



Development

RETENTION: Temporary Retention
Permission for two-storey extension in
Camden Villas to rear of No. 9 Camden
Buildings containing open and enclosed
storage at ground floor level, first floor
boiler house with external water tanks, all
for use as part of an existing guest house
/hostel currently leased to Dublin City
Council for use as Emergency
Accommodation.

Location

No's 6-9 Camden Place, No. 16 Camden
Street and No's 2-6 Camden Villas,
Camden Street, Dublin 2

Planning Authority

Dublin City Council South

Planning Authority Reg. Ref.

WEB5272/25

Applicant(s)

Capital Estates Management Limited

Type of Application

Retention

Planning Authority Decision

Refuse Retention

Type of Appeal

First Party Normal Planning Appeal

Appellant(s)

Capital Estates Management Limited

Observer(s)

Richard Duggan
Grantham St. Residents Association

Date of Site Inspection

28th April 2026

Inspector

Patricia Byrne

1.0 Site Location and Description

- 1.1. The appeal site, stated as 0.017Ha., lies adjacent the northern elevation of No. 9 Camden Buildings with the site located within Camden Villas, Dublin 2. Camden Villas and Camden Buildings and their associated laneways align parallel, and are located south of Camden Place and east of Camden Street. Harcourt Street lies further to the east.
- 1.2. The short access laneways of Camden Villas and Camden Buildings are flanked by two-storey terraced properties on either side. The predominant use of buildings within Camden Villas appears to be as a hostel which operates from a number of properties fronting Camden Place and on the northern side of Camden Villas. The hostel appears to have its primary access from Camden Place.
- 1.3. The application particulars indicate that the hostel is currently leased to Dublin City Council to provide emergency accommodation.
- 1.4. No. 9 Camden Buildings, shown within the blue line boundary denoting property within the applicant's ownership/control, does not appear to be in use as part of the hostel.
- 1.5. Camden Buildings is accessed via a gated pedestrian entrance from Camden Street. Camden Villas is also accessed from Camden Street, via a secure pedestrian gate, with access via an alley underneath the southern bay of No. 18 Camden Street. A further solid steel panel gate lies in the vicinity of No.1 and No.7 Camden Villas.
- 1.6. A shipping container is located at the eastern end of the lane which was also found to contain equipment, building materials, kegs and numerous domestic and commercial waste bins. A number of timber storage units were observed to the rear of properties on Camden Buildings, fronting Camden Villas.
- 1.7. The structure, which is the subject of this appeal, aligns to the northern elevation of No. 9 Camden Buildings, addressing Camden Villas.

2.0 Proposed Development

- 2.1. Capital Estates Management Ltd. seeks temporary retention permission for development described as a two-storey extension to the rear of No. 9 Camden Buildings. The structure comprises part open/part enclosed storage at ground level extending to a stated 16sq.m. A

boiler house extending to 4.2sq.m.is *in situ* at first floor level, together with water tanks. Note: the gross floor area of the structures to be retained is stated in the application form as 12.60sq.m.

- 2.2. The boiler house is shown with a plastered external finish while the water tanks appear to comprise moulded reinforced plastic. The boiler house and water tanks are supported by a steel frame, underneath which is provided open storage (accommodating waste bins) and a closed storage area with fitted timber doors.
- 2.3. A cover letter indicates that the applicant operates a hostel, currently leased to Dublin City Council as emergency accommodation. This use necessitates a higher intensity of servicing, particularly in relation to bathrooms and showers as residents are in permanent occupation.
- 2.4. The storage accommodation is required to serve street flower vendors who operate stalls on Camden Street.
- 2.5. Connections to public water mains, public sewer and surface water drainage are available.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. Dublin City Council by Order dated 24th November 2025 issued a decision to refuse permission for retention for the reasons set out below:

1.The structure for retention is located on public lands on Camden Villas within the control and charge of Dublin City Council. No letter of consent has been submitted to permit the use of public lands for the purpose of the application. Notwithstanding the lack of letter of consent, the retention of the development within the public laneway would result in the obstruction of the public realm, restrict access for maintenance and negatively impact pedestrian and other movements on Camden Villas. The structure would result in the loss of space within a restricted area and would set undesirable precedent for similar developments in the city. The retention of the development would, therefore, be contrary to the proper planning and sustainable development of the area.

