



An
Coimisiún
Pleanála

Inspector's Report

PL-500436-DS-25

Development	Permission for demolition of shed, construction of a two-storey dwelling and all associated site works
Location	Land to the rear of 207 South Circular Road, Dublin 8
Planning Authority	Dublin City Council
Planning Authority Reg. Ref.	WEB5176/25
Applicant(s)	Dave Curtan
Type of Application	Permission
Planning Authority Decision	Refuse permission
Type of Appeal	First Party
Appellant(s)	Dave Curtan
Observer(s)	None
Date of Site Inspection	15 February 2026
Inspector	Killian Harrington

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1.0 Site Location and Description

1.1 The subject site is located on the south side of the South Circular Road. The site comprises a two-storey terrace building currently in operation as a commercial office premises, which forms part of a small neighbourhood centre comprising three properties (nos. 203-207) on the corner of South Circular Road and Donore Avenue. There is also residential accommodation above the premises and to the rear with an existing rear garden. The subject site has a rear lane running along the back which divides it from the adjacent row of housing (Saint Annes Road South) which faces onto the canal. The rear lane has a single access off Donore Avenue.

2.0 Proposed Development

2.1 The proposed development consists of the following elements:

- Demolition of single storey structure to the rear
- Construction of a two storey two bedroom mews with access via rear lane from Donore Avenue
- Two secure bicycle parking spaces and bin storage within courtyard to front of mews
- Private amenity space in the form of a first floor terrace (15.8sqm)
- Landscaping, boundary treatment and SuDs drainage and all other site works

The development is proposed to be car-free.

3.0 Planning Authority Decision

3.1 Decision

Dublin City Council recommended that permission be refused for the following reason:

1. Having regard to the substandard, restricted and narrow width of the existing laneway where no vehicle manoeuvring, turning facilities or safe pedestrian

facilities exist, it is considered that the proposed development could not be safely and conveniently accessed for essential and emergency services, resulting in hazardous manoeuvres onto and off Donore Avenue by all vehicles. The development would be contrary to Section 4.3.8 of Appendix 5 of the 2022-2028 Dublin City Development Plan and would endanger public safety by reason of traffic hazard. As such, the development would therefore be contrary to the proper planning and sustainable development of the area and would set an undesirable precedent for similar developments in the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The planner's report noted that the principle of a residential dwelling was acceptable under zoning objective Z3 (Neighbourhood Centres) with the objective 'to provide for and improve neighbourhood facilities', under which residential is permitted in principle.

In terms of residential standards, all proposed rooms meet internal minimum size requirements for a 2 bed dwelling. The proposed private amenity space (15.8 sqm terrace) exceeds minimum requirements for this accommodation. The remaining rear amenity space of c. 21sqm for the original dwelling falls short of the requirements of the Sustainable and Compact Settlement Guidelines 2024 which states houses with 2 bedrooms should have a minimum of 30sqm private open space. However, the report states that relaxations are allowable where considered appropriate under the guidelines.

In terms of residential amenity, the report was satisfied that overlooking between neighbours was sufficiently mitigated given that the fenestration had been reconfigured to avoid habitable rooms and the outdoor space had been screened following the previous refusal. There was some concern about how enclosed the proposed outdoor terrace would be and the potential reduction of levels of daylight and sunlight for this space. While it was noted that a rear garden depth of 7m for the existing dwelling will not be achieved nor 15m separation from the main dwelling this remains as per the previous application and the settlement guidelines

allow for relaxations in private amenity space, and a relaxation in separation distances where it is considered appropriate,

There were no concerns about visual impact or the general scale and massing of the proposal.

Transportation Planning recommended that the proposal be refused. While car-free development would be acceptable at this location (Section 15.13.5.4 of the City Development Plan makes provision for car free mews developments in certain circumstances), the rear laneway's width is below the City Development Plan standards and is not sufficient to accommodate servicing, emergency, or construction vehicles. Furthermore, the subject 3.2m width does not meet the minimum requirements for fire tender access as required under the Building Regulations. While refuse collection may be proposed to the front of no. 207, there is an inadequate laneway width for servicing, construction and emergency vehicles to the rear.

Ultimately, the report found that in this instance the use of the narrow laneway would endanger public safety and give rise to a potential traffic hazard. Noting that other mews developments had laneways of similar width, the report states that the subject laneway to the rear no. 207 does not currently serve any mews dwellings nor facilitate vehicular access. It was considered that the provision of a mews development at the subject location would introduce a new form of development along the lane that would set an undesirable precedent for future proposals. This would alter the established character and function of the laneway. The development would therefore set an undesirable precedent for future developments in the area and be contrary to the proper planning and sustainable development of the area.

