



Inspector's Report

PL-500483-DS-25

Development	Development will consist of alterations to existing boundary , the construction of 4 no. four storey three bedroom terraced townhouses and one 2 storey dwelling and all ancillary siteworks.
Location	Lands Located at 60-63 Leeson Street Upper, Dublin 4
Planning Authority	Dublin City Council South
Planning Authority Reg. Ref.	WEB2127/25
Applicant(s)	JLT Appian Limited
Type of Application	Permission
Planning Authority Decision	Grant Permission
Type of Appeal	Third Party Normal Planning Appeal
Appellant(s)	John Ronan
Observer(s)	None
Date of Site Inspection	31/3/2026
Inspector	Bébhinn O'Shea

1.0 Site Location and Description

- 1.1. The site measures 0.98 hectares and is a corner site at the junction of Leeson Street Upper and Appian Way, c. 900m from Donnybrook village and c. 600 from Ranelagh Village. It is greenfield, bound by a low wall with railings, largely overgrown with some mature trees and grass growth/vegetation. Some clearing appears to have occurred along with some dumping of construction materials. There is a container on the site. It appears flat.
- 1.2. Adjacent development to the south west on Appian Way is Mitchel House an apartment block of 3 storey plus setback 4th floor, with a second similar block adjacent. Some of the car parking spaces associated with these apartments are located along the southwestern boundary of the appeal site, along with some refuse storage. The applicant indicates ownership of the appeal site but as part of the application, a small strip of land to the rear, which is in the ownership of Mitchel House Management Company is also included, with the consent of owners.
- 1.3. To the southeast on Leeson Street Upper are 3 terraced dwellings of Leeson Village, a modern gated residential development. Opposite the site, and in the wider area, are terraces, mainly of two/three storey over basement dwellings in Georgian style which are Protected Structures, characterised by long curtilage to the front of the dwellings. Historical maps within the applications show that the appeal site formerly consisted of the large garden to the front of three terraced dwellings previously demolished.
- 1.4. Leeson Street Upper (R138) is a reasonably wide thoroughfare and an arterial route of the city and is approximately 18m at this location, 5 traffic lanes (including a southbound bus lane) becoming 6 just to at the south of the site. There are traffic lights controlling the junction with Appian Way including an uncontrolled crossing point with median pedestrian refuge. It is c. 11min/800 walk to Ranelagh Luas station, c. 23 min /1.7km walk to Lansdowne Road DART station. Dublin Bus stop southbound is located directly opposite the site and northbound approximately 70m along Leeson Street upper, with further stops at 12m and 190m along Appian Way. The site is on the Bus Connects Bray to City Centre Route (which will involve the relocation of some bus stops nearby) and provision of cycle lanes

2.0 Proposed Development

2.1. The proposed development is for

- alterations to existing boundary wall and fence to provide a new 6.6m sliding gate for pedestrian and vehicular access via Leeson Street Upper;
- the construction of 4 no. four-storey, three-bedroom, townhouses and one 2 storey one bedroom unit (following revisions at FI/CFI stage)
- internal carports (to dwellings) rooflights, and private external terraces
- all ancillary site works

2.2. Note the application was initially for 4 No. terraced townhouses but was revised at Further Information to include an additional single storey one bedroom residential unit. This was again revised at CFI stage to be a 2 storey one bedroom units.

2.3. Key figures

Area of site	0.98 hectares			
Density	5 units on .98 hectares = 51 dph			
Height	13.310m (townhouses) One bed unit 7.45m			
Housing type	Bedroom / bedspaces	Gross Floor Area	Private open space	Storage
<u>Townhouses</u> (4 No.)	3 bed 6 bedspaces	310 sqm	51.4 sqm	31.5sq m
<u>1 bed unit</u> (1 No.)	1 bed 2 bedspaces	86 sqm	16.5	4.2
Communal/public open space	None			
Cycle parking	Within each unit			

Car parking	4 spaces (1 per town house)
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2.4. It is proposed to finish the houses in a clay brick, laid in a Flemish bond with light pointing. The roofs will be finished in small gauged clay tiles. The surrounds to the window and door linings on the front elevations will be made of bush hammered concrete and stone mix.

