



## Inspector's Report

**PL-500509-DS-25**

<b>Development</b>	The demolition of an unused derelict building and the construction of a three storey building with 4 no. apartments.
<b>Location</b>	25 Lower Mount Pleasant Avenue and the corner of Richmond Hill, Dublin 6, D06 X392.
<b>Planning Authority</b>	Dublin City Council South.
<b>Planning Authority Reg. Ref.</b>	WEB2714/25.
<b>Applicant(s)</b>	Kevin Dooner.
<b>Type of Application</b>	Permission.
<b>Planning Authority Decision</b>	Grant Permission with Conditions.
<b>Type of Appeal</b>	Third Party Normal Planning Appeal.
<b>Appellant(s)</b>	Tracey Quinn.
<b>Observer(s)</b>	Susan Jane White. Michael Kelly. Sarah O'Herlihy.
<b>Date of Site Inspection</b>	24 <sup>th</sup> February 2026.
<b>Inspector</b>	C. Daly.

## 1.0 Site Location and Description

- 1.1. The subject site, of area 0.015ha., consists of an end terrace two storey part-flat roof and part pitched roof building on a corner site which directly fronts on to Lower Mount Pleasant Avenue and which is set back on the other side of the corner from Richmond Hill by a side driveway area with flat roof garage. The boundary facing Richmond Hill includes railings and a wall. The rear area of the site consists of a small yard bounded by rear walls. There previously was a newsagents shop with residential overhead on the site.
- 1.2. The adjacent site to the north consists of a two storey terrace dwelling and next to it to the north is a three storey pitched roof building directly fronting the street which is in use as a pub, Corrigan's – Mountpleasant Inn. To the north at 28A Lower Mount Pleasant Avenue there is a modern three storey apartment building. There are period houses set back from the Richmond Hill directly opposite the site. Around the corner to the west, the site is adjoined by a small surface car park area which appears to be associated with an adjoining three storey terrace of apartments in this mainly residential area.
- 1.3. There is no parking in front of either side of the corner site with double yellow lines adjoining the footpath. The site is located within Rathmines, a suburban area c.1km south of the city centre. The site is c.500m walking distance from the Ranelagh Luas stop and is within walking distance of Rathmines village. It is c.190m east of Rathmines Road Lower and is c.315m south-east of the Canal Road.

## 2.0 Proposed Development

- 2.1. The proposed development, in summary, consists of the following:
  - Demolition of existing unused building of 144sqm floor area.
  - Construction of a new three storey flat roof apartment building with corner setback from the street including:
    - Two no. studio ground floor apartments.
    - One no. first floor three bedroom apartment.
    - One no. second floor three bedroom apartment.

- Main entrance to remain on Lower Mount Pleasant Avenue accessed via a landscaped courtyard.
- Bicycle and refuse storage for each apartment.

2.2. Following F.I., both ground floor studios were set further back from the street to create privacy strips and alterations were made to the storage areas in the three bedroom units.

### **3.0 Planning Authority Decision**

#### **3.1. Decision**

- 3.1.1. Dublin City Council initially decided to request F.I. in relation to the density to be reduced to align CDP policy, design of the ground floor units to provide private open space, communal space and adequate privacy and outlook; clarify the description of the ground floor units as they appear more like one bed units than studios and in relation to revisions to the storage rooms in the upper units as they are excessive.
- 3.1.2. Subsequently, the Council decided to grant permission subject to 16 no. conditions. Notable conditions include:
- Condition no. 4 requires 10 no. cycle parking spaces within the ground level communal courtyard with a clear area of 1.8m depth to be provided to the front of the cycle stand to allow access.
  - Condition no. 5 requires details of the external materials to be agreed with the P.A..
  - Condition no. 8 requires no additional development above roof level.
  - Condition no. 14 requires all new development names to reflect local historical, heritage or cultural associations.
  - Condition no. 15 requires a Section 96 agreement for the provision of social and affordable housing.

## 3.2. Planning Authority Reports

### Planner's Reports

- 3.2.1. The initial Planner's Report assessment noted the design represents a reduction in height and omission of the mansard type roof by comparison with the previously refused development. It considered the flat roof would better integrate with the character of the area. Concerns were noted in relation to the ground floor units in terms of the outlook and privacy which was considered poor and concerns were noted in relation to daylight penetration and natural ventilation due to the layout proposed. It noted that the layout of the studios would appear to be more like one-bedroom units.
- 3.2.2. It noted that the density at 260uph would be excessive for a Key Urban Village where the range is 60 to 150uph without justification in relation to Table 3, Appendix 3 (Height Strategy) of the CDP. It noted the Transport Planning Division considered the absence of car parking acceptable given the inner suburban location and access to high frequency public transport. It noted concerns in relation to the security of the cycle parking and that a Construction Traffic Management Plan would be required by condition should permission be granted. Further information was recommended in relation to the items referred to in Section 3.1.1 above.
- 3.2.3. The second Planner's Report noted the reduction in density from 400uph to 267uph by reference to the previous application and that the Compact Settlement Guidelines suggest a density range of 50 to 200uph for urban neighbourhoods. It noted the setback provided on the two elevations for the ground floor units with the areas to be planted and screened and the removal of the internal wall between the bedroom and living areas allowing compliance with studio unit layout and which it considered would improve the daylight. It also noted that reduced storage areas and considered the F.I. items to be addressed and a grant of permission was recommended.
- 3.2.4. Other Technical Reports
- Transportation Planning Division: First report: No objection subject to conditions. Second report: No objection subject to conditions.
  - Drainage Division: No objection subject to conditions. No change following F.I..

- Environmental Health Officer: No objection subject to conditions including the preparation of a Construction and Demolition Management Plan.

### 3.3. Prescribed Bodies

- Uisce Éireann: No response received.

### 3.4. Third Party Observations

Four no. third party observations were received which can be summarised as follows:

- The development is visually incongruous and out of character for the area with negative impacts on visual amenities.
- Overdevelopment of the site would result including from the height.
- Poor design quality and failure to adhere to the Apartment Standards including in relation to size and private open space.
- Recent permissions in the area on infill sites are for single modest sized dwellings such as at the rear of 26 Richmond Hill.
- Minimal amendments have been made by reference to the previous refused application.
- There will be a significant impact on local on-street parking due to the failure to provide car parking.
- Inadequate provision for drainage where flooding is a concern.