2.The development for retention by way of its location, poor design and poor materials has an unacceptable negative impact on the existing enclosed courtyard area in terms of

residential and visual amenity. If the development were to be retained it would set undesirable precedent for similar developments and would devalue property in vicinity. The proposal would be contrary to the policies and objectives of the Dublin City Development Plan 2022-2028 and the proper planning and sustainable development of the area

3.2. Planning Authority Reports

3.2.1. Planning Report

- The planning report dated 21st November 2025 reflects the decision of the planning authority and recommends a decision to refuse permission for retention.
- The report refers to the use of the main building on site as a hostel.
- Reference to the recommendation of the Transportation Planning report citing concerns that Camden Villas is a public lane within the charge of the local authority, with no consent furnished to authorise its inclusion within the application's site boundaries.
- Planning Enforcement under E036/25 and E0440/25 relating to a material change of use and erection of structures in the laneway respectively, are referenced.
- The report refers to an established pattern of retrospective planning consent for works to property currently in use as a hostel.
- Report refers to internal alterations to the property appearing to depart from permitted floor plans and referring to a reduction or diminution of communal spaces available to the hostel.
- Fire safety was raised as a concern given observations made during site inspection, including the presence of structures and storage of waste from the property and from commercial units located within the confined laneway.
- Details provided in the application were determined to be substandard.
- The requirement for the structures, based on intensity of use of the buildings was found not to adequately address the design, location or construction without planning permission. Insufficient information provided in terms of tank capacity, noise abatement and ventilation.
- The use of the hostel/guesthouse buildings as emergency accommodation has occurred in a haphazard fashion and has not been planned adequately.

- Design, materials and location of the structures were considered neither appropriate or acceptable and a recommendation was made to refuse permission

3.2.2. Other Technical Reports

Transportation Planning Division

- Report dated 6th November 2025 indicates that access to Camden Villas is restricted via an archway and gated entrance from Camden Street and via a secured gate from Camden Place.
- Camden Villas is a public lane within the charge of Dublin City Council and no consent from the local authority to authorise its inclusion within the application's site boundaries has been provided.
- Sufficient legal entitlement/consent from Roads Maintenance to carry out development on lands within the public domain has not been demonstrated.
- Structures within the public roadway raise concerns regarding obstruction of the public realm; impact ongoing maintenance access; and has potential implications for movement of pedestrians.
- A recommendation was made to refuse permission.

3.3. Prescribed Bodies

3.3.1. Transport Infrastructure Ireland (TII)

Submission dated 16th October 2025 states that the development falls within an area subject to a Section 49 Levy for Light Rail.

Where permission is awarded, a condition requiring a contribution under the Section 49 Contribution Scheme Levy will apply, where the development is not found to benefit from exemptions.

The application was also referred to Uisce Éireann and to the National Transport Authority, with no reports being received.

3.4. Third Party Observations

Observations were received by the planning authority with the matters raised summarised as follows:

- Deliberate attempt to circumvent the planning system and to minimise public scrutiny. Retrospective permission should be the exception and not the rule.
- The term temporary retention is misleading as no duration is specified and the works form part of the permanent service infrastructure of the hostel/emergency accommodation. No justification is provided as to temporary nature.
- Conflict of interest with Dublin City Council as decision maker and lessee.
- Absence of information to assess environmental or amenity implications.
- Concurrent application P.A. Reg. Ref. WEB5329/25 raises similar concerns. Both should be assessed concurrently.
- Proposal is not an isolated technical breach but part of a pattern of unauthorised development, retrospective regularisation and material intensification across inter-linked properties. Approach is piecemeal and disingenuous.
- History of enforcement complaints and retrospective permissions. Active enforcement regarding unauthorised change of use and intensification. Unauthorised operation of adjoining licensed premises.
- Granting permission while enforcement is unresolved undermines the process.
- Boiler house and laundry structures are physical evidence of intensification. Cumulative operational impacts are different in scale from earlier hostel.
- Material change of use from tourist hostel to long term emergency accommodation. Inconsistencies of standards for dignity, safety and quality of living.
- Cumulative assessment of operations at Camden Place/Camden Villas complex should occur.
- Incompatible co-location of uses. Public house and emergency accommodation are not conducive to the welfare of occupants and gives rise to risks.
- Operational and ethical considerations.
- Undermines policy to repopulate the city with permanent residents.

- Application is invalid as third-party property is incorrectly detailed in plans provided.
- Failure to outline the application site on floor plans invalidates the application.
- The application site and open space at Camden Villas are in the charge of Dublin City Council and not within the ownership of the applicant.
- Decision to grant permission would be inconsistent with Bord Pleanála decision ABP 319527-24 and would exacerbate impacts sought to be controlled by condition.
- Contravention of Section 16.10.2 of the Dublin City Development Plan.
- Impact on conservation.
- Detracts from the appearance of the streetscape. Use of inappropriate materials.
- Conflict with Z4 Key Urban Village zoning objective and is in breach of QH21, SI14, CHC31, CCUV36.
- Site should be considered as a transitional zoning.
- Few remaining intact examples of enclosed closes. Streetscape should be protected and the lane should remain free from obstruction and be improved environmentally.
- Structure detracts from the historic streetscape and comprises inappropriate materials.

4.0 Planning History

4.1. The following relate to the appeal site and to the immediate surrounding area.

P.A. Reg. Ref. WEB5329/25

Temporary Retention Permission REFUSED for a single storey laundry room extension adjacent to No. 4-5 Camden Villas for use as part of an existing guest house/hostel currently leased to Dublin City Council.