3.0 **Planning Authority Decision**

3.1. **Decision**

3.1.1. Request for Further Information

On 14th July 2025 the Planning Authority issued a request for Further Information in relation to the following:

- 1 (a) Increased density
(b) Submission of Housing Quality Assessment
- 2 (a) Clarification of circular side gable window
(b) Revised screening treatments for proposed second floor terraces
- 3 Transportation:
 - (a) Bus Connects
 - (i) Details showing proposed vehicular access as with existing road and as under future Bus Connects. Preference to move the entrance eastward.
 - (ii) Accurate details of all elements of Bus Connects Layout and Road Safety Audit.
 - (b) Access Arrangements
 - (i) Inconsistencies in drawings, confirmation of the intended access arrangement, update vehicle tracking as necessary.
 - (ii) Revised proposals for pedestrian access through Mitchel House with clearly defined pedestrian route separated from parking area.

(c) Cycle parking to be re-examined in terms of layout and space/circulation and also position of proposed bicycle shelter.

4. Revised proposals for the management of surface water, incorporate Sustainable Drainage Systems to ensure there is no increase in surface water run off to the drainage network.

3.1.2. Request for Clarification of Further Information

On 7th October 2025 the Planning Authority issued a request for Clarification of Further Information in relation to the following:

1. While welcoming the increased density, concerns re. design approach given significant transition in height between single storey apartment and remainder.
2. Poor design and level of residential amenity given lack of windows aside bedroom.

3.1.3. Grant of permission.

On 19th November 2025 it was decided to grant permission subject to 18 No. Conditions as follows:

1. Standard condition – plans and particulars
2. Development contributions
3. Bond
4. No. of units stated (5)
5. Part V agreement
6. Occupation as single family dwellings
7. Details of materials/colours/finishes to be agreed
8. Street/development name to be agreed
9. Management company
10. Revised vehicular access arrangements. Agreement on traffic signage, relocation of on-street cabinets, footpath/kerb dishing
11. Construction management plan

12. Noise limits
13. Site and building works hours
14. Roadways to be kept clear/safe
15. Compliance with DCC code of practice drainage, roads etc
16. Drainage requirements
17. Digital connectivity infrastructure to be as per DCC standards
18. No additional development above roof level

3.2. **Planning Authority Reports**

3.2.1. Planning Reports

3.2.1.1. The first planning report (relating to 4 no. proposed townhouses) noted the following (summarised):

- Development acceptable in principle as per the zoning of site
- Density of 41 units per hectare (uph) is below the below the density recommendation of 50 – 250 uph as outlined within the Compact Settlement Guidelines.
- Provision of townhouses an appropriate design response
- No HQA submitted
- Inconsistencies in drawings
- Minimal screening
- Adequate private open space
- Contemporary design iteration is a welcome intervention and would complement the existing streetscape
- No instances of excessive overshadowing or overbearance will arise
- Screening interventions needed to avoid overlooking
- Noted information required for Transportation and Drainage Departments.

- Screened out the need for EIA and AA
- Recommended FI as per 3.1.1 above

3.2.1.2. The second planning report noted the following (summarised)

- The applicant excluded an area from the site owned by Mitchel House and has included a 1 bedroom apartment unit achieving a density of 51 units per hectare on a reduced site. However it considered that this resulted in an unsatisfactory design that would not integrate or interact positively with the dwellings. The apartment is narrow and cramped and does not compliment the adjoining proposed dwellings. The apartment complies with Guidelines for Apartments other than with storage and there was poor lighting to bedroom.
- The applicant has clarified that the end-gable window circular window serves two floors and revised screening for the second floor terraces is provided. The response on these items was considered adequate.
- The response to Item 2 (Transportation) was noted. The Transport Planning Division had noted the response and considered clarification of access arrangements and cycle parking was required. The planning report considered that access arrangements and sufficient cycle parking had been proposed including a cargo cycle place and that further details of these items was not required, conditions could be attached in the event of a grant of permission.
- The revised drainage details submitted were considered acceptable subject to conditions.

It was recommended to seek Clarification of Further Information as per Item 3.1.2 above.