## 4.0 Planning History

### Subject Site

**WEB2619/24:** Permission refused by the P.A. and refused on appeal (ABP ref. ABP-321964-25) for demolition of existing building and new three storey apartment building including habitable attic space, 6no. apartments (two studios, three one beds and one three bed unit).

ABP reasons for refusal related to: (1) The mansard roof form and building form would create an insensitive balance within the streetscape which would fail to relate to or integrate with the character of the area and it would appear visually incongruous with a negative visual impact on the area; and (2) It would result in substandard

residential amenity for future occupants particularly at ground and attic levels noting the relevant development standards and Z1 zoning objective.

**WEB2060/23:** Permission refused by the P.A. for demolition of end of terrace building and construction of new three storey apartment building with mansard roof including attic accommodation and including 7 no. apartments. Two reasons for refusal related to (1) The scale, mass, layout and substandard level of accommodation and residential amenity; (2) Insensitive imbalance within the streetscape which would fail to relate to or integrate with the character of the area and which would harm the setting of adjacent protected structures.

**4501/18:** Permission granted by the P.A. and on appeal (ABP ref. ABP-304594-19) for amendments to permission granted under reg. ref. 2382/18 including demolition and new three storey apartment building.

**2382/18:** Permission granted by the P.A. for change of use of ground floor retail area from retail use to be incorporated into one no. four bed two storey house.

**3645/15:** Permission granted by the P.A. and refused on appeal (ABP ref. PL29S.246213) for demolition of existing building and new four storey apartment building with three apartments including one duplex unit and shared roof garden. ABP reason for refusal related to visually obtrusive and overbearing visual impact on existing properties including the landmark 1910 building.

#### Sites in the Vicinity

**2799/20:** Permission granted and granted on appeal (ABP ref. ABP-307928-20) at 27-28 Mount Pleasant Avenue Lower for a two storey rear extension behind pub building and development permitted under reg. ref. 4690/18.

**ABP-316272-23:** ACP approved the Bus Connects Corridor Scheme from Templeogue/Rathfarnham to City Centre which covers part of the area of Lower Mount Pleasant Avenue which will be closed to vehicular traffic between its junction with Richmond Hill and Bessborough Parade.

## 5.0 Policy Context

### 5.1. Dublin City Development Plan 2022-2028 (the CDP)

The site is zoned under Objective Z1 which is “to protect, provide and improve residential amenities”. Residential is listed as permissible under the zoning.

#### Chapter 3 – Climate Action

Policy CA6 is “To promote and support the retrofitting and reuse of existing buildings rather than their demolition and reconstruction, where possible. See Section 15.7.1 Re-use of Existing Buildings in Chapter 15 Development Standards”.

Policy CA7 is “To support high levels of energy conservation, energy efficiency and the use of renewable energy sources in existing buildings, including retro-fitting of appropriate energy efficiency measures in the existing building stock, and to actively retrofit Dublin Council housing stock to a B2 Building Energy Rating (BER) in line with the government’s Housing for All Plan retrofit targets for 2030”.

Policy CA8 requires low carbon development in the city.

Policy CA9 requires the demonstration of sustainable, climate adaptation, circular design principles for new buildings.

#### Chapter 4 – Shape and Structure of the City

Policy SC 10 in relation to urban densities seeks the creation of sustainable communities in line with the 2009 density guidelines.

Policy SC 11 supports compact growth through the consolidation and intensification of infill and brownfield lands.

#### Chapter 15 – Development Standards

##### Section 15.5.2 Infill Development

*...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 15.7.1 Re-use of Existing Buildings

*Where development proposal comprises of existing buildings on the site, applicants are encouraged to reuse and repurpose the buildings for integration within the scheme, where possible in accordance with Policy CA6 and CA7. Where demolition is proposed, the applicant must submit a demolition justification report to set out the rationale for the demolition having regard to the ‘embodied carbon’ of existing structures and demonstrate that all options other than demolition, such as refurbishment, extension or retrofitting are not possible; as well as the additional use of resources and energy arising from new construction relative to the reuse of existing structures. Existing building materials should be incorporated and utilised in the new design proposals where feasible and a clear strategy for the reuse and disposal of the materials should be included where demolition is proposed.*

#### Section 15.9 Apartment Standards

*The Sustainable Urban Housing: Design Standards for New Apartments (December 2020) available at the following link:*

[http://www.housing.old.gov.ie/sites/default/files/publications/files/december\\_2020\\_-\\_design\\_standards\\_for\\_new\\_apartments.pdf](http://www.housing.old.gov.ie/sites/default/files/publications/files/december_2020_-_design_standards_for_new_apartments.pdf) or **any other future amendment thereof**, sets out specific planning policy requirements (SPPR) for apartment developments. These Section 28 guidelines should be **referenced** as part of any planning application for apartment developments. A summary of these SPPR's together with additional requirements and standards for apartment developments are set out below.

Section 15.9.2 Unit Size / Layout sets out minimum floor areas for apartments in line with SPPR 3 of the 2020 guidelines, for a studio this is 37sqm and for a three bed this is 90sqm.

Section 15.9.3 Dual Aspect refers to SPPR 4 of the Apartment Guidelines.

Section 15.9.4 Floor to Ceiling Height requires a minimum height of 2.7m for ground floor residential units and 2.4m for upper floor residential units.

Section 15.9.6 refers to internal storage in line with the guidelines.

Section 15.9.7 refers to private amenity space standards of the guidelines and references the need for same to be screened at ground floor level.

Section 15.9.8 Communal Amenity Space

Section 15.9.11 Security

Section 15.9.13 Refuse Storage

Section 15.9.15 Operational Management and Maintenance

Policy QHSN 2 National Guidelines

*To have regard to the DEHLG Guidelines on 'Quality Housing for Sustainable Communities – Best Practice Guidelines for Delivering Homes Sustaining Communities' (2007), 'Sustainable Urban Housing: Design Standards for New Apartments' (2020), 'Sustainable Residential Development in Urban Areas' and the accompanying 'Urban Design Manual: A Best Practice Guide' (2009), Housing Options for our Aging Population 2019, the Design Manual for Quality Housing (2022), the Design Manual for Urban Roads and Streets (DMURS) (2019), the Urban Development and Building Height Guidelines for Planning Authorities (2018) and the*

*Affordable Housing Act 2021 including Part 2 Section 6 with regard to community land trusts and/or other appropriate mechanisms in the provision of dwellings.*

Policy QHSN 6 Urban Consolidation

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

Policy QHSN 22 Adaptable and Flexible Housing

Appendix 3 – Achieving Sustainable Compact Growth

Section 3.2 Density

Table 1 Density Ranges

Key Urban Village 60-150

Table 2 Indicative Plot Ratio and Site Coverage

Central Area Plot Ratio 2.5 to 3.0 and Site Coverage 60 to 90%.