Date of Decision 1st December 2025.

Reasons for refusal read as follows:

1. The structure for retention is located on public lands on Camden Villas within the control and charge of Dublin City Council. No letter of consent has been submitted to permit the use

of public lands for the purpose of the application. Notwithstanding the lack of letter of consent the retention of the development within the public laneway would result in the obstruction of the public realm, restrict access for maintenance and negatively impact pedestrian and other movements on Camden Villas. The structure would result in the loss of space within a restricted area and would set undesirable precedent for similar developments in the city. The retention of the development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The development for retention by way of its location, poor design and poor materials has an unacceptable negative impact on the existing enclosed courtyard area in terms of residential and visual amenity. If the development were to be retained, it would create a precedent for similar type undesirable development and devalue property in the vicinity. The proposal would therefore be contrary to the policies and objectives of the Dublin City Development Plan 2022-2028 and the proper planning and sustainable development of the area.

PL.29S.319527 P.A. Reg. Ref. 4827/23

Permission GRANTED on appeal for change of use of ground floor area from hostel to licensed restaurant and internal alterations at 8 Camden Place, 8A Camden Place, 9 Camden Place and 2 Camden Villas Dublin 2.

P.A. Reg. Ref. 5202/22

Retention Permission GRANTED for additional basement area to accommodate toilets, kitchen, storage and minor modifications to elevations at 9 Camden Place and 16 Camden Street Lower.

P.A. Reg. Ref. 3762/21

Split Decision with Permission GRANTED at 5 and 6 Camden Villas for removal of stairs in No. 6 Camden Villas and new first floor corridor connection to guest house/hostel and

Permission REFUSED for modifications to include a new external door to No. 6 Camden Villas.

P.A. Reg. Ref. 2152/20

Permission GRANTED at 5 and 6 Camden Villas for change of use from residential to guest house / hostel use and for two storey extension to rear of No. 6 Camden Villas, all as an extension to existing guest house / hostel at Nos. 6-9 Camden Place, first and second floor of No. 16 Camden Street and Nos. 2, 3, 4 Camden Villas, Dublin 2.

P.A. Reg. Ref. 3863/15

Retention Permission GRANTED for change of use from office to guest house/hostel use at ground floor of no. 6 Camden Place as an extension to existing guest house at no' s 6-9 Camden Place, first and second floor of no. 16 Camden Street and no's. 2, 3, 4 Camden Villas.

PL.29S. 243665 (P.A. Reg. Ref. 2286/14)

Retention Permission GRANTED on appeal for change of use from residential to guest house/hostel use at No's 6, 7 and 9 Camden Place, No. 16 Camden Street and No's 2, 3 and 4 Camden Villas as an extension to existing guest house/hostel and No's 8 and 8A Camden Place Dublin 2.

5.0 Policy Context

5.1. Dublin City Development Plan 2022-2028

The Dublin City Development Plan 2022-2028 is the operational Development Plan for the area and came into effect on the 14th of December 2022.

5.1.1. Volume 1 Written Statement

- **Chapter 5 Quality Housing and Sustainable Neighbourhoods**

Policy QHSN21 Gated Residential Development

It is the policy of Dublin City Council to support the creation of a permeable, connected and well-linked city and to avoid gated residential developments which exclude the public and local community and prevent development of sustainable neighbourhoods.

Policy QHSN33 Emergency Accommodation

To facilitate and support relevant agencies in the development of emergency accommodation that is socially inclusive, including hostels for homeless individuals of all genders. Applications for emergency temporary accommodation including applications made by public bodies will be requested to submit evidence to demonstrate that there is not an over concentration of emergency accommodation within an area, including a map showing all such facilities within a 0.75km radius of the proposed location of the new facility.

- **Chapter 7 The City Centre, Urban Villages and Retail**

CCUV36 New Development

To support uses that would result in the diversification of the evening and night time economy where there is little impact on the amenity of adjoining or adjacent residential uses through noise disturbance and where there are no negative cumulative impacts in terms of other night-time economy uses in the area.

- **Chapter 11 Built Heritage and Archaeology**

Buildings of Heritage Interest Including Mews and Vernacular Buildings

Many of the older buildings and structures in the city, whilst not included on the Record of Protected Structures or located within an Architectural Conservation Area, or Conservation Area, make a positive contribution to the historic built environment of the city. The retention and reuse of these buildings add to the streetscape and sense of place and have a role in the sustainable development of the city.

Policy BHA11 Rehabilitation and Reuse of Existing Older Buildings

(a) To retain, where appropriate, and encourage the rehabilitation and suitable adaptive reuse of existing older buildings/structures/features which make a positive contribution to the character and appearance of the area and streetscape, in preference to their demolition and redevelopment.

(b) Encourage the retention and/or reinstatement of original fabric of our historic building stock such as windows, doors, roof coverings, shopfronts (including signage and associated features), pub fronts and other significant features.

(c) Ensure that appropriate materials are used to carry out any repairs to the historic fabric.