3.2.1.3. The third planning report noted

- That the response of the applicant had amended the design of the previous single storey 'apartment' to now be two-storey in height and considered the development to more successfully integrate into the streetscape and the height transition to be more satisfactory. A grant of permission was recommended

3.2.2. Other Technical Reports

3.2.2.1. Drainage Division:

Report 1: No objection subject to conditions

Report 2 (on FI) : No objection subject to conditions

3.2.2.2. Transport Planning Division:

Report 1: Recommended further Information be requested (See point 3 of 3.1.1 above). Considered car parking, refuse and servicing arrangements adequate. Noted no CMP submitted.

Report 2 (on FI) : Recommended clarification of further information in relation to access, vehicle tracking, consistency of drawings, and cycle parking. (This did not form part of the CFI request)

Report 3 (on CFI): No objection subject to conditions

3.3. Prescribed Bodies

No submissions

3.4. Third Party Observations

3.4.1. Overall, four third party submissions were received. On the initial application, two:

- Ben McCabe:

A new entrance not appropriate at this location. The site should be considered a woodland. Ivy is an integral part of the environmental ecosystem, reduces heat islands and improves air quality. Felling trees due to ivy is not appropriate.

- Diane Balding:

Development on lands within Mitchel House, which forms part of the application, will impact on parking space by 1.3 metres and there may be potential loss of spaces.

Proposed pedestrian access to the rear of each dwelling via Mitchel House would increase the risk of accidents.

3.4.2. Following receipt of FI the revised plans were subject to additional public notices and two further submissions were received:

- Diane Balding

It is unclear if all the lands within Mitchel House are excluded following FI response, as planters are shown within Mitchel House.

- John Ronan

The development of this underutilised site for residential development is welcomed as it achieves the zoning objective for the site.

The pedestrian and vehicular access are all immediately proximate to a bus stop and cycle lane under BusConnects and further clarity on the safety of such a proposal due to the confluence of movements is requested

4.0 Planning History

P.A. Ref. 2282/08 and ABP 29S 229720 Permission granted and granted on appeal for 9 no. residential dwelling units in a five storey building with basement parking (building height of 16.5m)

P.A. Ref. 2554-16 and ABP 29S-247070 Permission granted and granted on appeal for construction of 16 no. residential dwelling units in a five storey residential building (with a maximum building height of 16 metres.

P.A. Ref. 3652-21 and ABP 312225-21 Planning permission refused and refused on appeal for construction of a 10 storey building with 44 residential units. (Grounds for refusal were the overdevelopment of the site, injury to visual amenity and character of the area, obstruction and traffic hazard due to access/set down drop off arrangements.

P.A. Ref. 4050-23 and ABP-318017-23: Permission refused on appeal for the erection of hoarding featuring branding graphics fixed to existing metal railings facing Appian Way and Leeson Street Upper

5.0 Policy Context

5.1. National policy

5.1.1. National Planning Framework – First Revision April 2025

5.1.2. **Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities 2024** hereafter referred to as “the Compact Settlement Guidelines”.

5.2. Development Plan

The relevant plan is the Dublin City Development Plan 2022- 2028 (DCDP)

5.2.1. The subject appeal site is zoned ‘Z1’ - Sustainable Residential Neighbourhoods (see Map H) under the Dublin City Development Plan 2022-2028, the zoning objective of which is ‘To protect, provide and improve residential amenities.’

5.2.2. **Chapter 4** relates to the **Shape and Structure of the City**. Relevant policies within include:

SC8: Development of Inner Suburbs,

SC10: Urban Density,

SC11: Compact Growth,

SC12: Housing Mix,

SC13: Green Infrastructure,

SC19: High Quality Architecture,

SC20: Urban Design,

SC21: Architectural Design.

5.2.3. **Chapter 5** relates to **Quality Housing and Sustainable Neighbourhoods** and includes the following relevant Policies and Objectives:

Policies:

QHSN2: National Guidelines,

QHSN6: Urban Consolidation,

QHSN9: Active Land Management,
QHSN10: Urban Density,
QHSN11: 15-Minute City,
QHSN12: Neighbourhood Development,
QHSN14: High Quality Living Environment,
QHSN16: Accessible Built Environment,
QHSN17: Sustainable Neighbourhoods,
QHSN22: Adaptable and Flexible Housing,
QHSN36: High Quality Apartment Development,
QHSN37: Houses and Apartments.