Conservation Area Plot Ratio 1.5-2.0 and Site Coverage 45-50%

*Higher plot ratio and site coverage may be permitted in certain circumstances such as:*

- *Adjoining major public transport corridors, where an appropriate mix of residential and commercial uses is proposed.*
- *To facilitate comprehensive re-development in areas in need of urban renewal.*
- *To maintain existing streetscape profiles.*
- *Where a site already has the benefit of a higher plot ratio.*
- *To facilitate the strategic role of significant institution/employers such as hospitals.*

Table 3 sets out performance based criteria in assessing proposals for enhanced height, density and scale.

Appendix 5 – Transport and Mobility: Technical Requirements

Table 1 Bicycle Parking Standards for Various Land Uses

Table 2 Maximum Car Parking Standards

Appendix 16 – Sunlight and Daylight

## 5.2. **Relevant National Policy / Ministerial Guidelines**

- Planning Design Standards for Apartments (2025) (the Apartment Standards).
- Sustainable and Compact Settlements – Guidelines for Planning Authorities (2024). (the Compact Settlement Guidelines).
- Sustainable Housing Design Standards for New Apartment Guidelines (2020).
- Sustainable Residential Development in Urban Areas (2009).

## 5.3. **Natural Heritage Designations**

In relation to designated sites, the subject site is located:

- c.0.3km south of Grand Canal PNHA (site code 002104).
- c.2.65km south-west of Royal Canal PNHA (site code 002103).
- c.3.25km west of South Dublin Bay and River Tolka Estuary SPA (site code 004024).
- c.3.25km west of South Dublin Bay PNHA (site code 000210).
- c.4.4km south-west of North Dublin Bay PNHA (site code 000206).

## 6.0 **The Appeal**

### 6.1. **Grounds of Appeal**

The grounds of the third party appeal by Tracey Quinn of the Rathmines Initiative can be summarised as follows:

- A similar proposal was granted permission and refused on appeal (reg. ref. 3645/15) which related to visual impact on existing properties and the landmark 1910 building and the development will similarly injure the character of the area.

- The corner site is part of the view when emerging from the historic archway of Mountpleasant Square and is close to protected structures and other buildings that contribute to the historic streetscape.
- The site requires a more accomplished design proposal and photos are submitted of the house to the north of the Mountpleasant Inn, a high quality design.
- In the context of the Bus Connects Templeogue via Rathmines to City Centre, it is proposed to close off Lower Mountpleasant Avenue to create a car free space from the junction with Richmond and Bessborough Parade.
- Sufficient regard to the National Policy on Architecture was not had in that the development does not achieve an adequate level of quality design.
- The bin store area is inadequate for up to 16 residents.
- The bike storage fails to allow for storage of non-standard bikes such as cargo bikes.
- The rooms for the ground floor apartments positioned directly along the public footpath do not allow set back space to ensure privacy for residents.
- The design includes deviations from the Building Control regulations in relation to the lift dimensions and effective clear width and visibility requirements of doors which is failed in that 300mm minimum space is not provided between the frame of the entrance door and the projecting external wall with the same at the doors to the bedrooms facing Lower Mountpleasant Avenue at first and second floor.
- There are deficiencies in relation to fire safety with the staircases not sufficiently large to accommodate refuge areas.
- Partial demolition has commenced without a Commencement Notice and without permission and this is grounds for refusing permission.
- Enclosures include photos of new house to north of Corrigan's pub, images of proposal for junction of Richmond Hill and Lower Mountpleasant Venue by Rathmines Initiative, map of Bus Connects design and photos of views of the area.

## 6.2. Applicant Response

The response received on behalf of the applicant can be summarised as follows:

- Previous applications are materially different to this proposal.
- The scheme will accommodate 8 to 12 residents and includes adequate bike parking and areas for refuse and recycling, appropriate to the scale of development.
- The setback for the ground floor apartments represents standard urban design practice and is proportionate to the site context.
- Conflating building control with planning control is not consistent with standard practice.
- For a two-stop lift, a range of compact compliant lift solutions are available that do not require a 1800mm X 1800m lift shaft.
- The minimum space between a door frame and a return wall applies to the pull side of the door and not the push side.
- Fire safety certificates are assessed separately to planning applications and there is no evidence to suggest that compliant refuge areas cannot be provided.
- The building has been derelict for over 10 years and has suffered prolonged water ingress resulting in localised collapse and temporary works were undertaken as a matter of safety and duty of care and these are not unauthorised works.
- Under reg. ref. WEB2619/24, ACP accepted a development of comparable height and density on infill sites notwithstanding design-specific grounds for refusal.
- The alternative design put forward by the appellant is of limited weight with no requirement to adopt third party proposals.
- The development represents a compact infill design that responds to the physical constraints of the site, provides a viable residential layout and reflects the guidance of the P.A. and ACP in their previous decisions.

- The appeal places undue emphasis on subjective design preference and the appeal should be dismissed.

### **6.3. Planning Authority Response**

The P.A. response requests that their decision be upheld and that conditions be included in relation to the following:

- Section 48 Development Contribution.
- Payment of a bond.
- Social housing condition.
- A naming and number condition.

### **6.4. Observations**

Three third party observations were received from Susan Jane White, Sarah O'Herlihy and Michael Kelly which can be summarized as follows:

- Additional attention should be applied in relation to flood management and risk as the Swan River runs underneath and there is a canal at the end of the street.
- The Swan River is culverted and tends to rise significantly with heavy rain.
- Can a flood management solution be applied with basements at Mount Pleasant Square having already experienced flooding?
- A family home on the site within the building footprint is desired.
- Four third party observations were received at application stage and not three as stated in the Planner's Report such that it can be inferred that not all observations were considered.
- The permissions cited in the F.I. response are not comparable to this application which is wholly deficient in comparison.
- There are no elevations submitted associated with the F.I. design changes.
- The intensity of development would represent gross overdevelopment of a small infill site which is inappropriate.

- Little consideration has been shown to the surrounding Georgian and Victorian architectural heritage.
- The development is excessive in scale, height and massing.
- Properties on Richmond Hill will be overlooked by multiple large windows.
- Minimum floor areas including living areas and bedroom widths are not adhered to.
- There will be a significant impact on local on-street parking.
- There will be minimal amenity space for future residents.
- Unclear how refuse storage will be accommodated.
- The design is deficient in relation to the building control regulations.