▪ Chapter 14 Land Use Zoning

The site is subject to land use Zoning Objective Z4 – Key Urban Villages and Urban Villages. Key Urban Villages and Urban Villages function to serve the needs of the surrounding catchment providing a range of retail, commercial, cultural, social and community functions that are easily accessible by foot, bicycle or public transport; in line with the concept of the 15-minute city. Urban Villages zoned Z4 are typically smaller in scale than Key Urban Villages and provide a more localised role for the daily shopping needs and local services of a residential community.

▪ Chapter 15 Development Standards

Section 15.13.9 Hostels/Sheltered Accommodation/Family Hubs

5.1.2. Volume 3 Zoning Maps

The site is located within Zoning Objective Z4 Key Urban Villages/Urban Villages where the objective seeks to *'provide for and improve mixed-services facilities'*.

The appeal site lies just outside and east of the Conservation Area demarcated on Map E Volume 3 of the Development Plan.

5.2. Natural Heritage Designations

The site is not located within or bounding a Natura 2000 site. The following are located within the wider area:

South Dublin Bay and River Tolka Estuary SPA (Site Code 004024) c.3.4km

North Bull Island SPA (Site Code 004006) c.6.3km

South Dublin Bay SAC (Site Code 000210) c.3.4km

North West Irish Sea SPA (Site Code 004236) c.7.7km

Rockabill to Dalkey Island SAC (Site Code 003000) c.11.6km

North Dublin Bay SAC (Site Code 000206) c.6.6km

6.0 EIA Screening

- 6.1. The proposed development is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended (or Part V of the 1994 Roads Act).

7.0 The Appeal

7.1. Grounds of Appeal

The decision of the Planning Authority is the subject of a First Party appeal by Capital Estates Management Ltd. The appeal is supported by:

- Legal Opinion prepared by Kelly Kennedy & Co. Solicitors from Fintan Hurley B.L.
- Letter from Flower stall owners on Camden Street and
- Noise Impact Assessment prepared by RSK Ireland Ltd.

The matters raised in the appeal are summarised below.

- The purpose of the appeal is to request An Coimisiún Pleanála to overturn the decision of Dublin City Council and to award permission subject to appropriate conditions.
- Camden Villas comprises a small number of properties facing into an enclosed laneway. No. 2,3,4,5 and 6 Camden Villas all form part of Times Hostel and are owned by the appellant. The hostel is leased to Dublin City Council to provide emergency accommodation.
- The area in front of No. 2,3,4,5, and 6 is separated from No. 1 and No. 7 Camden Villas by a metal security gate which is located in front of No. 2 Camden Villas.
- The subject structure is located within a private yard owned by the appellant in front of No. 2,3,4,5 and 6 Camden Villas, the only properties which access the private yard.
- No. 9 Camden Buildings is also owned by the appellant.
- Access to Camden Villas is restricted to pedestrians only, with the entrance to the alleyway positioned below the southern bay of No. 18 Camden Street Lower. A coded gate at the entrance prevents public access which is restricted to authorised personnel only. There is no public access to the lane.
- The appellant disputes the assertion that the subject lands are within the control or charge of the local authority. The description of the laneway as a public realm is inaccurate given there is no public access.
- The local authority concluded in a report pertaining to P.A. Reg. Ref. 4827/23 that the access was a private lane. It is unreasonable to now claim the lane is within local authority ownership, given the previous contention.
- Reference is made to P.A. Reg. Ref. ABP315511-23 in which the An Bord Pleanála inspector refers to the Development Management Guidelines 2007 and the assertion that the planning system is not designed to resolve legal disputes, and that it would be unsuitable for permission not to be granted for the said reason. The Commission is requested to take a similar approach under this appeal.
- The First Party contends that Reason No. 1 is not appropriate as it is a validation matter. The planning authority determined the application to be valid. The assessment should therefore relate to the subject of the proposal and policy compliance rather than matters of validation.

- The appellant/applicant should have been afforded an opportunity to provide additional information to resolve matters regarding legal interest.
- The appellant requests a three-year temporary permission to retain the structure.
- The local authority and third-party observers are primarily concerned about the haphazard fashion of the site's development and intensification of the hostel, rather than the subject scheme. The subject site has permission for use as a hostel.
- The structure is not visible or accessible to the general public, is to the rear of Camden Buildings and is within a closed laneway.
- Limited windows to elevations face into the appeal site, thereby minimising visual impacts.
- The structure is intended to be fully reversible.
- The site is in close proximity to, but is not located within, the Conservation area. Therefore, related policies are not materially relevant.
- The storage is for use by flower vendors and is not related to the hostel.
- The addition of a small-scale storage facility and water tank will not have adverse impacts on the residential amenities of surrounding properties by way of overshadowing or overbearance given its minor scale. Surrounding buildings are in the applicant's ownership. No. 1 and 7 Camden Villas are in closest proximity to the appeal site. Proximity to the hostel was previously considered by An Bord Pleanála under PL29S.243665.
- Majority of observations/submissions were not from owners or occupiers of properties within Camden Villas or Camden Buildings, and this absence of concern indicates awareness/acceptance of businesses and potential for associated nuisance.
- Observation from the occupant of No. 10 Camden Villas is limited to land ownership concerns.
- Water tanks are operational at a constant noise level 24 hours per day and while audible, the main source of noise arises from road traffic on Camden Street.
- Proving depreciation in property value is difficult, unless there is valuation evidence. It would be extremely challenging to demonstrate that an additional storage

facility/water tank would devalue property given the location of the site in a commercially active area.