Objectives:

QHSN04: Densification of the Suburbs,
QHSNO10: Intergenerational Models of Housing,
QHSNO11: Universal Design

5.2.4. Chapter 11 relates to **Built Heritage and Archaeology** and includes the following relevant Sections, Policies and Objectives:

BHA9: Conservation Areas

5.2.5. Chapter 14 relates to **Land Use Zoning**.

Section 14.7.1 relates to Sustainable Residential Neighbourhoods – Zone Z1

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.

Residential is a permissible use.

- 5.2.6. **Chapter 15** relates to **Development Standards**. Note section 15.5.5 Density.
- 5.2.7. The DCDP contains several appendices including the following which are of most relevance

Appendix 1: Housing Strategy,

Appendix 3: Achieving Sustainable Compact Growth Policy for Density and Building Height in the City,

Appendix 4: Development Plan Mandatory Requirements,

Appendix 5: Transport and Mobility: Technical Requirements,

Appendix 6: Conservation.

5.3. **Built and Natural Heritage Designations**

- 5.3.1. Although there is a significant number of Protected Structures in the vicinity, including nos. 58, 59, 64, 64A, 65 Upper Leeson Street, the site is not within an Architectural Conservation Area. The surrounding lands are mostly zoned Z2 Residential Conservation areas. Whilst these areas do not have a statutory basis in the same manner as protected structures or ACAs, they are recognised as areas that have conservation merit and importance and warrant protection through zoning and policy application.

- 5.3.2. The nearest European sites are:

- South Dublin Bay SAC 2.5 km
- South Dublin Bay and River Tolka Estuary SPA 2.5km
- North Dublin Bay SAC 5.7km
- North Bull Island SPA 5.7km

The Grand Canal pNHA is also c. 540m to the north west

6.0 EIA Screening

- 6.1. 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.

7.0 The Appeal

7.1. Grounds of Appeal

I summarise the grounds of appeal as follows:

- 7.1.1. The Z1 zoning for the site is noted.

- 7.1.2. In relation to the Compact Settlement Guidelines:

- The site is located at an accessible urban area under the Compact Settlement Guidelines. These recommend densities in the range of 50-250 dwellings per hectare.
- The density provided at 50.7 dwellings per hectare. Prior grants of planning permission (in 2008 and 2018) achieved up to 163 units per hectare. This was prior to the NPF, Building Heights Guidelines and Compact Settlement Guidelines, all of which demand the efficient use of such sites.
- Density is further refined in the Compact Settlement Guidelines, based firstly on proximity and accessibility to services and public transport: The site is in a strategic central location, adjacent high frequency public transport and therefore is capable of accommodating the higher end of the density band, i.e. 250 dwellings/up to 25.4 units. Further refinement is carried based on consideration of character, amenity and the natural environment. The appeal states that this is a prominent site on a key arterial route with many contemporary interventions. The street is wide and not protected and not so sensitive to exclude development of appropriate scale

- Section 3.4.1 of the Guidelines state that planning authorities should encourage density at or above the mid density range at the most central and accessible locations.
- There is potential at the site for a high quality building with a scale, massing, and appearance which makes a visually distinctive contribution to the area. appropriate scale.

7.1.3. In relation to the DCDP:

- Objective SC10 is to ensure appropriate densities in accordance with the Guidelines for Sustainable Residential Development in Urban Area
- Objective SC11 is to promote compact growth and sustainable densities through the consolidation and intensification of infill and brownfield lands particularly on public transport corridors.
- The Plan states that higher densities will be promoted within 500 metres walking distance of a bus stop, or within 1km of light rail stop or station The site meets these criteria.

7.1.4. The planning history of the site demonstrates that it can accommodate higher density:

- DCC ref 2282-08/ACP REF 229720
Permission was granted February 2009 for 9 residential units (91 dph) in a 5 storey over basement building
- DCC ref 2554-16/AP Ref 247070:
Permission was granted on 28th November 2016 for a 5 storey building with 16 units (163 uph) including basement level car-parking and cycle parking
The above confirm the site is capable of accommodating significantly higher densities.
- DCC ref 3562-21/ACP Ref 312225.
Permission refused April 2023 for 10 storey over lower ground floor building with 44 units

7.1.5. The appellant supports the development of the site for residential use but has concerns regarding low density.

7.2. Applicant Response

I summarise the response as follows:

