comprising 21 no. 1 bedroom, 21 no. 2

bedroom and 2 no. 3 bedroom units, in two 3 storey blocks and one 5 storey block, over a basement car park with 41 no. spaces, accessed from Pimlico and also fronting St. Margaret's Avenue and Braithwaite Street at 63 - 65 Pimlico, adjacent to St. Margaret's Avenue, 32-34 Braithwaite Street and the adjoining site to the rear (south) between Braithwaite Street and No. 8 Poole Street, fronting the open space at Poole Street.

Other:

ABP-309606-21 An Coimisiún Pleanála - Case reference: VX29S.309606 Planning Authority Case Reference: VS-0080 – Vacant Site Levy

Planning application at adjoining property No. 62 Pimlico (provided as part of the appeal submission)

Planning register reference: 1333/96 retention permission granted for existing substructures and for four storey development consisting of 3 apartments at the upper levels and a ground floor retail unit at no. 62 Pimlico

5.0 Policy Context

5.1. National Policy and Guidelines

Having considered the nature of the proposal, the receiving environment, and the documentation on file, including the reports and submissions from the planning authority, I am of the opinion that the directly relevant Section 28 Ministerial Guidelines are:

- Urban Development and Building Height Guidelines for Planning Authorities (2018).
- Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024), Department of Housing, Local Government and Heritage (SRDCSG).
- Planning Design Standards for Apartments Guidelines for Planning Authorities (2025). I note that the Planning Design Standards for Apartments were published on 08.07.2025. Section 1.1 of this document states that the guidelines only apply to planning applications submitted after the publication

of the guidelines. The planning application subject to the appeal was submitted on 12 September 2025.

- Design Manual for Quality Housing (2022)

5.2. Dublin City Development Plan 2022-2028

I highlight to the Commission that the development plan has been subject to nine no. variations (adopted) and there are three proposed Variations - Including Variation no.10 (Kylemore Masterplan), Proposed Material Alterations to Proposed Variation No. 10 and Proposed Variation No. 11.

Proposed Variation no. 11 of the Dublin City Development Plan 2022-2028 is currently on public display (period from 31 March 2026 to 4.30pm 28 April 2026 inclusive) which seeks to:

To vary the Dublin City Development Plan 2022 – 2028 to give effect to the First Revision of the National Planning Framework, April 2025, and to incorporate the housing growth requirements set out in the Ministerial Guidelines - National Planning Framework NPF Implementation: Housing Growth Requirements, Guidelines for Planning Authorities, 2025.

It is proposed to vary the Dublin City Development Plan 2022 – 2028, by making amendments to the Core Strategy and the tables contained therein; to change the land use zoning objective of 7 sites from Z6 Employment/Enterprise to Z1: Sustainable Residential Neighbourhoods, Z10 Inner Suburban and Inner City Sustainable Mixed-Uses and Z14 Strategic Development and Regeneration Areas (SDRAs); to amend 8 Strategic Development and Regeneration Areas to provide for additional housing capacity; and, to identify Santry Key Urban Village as a long-term plan area.

I highlight to the Commission that the Site is located within Strategic Development Regeneration Areas (SDRA) no. 15 Liberties and Newmarket Square (Figure 13-15 of Chapter 13). There is no proposed change to SDRA No. 15 in Variation No. 11 (as currently proposed).

The proposed site fronts onto Pimlico shown as a core pedestrian spine with the guiding principles of creating a Greening, Cycling and Pedestrian corridor along

same. The area immediately to the west of the subject site is indicated as proposed/improved public open space.

Character Area 4 - Pimlico This character area is located at the nexus of a number of different landholdings that have the capacity for significant regeneration.

Accordingly, redevelopment of the lands should accommodate a civic/community hub and an enlarged area of public open space. A locally higher building of 10-12 storeys at this location would provide urban design and placemaking benefits to the emerging character of a revitalised Marrowbone Lane. Base heights should be 6-8 storeys, where heritage, built form character and residential amenity considerations allow. The opportunity for a new north-south pedestrian connection to run through the lands, connecting up to Thomas St. to the north should be realised as part of any redevelopment

The subject site is zoned Z1 – ‘*Sustainable Residential Neighbourhoods*’ in which the objective is “*To protect, provide and improve residential amenities*’.

Vision for the Z1 zoned lands: The vision for residential development in the city is one where a wide range of high-quality accommodation is available within sustainable communities, where residents are within easy reach of open space and amenities as well as facilities such as shops, education, leisure and community services. The objective is to ensure that adequate public transport, in conjunction with enhanced pedestrian and cycling infrastructure, provides such residential communities good access to employment, the city centre and the key urban villages in order to align with the principles of the 15-minute city.

Chapter 5: Quality Housing and Sustainable Neighbourhoods

Chapter 15: Development Standards

The site is within a Zone of Archaeological Constraint for recorded monument (RMP) DU018-020 (Historic City).

To the east and directly opposite site is designated Thomas Street & Environs Architectural Conservation Area (ACA).

Site is within Flood Zone C.

Objective CUO25: SDRAs and Large-Scale Developments

All new regeneration areas (SDRAs) and large-scale developments above 10,000 sq. m. in total area* must provide at a minimum for 5% community, arts and culture spaces including exhibition, performance, and artist workspaces predominantly internal floorspace as part of their development at the design stage. The option of relocating a portion (no more than half of this figure) of this to a site immediately adjacent to the area can be accommodated where it is demonstrated to be the better outcome and that it can be a contribution to an existing project in the immediate vicinity. The balance of space between cultural and community use can be decided at application stage, from an evidence base/audit of the area. Such spaces must be designed to meet the identified need. *Such developments shall incorporate both cultural/arts and community uses individually or in combination unless there is an evidence base to justify the 5% going to one sector.