3.2.2. Other Technical Reports

- Drainage Division: no objections subject to conditions including a request for a Strategic Flood Risk Assessment and a SUDs solution for the management of surface water.
- Transport Planning: Recommends refusal for the following reasons:

While the Access and Movement drawings are noted, TPD advise that the laneway's width is below the City Development Plan standards and is not sufficient to accommodate servicing, emergency, or construction vehicles. Furthermore, the subject 3.2m width does not meet the minimum requirements for fire tender access as required under the Building Regulations. While refuse collection may be proposed to the front of no. 207, there is an inadequate laneway width for servicing, construction and emergency vehicles to the rear.

3.3. Prescribed Bodies

No response

3.4. Third Party Observations

None

4.0 Planning History

4.1 Subject site

Reg. Ref. WEB1064/25: Planning permission refused by DCC for 'Demolition of single storey shed, construction of a 2-storey mews apartment building to be accessed via the rear laneway (from Donore Avenue) with 2 no. 1bed apartments'.

Reasons for Refusal

- 1. Having regard to the substandard, restricted and narrow width of the existing laneway where no vehicle manoeuvring, turning facilities or safe pedestrian facilities exist, it is considered that the proposed development could not be safely and conveniently accessed for essential and emergency services, resulting in hazardous manoeuvres onto and off Donore Avenue by all vehicles. The proposed development would therefore endanger public safety by reason of traffic hazard, would be contrary to Section 4.3.8 of*

Appendix 5 of the 2022-2028 Dublin City Development Plan and, by itself and by reason of the undesirable precedent it would set for other similar substandard development along the laneway, be contrary to the proper planning and sustainable development of the area.

Reg. Ref. 5793/07: Planning permission refused by DCC for ‘Demolition of the existing two-storey, 382sq.m. terraced town-houses and additional rear sheds. Construction of a new four-storey, 774 sq.m. terraced apartment building to include; two new retail units at ground floor level, two new 3-bed apartments at first floor level, each with rear roof terrace, two 2-bed apartments at second floor level, each with a rear roof terrace, and two 1-bed apartments at third floor level, each with a front and rear roof terrace. Shop signage at ground floor level and 9no. car parking spaces to be provided at 205 & 207 South Circular Road, Dublin 8.’

Reasons for Refusal:

- 1. The proposed development is located at a prominent road junction where the adjoining and nearby houses are zoned Z2. Residential Conservation Area. The proposed development by reason of its design, height and finishes would be visually obtrusive and would distract from the appearance of the street and the area and create an undesirable precedent for similar unsympathetic development. The proposed development would therefore be contrary to the proper planning and sustainable development of the area and to the provisions of the City Development Plan.*
- 2. The proposed development, by virtue of its failure to provide for safe access and egress to car parking proposed to the rear within the curtilage of the site, would constitute a substandard form of development which would not be*

consistent with the provisions of the Dublin City Development Plan 2005-2011 or with the proper planning and sustainable development of the area.

4.2 Adjacent sites

21A Lullymore Terrace

Reg. Ref. 3468/21 (ABP-312075-21): Planning permission granted for '(a) demolition of existing workshop (114 sq.m), semi covered courtyard (99sq.m) and office (7.5sq.m), (b) construction of a two bedroom, two storey detached dwelling. The dwelling will be served by a covered laneway, a garage with 1no. car parking space and various areas of private open space. Vehicular access to the site will be provided via an existing access from Lullymore Terrace. The existing gate will be replaced to facilitate this. A second access for pedestrians will be provided via a laneway from Donore Avenue, (c) permission is also sought for landscaping, boundary treatments, SuDs drainage and all associated works necessary to facilitate development at 21A Lullymore Terrace.'

Planning Permission granted by both DCC & ACP.

5.0 Policy Context

5.1 Development Plan

Dublin City Development Plan 2022-2028

The site governed by the land use Zoning (Neighbourhood Centres) Zone Z3 with the objective 'to provide for and improve neighbourhood facilities', under which residential is permitted in principle. As such, residential development may be permitted where the planning authority is satisfied that the development would be compatible with the overall policies and objectives for the zone, would not have undesirable effects, and would otherwise be consistent with the proper planning and sustainable development of the area.

Policy QHSN6 Urban Consolidation

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

Policy QHSN10 Urban Density

To promote residential development at sustainable densities throughout the city in accordance with the core strategy, particularly on vacant and/or underutilised sites, having regard to the need for high standards of urban design and architecture and to successfully integrate with the character of the surrounding area.

Policy 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 QHSN22 Adaptable and Flexible Housing

To ensure that all new housing is designed in a way that is adaptable and flexible to the changing needs of the homeowner as set out in the Lifetime Homes Guidance contained in Section 5.2 of the Department of Environment, Heritage and Local Government's 'Quality Housing for Sustainable Communities – Best Practice Guidelines for Delivering Homes Sustaining Communities' (2007) and the Universal Design Guidelines for Homes in Ireland (2015).

Policy QHSN37 Houses and Apartments

To ensure that new houses and apartments provide for the needs of family accommodation with a satisfactory level of residential amenity in accordance with the standards for residential accommodation.