## 7.0 **Assessment**

7.1. 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 issues in this appeal to be considered are as follows:

- Principle of Development.
- Demolition.
- Density.
- Design and Visual Impact.
- Residential Amenity.
- Transportation.
- Flood Risk and Drainage.
- Other Matters.

## 7.2. Principle of Development

7.2.1. I note the site is zoned under objective Z1 which is “*to protect, provide and improve residential amenities*”. Residential is listed as a permissible use under the zoning. I note the application is for a residential building in poor condition including 4 no. dwellings. I note the vision for the objective is for a wide range of high quality accommodation available within sustainable communities. Subject to the below assessment in relation to the quality of the accommodation and impacts on amenities, I consider the principle of residential accommodation on the site to be acceptable.

## 7.3. Demolition

7.3.1. I note it is proposed to demolish the existing unused building of 144sqm floor area. I note the building is not a protected structure or within a conservation area. It is an unremarkable two storey flat roof building previously used as a newsagents with residential accommodation above. I note Policy CA6 of the CDP promotes retrofitting and reuse of existing buildings rather than their demolition and reconstruction, where possible and as supported by Section 15.7.1 which requires the submission of a demolition justification report.

7.3.2. I note the submitted Demolition Justification Report prepared by Kevin Tiernan Planning Consultant and Architectural Designer. This notes the building to be derelict, to have been unused for many years and to have suffered extensive fire damage, vandalism and neglect with the interior finishes removed leaving only the floor and roof which are in very poor condition. It details that the demolition would generate a modest amount of waste. It also notes structural defects. A photo survey is included which is consistent with the description of the current condition of the building. I note that while this report did not specifically deal with embodied carbon, that Section 15.7.1 of the CDP does not require a specific form of detailing or analysis to satisfy the exercise of having regard to the embodied carbon of existing structures but consideration of this in the context of the overall case for demolition.

7.3.3. Noting the justification presented and that the new building is required to be a near zero energy building per the current building regulations, the 144sqm floor area for demolition by comparison with the proposed floor area of 350sqm, the significant density proposed and noting the compact form of development, based on a

comprehensive review and assessment of the case which in my opinion is compelling, I consider the proposed development to be consistent with Policy CA6 and Section 15.7.1 of the CDP and the proposed demolition to be reasonable and acceptable.

#### 7.4. Density

- 7.4.1. I note third party observers have raised issues with the intensity of the development. I note the proposed 4 no. units on a site area of 0.015ha equates to a density of 267uph. By comparison with the most recent previous refusal of permission on the site where the density proposed was 400uph, I note the significant reduction in density. I note that the CDP, informed by the 2009 density guidelines, states that the density range for key urban villages such as Rathmines is 60 to 150. I note the location outside the village of Rathmines but in its hinterland and within the inner suburbs such that I consider this type of location is not specifically included in the Table 1 density ranges. Noting this, I consider there is some allowance for densities between 150uph and 250uph (the central area limit).
- 7.4.2. I note that Appendix 3 states that where a scheme proposes buildings and density that are significantly “*higher and denser*” that the prevailing context that the performance criteria in Table 3, Appendix 3 shall apply.
- 7.4.3. I consider the density to be significantly higher than the prevailing context given the medium to low grain plots in the vicinity with many including large rear gardens. I do not consider the proposed three storey height to be significantly higher noting the general two to three storey context. Therefore, I will assess the proposed development against the performance criteria outlined in Table 3, Appendix 3 of the CDP.

**Table 1 – Performance Criteria Assessment (per Table 3, Appendix 3, CDP)**

	<b>Objective</b>	<b>Conclusion</b>
1	To promote development with a sense of place	I note the height and scale would broadly align with the receiving environment where two to three storey buildings are common and that the distinctive design would not be unduly out of place.

2	To provide appropriate legibility	I note the enhanced enclosure of the street in a coherent manner would aid in reading the street as a reasonably coherent form.
3	To provide appropriate continuity and enclosure of streets and spaces	The three storey facades facing the street would enclose the public spaces and thoroughfares enhancing their urban presence at a human scale that would not be excessive in the surroundings.
4	To provide well connected, high quality and active public and communal spaces	The size of the site is such that it would not provide significant enhancements to connections in the vicinity.
5	To provide high quality, attractive and useable private spaces	As noted elsewhere in this assessment, the private open space would be adequate in line with the Apartment Standards, would be useable and would enhance the apartments for future residents.
6	To promote mix of use and diversity of activities	The mix of two studio units and two three bedroom units would provide a mix of family/occupation size that would positively contribute towards a sustainable neighbourhood.
7	To ensure high quality and environmentally sustainable buildings	As noted elsewhere in this assessment, daylight and sunlight provision would be reasonable, dual aspect units would exceed the minimum CDP standard and the building would be required to be constructed to a near zero energy rating in line with the Building Regulations.
8	To secure sustainable density, intensity	The increased density would allow this compact form of development where there high quality public

	at locations of high accessibility	transportation is available within a short walking distance of the site.
9	To protect historic environments from insensitive development	There are no protected structures in close proximity to the site and the site is opposite residential lands zoned as conservation areas but in my view would not impinge on such areas to a significant extent as the development would not be of excessive scale.
10	To ensure appropriate management and maintenance	I have noted that reasonable provision has been made for refuse storage and communal areas within the scheme and that it would provide passive surveillance of surrounding streets.

7.4.4. Overall, I consider the evaluation of the above qualitative performance criteria shows that the proposed height and density can be accommodated on the site without undue negative impacts in relation to the criteria. I would note this particularly in the context of the good accessibility to high quality public transport provision and the accessibility to Rathmines and Ranelagh villages.

7.4.5. I note that Table 2 of Appendix 3 of the CDP includes indicative plot ratio and site coverage ranges. I note the proposed plot ratio of 2.4 and site coverage of 76%. I note that both of these are consistent with numbers between the ranges for the central area (Plot Ratio 2.5 to 3.0 and Site Coverage 60 to 90%) and a conservation area (Plot Ratio 1.5 to 2.0 and Site Coverage 45 to 50%). I consider these figures to be reasonable as the type of area in which the site situated is outside the central area and outside of a conservation area. These levels are not indicative of over development of the site in my view. In my opinion this would support compact development consistent with Policy SC 11 of the CDP.