- The appellant is the former owner of the site.
- In relation to the planning history quoted by the appellant:
 - 2554/16 was subject to multiple third party appeals. Although ultimately permitted by ABP, the decision pre-dated the current planning framework. Since then there has been a shift in policy emphasis, particularly in relation to protection of residential amenity, urban design quality, integration with streetscapes and sensitivity to established character.
 - 2352/21 was refused by DCC and by ABP. In disagreeing with the report of the Inspector, the Board noted that the development failed to promote a sense of place and character, would not provide appropriate legibility, or appropriate continuity of streets and spaces or enhance public realm. It was considered that a building of different scale, mass and form could reasonably promote a sense of place and character.
- The density of 51 dwellings per hectare complies with Table 3.1 of the Compact Settlement Guidelines
- In terms of design, the scheme adopts a clear and restrained terraced form aligned with the Victorian Building Line. The arrangement provides an appropriate transition in scale while re-enforcing the corner. Materials and finishes are derived from a contemporary interpretation of Victorian town house
- Precedent case: Permission granted under ABP ref 318564 (Permission for 7 No. Three storey mews dwellings with garden to rear) creates a strong precedent for the approach taken on the subject site. The density in this case was 50 uph and An Bord Pleanála's granted permission considering that it satisfies objectives for the efficient use of land in that central location.

7.3. **Planning Authority Response**

Requests that ACP uphold the decision and attaches the following conditions in the event of a grant of permission.

- Section 48 contributions
- Section 49 Luas C1 contributions
- Bond condition
- Naming and numbering condition.

7.4. **Observations**

None received.

8.0 **Assessment**

8.1. Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, the reports of the local authority, and having inspected the site, and having regard to the relevant local/regional/national policies and guidance, I consider that the substantive issue to be considered is the appropriate residential density for the site.

8.2. Before assessing same I note the following:

- The proposed development is consistent with the zoning of the site. The proposed development significantly exceeds all minimum standards for residential accommodation. All units are dual aspect. I note that an additional 1 bed unit was introduced in response to the Further Information request of the planning authority, revised again through Clarification of Further Information to be a 2 storey one bedroom unit. I note all units have adequate cycle and refuse storage. As per SPPR 4 of the Compact Settlement Guidelines, the maximum rate of car parking provision for residential development at these locations, is 1 no. space per dwelling. 4 spaces are provided and this is acceptable. An adequate standard of individual residential amenity is provided.

- It is not clear that any public open space is provided within the development, particularly given the swept path analysis drawings submitted. Table 15.4 of the DCDP sets out Public Open Space Requirements for Residential Development as 10% for Z1 Residential development. Section 15.8.7 Financial Contributions in Lieu of Open Space allows for payment in the absence of public open space. In the event of a grant of planning permission, I recommend that a financial contribution in lieu of open space be attached, as a condition of planning.
- The development does not unduly overlook or overshadow adjacent properties. I note no objections were raised in submissions in this regard. I note separation distances and measures incorporated into the development, in the course of the application, in terms of screening. While submissions raised potential loss of parking spaces from Mitchel House, the portion of land from Mitchel House included in the application was omitted at later stages. The loss of vegetation on site is considered in my assessment below.
- I note the requirements of the Drainage and Transportation Planning Division in their internal reports. In particular I have considered the Bus Connects layout affecting the site. I note that the planning authority was satisfied that outstanding matters could be addressed by a condition of planning permission. I concur with this view and I note the provisions of Conditions 10, 15 and 16 in this regard.
- I consider that the design proposed would integrate well into the setting and provide an acceptable contemporary intervention and interesting streetscape. I note the requirements of condition 7 in terms of materials and finishes.

As stated above the substantive issue in this appeal is density. The proposed density is 51 dph. I assess this matter as follows:

8.3. Dublin City Development Plan

8.3.1. I note the following provisions of the DCDP

Policy SC 8: Development of the Inner Suburbs

To support the development of the inner suburbs and outer city in accordance with the strategic development areas and corridors set out under the Dublin Metropolitan Area Strategic Plan and fully maximise opportunities for intensification of infill,

brownfield and underutilised land where it aligns with existing and pipeline public transport services and enhanced walking and cycling infrastructure.