Section 15.2.3 Planning Application Documentation – Planning Thresholds

This section notes that planning applications should be supported by the necessary analysis and documentation to demonstrate the proposed design and rationale for a scheme. Table 15-1 sets out that all residential developments

require a Housing Quality Assessment, and any development of 2 or more residential units requires a surface water management plan.

Section 15.5.2 Infill Development

This section sets out requirements for infill development in general.

Infill development refers to lands between or to the rear of existing buildings capable of being redeveloped i.e. gap sites within existing areas of established urban form. Infill sites are an integral part of the city's development due to the historic layout of streets and buildings.

Infill development should complement the existing streetscape, providing for a new urban design quality to the area. It is particularly important that proposed infill development respects and enhances its context and is well integrated with its surroundings, ensuring a more coherent cityscape.

As such Dublin City Council will require infill development:

- To respect and complement the prevailing scale, mass and architectural design in the surrounding townscape.
- To demonstrate a positive response to the existing context, including characteristic building plot widths, architectural form and the materials and detailing of existing buildings, where these contribute positively to the character and appearance of the area.
- Within terraces or groups of buildings of unified design and significant quality, infill development will positively interpret the existing design and architectural features where these make a positive contribution to the area.
- In areas of low quality, varied townscape, infill development will have sufficient independence of form and design to create new compositions and points of interest.
- Ensure waste management facilities, servicing and parking are sited and designed sensitively to minimise their visual impact and avoid any adverse impacts in the surrounding neighbourhood.

Section 15.9.18 Overlooking and Overbearance

'Overbearance' in a planning context is the extent to which a development impacts upon the outlook of the main habitable room in a home or the garden, yard or private open space service a home. In established residential developments, any significant changes to established context must be considered. Relocation or reduction in building bulk and height may be considered as measures to ameliorate overbearance. Overlooking may be overcome by a variety of design tools, such as building configurations (bulk and massing) and elevational design or window placement.

Section 15.11 House Developments

This section sets out a number of qualitative and quantitative standards for housing, including floor areas, aspect, daylight/sunlight and ventilation, private open space, and separation distances. This includes Section 15.11.2 that deals with Aspect, Daylight / Sunlight and Ventilation and states that the orientation and layout of house units should maximise the use of natural daylight and sunlight as much as possible. Rear private garden should be sufficiently sized and orientated to ensure direct sunlight access is achieved for part of the day on March 21st. Living rooms shall not be lit solely by roof lights. Bedrooms solely lit by roof lights will be considered in certain circumstances on a case by case basis. All habitable rooms must be naturally ventilated and lit. Section 15.11.4 deals with separation distances and seeks adequate distance between rear first floor windows and neighbouring properties.

Section 15.11.2 Aspect, Daylight/Sunlight and Ventilation

The orientation and layout of house units should maximise the use of natural daylight and sunlight as much as possible. Where feasible, the main habitable rooms (living / kitchen) should have south and/or west facades. Rear private garden should be sufficiently sized and orientated to ensure direct sunlight access is achieved for part of the day on March 21st. Living rooms shall not be lit solely by roof lights. Bedrooms solely lit by roof lights will be considered in certain circumstances on a case by case basis. All habitable rooms must be naturally ventilated and lit.

Section 15.13.3 Infill/ Side Garden Housing Developments

The development of a dwelling or dwellings in the side garden of an existing house is a means of making the most efficient use of serviced residential lands. Such developments, when undertaken on suitable sites and to a high standard of design, can constitute valuable additions to the residential building stock of an area and will generally be allowed for by the planning authority on suitable large sites.

Section 15.13.4 Backland Housing

Consideration of access and servicing and the interrelationship between overlooking, privacy, aspect and daylight / sunlight are paramount to the success and acceptability of new development in backland conditions.

Piecemeal backland development with multiple vehicular access points will not be encouraged. See Appendix 5 for further details on vehicular access.

Applications for backland housing should consider the following:

- Compliance with relevant residential design standards in relation to unit size, room size, private open space etc.
- Provision of adequate separation distances to ensure privacy is maintained and overlooking is minimised.
- That safe and secure access for car parking and service and maintenance vehicles is provided.
- The scale, form and massing of the existing properties and interrelationship with the proposed backland development.
- The impacts on the either the amenity of the existing properties in terms of daylight, sunlight, visual impact etc. or on the amenity obtained with the unit itself.
- The materials and finishes proposed with regard to existing character of the area.
- A proposed backland dwelling shall be located not less than 15 metres from the rear façade of the existing dwelling, and with a minimum rear garden depth of 7 metres.
- A relaxation in rear garden length, may be acceptable, once sufficient open space provided to serve the proposed dwelling and the applicant can

demonstrate that the proposed backland dwelling will not impact negatively on adjoining residential amenity.

All applications for infill developments will be assessed on a case by case basis. In certain instances, Dublin City Council may permit relaxation of some standards to promote densification and urban consolidation in specific areas. The applicant must demonstrate high quality urban design and a comprehensive understanding of the site and the specific constraints to justify the proposal.