7.4.6. I note the Compact Settlement Guidelines have not been incorporated into the CDP but that regard should be had to same. Per Table 3.1 of these guidelines, for 'City – Urban Neighbourhoods', I note the residential density range between 50uph and 250uph (net) is applicable. This, it states, is for highly accessible locations with good access to employment, education, institutional uses and public transport which I

consider to be the case for the subject site. This is subject to an assessment of the compatibility of the design with the receiving environment which I have carried out further below. Accordingly, noting the good accessibility to public transport including within walking distance of the Luas at Ranelagh and the bus corridor on Rathmines Road, I consider the proposed density to be reasonably consistent with the Compact Settlement Guidelines. This in my view, along with the adherence to the qualitative performance criteria of the CDP, provides a strong planning justification for the proposed density.

## **7.5. Design and Visual Impact**

- 7.5.1. I note the appellant has raised issues in relation to the appropriateness of the design and its visual impact on the area and this is supported by third party observers. I note the proposed design for a three storey building with ground floor setback from the corner of the site where there would be a courtyard with balconies above. The design was somewhat revised by way of F.I. with setbacks from the two adjoining streets provided at ground floor level. I note that updated elevations were not submitted to reflect these changes but noting the modest external changes in this regard, I have no significant concerns in relation changed external visual impacts as a result.
- 7.5.2. In relation to the streetscape on Mountpleasant Avenue Lower, I note that the three storey height would be below the eaves height of Corrigan's pub, a short distance to the north and that it would broadly align with the eaves of the new building adjoining the pub building to the north. The flat roof would modestly exceed the ridge height of the adjoining residence to the north. Having reviewed contiguous elevations and noting that the ground floor elevation would be somewhat changed by the setbacks at ground floor level, I consider the design which provides appropriate vertical emphasis through the use of appropriate window design and layout such that the building would not appear monolithic in the streetscape.
- 7.5.3. I note that the height, form and design would be such as to reasonably integrate the new building with the site and the streetscape to the east while providing appropriate levels of enclosure of the street and while being reasonably visually dominant to mark the corner. The design would provide passive surveillance of the street and in my opinion, noting the absence of protected structures on this side of Mountpleasant

Avenue Lower, it would not unduly harm views from the street or views when emerging from the archway to the east which links to Mountpleasant Square .I note there are no protected views in the vicinity of the site.

- 7.5.4. In relation to the proposed elevation on to Richmond Hill, I note the three storey design with vertical emphasis windows would sufficiently break up the façade such that I have no concerns in relation to undue massing or monolithic appearance. The external walls would have a red brick finish which I consider appropriate for the area, particularly noting the red brick finish of the pub building to the north.
- 7.5.5. I note the setback at the corner and the balconies would appropriately mark the corner and that the eaves height would align with the three storey terrace a short distance to the west. I note that while not shown on the elevation, the ground floor setback, would be consistent with the proposed façade and that, in my opinion, the building would integrate with the site and the streetscape with no protected structures noted in the vicinity. I consider that, with the access from the street and with the courtyard at the corner, the building would appropriately animate the street given the pedestrian and cycle activity that would result.
- 7.5.6. Noting the conservation residential zoning directly opposite and the large setbacks of the residences opposite from the street, I have no significant concerns that the proposed scale and form of the building would be unduly imposing or out of character with the streetscape in the vicinity. In my opinion, the building would enclose the street appropriately and would add passive surveillance and would animate with the street with access in the vicinity of the corner. I have no significant concerns in relation to conservation or heritage impacts.
- 7.5.7. I note the concerns of the appeal and third party parties in relation to the design quality. Overall, noting the design and the constrained size of the site, I consider that it would provide an appropriate sense of place and character to the receiving streetscapes in a way that would be reasonably consistent with quality place making. It would mark the corner appropriately and enhance legibility in the area by being somewhat distinctive at the corner while having a form reasonably consistent in scale and not out of character with the receiving environment. In my opinion, the design would provide appropriate continuity and enclosure of the street where the site

currently lacks such continuity. This in my opinion would be consistent with Section 15.5.2 (Infill Development) and Policy QHSN 6 (Urban Consolidation) of the CDP.

## **7.6. Residential Amenity**

- 7.6.1. I note the appeal and third party observers have raised concerns in relation to the standard of the apartments for future occupants. I note the design revisions at ground floor level following F.I. which in my view provide an adequate level of setback and screening from the street to ensure a reasonable level of privacy for these studio units. I also note the revised upper floor plans which have revised storage areas of 3.5sqm which are appropriate for such three bedroom apartments.
- 7.6.2. I note that Section 15.9 of the CDP provides apartment standards under a number of headings and that the CDP incorporates the 2020 Apartment Guidelines. In relation to CDP Table 15-5, a studio must have a minimum floor area of 37sqm which would not be the case for Studio 1 with floor area 34sqm but Studio 2 would achieve this at 37.6sqm. For three bedroom units the minimum floor area requirement is 90sqm. I note that first and second floor Apartments 1 and 2 would be 91.5sqm in area exceeding the requirement.
- 7.6.3. I have also reviewed these units against the detailed requirements of Appendix 1 of the 2020 guidelines which are referenced in the CDP and I note the studios would be deficient in this regard in terms of minimum living area widths (4m) and aggregate living/dining/kitchen area floor areas not meeting the 30sqm threshold. I note the three bedroom units would not meet the minimum 34sqm living area floor area with 33sqm area provided. I note that Section 15.9.2 (Unit Size/Layout) of the CDP does not prescribe the minimum detailed standards set out in Appendix 1 of the Apartment Guidelines and that the CDP allows for subsequent updates of the guidelines to be referenced for applications with the 2025 Apartment Standards being relevant in this regard.
- 7.6.4. I note that SPPR 2 of the Apartment Standards 2025 provides for a minimum floor area for a studio apartment of 32sqm. Based on this, and noting that SPPR2 is directly applicable and mandatory, I consider that the minimum total floor areas would be acceptable under the provisions of the CDP. I also note that Appendix 1 of the 2025 Standards does not provide for a minimum aggregate living/dining/kitchen area but does provide for a minimum width of 4m for living/dining rooms which would

not be met for the two studios. Accordingly, I note no specific contravention of the CDP standards. I note that the Apartment Guidelines are required to be *referenced* with adherence to the SPPRs required.