Appendix 1: Housing Strategy

City sub-area level Housing Need and Demand Analysis (HNDA) prepared for the Liberties. Section 6.5.1 Sub-City Residential Mix Requirements

Based on the analysis in the interim HNDA and custom HNDA it is recommended that the development plan will require planning applications for residential schemes in the North Inner City and Liberties Sub-City areas to include a residential mix as per Table 37. SPPR1 is applicable to the remainder of the Dublin City Council administrative area.

Exemptions to the Sub-City Residential Mix “*Standards may be relaxed for other social housing needs and/or where there is a verified need for a particular form of housing, e.g. for older people, subject to the adjudication of the Housing & Community Services Department*”.

5.3. Natural Heritage Designations

The boundary of the South Dublin Bay SAC /proposed Natural Heritage Areas: South Dublin Bay (Site Code: 000210) and the South Dublin Bay and River Tolka SPA (Site Code: 004024) lie approximately 4.5km to the east of the development boundary.

The proposed Natural Heritage Areas: Grand Canal (Site code:002104) is approximately 1km south of the subject site.

The River Liffey flows approximately 0.7km to the north of the subject site.

6.0 The Appeal

6.1. Grounds of Appeal

One third party appeal has been made by the property owners of The Pimlico Tavern and residential units overhead located at 61-62 Pimlico and 35 Braithwaite Street, Dublin 8. In summary the key grounds of appeal are:

- Proposed development exceeds the former building line boundary along the northern boundary at no. 63 Pimlico. The appellant has attached OSI Urban Place Map (dated 23 May 2001) to illustrate that there is an established east-west separation between the south side of No. 62 Pimlico and the north side of no. 63 Pimlico. Sworn affidavit attached from previous property owner stating that the strip of land has always been for access purposes and for the benefit of accessing drains, downpipes and services.
- Proposed development encroaches on existing right of access to no. 62 Pimlico, along the south side of no. 62 Pimlico. Report submitted from Fitzsimons Doyle and Associates (dated 14 April 2021) confirming the existence of services on the south side of no. 62 Pimlico. The planner's report does not adequately address the issue of the existing pipework and foul drainage. Stated that there is a long-standing right of access, over, on, under and along this strip of land between nos. 62 and 63 Pimlico and that it is essential to allow for the replacement/renewal of the essential utility services.
- Proposed construction above east-west foul drain currently serving no. 62 Pimlico. Concerns that the proposed development would physically impinge the adjoining property (No. 62) by reason of the construction of the building over the strip of land located between nos. 62 and 63 Pimlico.
- Separation distance not sufficient to the rear of existing properties at no. 61-62 Pimlico and 35 Braithwaite Street. The proposed rear balconies to units no. 21, 31, 38 and 44 overlook the living room areas to the rear of the existing property units and is not in keeping with SPPR 1, where a separation distance

of at least 16m between opposing windows servicing habitable rooms is required to the rear or side of houses.

- Loss of daylight/sunlight to multiple properties at no. 61-62 Pimlico and 35 Braithwaite Street.
- Invasion of privacy to existing properties at rear of no. 61-62 Pimlico & 35 Braithwaite Street.

Appendices submitted in support of the appeal include

- Appendix A: OSI Urban Place Map
- Appendix B: Consulting Engineer's Report (Fitzsimons Doyle & Associates) dated 14 April 2021
- Appendix C: ABP Response letter dated 22 April 2021
- Appendix D: Deputy planning officer's report dated 10 November 2025
- Appendix E: Internet note no. 1 re ESB sub-stations being built over drains.
- Appendix F: Local Planning Authority's (DCC's) letter dated 10 November 2025
- Appendix G: Leamore's 1997 Planning application including: -
 - Planning permission grant of permission doc. For No. 62 Pimlico Jan 1997.
 - Planning application drawings of elevation floor plan drawings dated 1997.
- Appendix H – Solicitor's Affidavit
- Appendix I – Letter of objection (25 September 2025) to planning permission [WEB5136/25]
- Appendix J – Dublin City Council Planning Authority acknowledgement of observation letter and receipt of payment.

6.2. Applicant Response

In summary the response to the appeal the applicant sets out the following:

- Building line and right of access – This issue has been previously raised within submissions and observations on the previously grant planning application 3548/20. The current applicant has provided confirmation of ownership and appropriate consents for the entire area within the planning application documentation. There is no legal evidence or easements/burdens declared on any of the folio documentation of there being a registered right of way on this site. Extract submitted from Landdirect.ie displaying the applicant's ownership of the site.
- Proposed development above an existing east-west foul drain currently servicing no. 62 Pimlico – The applicant acknowledges the council's decision and wishes to ensure that all the necessary measures will be taken to ensure that development is appropriately completed on the site without detriment to the adjoining residential amenity or future development of any lands. Technical response note included from Ronan Meally Consulting Engineers setting out a review of the existing elevation of the public house in terms of existing Mechanical & Electrical (M&E) service elements with proposals to coordinate or relocate within the scope of the project. In addition, advice has been provided from Barrett Mahony Consulting Engineers setting out proposals to address the existing live foul drainage within the site.
- Lack of separation distance and invasion of privacy to existing properties at rear of no. 61-62 Pimlico and 35 Braithwaite Street – this specifically relates to the southern and eastern elevations. The design including the orientation of the apartments in the southern block result in no overlooking or invasion of privacy to the existing apartments. Units 21, 31, 38 and 44 have been designed to minimise any overlooking onto the existing apartments. Reference made to the Architectural Design Statement prepared by Walsh Associates Architects & Project Managers which outlines the benefits of the design. The northern elevations face onto the Braithwaite Street with approximately 19m separation between the proposed and existing. To the east the proposed scheme face onto the properties fronting Poole Street and

the rear elevations of no. 18-24 Summer Street with approximately 70m separation distance.