Section 15.13.5 Mews Developments

It is an objective of the City Council to protect the character and setting of mews dwellings and to ensure all new proposals are respectful and appropriate in its context; see also Policy BHA14 and Objective BHA05. Applications for mews development should consider servicing, including the impact on existing infrastructure such as waste and water systems.

Section 15.13.5.1 requires that the distance between opposing windows of mews buildings and main houses shall ensure a high level of privacy with potential overlooking minimised.

Section 15.13.5.4 makes provision for car free mews developments in certain circumstances. This is where there are specific site constraints and where alternative modes of transport area available.

Appendix 5 - Transport and Mobility: Technical Requirements

Section 4.3.1 Dimensions and Surfacing

Vehicular entrances shall be designed to avoid creation of a traffic hazard for passing traffic and conflict with pedestrians. Where a new entrance onto a public road is proposed, the Council will have regard to the road and footway layout, the impact on on-street parking provision (formal or informal), the traffic conditions on the road and available sightlines.

For a single residential dwelling, the vehicular opening proposed shall be at least 2.5 metres, or at most, 3 metres in width and shall not have outward opening gates.

The basic dimensions to accommodate the footprint of a car within a front garden are 3 metres by 5 metres. It is essential that there is also adequate space to allow for manoeuvring and circulation between the front boundary and the front of the building. A proposal will not be considered acceptable where there is insufficient area to accommodate the car safely within the garden without overhanging onto the public footpath, or where safe access and egress from the proposed parking space cannot be provided, for example on a very busy road, opposite a traffic island or adjacent to a pedestrian crossing or traffic junction or where visibility to and from the proposed access is inadequate. In certain circumstances, applicants may be required to demonstrate that vehicles can turn within the site and exit in forward motion.

Section 4.3.8 Mews Parking

Car free mews developments may be permitted in certain circumstances where there are specific site constraints and where alternative modes of transport are available. Each development will be assessed on a case by case basis.

Potential mews laneways must provide adequate accessibility in terms of private vehicular movements, emergency vehicles and refuse vehicles. A minimum carriageway of 4.8m in width (5.5m where no verges or footpaths are provided) is required. In circumstances where 266 Transport and Mobility: Technical Requirements | Appendix 5 these widths cannot be provided, safe access and egress for all vehicles and pedestrians must be demonstrated

5.2. Relevant National or Regional Policy / Ministerial Guidelines (where relevant)

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

SPPR 1 – Separation Distances

It is a specific planning policy requirement of these Guidelines that statutory development plans shall not include an objective in respect of minimum separation distances that exceed 16m between opposing windows serving habitable rooms at the rear or side of houses, duplex units or apartment units above ground floor

level. There shall be no specific minimum separation distance at ground floor level or to the front of houses, duplex units or apartment units in statutory development plans and planning applications shall be determined on a case by case basis to prevent undue loss of privacy

SPPR 2 - Minimum Private Open Space Standards for Houses

It is a specific planning policy requirement of these Guidelines that proposals for new houses meet the following minimum private open space standards:

- 1 bed house - 20sqm
- 2 bed house - 30sqm
- 3 bed house - 40sqm
- 4 bed + house - 50sqm

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. In all cases, the obligation will be on the project proposer to demonstrate to the satisfaction of the planning authority that residents will enjoy a high standard of amenity.

5.3. Natural Heritage Designations

Grand Canal proposed NHA is c. 0.70m to the south, South Dublin Bay and River Tolka SPA and South Dublin Bay SAC are c.5 km to the east and Liffey Valley proposed NHA is c. 5.5km to the northwest.

6.0 EIA Screening

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.

7.0 The Appeal

7.1 Grounds of Appeal

The first party appeal raises the following grounds:

- Planning precedent for similar developments -
 - (1) Site to rear of 54 Ranelagh Road, Dublin 6 with access from Orchard Lane Reg. Ref. 2896/21 – DCC granted permission for a similar scenario of a narrow laneway with constraints that fall below planning standards. Orchard Lane, with a minimum width of less than 5m along portions leading to the site and a width of 5.12m at the site frontage, does not meet the required minimum carriageway width of 5.5m standard where no verges or footpaths are provided as is the case along Orchard Lane. Despite these technical shortcomings, the development was deemed acceptable by the planning authority.
 - (2) 21A Lullymore Terrace, South Circular Road, St. Catherine's, Dublin 8 Reg. Ref. 3468/21 and ACP ref ABP-312075-21. Following a third party appeal, ACP determined that the proposed development would be in keeping with the established character of the area, would provide a suitable standard of amenity for its occupants, would not seriously injure the amenities of property in the vicinity of the site, would not injure the architectural or natural heritage of the area and would not give rise to traffic hazard.
 - (3) Rear of No. 258 North Circular Road, Dublin 8 (Protected Structure) Reg. Ref. 3044/23 – refused by DCC for narrow width of laneway, granted by ACP (ACP. Ref. PL29N.319456). ACP found that with the omission of car parking spaces, an agreed alternate domestic bin pick up location, and regard to the pattern of development in the area, it was

considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable in terms of traffic safety.