I note the Commission may disagree with this interpretation and may consider that a potential material contravention of Section 15.9.2 (Unit Size/Layout) of the CDP arises in relation to the minimum room width of proposed studio units, I consider that a grant of permission under Section 37(2)(a) of the Planning and Development Act 2000, as amended, would be justified in this instance having regard to SPPR 2 of the 2025 Apartment Standards and noting that the proposed development would be reasonably consistent with Development Plan policies which encourage such compact forms of development in such accessible locations.

- 7.6.5. I note in relation to minimum storage areas that all units would meet the standard and not include excessively sized storage areas (section 15.9.6 of the CDP). In relation to private open space (Section 15.9.7 of the CDP), I note both three bedroom apartments would exceed the 9sqm standard with 10.7sqm provided by the balconies of 1.5m depth. I note that both studios would achieve the 4sqm requirement with the ground floor terraces.
- 7.6.6. In relation to communal open space, I note a requirement for 26sqm area and that the courtyard area would have very limited useable space with bike and bin storage catered for in area. I note the submitted Housing Quality Assessment (HQA) requests an exemption from this given the site constraints. I note Section 15.9.8 (Communal Amenity Space) allows for the standard to be relaxed on infill sites of up to 0.25ha. Given the site size at 0.15ha., and the overall benefits of the proposed development in terms of contributing to compact development, I consider the proposed level and layout of communal open space to be acceptable in this case.
- 7.6.7. I note that Section 15.9.3 (Dual Aspect) requires a minimum of 33% for such an accessible urban location which at 75% would be exceeded in this case although I have privacy concerns regarding the south facing window of Studio 2. Should permission be granted, I recommend this window be required to be in opaque glass.
- 7.6.8. I also note the submitted Daylight and Sunlight Assessments report prepared by Digital Dimensions. I note this report is for the previously refused development of 6 units with greater height. Based on the previous floor plans by comparison with the

subject development with significant similarities, I consider it to be a reasonable proxy for the assessment of the quality of the proposed development and its external impacts.

- 7.6.9. In relation to target illuminance within the proposed development, it notes that 100% of the living, dining, kitchen and bedroom space would achieve the relevance minimum values. In relation to sunlight, it notes that 100% of units meet the minimum recommended 1.5 direct sunlight hours. In relation to the communal open space, it notes that it would achieve the two hours sunlight over more than 50% of the area on 21<sup>st</sup> March as required.
- 7.6.10. I note the diagrams submitted in relation to minimum room specific daylight provision internal illuminance within the scheme. In response to the F.I. request, I note that an internal wall was removed in Studio 2 to form an open plan layout to enhance natural daylight distribution. I consider this to be an improvement on the original design in relation to daylight penetration within the unit.
- 7.6.11. In relation to external impacts, the report demonstrates no issues in relation Vertical Sky Component (VSC) on relevant windows of residences in the vicinity. In relation to Annual Probable Sunlight Hours (APSH) on properties in the vicinity, this shows concern in relation to one window but that “*any potential loss of sunlight will be negligible*”. It notes no outdoor amenity spaces that would be significantly affected. I note the shadow diagrams submitted which support this, in relation to the adjacent no. 26 to the north, which show no areas of significant additional overshadowing as a result of this development on 21<sup>st</sup> March.
- 7.6.12. In relation to floor to ceiling height (Section 15.9.4 of the CDP), I note that per the main section drawing, a ground floor height of 2.7m would be achieved and 2.4m for the upper floors which accords with this section. I note Section 15.9.13 requires refuse storage and collection facilities to be provided in all schemes. I note there would be an area in the courtyard for such purpose which I consider sufficient for a scheme that would cater for 8 to 12 occupants. Noting this, the absence of objections from the Council’s internal departments, should permission be granted, I recommend a standard condition for waste disposal details to be agreed in detail within the scheme.

- 7.6.13. I note the Building Lifecycle Report submitted which I note is reasonable and considers the matters outlined in Section 15.9.14 of the CDP such that I have no significant concerns in this regard. Similar to the P.A., should permission be granted, I recommend a condition be included requiring cable servicing for broadband of the development.
- 7.6.14. In relation to other impacts on external residential amenities in the vicinity, I note that separation distances from the first and second floor levels would be more than adequate to ensure no undue overlooking of residential properties in the vicinity. In relation to overbearing impacts, I note that the new building would be located along the full side depth with the adjacent residence at no. 26 and would be of significant scale and depth in this context. However, noting the development potential of the site to the north which site is substantially built out to the rear and adjacent to Corrigan's pub which is built out at ground floor level to the rear, overall I consider that an appropriate balance has been struck that would allow a similar height of development on the adjacent site. I note this taking cognisance of the CDP policies which encourage compact development which in this case, in my opinion, favours a grant of permission. Overshadowing impacts have been addressed above. Accordingly, overall I am satisfied that there would be no unjustified negative impacts on residential amenities in the vicinity.

## **7.7. Transportation**

- 7.7.1. I note the appeal concerns in relation to impacts on on-street car parking in the vicinity due to the absence of on-site parking provision. I note the Transportation section of the Council considered this absence of parking justified noting the accessibility to quality public transport and subject to the provision of quality cycle parking provision. The site is located within parking zone 2 where the maximum provision is one space per dwelling. Per Appendix 5 Section 4.0, I note that a relaxation of car parking standards is provided for where a clear case is made in relation to the relevant listed criteria.
- 7.7.2. The HQA lists the accessibility to high quality public transport including the Luas and high frequency bus stops including the proposed Bus Connects A spine high frequency Corridor as well as the proximity to employment hubs and noting this, together with the bicycle parking provision on the site, I consider the absence of car

parking on the site to be justified. I note this having regard to the regulated on-street parking in the vicinity which I do not consider would be unduly impacted noting the limited scale of development.

- 7.7.3. I note this is consistent with the car parking standards of Table 2, Appendix 5 of the CDP which are maximums. It is also consistent with the 2020 Apartment Guidelines incorporated into the CDP which, in accessible urban locations, seek that car parking provision be minimised, substantially reduced or wholly eliminated. This is also consistent with the approach of the Compact Settlement Guidelines.
- 7.7.4. I note the cycle parking standards are one long-stay space per bedroom and one short-stay space per two units. I note this gives rise to a requirement for 10 no. spaces. I note these would be provided in a secure monitored courtyard. I note the Council's Transportation section noted that 10 no. cycle spaces are proposed in a semi-vertical rack 3m wide and 1m in depth but that the access to this would be obstructed. It recommended the cycle parking be provided within a fully enclosed compound and that a clear area at least 1.8m in depth be provided to its front to allow for access. Noting the limited area of the courtyard, should permission be granted I recommend that the applicant's proposal for the semi-vertical bicycle rack be provided for and that the detailed design in relation to the access to same be required to be agreed by condition with P.A..
- 7.7.5. I note the appeal has referenced the Bus Connects corridor permission as it would close part of the road to vehicular traffic on Mountpleasant Avenue Lower between its junction with Richmond Hill and Bessborough Parade. This would create a car free area in front of the pub and would have other impacts in relation to creating a right turn onto Mountpleasant Avenue Upper. I do not consider that this would result in material impacts in terms of the accessibility of the site or in relation to the level of car and bicycle parking which I consider appropriate for the site context.