- In respect to the concerns about loss of daylight and sunlight to multiple properties at no. 61 and 62 Pimlico and 35 Braithwaite Street it is stated that a stepped elevation and harmonious building width has been included in the design to address previous concerns raised with respect to impact on daylight provision and possible overbearing. The Daylight Sunlight Report prepared by Digital Dimensions sets out that no detrimental impact shall occur from a loss of daylight and sunlight perspective.

6.3. **Planning Authority Response**

- None

6.4. **Observations**

- None

6.5. **Further Responses**

In response to the applicant's appeal response submission received the 19 December 2025 the appellant has submitted a letter (received 18 March 2026) in which they wish to highlight their acceptance of the applicant's indication to appropriately reconfigure, relocate and coordinate retention of the existing gas flue, ventilation grilles, drainage pipework, overflow pipework and cabling located on the public house elevation within the scope of the proposed works, subject of this appeal. It is set out that they would anticipate that these matters would be detailed with accompanying plans, elevation and cross-sectional drawings and agreed with themselves and in writing with the planning authority.

7.0 **Assessment**

- 7.1. The subject site, currently a vacant brownfield site, is located within the designated Strategic Development Regeneration Area (SDRA) Liberties and Newmarket

Square. The land use zoning of the site is Z1 “To protect, provide and improve residential amenities”. The capacity of the subject lands for significant regeneration is acknowledged in the development plan, please refer to section 5.2 for summary, and as such taking into account the zoning objective, the principle of providing residential development is acceptable.

- 7.2. I note the comprehensive assessment of the planning authority with respect to issues relating to the mix of units proposed, provision of private, communal open space and play space and compliance with internal space standards against the Planning Design Standards for Apartment: Guidelines for Planning Authorities (2025). I would agree with their assessment noting the exemption available in the development plan for a relaxation of standards in respect to the provision of a minimum of 15% three or more bedroom units and a maximum of 25%-30% one bedroom/studio units within the Liberties Sub-City Area (Table 37 Housing Strategy Appendix 1 refers) where the development is for social housing needs. I highlight to the Commission that the Housing Development Section have provided a letter of consent to the inclusion of the Council’s owned lands at Braithwaite Street as part of the combined application site for the purposes of making the application.
- 7.3. Objective CUO25 of the development plan requires the minimum of 5% community, arts and cultural spaces be provided as part of the development within all new regeneration areas (SDRAs) and large-scale developments above 10,000 sq. m in total area, there is no provision of a communal, community and cultural facility within the scheme. For clarity the subject site is located within Strategic Development and Regeneration Area (SDRA) 15 – Liberties and Newmarket Square. SPPR 6 of the Planning Design Standards for Apartments (2025) sets out that the provision of new Communal, Community and Cultural facilities within apartment schemes shall only be required in specific locations identified within the development plan and shall not be required on a blanket threshold-based approach in individual apartment schemes. I note that Chapter 13 of the development plan sets out the guiding principle to recognise the need for community uses and public spaces to complement the emerging development in recent decades. It is also a guiding principle to support the provision of community/cultural uses and undertake an audit of community infrastructure in the Liberties area in order to identify additional community needs. I highlight to the Commission that community and/cultural uses are identified in

specific locations in (Figure 13-15) of Chapter 13 of the development plan, including the Braithwaite Street community allotments, but that none are indicated specifically on the subject lands. On this basis, having regard to SPPR6, I am of the opinion that there is no requirement for a communal, community or cultural facility to be provided as part of the subject apartment scheme.

- 7.4. The proposed development's plot ratio is within the range set out in Table 2 of the Height Strategy Appendix 3 of the development plan for regeneration areas, while the site coverage marginally exceeds the indicative site coverage. I note that the development plan allows for higher site coverage in areas to facilitate comprehensive re-development in areas in need of urban renewal. In respect to the proposed height ranging from 2-6 storeys across the site meets with indicated base heights for this character area (6-8 storeys) within the SDRA, please refer to section 5.2 for detail, and responds sensitively to the heritage and built form character. I shall address specifically residential amenity considerations in sections 7.7 and 7.8 of my report. The proposed density of 280 units per ha is above the density range (100-250 units per ha) set out in Appendix 3 of the development plan for SDRA areas but below 300 units per ha where there is a general presumption against such density. The proposed development exceeds the density range indicated for SDRAs, I note that the submitted Planning Statement prepared by *Downey Chartered Town Planners* on behalf of the applicant sets out an assessment of the proposal against the 10 no. performance criteria contained in Appendix 3 Height Strategy (Volume 2) Dublin City Development Plan 2022-2028. I would generally concur with their assessment, as also corroborated by the planning authority's assessment and will provide further assessment, as applicable, in my assessment of interlinked issues raised in the appeal.
- 7.5. Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, the report/s of the local authority, and having inspected the site, and having regard to the relevant local/regional/national policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:
- Building line and right of access (Including impact on existing services)
 - Separation distance and impact on privacy