- In terms of servicing, refuse storage has been provided on site and refuse collection will be staged from the front of 207 South Circular Road. Deliveries will be accommodated by the existing parking outside 207 South Circular Road. Emergency vehicle access will be via public laneway, with a fire tender (and by extrapolation an ambulance) shown reversing down the lane no more than 20m. Emergency vehicles can also park on Donore Avenue to get within 45m of the primary entrance to the proposed development as set out in the Building Regulations TGD B – Section 5.2.4 Based on the findings above, it is submitted that the proposed development is acceptable in terms of access and serviceability. A technical note has been prepared by Martin Peters and Associates for this appeal with updated construction drawings by GroWorks submitted with the appeal
- The proposal complies with the relevant residential development and infill/brownfield development planning policy objectives of the NPF, Regional Spatial and Economic Strategy 2019-2031, Dublin City Development Plan 2022-2028 and objectives and standards set out in national housing guidelines including Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024) and Quality Housing for Sustainable Communities – Best Practice Guidelines for Delivering Homes Sustaining Communities (2007). The dwelling will be provided with ample private amenity space whilst protecting the amenity space afford to the existing dwelling.
- The evolution of the layout and design has been directly informed by the need to protect the existing level of residential amenity of adjoining properties. The proposed development, due to the modest scale and high-quality design, as demonstrated on the architectural drawings, and the general siting of the dwelling is not considered to result in loss of sunlight or daylight to the neighbouring dwellings.
- The provision of a two-bedroom mews dwelling to the rear of No. 207 South Circular Road will have a minimal impact on the visual amenities in the

surrounding area. This is achieved through the fact that the proposed development provides for an appropriately scaled, sensitive infill development in a urban location, and we submit it does not detract from the character of the area

- In terms of appendices, there is the outline Construction Management Plan by Martin Peters and Associates dated September 2025 as submitted with the application. There is also an updated Technical Note by Martin Peters and Associates (December 2025), which outlines access for servicing and emergency vehicles and also includes updated construction drawings by GroWorks showing the proposed construction access relocated to the front of the commercial premises of no. 207 South Circular Road.

7.2. Applicant Response

n/a

7.3. Planning Authority Response

The planning authority requests that their decision to refuse permission is upheld and that if permission is granted, the following conditions should be applied:

- A condition requiring the payment of a Section 48 development contribution
- A naming and numbering condition
- A social housing condition

7.4. Observations

None

7.5. Further Responses

n/a

8.0 Assessment

8.1 I am satisfied that the principle of the additional two-storey dwelling on a residentially zoned infill/backland site is acceptable and the use accords with zoning objective 'Z3' in the Dublin City Development Plan 2022-2028. The zoning has the objective 'to provide for and improve neighbourhood facilities', under which residential is permitted in principle. The principle concerns in this appeal are (1) design and residential standards and (2) access and servicing.

Design and Residential Standards

8.2 The ground floor is shown to comprise of 2 no. bedrooms, 2 no. WCs, a utility room, storage space, circulation space and accesses an outdoor rear amenity space. The first floor accommodates a kitchen space, a living room/ dining area, circulation space and a rear terrace/ balcony facing towards the rear laneway. It is noted that the rear of the adjoining site (no. 209) accommodates a single storey structure with doorways facing out onto the laneway. However, there are no windows facing the site from this structure. There is no record of any mews developments being granted along the subject laneway. It is noted however that a nearby mews development was permitted to rear of no. 21a Lullymore Terrace under Reg. Ref. 3468/21 (ABP-312075-21).

8.3 In terms of residential standards, all proposed rooms meet internal minimum size requirements for a 2 bed 4 person dwelling. The proposed private amenity space (15.8 sqm terrace) exceeds minimum requirements for this accommodation. The remaining rear amenity space of c. 21sqm for the existing dwelling falls short of the requirements of the Sustainable and Compact Settlement Guidelines 2024 which states houses with 2 bedrooms should have a minimum of 30sqm private open space. However, the report states that relaxations are allowable where considered appropriate under the subject guidance.

8.4 In terms of residential amenity, each habitable room window would appear to receive sufficient daylight and sunlight owing to the south-facing fenestration although in the absence of a full daylight sunlight assessment, it is not possible to fully assess the impacts. I am satisfied that overlooking between neighbours from

Lullymore Terrace to the south and units along Donore Avenue is sufficiently mitigated given that, following the previous refusal, windows have been reconfigured to avoid habitable rooms and the outdoor space had been screened following the previous refusal. The proposal complies with SPPR1 of the settlement guidelines as there are no directly facing habitable rooms.