Policy SC10: Urban Density

To ensure appropriate densities and the creation of sustainable communities in accordance with the principles set out in Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (Cities, Towns and Villages), (Department of Environment, Heritage and Local Government, 2009), and its companion document, Urban Design Manual: A Best Practice Guide and any amendment thereof.

Please note the Compact Settlement Guidelines replace the Sustainable Residential Development in Urban Areas Guidelines; compliance with same is assessed further at 8.4.2 below.

Policy SC 11: Compact Growth

In alignment with the Metropolitan Area Strategic Plan, to promote compact growth and sustainable densities through the consolidation and intensification of infill and brownfield lands, particularly on public transport corridors, which will:

- enhance the urban form and spatial structure of the city;
- be appropriate to their context and respect the established character of the area;
- include due consideration of the protection of surrounding communities and provide for enhanced amenities for existing and future residents;
- be supported by a full range of social and community infrastructure such as schools, shops and recreational areas;
- and have regard to the criteria set out in Chapter 15: Development Standards, including the criteria and standards for good neighbourhoods, quality urban design and excellence in architecture.

15.5.5 Density

Dublin City Council will support higher density development in appropriate urban locations in accordance with the NPF, RSES and the Section 28 guidelines which seek to consolidate development within existing urban areas. Higher density development allows land to be used more efficiently, assists in regeneration and

minimises urban expansion. Higher densities maintain the vitality and viability of local services and provide for the critical mass for successful functionality of public transport facilities.... etc

Appendix 3: Achieving Sustainable Compact Growth Policy for Density and Building Height in the City.

I also note Appendix 3 of the DCDP Achieving Sustainable Compact Growth Policy for Density and Building Height in the City, referenced in Chapter 15 of the Plan at Section 15.5.5 Density and throughout the plan. I have considered the provisions of the Appendix.

Table 1 sets out density ranges for different parts of the city. The inner suburbs are not specified in Table 1.

The proposed development is not higher or more dense than the prevailing context and a detailed assessment under Table 3 is not therefore required.

I note that page 223 refers to development along public transport corridors and states “In line with national guidance, higher densities will be promoted within 500 metres walking distance of a bus stop, or within 1km of a light rail stop or a rail station in the plan. Highest densities will be promoted at key public transport interchanges or nodes.” However no density range is specified for a public transport corridor.

8.3.2. To conclude, the DCDP does not set out specific densities for the site, but relies on the national and regional policy context, including Section 28 Guidelines, to guide appropriate density for sites, along with the considerations of proximity to public transport.

8.3.3. The relevant guidelines are the Compact Settlement Guidelines.

8.4. Density – Compact Settlement Guidelines

8.4.1. The Compact Settlement Guidelines describe the following areas in Table 3.1:

City - Urban Neighbourhoods The city urban neighbourhoods category includes: (i) the compact medium density residential neighbourhoods around the city centre that have evolved overtime to include a greater range of land uses, (ii) strategic and sustainable development locations⁷, (iii) town centres designated in a statutory

development plan, and (iv) lands around existing or planned high-capacity public transport nodes or interchanges (defined in Table 3.8) – all within the city and suburbs area. These are highly accessible urban locations with good access to employment, education and institutional uses and public transport. It is a policy and objective of these Guidelines that residential densities in the range 50 dph to 250 dph (net) shall generally be applied in urban neighbourhoods of Dublin and Cork.

- 8.4.2. I am satisfied that site is within the above area “City - Urban Neighbourhoods” and I note that the views of the applicant, planning authority, and appellant concur on this matter. The relevant density band is therefore 50 dph to 250 dph
- 8.4.3. The site is located within 500 metres walking distance of an existing or planned BusConnects ‘Core Bus Corridor’ which within the meaning of Table 3.8 of the Compact Settlement Guidelines. This means it is considered to be in the most accessible type of area, the equivalent of ‘lands on a High Capacity Public Transport Note or Interchange’ and therefore densities at or above the mid-density range should be encouraged. Mid range would be approx. 113 dph.
- 8.4.4. Density is further refined as per Section 3.4.2 on the basis of Considerations of Character, Amenity and the Natural Environment. In this regard I note the following
- The area is a historic inner suburb of the city however it is not within an Architectural Conservation Area or a Z2 Conservation Area. I note that there are many Protected Structures nearby, along with Z2 Conservation Area, however there are none on the adjoining sites. Furthermore I consider the intervening road infrastructure of Appian Way and Leeson Street Upper provide sufficient separation distance such that the character and setting of Protected Structures and Z2 Conservation Areas could be protected without undue constraints on the site. The site is thus capable of establishing its own character and absorbing a contemporary design, including a modest increase in height over that prevailing. In my opinion the planning history of the site, in terms of permitted development, supports that view.
 - In terms of residential amenity, the appeal site benefits from the layout of adjacent development. The side of Mitchel House has windows serving circulation space only. The space to the rear, used largely for cycle parking but presumably the communal open space of the development, is at a distance of c. 8.7 from the site boundary.