## 7.8. **Flood Risk and Drainage**

- 7.8.1. I note that flood risk and drainage issues have been raised by third party observers particularly in relation to the culverted Swan river. Having consulted the OPW flood risk maps, I note the site and surrounding area is not identified as at risk of flooding. I note the applicant has submitted a Drainage and Flood Risk Report. This proposes a green/blue roof, a permeable courtyard and elevating the ground floor level finish

level 300mm above the existing roadway to deal with pluvial flood events. The report also notes no issues in relation to connection to the combined sewer.

7.8.2. I note there would be no increase in impermeable surfaces on the site and that the Council's Drainage section had no objection subject to the implementation of the measures outlined in the submitted drainage report and to compliance with the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0. I am therefore satisfied that subject to similar conditions recommended by the Drainage Section that no drainage or flood risk related issues of significance would arise.

### 7.9. **Other Matters**

7.9.1. I note that a Construction Management Plan was submitted with the application which provides an outline of measures in relation to health and safety, work hours, demolition and waste management, noise and dirt, noise pollution and vibration among other matters. Similar to the P.A., should permission be granted I recommend a standard condition be applied in relation to these issues to ensure best practice measures are applied and also a condition in relation to requiring a bond to ensure street fabric is restored to its original condition if damaged.

7.9.2. I note no pre-connection letter from Uisce Éireann on the file. Should permission be granted, I recommend a standard condition in relation to same.

7.9.3. I note the appeal and third-party observers have raised concerns in relation to potential non-compliance with the building and fire regulations. I note the issue of such compliance will be evaluated under a separate legal code and thus need not concern the Commission for the purposes of this appeal.

7.9.4. I have noted the issue of the failure to update the proposed elevations in line with the design changes at F.I. stage. I note that the changes in this regard would not result in significant impacts on the facades. Should permission be granted, I recommend a condition to require the submission of updated elevations consistent with the floor plans submitted at F.I. stage.

7.9.5. I note issues have been raised in the appeal in relation to potential demolition or works on the site without planning permission. I note that enforcement matters, if applicable, are for the P.A. to consider and are not the concern of the Commission.

7.9.6. I note an exemption certificate on the file in relation to Part V social and affordable housing. Notwithstanding this the PA appeal response has specifically requested a condition under Section 96 of the Act should permission be granted and such a condition was attached to its grant of permission. As a precaution, I recommend the attachment of such a condition which would only be enforceable should the Section 96 criteria be met.

## 8.0 EIA Screening

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

## 9.0 AA Screening

9.1. I have considered the proposed development in light of the requirements S177U of the Planning and Development Act 2000 as amended. The subject site is located c.3.25km west of South Dublin Bay and River Tolka Estuary SPA (site code 004024)., the nearest European site.

9.2. The proposed development comprises the demolition of existing unused building of 144sqm floor area and construction of a new three storey flat roof apartment building containing four apartments. No nature conservation concerns were raised in the planning appeal.

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 an effect on a European Site. The reason for this conclusion is as follows:

- The relatively small-scale nature of the development.
- The distance from the nearest European site and lack of ecological connections thereto.

- Taking into account the screening determination by the P.A..

9.4. I conclude, on the basis of objective information, that it can be ruled out that the proposed development would have a likely significant effect on any European Site either alone or in combination with other plans or projects.

9.5. Likely significant effects can be 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 above the Dublin (IE\_EA\_G\_008) ground waterbody (status “good”) and is c.320m south of the Grand Canal Main Life (Liffey and Dublin Bay) (IE\_09\_AWB\_GCMLE) canal waterbody (status “moderate”). The proposed development comprises the demolition of existing unused building of 144sqm floor area and construction of a new three storey flat roof apartment building containing four apartments.

10.2. I have assessed the proposed development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seeks to protect and, where necessary, restore surface 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.

10.3. The reason for this conclusion is as follows:

- The relatively small-scale nature of the development and the nature of the construction impacts which can be managed by condition.
- The connections to the public sewer network with adequate capacity noted at Ringsend WWTP.
- The lack of ecological connections to the water bodies.

10.4. I conclude on the basis of objective information, that the proposed development would 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 jeopardize 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 subject to conditions.

## **12.0 Reasons and Considerations**

Having regard to the Dublin City Development Plan 2022-2028 as varied and to the Planning Design Standards for Apartments (2025) and SPPR 2 as it relates to minimum floor areas, to Policy SC 11 of the Development Plan which supports compact growth through the consolidation and intensification of infill and brownfield lands and to the residential zoning of the site, it is considered that, subject to compliance with the conditions set out below, the proposed development would represent a sustainable intensification and consolidation of the built environment in an accessible location through infill development at an appropriate scale and density in line with policy, that the demolition of the existing building is justified, and that it would have no significant impacts of concern in relation to the receiving environment particularly in terms of visual impacts, that it would integrate with the local streetscape and would provide an acceptable level of residential amenity to future occupants while not unduly impacting on the residential and visual amenities in the vicinity and would not result in significant traffic impacts. The proposed development would, therefore, be in accordance 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, as amended by the further plans and particulars received by the planning authority on the 29th day of October 2025, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning

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

Reason: In the interest of clarity.

2. The proposed development shall be amended and the elevations updated as follows:

- (a) The south facing courtyard window for Studio 2 shall be in opaque glass that shall be permanently fixed and maintained in place.

- (b) The south and east proposed elevations shall be updated to include the design revisions to the ground floor units made by way of the submission of further information on the 29<sup>th</sup> day of October 2025.

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

Reason: In the interests of visual and residential amenity.