- 8.5 There was some concern about how enclosed the proposed outdoor terrace would be and the potential reduction of levels of daylight and sunlight for this space. While it was noted that a rear garden depth of 7m for the existing dwelling will not be achieved nor 15m separation from the main dwelling this remains as per the previous application and the settlement guidelines allow for relaxations in private amenity space, and a relaxation in separation distances where it is considered appropriate. I consider this the appropriate approach for an infill site where all other residential standards of the proposal are either met or exceeded. I note that the outdoor terrace would benefit from being atop a first floor and, despite being located between no. 207 and Lullymore terrace, there would be sufficient light and aspect at this height.
- 8.6 In terms of external appearance, a grey render finish is proposed for all facades, similar to the previous application and it is considered that this is in keeping with the character of the surrounding buildings which are a mix of red brick and rendered finish, particularly at the rear. A metal garage door is proposed onto the laneway. The front façade is shown to extend fully up to roof level to enclose the balcony area onto the laneway. As the proposed dwelling does not front onto South Circular Road, I am satisfied that there are no concerns about visual appearance or the scale, massing and design of the proposal. No. 207 South Circular Road is not a protected structure nor is it in an Architectural Conservation Area. The proposal at the rear would be partially visible from Donore Avenue but would appear orderly and in keeping with the character of the area owing to the infill nature of the development, the height and massing being subservient to the main dwelling and the proposed render finish consistent with the rear of other buildings on Donore Avenue.
- 8.7 I note the acceptable design, scale and massing of the proposal and its compliance with the residential standards set out in Section 15 of the Development

Plan, in particular the design criteria for mews developments and infill sites (Sections 15.13.5 and 15.5.2) – all of which are summarised in Section 5.0 of this report.

- 8.8 I note Policy BHA 14 states that it is the policy of Dublin City Council 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.
- 8.9 I also note Section 4.3.8 of Appendix 5 which states that ‘car free mews developments may be permitted in certain circumstances where there are specific site constraints and where alternative modes of transport are available’ and I acknowledge the abundance of public transport and active travel options including Dublin Bus routes (150, 74 and 122), Luas and cycle lanes within 1 kilometre radius and the walking distance to the city centre.
- 8.10 Section 4.3.8 also states that ‘potential mews laneways must provide adequate accessibility in terms of private vehicular movements, emergency vehicles and refuse vehicles. A minimum carriageway of 4.8m in width (5.5m where no verges or footpaths are provided) is required. In circumstances where these widths cannot be provided, *safe access and egress for all vehicles and pedestrians must be demonstrated*’. I will assess this element in the next section of my report.

Access and Servicing

- 8.11 Firstly, car-free residential development would be acceptable at this location. This is in accordance with Settlement Guidelines specific planning policy SPPR 3 given its nature and scale and its locational context within a ‘City - Urban Neighbourhoods’ location in that is highly accessible and lies proximate to local retail, services and employment centres within the area. Section 15.13.5.4 of the City Development Plan also makes provision for car free mews developments in certain circumstances).
- 8.12 The planning authority’s Transportation Planning Division had no concern about the lack of parking or the refuse collection being at the front of no. 207. However it recommended a refusal based on the fact that the rear laneway’s 3.2m width is

below the City Development Plan standards and is not sufficient to accommodate servicing, emergency, or construction vehicles. Furthermore, the subject 3.2m width does not meet the minimum requirements for fire tender access as required under the Building Regulations. While refuse collection may be proposed to the front of no. 207, the planning authority determined that there is an inadequate laneway width for servicing, construction and emergency vehicles to the rear.

- 8.13 Ultimately, the planner's report found that in this instance the use of the narrow laneway would endanger public safety and give rise to a potential traffic hazard. Noting that other mews developments had laneways of similar width, the subject laneway to the rear no. 207 does not currently serve any mews dwellings nor facilitate vehicular access. It was therefore considered that the provision of a mews development at the subject location would introduce a new form of development along the lane that would set an undesirable precedent for future proposals. This would alter the established character and function of the laneway.
- 8.14 The Development Plan requires under Section 15.13.5.4 that: "potential mews laneways must provide adequate accessibility in terms of private vehicular movements, emergency vehicles and refuse vehicles". Volume 2 Appendix 5 Section 4.3.8 also highlights this stating that a "minimum carriageway of 4.8m in width (5.5m where no verges or footpaths are provided) is required. In circumstances where these widths cannot be provided, *safe access and egress for all vehicles and pedestrians must be demonstrated*".
- 8.15 Whilst the laneway width in this case, at 3.2m, is below the recommended width of 4.8m, the Development Plan provides for flexibility in these circumstances provided the applicant can demonstrate safe access and egress for all vehicles including emergency vehicles.
- 8.16 Bin collection is proposed for the front of 207 South Circular Road. Kerbside refuse collections will be carried out by private operators. Bins would need to be moved by hand along the footpath of Donore Avenue to get to the pick-up location on the day of collection. This is a distance of c. 35 metres. However, it is recognised that there is a necessity for some waste collections in the city to be at a distance from the property.