- Daylight and Sunlight

7.6. Building line and right of access (including impact on existing services)

- 7.6.1. The appellant's concerns relate to a strip of land adjacent to the gable wall of no. 62 Pimlico which has multiple services projecting over and foul drain which runs in an east west direction along this strip of land.
- 7.6.2. In the first instance I am satisfied that the applicant has demonstrated sufficient evidence of their legal intent to make an application. Any further legal dispute is considered a Civil matter and are outside the scope of the planning appeal. In any case, this is a matter to be resolved between the parties, having regard to the provisions of s.34(13) of the 2000 Planning and Development Act.
- 7.6.3. Secondly with respect to impact on existing services the applicant following a review undertaken by their design team (namely *Barrett Mahony Consulting Engineers Ltd, Ronan Meally Consulting Engineers and Walsh Associates Architects & Project Managers*), in response to the appeal submission, has provided a Technical Response Note (prepared by *Ronan Meally Consulting Engineers*) setting out a review of the existing elevations of the appellant's property and outline the minor remedial works which they state can be carried out as part of the implementation of the proposed development to ensure that any existing services are maintained and/or relocated within the scope of the project without impacting on the viability of the existing public house systems or the proposed development (pages, 11-13 refer). Furthermore, addressing the foul drainage system it is outlined on page 13 of the submitted first party appeal response document that advice provided by *Barrett Mahony Consulting Engineers Ltd* confirm that the "*foul drainage serving the adjoining property will remain live for the full duration of the construction works and will be accommodated on a permanent basis upon completion of the development*".
- 7.6.4. In the interests of natural justice, the applicant's appeal response document was circulated to the parties to allow for further comments under the provisions of section 131 of the Planning and Development Act 2000 (as amended). By further submission received 18 March 2026 the appellant notes and accepts the applicant's proposals with respect to the accommodation of existing services and proposals to allow for future maintenance of same.

7.6.5. On the basis of the appellants confirmed acceptance of proposals contained within the applicant's submission dated 19 December 2025 and relying on the provisions of section 34(13) of the Planning and Development Act 2000 (as amended), I am satisfied that these matters can be addressed by way of condition. In the event the Commission is minded to grant permission I recommend that a condition is attached, requiring revised plans to be submitted illustrating both the proposed treatment of existing mechanical and electrical services and existing live foul drainage in tandem with details of the planned coordination, appointment of responsibilities for implementation and maintenance access arrangements post completion of the development.

7.7. Separation distance and impact on privacy

7.7.1. The applicant has raised concerns that an adequate separation distance has not been provided between the existing apartments (Nos. 61-62 Pimlico and 35 Braithwaite Street) and the new apartments. The existing apartment block has a set back from the shared site boundary from first floor level over which there is a flat roofed area with door access noted. The existing windows facing onto the shared southern boundary are approximately 6 metres to the boundary and the set back from the eastern elevation to the shared boundary opposite is approximately 10m. For the purposes of assessment, I shall set out the separation distance provided between the existing apartments and the proposed apartments relevant to the southern and eastern elevations of the existing apartments where from my site visit, I noted windows directly facing the proposed apartment development above ground floor level.

Floor level	Separation distance from existing apartments and public house	Opposing windows
First Floor level	Unit no. 10 immediately adjacent to terrace over ground floor and extending out to edge of the terrace. Increased parapet wall height by approximately 2m.	No opposing windows. No opposing windows.

	<p>Unit no. 20 approximately 14m separation from the southern elevation of existing apartments.</p> <p>Lift shaft serving block fronting Pimlico approximately 12m separation distance from the southern elevation of existing apartments.</p>	
Second Floor level	<p>Terrace over first floor serving unit no. 21 immediately adjacent to existing terrace and 10m from the existing eastern elevation.</p> <p>Approximately 16 metres between proposed block fronting Braithwaite Street and the eastern elevation of existing apartment block.</p> <p>Over 16m separation distance between the proposed block fronting Braitwaite Street</p>	<p>No opposing windows.</p> <p>Potential overlooking from terrace to terrace and windows along the eastern elevation of existing apartment block from no. 21.</p> <p>No opposing windows on side gable of unit. No. 22 with the eastern block.</p>
Third Floor level	<p>Balcony of proposed unit no. 31 approximately 13 metres from rear eastern elevation of existing apartments.</p>	<p>No opposing windows.</p> <p>Potential overlooking from balcony serving unit no. 31.</p>
Fourth Floor level	<p>Balcony to unit no. 38 approximately 13 metres from the rear eastern elevation of existing apartments.</p>	<p>No opposing windows.</p> <p>Potential overlooking from balcony serving unit no. 38.</p>

Fifth Floor Level	Terrace serving proposed unit no. 45 is 16 metres from existing eastern rear elevation of apartments which fronting onto Pimlico. Approximately 19 metres between opposing window at balcony unit no. 45 from the eastern elevation. Bathroom window (Unit no. 44) 16m from opposing windows.	Window at fifth floor bedroom unit no. 45. Obscured bathroom window could be conditioned.
Roof level	Screened setback rooftop plant.	No issues arising.