There are no windows in the site boundary of no. 1 Leeson Village. The potential to align with the terrace of 1-3 mitigates against overlooking or overshadowing of those dwellings. The relationship with these adjoining dwellings does not overly constrain the site. Again in my opinion the planning history of the site, in terms of permitted development, supports this view.

- No significant features of the environment are affected. The site is not designated in terms of natural heritage or zoned for Amenity / Open Space Lands / Green Network. Although vegetation within the site will have biodiversity value, I do not consider it of such extent or value that it would outweigh the potential of the site for achieving more sustainable compact residential development and achieving the zoning objective of the site, 'To protect, provide and improve residential amenities.'

8.4.5. In terms of the Compact Settlement Guidelines, and therefore the DCDP, the proposed development is at the minimum density band for this City-Urban Neighbourhood (50-250 dph). Its density has not responded to the proximity of the site to public transport, which would encourage mid-range density. The site is not so constrained in terms of local character, amenity or environment, to justify the low density proposed.

8.4.6. I have considered the precedent case put forward by the applicant, but I do not consider it comparable given the context above, and regardless, every application is individual and considered on its own merits.

8.4.7. Overall I conclude that the application fails to achieve sufficient density for an inner urban site on a high quality public transport corridor.

9.0 AA Screening

9.1. I have considered the proposed development in light of the requirements of S.177U of the Planning and Development Act 2000, as amended. The subject site is located within an established urban area. The application site is located c. 2.5 km west of South Dublin Bay SAC 2.5 km and South Dublin Bay and River Tolka Estuary SPA and c. 5.7 km southwest of North Dublin Bay SAC and North Bull Island SPA.

9.2. The proposed development comprises the construction of a new vehicular entrance, 5 dwellings and associated site works. Foul water connection to the existing public

network is proposed. Surface water, after SuDS and attenuation, is proposed to a surface water network

- 9.3. No submissions relating to Appropriate Assessment were received.
- 9.4. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site. The reason for this conclusion is as follows:
- The urban infill nature and scale of the works.
 - The location of the site within a built-up residential area connected to existing public water services.
 - Distance from European sites and waterbodies and lack of any hydrological connectivity.
- 9.5. 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, as amended) is not required.

10.0 Water Framework Directive

- 10.1. The surface waterbody Dodder_050 (IE_EA_09D010900) is approximately 1.1 km east the subject site (Moderate water body status). The Grand Canal Main Line (IE_09_AWB_GCMLE) is approximately 535m to the north west (Good water body status). The groundwater body is Dublin (IE_EA_G_008) (good water body status).
- 10.2. The subject site is located on zoned land within an established inner urban area of Dublin City. The proposed development comprises the construction of a new vehicular entrance, 5 dwellings and associated site works.. No water deterioration concerns were raised in the planning appeal or by observers.
- 10.3. I have assessed the proposed 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 water and ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to

prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.

10.4. The reason for this conclusion is as follows:

- The small scale of the works and their nature
- The location of the site, distance from nearest water bodies and lack of hydrological connections.
- Proposed connection to public wastewater network.