- Potential adverse impacts on properties can be effectively managed through migration measures and conditions.

Legal Opinion Kelly, Kennedy and Company Solicitors Fintan Hurley BL

- The appellant provides legal opinion in support of the appeal.
- A physical description of Camden Villas is provided, referring *inter alia* to its status as a cul-de-sac closed at its eastern end by a wall with access restricted to pedestrians only via an alleyway with coded gate.
- The applicant is the owner of No. 2,3,4,5 and 6 Camden Villas, located in a terrace to the east of No. 1 Camden Villas. The area in front is separated from No. 1 and No. 7 by a metal security gate, located in front of no. 2 Camden Villas.
- The private yard in front of No. 2,3,4,5 and 6 Camden Villas is owned by the appellant and is only accessible by No. 2,3,4,5 and 6.
- Camden Villas remains a gated enclave which is not accessible to members of the public.
- The Opinion refers to recent planning history at Camden Villas, referring in particular to P.A. Reg. Ref. 3863/15, P.A. Reg. Ref. 2152/20, P.A. Reg. Ref. 3762/21 and P.A. Reg. Ref. WEB5272/25, where the associated planners' reports reference the restricted means of access to the lane, coded gateways and the presence of metal security gates.
- Reference is also made to P.A. Reg. Ref. 4827/23 concerning *inter alia* No. 2 Camden Villas with the associated planning authority planner's report referring to the location on a private lane accessed from Camden Street. The decision was overturned on appeal under ABP-319527-24 wherein, the ABP Inspector referred to Camden Villas as a '*short and narrow cul-de-sac accessed via an archway off Camden Street to which access is controlled via gates with a pin*'.

- Dublin City Council has for many years been fully aware that Camden Villas has been, and remains a private gated enclave, particularly noting the planner's report associated with P.A. Reg. Ref. 4827/23.
- Opinion refers to the contradictory approach taken by the planning authority in relation to the status of the lane.
- Reference to the Office of the Planning Regulator's Case Study Paper CSP06 April 2022 entitled '*Planning Application Processing An Analysis of Planning Authority processes*' with particular reference to the validation process in Part 2.
- Reference is also made to SI No.565 of 2022 Planning and Development Amendment No. 2 Regulations 2022 and the substitution of paragraph (g) regarding a situation where the applicant is not the legal owner of the land or structure concerned.
- The planning authority determined the application to be valid and should therefore have restricted its assessment to technical and policy issues. No opportunity was afforded the applicant by way of further information to satisfy the planning authority of sufficient legal interest.
- The planning authority did not adhere to best practice as envisaged in the Guidelines.
- Reference is made to the approach of ABP under ABP315511-23 wherein the ABP inspector refers to the attachment to a decision of an advice note under Section 34(13) of the Act and reference to Section 5.13 of the Development Management Guidelines, stipulating the planning system is not designed to resolve legal disputes.
- The Opinion refers to the definition of a public road under Section 2 of the Roads Act 1993 as '*a road over which a public right of way exists and the responsibility for the maintenance of which lies on a road authority*'. There is a significant body of case law distinguishing between public road/lane and a private road, with reference to *Kildare County Council v Morrin [2021] IECA 341* and *McDaid v Monaghan County Council [2025] IEHC 705*- extracts provided.
- The local authority's claim that the lane is a public road and within its charge is spurious.
- Dublin City Council would not succeed in an application for a declaration that the lane in Camden Villas is a public lane based on the case law cited, and it cannot meet the first requirement which is to establish a public use of Camden Villas.

- The Opinion concludes as follows *‘I am mindful of the provisions of 5.13 of the Development Management Guidelines for Planning Authorities (DEHLG 2007) which make it clear that the planning system is not designed as a mechanism for resolving disputes about title to land or premises or rights over land because those disputes are ultimately matters for resolution in the courts. I do not believe that there is a bona fide dispute about whether Camden Villas is a public or private lane, however given the provisions of the Guidelines, I doubt that ACP will involve itself in the dispute between Querist and DCC regarding the status of the land’.*

Letter from Marie Duff [Camden Street Flower Stall Owner]

- Sets out the family’s historical connection and those of neighbours within Camden Villas.
- Gates were put in place 30 no. years ago for security/protection following break-ins.
- Dublin City Council has never maintained the lane.