Table 7.7: Separation Distances

- 7.7.2. Proposed section E-E illustrates how apartment no. 10 at first floor level extends the rear building line of that block along to the edge of the terrace of the existing apartments resulting in a parapet wall over 2 metres higher than the parapet wall to the existing apartments terrace. The terrace above apartment no. 10 serving apartment no. 21 would potentially be directly overlooking the existing roof terrace and within 10 metres of windows on the existing apartment block. Notwithstanding, the issue of potential overlooking I am of the opinion that the proposed unit no. 10 extending beyond the established first floor building line gives rise to concerns relating to the reduction of daylight/sunlight to the adjoining existing apartments. This issue shall be addressed in section 7.8.
- 7.7.3. In conclusion on this point, from my assessment of separation distances, Table 7.7 above, I am of view that the apartments meet with the separation distances for apartments as set out in SPPR 1 of the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities with respect to opposing windows. Where there are proposed balconies as noted which may give rise to overlooking in the event the Commission is minded to grant permission privacy screens can be conditioned to ameliorate any potential impacts.
- 7.7.4. As set out in the Planning Design Standards for Apartments Guidelines for Planning Authorities (2025) separation distances for apartments will also need to be based on

achieving satisfactory levels of daylight/sunlight for future occupiers of the apartments and for neighbouring occupiers (Section 3.1). I shall address this issue in section 7.8 of my report.

7.8. Daylight and sunlight

- 7.8.1. The Daylight and Sunlight Assessment (DSA) prepared by *Digital Dimensions* presents findings of the proposed development's impact on the adjoining properties including the Pimlico apartments. I highlight that the existing apartments are referred to as No. 63 Pimlico apartments which is incorrect, these buildings are 61 and 62 Pimlico and 35 Braithwaite Street.
- 7.8.2. The DSA includes an assessment of the previously permitted development's (Planning register reference 3548/20) impact to the existing as well as the proposed development to the existing. For the purposes of this assessment, I am focusing on the proposed development's impact on the existing windows. Notwithstanding, as a general comment I note that the proposed development slightly reduces the vertical sky component (VSC) further than that of the permitted scheme.
- 7.8.3. In terms of the existing apartments and public house (Nos. 61 & 62 Pimlico and no. 35 Braithwaite Street) a total of 4 no. existing windows would have a vertical sky component of less than 27% as a direct result of the proposed development. The VSC at the existing double doors (Window location no. 1 Figure 4) accessing the roof terrace of the existing apartments and window location no. 2 Figure 4 would be the most affected by the proposed development, being reduced to less than 27% and below 0.8 times their former value. The BRE guidelines set out that diffuse light maybe adversely affected in this instance. In this respect I am of the opinion that this adverse impact could be mitigated by reducing the footprint of proposed Unit no. 10 from Type K (2 no. bed/4 person) unit to a Type M (1 bed/2 person) unit to mirror the unit no. 21 overhead, resulting in the rear building line aligning more closely with that of the adjoining building at first floor level.
- 7.8.4. The DSA in respect to the existing houses along the eastern side of Pimlico, the Braithwaite Street (Summer Street) flats and the houses located at St. Margaret's also concludes that there will be a reduction in VSC as a result of the proposed development but that such a reduction in available daylight from the proposed

development will be negligible and meets the recommendations of the BRE guidelines BR209:2022 (third edition).

- 7.8.5. The Annual Probable Sunlight Hours (APSH) assessment undertaken within respect to sunlight in neighbouring dwellings I note a drafting error in that reference is made to a different project (at Cardiffsbridge Road) and reference to associated figures which are not included. I am disregarding same in my assessment. The windows of the houses on St. Margarets and St. Johns Avenue are not included in this assessment as they are entirely to the south and the DSA states that there would be no perceptible reduction in sunlight. In respect to the APSH to adjoining properties the results indicate that a number of windows within the Braithwaite/Summer Street Flats are below target as a result of the proposed development. The DSA explains that the windows that have a reduction below the target level are windows that are recessed with a balcony overhead and gable obstructions. It furthermore stated in the DSA that is evident from the adjacent windows achieving the target sunlight hours while closer to the proposed development that the main obstruction is caused by the self-shading overhang and not the proposed development.
- 7.8.6. As already stated above the proposed development does reduce further the VSC of existing development to that permitted under planning register reference 3548/20/XA (refer to section 4.0 of my report for detail). Having considered the submitted DSA I am of the opinion that such a reduction is minor in nature. I note that the assessment of APSH does highlight that there will be an impact within the Braithwaite/Summer Street Flats but that this impact is cumulative having regard to the designed in recessed balconies. Noting the previously approved apartment scheme for the subject site I acknowledge that the current proposal is in line with that scheme with respect to impact on sunlight. The DSA states (section 5.2) that all private amenity space to the adjoining properties will retain 2 hours sunlight over 50% of the area or will not be reduced below 80% of the existing levels in accordance with the recommendations of the BRE guidelines.
- 7.8.7. On balance, taking into account the site-specific circumstances and location within the designated SDRA I am of the view that the proposed scheme, subject to a condition in respect to reducing the proposed unit no. 10, would not have a significantly adverse impact on the daylight and sunlight levels of surrounding properties and their adjacent amenity spaces.

8.0 Environmental Impact Assessment (EIA) Screening

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

9.0 Appropriate Assessment Screening

Please refer to Appendix 3. In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on any European Site(s) in view of the conservation objectives of these sites and is therefore excluded from further consideration. Appropriate Assessment is not required.

This determination is based on:

- Nature of works
- Location-distance from nearest European site and lack of connections
- Appropriate Assessment (AA) screening of the planning authority.

10.0 Water Framework Directive (WFD) Screening

The proposed development comprises the construction of a residential development comprising 49 no. apartments and all associated engineering and site works necessary to facilitate the development.

The submitted AA Screening report (prepared for the application by Openfield Ecology) notes that there is no natural, hydrological connection from the development site to the River Liffey or any watercourse. Furthermore, the AA Screening report describes the natural hydrological pathways as highly modified in

nature due to urbanisation, soil sealing and the installation of public sewers. There is an indirect pathway to Dublin Bay via the combined foul sewer and the Ringsend wastewater treatment plant. The culverted Poddle_010 (IE_EA-09P030800) is approximately 250m to the east of the subject site. The Liffey (IE_EA_090_0400) is located approximately 700m to the north of the site and the Grand Canal Main Line (Liffey and Dublin Bay) (IE_09_AWB_GCMLE) is approximately 1km to the south of the subject site. The relevant groundwater body is Dublin (IE_EA_G_008).