3. The following shall be complied with to the satisfaction of the Planning Authority:

- (a) 10 number safe and secure bicycle parking spaces shall be provided within the site. Details of the layout and marking demarcation of these spaces shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

- (b) The footpath and kerb dishing to the front of the site on Mountpleasant Avenue Lower shall be removed and the footpath/kerb shall be raised to the requirements of the Planning Authority. All works shall be at the applicant/developer's expense and shall be completed prior to the occupation of the development.

- (c) All costs incurred at the expense of the Planning Authority, including any repairs to the public road and services necessary as a result of the development, shall be at the expense of the developer.

Reason: In the interest of traffic safety and convenience.

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

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

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

5. No additional development shall take place above roof level, including lift motors, air handling equipment, storage tanks, ducts or other external plant other than those shown on the drawings hereby approved, unless authorised by a prior grant of planning permission.

Reason: In the interests of visual amenity.

6. The applicant shall ensure that electronic communications/digital connectivity infrastructure supporting fixed broadband services as well as mobile network services including ducting or internal conduits, are provided within the scheme prior to occupation of the first unit hereby approved. Such ducting or internal conduits shall conform to Planning Authority's 'DCC Guide to the Installation of Telecoms Infrastructure in Residential and Mixed-Use Developments'.

Reason: To ensure that all new developments provide open access telecoms and related connectivity for future residents in line with Policy SI46 of the Development Plan.

7. Proposals for an apartment 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/apartment numbers, shall be provided in accordance with the agreed scheme. The proposed name 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. (a) Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements, in writing where necessary, of the planning authority for such works and services.

(b) The measures outlined in the Drainage and Flood Risk report submitted with the application shall be complied with in full.

Reason: In the interest of public health.

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

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

10. Site development and building works shall be carried out between the hours of 0700 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 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.

11. A detailed construction traffic management plan shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The plan shall include details of arrangements for routes for construction traffic, parking during the construction phase, the location of the compound for storage of plant and machinery and the location for storage of deliveries to the site.

Reason: In the interest of traffic safety and convenience.

12. A Construction and Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the planning authority prior to the commencement of development. The CEMP shall include but not be limited to construction phase controls for dust, noise and vibration, waste management, protection of soils, groundwaters, and surface waters, site housekeeping, emergency response planning, site environmental policy, and project roles and responsibilities.

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

13. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or such other security as may be acceptable to the planning authority, to secure the reinstatement of public roads which may be damaged by the transport of materials to the site, coupled with an agreement empowering the planning authority to apply such security or part thereof to the satisfactory reinstatement of the public road. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

Reason: To ensure that the public road is satisfactorily reinstated, if necessary.

14. Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority [in relation to the transfer of a percentage of the land, to be agreed with the planning authority, in accordance with the requirements of section 94(4) and section 96(2) and 96(3)(a), (Part V) of the Planning and Development Act 2000, as amended, and/or the provision of housing on lands in accordance with the requirements of section 94(4) and section 96(2) and 96(3) (b), (Part V) of the Planning and Development Act 2000, as amended], unless an exemption certificate has been granted under section 97 of the Act, as amended. Where such an agreement cannot be reached between the parties, the matter in dispute (other than a matter to which section 96(7)

applies) shall be referred by the planning authority or any other prospective party to the agreement, to An Coimisiún Pleanála for determination.

Reason: To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan for the area.

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

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

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

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Ciarán Daly  
Planning Inspector

2<sup>nd</sup> April 2026

## Appendix 1

### Form 1 – EIA Pre-Screening

<b>Case Reference</b>	PL-500509-DS-25
<b>Proposed Development Summary</b>	The demolition of an unused derelict building and the construction of a three storey building with four no. apartments.
<b>Development Address</b>	25 Lower Mount Pleasant Avenue and the corner of Richmond Hill, Dublin 6, D06 X392.
<b>IN ALL CASES CHECK BOX / OR LEAVE BLANK</b>	
<b>1. Does the proposed development come within the definition of a 'Project' for the purposes of EIA?</b>	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q.2.
	<input type="checkbox"/> No, No further action required.
(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)	
<b>2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?</b>	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. <b>EIA is mandatory. No Screening required. EIAR to</b>	<b>State the Class here</b>

<p><b>be requested. Discuss with ADP.</b></p>	
<p><input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3</p>	
<p><b>3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?</b></p>	
<p><input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. <b>No Screening required.</b></p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold. <b>EIA is Mandatory. No Screening Required</b></p>	<p><b>State the Class and state the relevant threshold</b></p>
<p><input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold. <b>Preliminary examination required. (Form 2)</b> <b>OR</b> <b>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</b></p>	<p><b>State the Class and state the relevant threshold</b> Class 10(b)(i) Construction of more than 500 dwelling units, and (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.  Construction of 4 no. dwellings on a site area of 0.015ha (site is within "other parts of a built-up area").</p>

<b>4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?</b>	
Yes <input type="checkbox"/>	Screening Determination required (Complete Form 3)
No <input checked="" type="checkbox"/>	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: \_\_\_\_\_

Date: \_\_\_\_\_

## Appendix 2

### Form 2 - EIA Preliminary Examination

<b>Case Reference</b>	PL-500509-DS-25
<b>Proposed Development Summary</b>	The demolition of an unused derelict building and the construction of a three storey building with four no. apartments.
<b>Development Address</b>	25 Lower Mount Pleasant Avenue and the corner of Richmond Hill, Dublin 6, D06 X392.
<b>This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.</b>	
<b>Characteristics of proposed development</b>  (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).	<b>Briefly comment on the key characteristics of the development, having regard to the criteria listed.</b>  The development has a modest footprint, comes forward as a standalone project, 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, and is not vulnerable to climate change. It presents no risks to human health.
<b>Location of development</b> (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use,	<b>Briefly comment on the location of the development, having regard to the criteria listed</b>  The development is situated in an urban area on serviced lands. The development is removed from

<p>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>sensitive natural habitats and designated sites. There are no features of cultural or built heritage sensitivity in the vicinity of the site.</p>
<p><b>Types and characteristics of potential impacts</b></p> <p>(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><b>Having regard to the characteristics of the development and the sensitivity of its location, consider the potential for SIGNIFICANT effects, not just effects.</b></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><b>Conclusion</b></p>	
<p><b>Likelihood of Significant Effects</b></p>	<p><b>Conclusion in respect of EIA</b></p>
<p><b>There is no real likelihood of</b></p>	<p><b>EIA is not required.</b></p>

<b>significant effects on the environment.</b>	
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**Inspector:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**DP/ADP:** \_\_\_\_\_ **Date:** \_\_\_\_\_

(only where Schedule 7A information or EIAR required)