Noise Impact Assessment – RSK Ireland Limited December 2025

- RSK Ireland Limited was appointed to prepare a Noise Impact Assessment to establish the baseline noise environment, and to provide an objective review of the expected noise emissions to nearby receptors, and where necessary, recommendations for mitigation.
- Baseline noise measurements were conducted on the 15th and 16th December 2025. 24 hours of noise data was captured to indicate nighttime and daytime levels.
- Site inspection indicated noise from the water tanks was audible 5-6 metres from the structure with primary noise sources comprising distant road traffic, mostly from Camden Street; venting 25m west of the water tanks; and birdsong. Construction works were ongoing.
- The water tanks were operational at a constant noise level 24 hour a day.
- The assessment of plant noise is presented in Table 5.1 providing the results of the noise modelling exercise and comparison of noise criteria to nearby dwellings for daytime and nighttime plant operations. Residential receptors are identified in Fig 5.2.

- Calculated plant noise levels (dB LAeq,T) are shown relative to dB LAeq,T ≤45.
- The report concludes that noise model calculations confirm that plant noise emissions to nearby receptors result in low impact when rated in accordance with BS4142:2014+A1:2019. No mitigation measures are required.

7.2. Planning Authority Response

7.2.1. The planning authority requests that the decision to refuse permission is upheld by the An Coimisiún Pleanála. Where permission is awarded, it is requested that development contributions on foot of Section 48 and under Section 49 'Luas X City' of the Planning and Development Act 2000, as amended, are applied.

7.3. Observations

7.3.1. Observations to this appeal have been received from Richard Duggan and from the Grantham Street Residents Association. The matters raised are summarised below:

- Requests that An Coimisiún Pleanála refuse permission or seek Further Information. to address deficiencies. Granting permission in the absence of clarity would undermine the integrity of the planning system.
- Appeal fails to provide information required to enable the Commission to properly assess the application, including details of construction. In the absence of a construction timeline, the Commission cannot properly assess the appropriateness of retention or the bona fides of the application.
- First Party grounds of appeal are insufficient to overturn the assessment of the planning authority. The Commission is requested to confirm the decision.
- No justification for a 3-year temporary period is provided, and no details are provided of enforcement, decommissioning and restoration of the site or the enforceable mechanism to ensure reversibility.
- The water tanks constitute permanent operational plant rather than temporary infrastructure.
- No details are provided as to how the site/hostel operated prior to the construction of the development or the nature of the water storage or servicing arrangements

previously in place; whether they were removed/decommissioned or whether such infrastructure remains capable of recommissioning.

- Explanations as to the purpose of the storage structures are inconsistent.
- Clarity required as to who is entitled to use the structures and for what purposes.
- Lack of information as to the installation and authorisation of the most recent gate.
- No information provided regarding the container.
- Unauthorised use of public house. This is the subject of planning enforcement.
- Lack of detail provided in relation to fire safety certification and insurance.
- As per observations made to P.A. Reg. Ref. Web 5272/25 and P.A. Reg. Ref. Web 5329/25, it is incumbent on the applicant to demonstrate proof of title to Camden Villas given the historic development of the site, the public space and multiple rights of way to individual dwellings.
- The applicant has yet to submit title maps, drawings or leases to illustrate ownership of the properties and of the claimed ownership of the public space at Camden Villas. This could be sought by the Commission.
- Procedures by Dublin City Council for extinguishment of the public right of way have not been entered into and the public right of way remains.
- The development results in the obstruction of the public realm and access for maintenance; negatively impacts pedestrian and other movements; loss of space and sets an undesirable precedent.
- Reference to Uisce Éireann infrastructure in Camden Villas connecting to Camden Street.
- The historic public ownership and fabric of Camden Villas should be maintained and retained.
- Poor quality design and materials.
- Application should have been declared invalid.
- Piecemeal and ad hoc development.
- Intent with respect to 3-year temporary permission gives rise to scepticism.
- Careful consideration should be given to the overall development.
- Servicing requirements could have been carried out within the existing structures.
- Unclear if flower vendors (stated as former occupiers and owners of the premises) retain legal entitlement to occupy/use the site. Reliance on historic activity by former

owners does not justify the retention of the storage and other infrastructure under the control of a different owner/use.

- Visual impact is not the critical issue but rather the continued erosion and misuse of public space and public realm.
- The Commission must assess if the development represents proper planning and sustainable development, even if the status of the lane is accepted.
- Attachments appended refer to correspondence with Dublin City Council in relation to planning enforcement, submissions on foot of the application, including photographs.

8.0 Assessment

8.1. Having examined the application details and all other documentation on file, including all submissions received in relation to the appeal, the reports of the local authority, and having inspected the site, I consider that the main issue in this appeal are as follows:

- Principle of Development
- Legal Standing of Lane
- Impact on Amenities

8.2. Principle of Development

8.2.1. The development relates to the retention of a structure designed to accommodate ground level storage with first floor boiler house and external water tanks for use as part of an existing guest house/hostel.