No water deterioration concerns were raised in a third-party submission/observation.

An assessment of the proposed development has been carried out in accordance with Article 4 of the Water Framework Directive and relevant EPA guidance, including best practice in sustainable drainage design.

The development incorporates appropriate surface water management measures, including Sustainable Drainage Systems (SuDS), designed to replicate greenfield runoff rates and provide treatment of surface water prior to discharge.

These measures ensure that there will be no increase in pollutant loading, no alteration of the receiving waterbody's hydrological regime, and no risk of deterioration in water quality or ecological status. Any residual risks identified during the assessment are capable of being addressed through standard mitigation measures and best practice construction management, including the implementation of an appropriate Construction Environmental Management Plan (CEMP).

The proposed development will not impact on the achievement of environmental objectives for any water body and is therefore considered compliant with the requirements of Article 4.

11.0 Recommendation

- 11.1. I recommend that planning permission should be granted, subject to conditions, for the reasons and considerations as set out below.

12.0 Reasons and Considerations

Having regard to the subject site's inner city location within the designated Liberties and Newmarket Square Strategic Development Regeneration Area (SDRA), the vacant brownfield nature of the site, and the established built form character of the area the proposed development, subject to condition, would not adversely impact on the adjoining residential amenities and would meet the objective for regeneration and enhancement. The proposed development, is therefore, in accordance with the proper planning and sustainable development of the area.

13.0 Conditions

1. The development shall be carried out in accordance with the plans and particulars submitted with the planning application except as may be otherwise required by the following conditions.

Reason: To clarify the plans and particulars for which permission is granted.

2. The proposed development shall be amended as follows:
 - a. Unit no. 10, at first floor level, shall be modified and reduced in size to form a 1 bed/2-person unit (Apt Type M) with balcony to replace the as proposed 2 bed/4-person unit (Apt Type K). A balcony shall be provided to serve proposed Unit no. 21 above.
 - b. Privacy screens shall be provided to the side of all terraces and balconies serving the proposed apartments facing both the communal open space and windows of the adjoining building (No. 61&62 Pimlico and no. 35 Braithwaite Street).
 - c. Revised plans and particulars detailing the treatment of existing mechanical, electrical and drainage services of the adjoining property in accordance with the proposals contained in the first party response to third party appeal document (dated December 2025).

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of orderly development and residential amenity.

3. The gate onto St. Margaret's Avenue shall be for emergency access/egress only and will not function as a primary means of accessing the development.

Reason: In the interest of residential amenity.

4. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

5. Prior to the commencement of development, the developer shall enter into a Connection Agreement (s) with Uisce Éireann (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.

6. The developer shall comply with the requirements of the Transportation Planning Division of Dublin City Council, as follows:
 - (a) Prior to the commencement of the development, the applicant/developer shall agree in detail with the Road Maintenance Division any works to the public footpath and roadways including removal of existing dishings on Pimlico and alterations to the footpath along St Margaret's Avenue. Works to the public domain and areas to be Taken in Charge shall be in accordance with the Construction Standards for Roads and Street Works in Dublin City Council. A drawing detailing area to be taken in charge shall be submitted for the

written agreement of the planning authority. All works shall be at the applicant's expense.

- (b) Prior to commencement of development, and on appointment of a main contractor, a Construction Management Plan shall be submitted to the planning authority for written agreement. This plan shall provide details of intended construction practice for the development, including traffic management, hours of working, noise and dust management measures and off-site disposal of construction/demolition waste.
- (c) Cycle parking shall be secure, conveniently located, sheltered and well lit. Electric bike charging facilities shall be provided. Key/fob access should be required to bicycle compounds. Cycle parking design shall allow both wheel and frame to be locked.
- (d) Prior to the completion and occupation of the development, a Mobility Management Strategy shall be submitted to the planning authority for written agreement. The strategy shall address the mobility requirements of future residents and shall promote the use of public transport, cycling and walking and the use of car club spaces. A mobility manager shall be appointed to oversee and co-ordinate the roll out of the strategy.
- (e) All costs incurred by Dublin City Council, including any repairs to the public road and services necessary as a result of the development, shall be at the expense of the developer.

Reason: To ensure a satisfactory standard of development and in the interest of sustainable transport.

7. The developer shall comply with the following archaeological requirements:

Archaeological Excavation prior to the commencement of development:

- i. The developer shall retain a licensed archaeologist to carry out all archaeological requirements of the City Archaeologist.

- ii. Prior to excavation all site preparation and enabling works shall be subject to archaeological monitoring by a licensed archaeologist.
- iii. The subject site is to be archaeologically excavated to natural subsoil, unless methodology otherwise agreed.
- iv. In the event of human remains or archaeological features of significance being located, the archaeologist retained by the developer shall immediately notify the Planning Authority archaeology@dublincity.ie for advice on preservation.
- v. The archaeologist shall send bi-weekly updates during the excavation and post excavation programme to archaeology@dublincity.ie until project completion.
- vi. The developer shall fund all post-excavation work, site interpretation and publication.