- 8.17 The only concern here is one of access for construction and emergency vehicles. The planning application includes an 'outline' Construction Management Plan and vehicle tracking drawings showing how a standard vehicle can reverse c. 20 metres on the 3.2m wide laneway to towards the site entrance. The Access and Movement Strategy also demonstrates that a fire tender, and by extension, an ambulance can also reverse up to 20 metres down the laneway. The drawings show that the vehicle reversing adequately covers the proposed dwelling entrance in the event of an emergency, In addition the fire tender has access to public water supply on Donore Avenue within c. 25 metres of the proposed gated entrance, in compliance with Section 5.2.3 of the Building Regulations Technical Guidance Document B – Fire Safety which provides that access for fire service pump appliances should generally be provided within 45m of the principal entrance to the building.
- 8.18 The appeal also includes an updated Technical Note showing revised construction drawings updated since the planning application. According to the revised drawings, the proposed compound will now be located to the front of no. 207 South Circular Road. The updated autotrack assessment shows that a concrete truck and a delivery truck can gain access to the compound and leave the compound in forward motion all on South Circular Road. This removes the need for manoeuvring into the laneway on Donore Avenue. There will be continued pedestrian access to the existing commercial premises of no. 207. With the removal of vehicle access via Donore Avenue during construction, I consider this revised construction management approach to be acceptable.
- 8.19 The appeal submission includes details of other permissions in Dublin city which are considered to demonstrate precedent for the proposed development. I note the permissions referred to are located on laneways with a width below that outlined in Section 4.3.8 in Appendix 5 to the development plan. I consider each application should be considered on its merits and as outlined above I am satisfied that the applicant has demonstrated, through its Access and Movement Strategy and revised construction drawings showing a new construction compound on South Circular Road, that the appeal site can be adequately accessed for construction and essential services.

- 8.20 Notwithstanding that specifications for access for emergency vehicles is a matter for the building regulations, I am satisfied that the applicant has demonstrated that the site can be accessed for emergency vehicles directly from the laneway off Donore Avenue. I am satisfied that bin collection can be facilitated from South Circular Road as proposed by the first party. I also note the updated construction vehicle tracking drawings submitted with the appeal, which demonstrate space for demolition works, materials storage and skip compound all within the site ownership boundary with no movements into the laneway. A finalised construction management plan can be conditioned in the event of a grant of permission.
- 8.21 I do not consider the proposal is likely to give rise to traffic safety issues given that the proposal is car free, bin collections would not occur at Donore Avenue and construction vehicles will park at the compound to the front of no. 207 so there would be no new traffic hazard created as a result of the new dwelling.
- 8.22 In relation to the concern in the reason for refusal that the proposal would create a precedent for other developments along the lane, I consider from a review of the application documents the subject site has demonstrated adequate access for emergency and essential vehicles and I consider each application would be considered on its merits, including Section 5.2.3 of the Building Regulations Technical Guidance Document B – Fire Safety which provides that access for fire service pump appliances should generally be provided within 45m of the principal entrance to the building. As such, I do not share the concerns that the proposal would create an undesirable precedent.
- 8.23 In conclusion, I note that residential development may be permitted under Z3 zoning. The proposed development complies with the residential standards set out in Section 15 of the Development Plan for a backland/infill site. In particular, the proposal complies with Section 15.5.2 (Infill Development), Section 15.11.2 (House Developments) Section 15.13.4 (Backland Housing), Section 15.13.5 (Mews Developments) and Section 15.9.18 (Overlooking and Overbearance) as well as SPPR 1 of the 2024 settlement guidelines. The proposed dwelling would not cause significant harm to the residential amenity and visual amenity of the area. In addition, there is safe access and egress for servicing, emergency vehicles and construction vehicles and the proposal therefore complies with Section 15.13.5.4

of the Development Plan and also Section 4.3.8 of the Development Plan, which clarifies that in circumstances where lane widths cannot be provided, safe access and egress for all vehicles and pedestrians must be demonstrated.

8.24 I am therefore satisfied that development would be compatible with the overall policies and objectives for the zoning, would not have undesirable effects, and would otherwise be consistent with the proper planning and sustainable development of the area in accordance with the Dublin City Development Plan 2022-2028.

9.0 AA Screening

9.1. I have considered the proposed dwelling in light of the requirements S177U of the Planning and Development Act 2000 as amended. The subject site is located in an established urban and residential area c. 5km to the west of South Dublin Bay and River Tolka SPA and South Dublin Bay SAC.