I note under the planning history associated with properties in Camden Villas that permission was granted under PL.29S.243665 / P.A. Reg. Ref. 2286/14 for change of use from residential to guest house/hostel use within a group of buildings fronting Camden Villas and Camden Place. Further amending and extending permissions as set out in the Planning History Section of this report include P.A. 2152/20 which permitted a change of use within no.'s 5 and 6 Camden Villas, from residential to guest house; and further amendments under P.A. Reg. Ref. 3762/21 with a split decision permitting removal of a stairs in No. 6 Camden

Villas, and new first floor corridor connection to guest house/hostel, all as an extension to the existing guest house/hostel.

- 8.3. I am satisfied, given the planning history of the complex as a whole, that planning permission exists for a guest house/hostel within a number of conjoined/connected properties at Camden Villas and Camden Place. I am satisfied that such use has been amended and extended over time by virtue of permission under a number of successful planning applications. As such, the provision of infrastructure stated as being required to facilitate the appropriate use of the facility- particularly the operation of bathrooms and showers, is viewed as broadly acceptable.
- 8.4. While matters arising in relation to design, impact on amenities and legal entitlement are examined under later sections of this report, I am satisfied that the principle of development is acceptable.
- 8.5. The Commission will note within the planning authority's planning report, and within third party submissions to the planning application and observations to this appeal; concerns raised in relation to internal alterations to the hostel, diminution of communal space, unauthorised intensification and change of use. While the Commission has been requested to review the cumulative the impact of development and use arising, the content of this assessment will be restricted to the application made to the planning authority under P.A. Reg. Ref. WEB 5272/25 and will not seek to examine matters pertaining to intensification, unauthorised development or whether a change of use has occurred from hostel to emergency accommodation. I note also in this regard that the planning authority planning report refers to active planning enforcement.

8.6. Legal Standing of Lane

- 8.6.1. A central concern of the First Party appeal concerns the ownership and legal standing of the lane way within Camden Villas. The access from Camden Street Lower is via a controlled pedestrian gate. A further gate comprising, a solid steel panel gate lies in the vicinity of No. 2 Camden Villas.
- 8.6.2. The central laneway between the southern elevation of No's 2, 3, 4, 5, and 6 Camden Villas and the northern elevation of No.'s 7, 8 and 9 Camden Buildings was found on the day of

the inspection to be unkempt, with the open storage of materials, kegs and numerous large waste containers. A shipping container was observed to the eastern end of the laneway. Numerous timber storage structures were observed to the northern elevation of Camden Buildings addressing the lane, together with the subject structure adjacent the northern face of No. 9 Camden Buildings.

- 8.6.3. Dublin City Council in its Transportation Planning Report dated 6th November 2025, refers to the restricted nature of the access to Camden Villas, going on to describe Camden Villas as a public lane within the charge of the Council's Road Maintenance Division. The report states that no consent from the local authority has been given to authorise the inclusion of the site (located in the laneway) within the application's site boundaries. It is further stated that the applicant had failed to demonstrate sufficient legal entitlement to carry out development on lands outside of their control and within the public domain. Furthermore, it was contended that structures within the public roadway give rise to concerns regarding obstruction of the public realm; impact access for maintenance and have potential implications for pedestrian movement.
- 8.6.4. I refer to Drawing entitled Site Plan Ref No. R100 illustrating the application site located to the southwestern corner of Camden Villas and the remainder of the lane denoted as being in the appellant's control and contained within the blue line boundary.
- 8.6.5. I refer the Commission to the legal Opinion provided as part of the First Party appeal, to case law referred to therein, and the contention that the lane in question does not come within the legal definition of a public road as defined under Section 2 of the Roads Act 1993. It is further held that Dublin City Council has for many years been aware that Camden Villas has been, and remains a private gated enclave, noting reports prepared by the planning authority under previous planning applications, which refer to the route as a private lane.
- 8.6.6. I refer also the recall of a former resident of the street who recounts the erection of gates as a security measure '30 years ago'.
- 8.6.7. I note that no historic records to demonstrate the roads authority's maintenance regime of the street have been made available. Equally, the appellant does not, as part of the appeal, provide information to demonstrate that formal extinguishment procedures were undertaken

by the local authority to formally close the route for wider public access. It is unclear therefore if such procedures have been undertaken.