The following reports documenting the excavation shall be submitted to the Planning Authority for written agreement:

- i. An archaeological method statement detailing all licensed activities.
- ii. Four weeks after the excavation a preliminary report on the archaeological excavation.
- iii. A final report on the archaeological excavation within one year of the excavation.
- iv. The archaeological paper archive shall be compiled in accordance with the Dublin City Archaeological Archive Guidelines (2008 Dublin City Council) and lodged with the Dublin City Library and Archive, or with another appropriate repository within 2 years of excavation completion.

Reason: To ensure the continued preservation [either in situ or by record] of places, caves, sites, features or other objects of archaeological interest.

8. (a) Prior to the commencement of development, the developer shall retain the professional services of a qualified Landscape Architect throughout the life of the site development works.
(b) The landscaping scheme shown on drawing numbers 25_315-PD-01 to 25_315-PD-09 inclusive and as detailed in the 'Landscape Architecture

Design Report', as submitted to the planning authority on the 12 day of September 2025 shall be implemented fully in the first planting season following completion of the development or completion of any phase of the development.

(c) The Landscape Architect shall submit a landscape completion record to the planning authority for written agreement, as verification that the approved landscape plans and specification have been fully implemented.

All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of residential and visual amenity.

9. Proposals for an apartment naming and numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all apartment numbers, shall be provided in accordance with the agreed scheme. The proposed name(s) shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. 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 and to ensure the use of locally appropriate placenames for new residential areas.

10. A Construction and Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the planning authority prior to the commencement of development. The CEMP shall include but not be limited to construction phase controls for dust, noise and vibration, waste management,

protection of soils, groundwaters, and surface waters, site housekeeping, emergency response planning, site environmental policy, and project roles and responsibilities.

Reason: In the interest of environmental protection, residential amenities, public health and safety.

11. Site development and building works shall be carried out only between the hours of 0700 to 1800 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 to safeguard the residential amenities of property in the vicinity.

12. The management and maintenance of the proposed development following its completion shall be the responsibility of a legally constituted management company. A management scheme providing adequate measures for the future maintenance of public open spaces, roads and communal areas shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To provide for the satisfactory future maintenance of this development in the interest of residential amenity.

13. A plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the waste shall be managed in accordance with the agreed plan.

This plan shall provide for screened communal bin stores, the locations and designs of which shall be included in the details to be submitted.

Reason: To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment.

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

Claire McVeigh

22 April 2026

Appendix 1 – EIA Screening Form 1

Case Reference	PL-500351-DS-25
Proposed Development Summary	Construction of a residential development of 49 no. apartments and all associated engineering and site works necessary to facilitate the development
Development Address	Nos. 28-34 Braithwaite Street & Nos. 63-66 Pimlico, Dublin 8, (bounded by No. 35 Braithwaite Street to the east & north, Nos. 61 & 62 Pimlico to the north, Braithwaite Street/Poole Street Playground to the west, & by St. Margaret's Avenue & St. John's Ave
In all cases check box /or leave blank	
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.
	<input type="checkbox"/> No, no further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	N/A
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
<input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed	N/A

<p>type of proposed road development under Article 8 of the Roads Regulations, 1994.</p> <p>No Screening required.</p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.</p> <p>EIA is Mandatory. No Screening Required</p>	<p>N/A</p>
<p><input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p> <p>Preliminary examination required. (Form 2)</p> <p>OR</p> <p>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</p>	<p>Class 10. Infrastructure projects (b) (i) Construction of more than 500 dwelling units.</p>

<p>4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?</p>	
<p>Yes <input type="checkbox"/></p>	
<p>No <input checked="" type="checkbox"/></p>	<p>Pre-screening determination conclusion remains as above (Q1 to Q3)</p>

Inspector: _____ Date: _____

Appendix 2: Form 2 - EIA Preliminary Examination

Case Reference	PL-500351-DS-25
Proposed Development summary	Construction of a residential development of 49 no. apartments and all associated engineering and site works necessary to facilitate the development
Development Address	Nos. 28-34 Braithwaite Street & Nos. 63-66 Pimlico, Dublin 8, (bounded by No. 35 Braithwaite Street to the east & north, Nos. 61 & 62 Pimlico to the north, Braithwaite Street/Poole Street Playground to the west, & by St. Margaret's Avenue & St. John's Ave
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).	<p>The project due to its size and nature will not give rise to significant production of waste during both the construction and operation phases or give rise to significant risk of pollution and nuisance.</p> <p>The construction of the proposed development does not have potential to cause significant effects on the environment due to water pollution. The project characteristics pose no significant risks to human health.</p> <p>The proposed development, by virtue of its type, does not pose a risk of major accident and/or disaster, or is vulnerable to climate change.</p>
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).	<p>The subject site is located within the urban area of inner-city Dublin and comprises a brownfield site.</p> <p>The proposed development site is located in the Constraint Zone for the historical city of Dublin (DU018-020-). Archaeological monitoring is proposed as a mitigation measure given the findings of the Archaeological Impact Assessment (AIA) that it is not possible to design foundation regime for the project where archaeology can be preserved in situ due to the insufficient space available above levels of significant archaeology to construct the development. An Archaeological Method Statement is included with the submission.</p> <p>The subject site is not located in or immediately adjacent to ecologically sensitive sites.</p> <p>It is considered that, having regard to the nature and scale of the development, there is no real likelihood of</p>

	significant effect on other significant environmental sensitivities in the area.
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).	The size of the proposed development is notably below the mandatory thresholds in respect of a Class 10 Infrastructure Projects of the Planning and Development Regulations 2001 as amended. There is no real likelihood of significant cumulative considerations having regard to other existing and/or permitted projects in the adjoining area.
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.	N/A
There is a real likelihood of significant effects on the environment.	N/A