9.2. The proposed development comprises the demolition of the existing shed and the construction of a two-bedroom two-storey dwelling with pedestrian and cycle access from Donore Avenue and all with associated site works, private open space, boundary treatments and drainage

9.3. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site. The reason for this conclusion is as follows:

- Nature of works
- Location in an established residential area
- Lack of connections to nearest European sites

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

10.0 Water Framework Directive

10.1. The subject site is located at the rear of 207 South Circular Road, approximately 70 metres north of the Grand Canal Main Line and approximately 430 metres west of the River Poddle. The proposed development comprises the demolition of the existing shed and the construction of a two-bedroom two-storey dwelling with pedestrian and cycle access from Donore Avenue and all with associated site works, private open space, boundary treatments and drainage

No water deterioration concerns were raised in the planning appeal.

10.2 I have assessed the development 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 waterbodies either qualitatively or quantitatively. The reason for this conclusion is as follows:

- Nature of works
- Location-distance from nearest water bodies and/or lack of hydrological connections

10.3 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 Recommendation

11.1. I recommend that permission be granted

12.0 Reasons and Considerations

12.1. Having regard to zoning of the site, the infill nature of the development, the design and layout of the proposed dwelling, the policies and objectives contained in the Dublin City Development Plan and the proposed access and servicing arrangements, it is considered that the proposed development would not, would not be injurious to the amenities of future occupants or neighbouring residential properties in the area and would be in keeping with the residential character of the area, and would not would endanger public safety by reason of traffic hazard. As such, the development would accord with the provisions of the Dublin City Development Plan 2022-2028 and with the proper planning and sustainable development of the area

13.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application and any updated plans and particulars submitted with this appeal, 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. 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

3. All necessary measures should be taken by the applicant and contractor to prevent the spillage or deposit of clay, rubble or other debris on the public road network, repair any damage to the public road arising from carrying out works and avoid conflict with between construction activities and pedestrian and vehicular movements on the surrounding public roads.

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

4. Prior to commencement of works, the developer shall submit to, and agree in writing with the planning authority, a full Construction Management Plan, which shall be adhered to during construction. This plan shall provide updated vehicle tracking movements and parking and storage locations for each stage of construction in addition to details of intended construction practice for the development, including 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

5. The developer shall ensure that the development is served by adequate water supply and/or wastewater facilities and shall enter into a connection agreement with Uisce Éireann (Irish Water) to provide for a service connection(s) to the public

water supply and/or wastewater collection network prior to commencement of development.

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

6. 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.

7. Proposals for an estate/street name, house numbering scheme and associated signage shall be submitted to and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all estate and street signs, and house 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].

8. Site development and building works shall be carried out between the hours of 7:00 am to 6:00pm Mondays to Fridays inclusive, between 8:00am to 2:00pm on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

Reason: To safeguard the amenity of property in the vicinity.

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

Killian Harrington
Planning Inspector

24 February 2026

Appendix A: Form 1 EIA Pre-Screening

Case Reference	PL-500436-DS-25
Proposed Development Summary	Permission for demolition of shed, construction of a two-storey dwelling and all associated site works
Development Address	Land to the rear of 207 South Circular Road, Dublin 8
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 <u>Part 1</u>, 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.	
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
1. Is the proposed development of a CLASS specified in <u>Part 2</u>, 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	

<p>or a prescribed 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><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(b) of Part 2 (dwelling units)</p> <p>Proposed development is a single dwelling substantially below the 500 dwelling unit threshold in Class 10(b)</p>
<p>2. 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>Screening Determination required (Complete Form 3)</p>
<p>No <input checked="" type="checkbox"/></p>	<p>Pre-screening determination conclusion remains as above (Q1 to Q3)</p>

Inspector: _____

Date: 24 February 2026

Appendix B: Form 2 - EIA Preliminary Examination

Case Reference	PL-500436-DS-25
Proposed Development Summary	Permission for demolition of shed, construction of a two-storey dwelling and all associated site works
Development Address	Land to the rear of 207 South Circular Road, Dublin 8
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	Briefly comment on the key characteristics of the development, having regard to the criteria listed. The development of 1 no. dwelling has a modest footprint, comes forward as a standalone project, requires only minor demolition works, does not require the use of substantial natural resources, or give rise to significant risk of pollution or nuisance. The development, by virtue of its type, does not pose a risk of major accident and/or disaster, or is vulnerable to climate change. It presents no risks to human health.
Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).	Briefly comment on the location of the development, having regard to the criteria listed The development is situated in an established urban area on serviced lands in Dublin city and is not in close proximity to designated sites and landscapes of identified significance in the Development Plan.
Types and characteristics of potential impacts	Having regard to the characteristics of the development and the sensitivity of its location, consider the potential for SIGNIFICANT effects, not just effects.

(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 modest nature of the proposed development, its urban location removed from sensitive habitats/features, likely limited magnitude and spatial extent of effects, and absence of in combination effects, there is no potential for significant effects on the environmental factors listed in section 171A of the Act.
Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA
There is no real likelihood of significant effects on the environment.	EIA is not required.

Inspector: _____ Date: 24 February 2026

DP/ADP: _____ Date: _____

(only where Schedule 7A information or EIAR required)