10.5. 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 Conclusion and recommendation

- 11.1.1. The site is located within an accessible inner urban area, directly on a bus corridor and permitted Bus Connects route. It is within walking distance of high frequency light rail and of the city centre. In this regard, I consider a density at or above the mid density range should be considered for the site, in accordance with the Compact Settlement Guidelines.
- 11.1.2. Having regard to the characteristics of the site, including its location on a corner, on a wide arterial route to the city centre, outside of any ACA or Z2 Conservation Area, (and separated from same by roads infrastructure) and not directly adjoining the site of a Protected Structure, with more recent design interventions adjacent and to rear, I do not consider that the site is overly constrained in design terms in terms by local character.
- 11.1.3. Having regard to the relationship of the site with the residential units to the southeast and southwest, neither do I consider that the site is so constrained by potential impacts on adjacent residential amenities that it is necessary to limit the number of dwellings that may be accommodated to 5 in number.

11.1.4. Notwithstanding the high quality design of the proposed development, and the high standard of residential accommodation and amenity achieved, I consider that, in its density, the proposed development represents inefficient use of highly accessible inner urban lands and fails to deliver on the objectives of the NPF, Compact Settlement Guidelines and DCDDP in delivering sustainable residential development and compact growth. As such I recommend that permission be refused for the reasons set out below.

12.0 Reasons and Considerations

The site is located within a City - Urban Neighbourhoods as defined by the Compact Settlement Guidelines, where a target density range of 50 dph (dwellings per hectare) to 250 dph applies. Within this range (due to the location of the site in an inner urban area, directly on a bus corridor and permitted Bus Connects route, and within walking distance of high frequency light rail) densities at or above the mid-density range are to be encouraged. The proposed development has a density of 51 dph. Given the location of the site outside of any ACA or Z2 Conservation Area, removed from nearest Protected Structures, and given the corner nature of the site, surrounding roads infrastructure and relationship with adjacent dwellings to southeast and south west, it is not considered that the site is so constrained to justify the low density proposed within the application. The proposed development therefore represents insufficient residential density and inefficient use of land, which would be contrary to national policy objectives to achieve sustainable urban development and compact growth, and contrary to the provisions of the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities 2024 and to the Dublin City Development Plan 2022-2028.

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.

Bebhinn O'Shea

Senior Planning Inspector

31/03/2026

Appendix 1: Form 1 EIA Pre-Screening

An Bord Pleanála Case Reference	500483-25		
Proposed Development Summary	Alterations to existing boundary , the construction of 5 residential units		
Development Address	60-63 Upper Leeson Street Dublin		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	X
		No	
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
Yes	X	Class 10 (b)(i) Construction of more than 500 dwelling units.. Class 10 (b)(iv) Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere.	Proceed to Q3.
No			
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
Yes			
No	X		Proceed to Q4
4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes	X	Class 10 (b)(i) Construction of more than 500 dwelling units. The proposal comprises 5 no. units. Class 10 (b)(iv) Urban development which would involve an area greater than 2 hectares in the case of	Preliminary examination required (Form 2)

		a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere. The site comprises 0.98ha.	
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5. Has Schedule 7A information been submitted?		
No	No	Screening determination remains as above (Q1 to Q4)
Yes		Screening Determination required

Inspector: _____

Date: _____

Appendix 2: Form 2 - EIA Preliminary Examination

Case Reference	500483-25
Proposed Development Summary	Development will consist of: alterations to existing boundary , the construction of 5 residential units
Development Address	60-63 Upper Leeson Street Dublin
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 site is a serviced urban site and its size at .74 hectares is not exceptional in the context of the prevailing plot size in the area.</p> <p>The development would not require the use of substantial natural resources, or give rise to significant risk of pollution or nuisance due to its scale.</p> <p>The development, by virtue of its type and nature, does not pose a risk of major accident and/or disasters, or is vulnerable to climate change. It presents no risks to human health.</p> <p>The size and scale of the proposed development is not significantly or exceptionally different to the existing building or developments in the area.</p>
Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and	The subject site is not located in or immediately adjacent to ecologically sensitive sites.

<p>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>	<p>It is considered that, having regard to the limited nature and scale of the development, there is no real likelihood of significant effect on other significant environmental sensitivities in the area.</p> <p>There are no sites of historic, cultural or archaeological significance within the immediate vicinity of the site.</p>
<p>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).</p>	<p>Having regard to the modest nature of the proposed development, its 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.</p>
<p>Conclusion</p>	
<p>Likelihood of Significant Effects</p>	<p>Conclusion in respect of EIA</p>
<p>There is no real likelihood of significant</p>	<p>EIA is not required.</p>

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

Inspector: _____ **Date:** _____