Inspector: _____ Date: _____

DP/ADP: _____ Date: _____

(only where Schedule 7A information or EIAR required)

Appendix 3: Screening for Appropriate Assessment

Appendix 3: Screening for Appropriate Assessment Test for likely significant effects

Step 1: Description of the project and local site characteristics

Brief description of project	Construction of a residential development of 49 no. apartments and all associated engineering and site works necessary to facilitate the development.
Brief description of development site characteristics and potential impact mechanisms	<p>The subject site comprises a brownfield site within the urban and serviced area of Dublin city. Total area stated as 0.175ha (1751 sqm)</p> <p>The site is bordered by adjoining property to its north and east and by a public playground and recreational area to its west.</p> <p>There is no natural, hydrological connection from the development site to the River Liffey or any watercourse. The site is not located within or directly adjacent to any European Site.</p>
Screening report	Yes, prepared by Openfield Ecological Services.
Natura Impact Statement	N
Relevant submissions	None relating to AA

Step 2. Identification of relevant European sites using the Source-pathway-receptor model

The submitted AA Screening includes the following Natura 2000 as having an indirect hydrological link (wastewater and surface water) and includes the Poulaphouca Reservoir SPA from which drinking water supply for this development may originate, and as such considered that it would fall within the zone of influence of this project.

European Site (code)	Qualifying interests ¹ Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connections ²	Consider further screening Y/N
South Dublin Bay and River Tolka Estuary SPA (Site Code: 004024)	https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO004024.pdf (March 2015)	4 km	Indirect	Y
South Dublin Bay SAC (Site Code: 000210)	https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO000210.pdf (August 2013)	4.5km	Indirect	Y
North Bull Island SPA (Site Code: 004006)	https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO004006.pdf (March 2015)	7 km	Indirect	Y
North Dublin Bay SAC (Site Code: 000206)	https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO000206.pdf	7 km	Indirect	Y
North-West Irish Sea SPA (Site Code: 004236)	https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO004236.pdf (September 2023)	8.7 km	Indirect	Y
Poulaphouca Reservoir SPA (Site Code: 004063)	https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO004063.pdf (June 2024) The submitted AA Screening report states that 'Evidence suggests that abstraction is not affecting the conservation objectives for Greylag Geese or Lesser Black-backed Gulls at the Poulaphouca Reservoir SPA'. No effects	35km	Tentative	N

	are likely to arise to the Poulaphouca Reservoir SPA arising from this project.			
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¹ Summary description / **cross reference to NPWS website** is acceptable at this stage in the report

² Based on source-pathway-receptor: Direct/ indirect/ tentative/ none, via surface water/ ground water/ air/ use of habitats by mobile species

³if no connections: N

Step 3. Describe the likely effects of the project (if any, alone or in combination) on European Sites

AA Screening matrix

Site name	Possibility of significant effects (alone) in view of the conservation objectives of the site*
	Please refer to the submitted Screening report for AA prepared by Openfield Ecological Services and the assessment of significance of effects.
South Dublin Bay and River Tolka Estuary SPA (Site Code: 004024) South Dublin Bay SAC (Site Code: 000210) North Bull Island SPA (Site Code: 004006) North Dublin Bay SAC (Site Code: 000206) North-West Irish Sea SPA (Site Code: 004236)	<p>There is no pathway for loss or disturbance of habitat in any Natura 2000 site, or other semi-natural habitats that may act as ecological corridors or stepping stones for important species associated with the qualifying interests of the Natura 2000 sites.</p> <p>The development site is located in a heavily urbanized environment close to significant noise and artificial light sources. This development is not likely to contribute to potential disturbance impacts to species or habitats for which Natura 2000 sites have been designed.</p> <p>The development site provides no suitable habitat for wintering wetland or wading bird which may be qualifying interest of coastal Natural 2000 sites. No ex-situ impacts to Natura 2000 sites are likely.</p> <p>The development site is already composed of hard surfacing and there is no likely significant effect arising from the project to the pattern of surface water discharge. The proposed</p>

	<p>standard SuDS measures are likely to enhance the flow regime on this site.</p> <p>Additional loading to Ringsend wastewater treatment plant is not considered to likely to have a significant effect on the conservation objectives of any Natura 2000 sites in Dublin Bay.</p>
	<p>Likelihood of significant effects from proposed development (alone): N</p>
	<p>If no, is there likelihood of significant effects occurring in combination with other plans or projects? N</p>
	<p>Possibility of significant effects (alone) in view of the conservation objectives of the site* N</p>
<p>Step 4 Conclude if the proposed development could result in likely significant effects on a European site</p>	
<p>I conclude that the proposed development (alone) would not result in likely significant effects on the following Natura 2000 sites:</p> <p>South Dublin Bay and River Tolka Estuary SPA (Site Code: 004024)</p> <p>South Dublin Bay SAC (Site Code: 000210)</p> <p>North Bull Island SPA (Site Code: 004006)</p> <p>North Dublin Bay SAC (Site Code: 000206)</p> <p>North-West Irish Sea SPA (Site Code: 004236)</p> <p>The proposed development would have no likely significant effect in combination with other plans and projects on any European site(s). No further assessment is required for the project.</p> <p>No mitigation measures are required to come to these conclusions.</p>	

Screening Determination

Finding of no likely significant effects

In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on any European Site(s) in view of the conservation objectives of these sites and is therefore excluded from further consideration. Appropriate Assessment is not required.

This determination is based on:

- Nature of works
- Location-distance from nearest European site and lack of connections
- Screening for Appropriate Assessment by the Planning Authority