- 8.6.8. Both parties have set out their understanding as to the status of the lane in question. The determination of title is not a matter for the Commission, and I am of the view that there is limited merit in seeking further particulars to assist in seeking to confirming landownership/legal standing of the route in question. Reason No. 1 of the Planning authority's decision centred on the assertion that the lane comprises public lands within the control and charge of Dublin City Council, with no consent from the authority to include same for the purpose of the application; and concerns in relation obstruction, restriction on access and impact on pedestrian movement and creation of undesirable precedent.
- 8.6.9. I am of the view, as acknowledged in the Opinion forming part of the first party appeal, that the provisions of Section 5.13 of the Development Management Guidelines for Planning Authorities (DEHLG 2007) are relevant in this instance, and the acknowledgement that the planning system is not designed as a mechanism for resolving disputes about title to land or premises or rights over land because those disputes are ultimately matters for resolution in the courts.
- 8.6.10. The application of Section 5.13 is also relevant to matters raised in a third-party objection to the development, wherein it is stated that the application boundaries include lands in third party ownership. Any further legal dispute between the parties should be considered a Civil matter and outside the scope of the planning appeal. In any case, this is a matter to be resolved between the parties, having regard to the provisions of S.34(13) of the Planning and Development Act 2000, as amended.
- 8.6.11. Accordingly, it is my opinion that it would not be appropriate to refuse permission on the basis of reason no.1 as stipulated in the decision of the planning authority in its Order of the 24th November 2025.

8.7. Impact on Amenities

- 8.7.1. While I understand the rationale for the structure, to facilitate an improvement in servicing the existing hostel, I am cognisant that the development is rather ad-hoc in manner and

does not provide for a co-ordinated form of development. In this regard, I note the location of the structure aligns with the northern elevation of No. 9 Camden Buildings, which while in the ownership/control of the applicant, appears be unrelated to the hostel. I note in this regard planning applications pertaining to the guest hostel and/or description of the hostel provided in the application's particulars, do not refer to No. 9 Camden Villas. The structure as erected therefore, abuts a building it does not appear to serve, and which is unconnected to the hostel.

8.7.2. Furthermore, the design and finishing materials of the structure, providing for a metal frame supporting exposed moulded plastic water tanks and a boiler house at first floor with a mix of timber-clad closed and open storage at ground level, makes no attempt to integrate in design terms with No. 9 Camden Buildings. While I agree with the First Party that the site is not located within but in proximity to a Conservation Area as denoted on Development Plan Zoning Map E, there is nonetheless a requirement to ensure a sensitivity in design terms in extensions bounding vernacular buildings given their historic context.

8.7.3. I am satisfied with the findings of the Noise Impact Assessment conducted by RSK Ireland Limited that the development, following analysis of noise emissions, gives rise to low impacts to nearby receptors. Notwithstanding, I am of the view that the design of the overall structure is inappropriate and detracts from the amenity of the area, contributing to the overall poor visual appearance of Camden Villas, as evidenced by the open storage of materials, unorderly waste storage arrangements and ad hoc placement of structures, including a shipping container. While some of these issues could be attributed to back of house operations, the design and layout of Camden Villas would suggest that this has not been the approach historically. Note: As part of the inspection, I also visited adjoining Camden Buildings where such issues were not encountered.

8.7.4. Accordingly, I am of the view that the retention of the subject structure is inappropriate given its design, location and finishes. While noting the rationale for development, the proposal represents an uncoordinated and ad hoc extension to the hostel it is intended to serve, being located at a remove from the facility, and representing an inappropriate fixture to the northern face of No. 9 Camden Buildings. If the Commission is minded to award permission, it is suggested that a period of 1 year may be appropriate and that following such time, the structure is dismantled and removed from site.

9.0 Appropriate Assessment Screening

- 9.1. I have considered the proposed development in light of the requirements of S177U of the Planning and Development Act 2000, as amended.
- 9.2. The appeal site is located on zoned, serviced land and relates to a two-storey structure comprising storage, a boiler and water tanks located to the northern elevation of No.9 Camden Buildings, Camden Street Lower Dublin 2. The separation distances between the appeal site and Natura 2000 sites situated in the wider area are set out below:
- South Dublin Bay and River Tolka Estuary SPA (Site Code 004024) c.3.4km
- North Bull Island SPA (Site Code 004006) c.6.3km
- South Dublin Bay SAC (Site Code 000210) c.3.4km
- North West Irish Sea SPA (Site Code 004236) c. 7.7km
- Rockabill to Dalkey Island SAC (Site Code 003000) c.11.6km
- North Dublin Bay SAC (Site Code 000206) c.6.6km
- 9.3. The Planning Authority undertook Appropriate Assessment Screening, determining that there was no likelihood of significant effects on a European Site.
- 9.4. No nature conservation concerns were raised in the planning appeal.
- 9.5. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site. The reason for this conclusion is as follows:
- Nature of the works i.e. a two-storey structure providing for storage, a boiler and water tanks.
 - Location and distance from the nearest European site and lack of connections.
 - Taking into account determination of the Planning Authority.
- 9.6. I conclude on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects.

Likely significant effects are excluded and thereafter 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 subject site concerns a structure which has been erected to the northern elevation of No. 9 Camden Buildings, Camden Street Lower, Dublin 2. The appeal site is separated by a distance of approximately 572m from the Grand Canal Main Line (Liffey and Dublin Bay) IE_09_AWB_GCMLE, is approximately 778m from the River Poddle IE_EA_09P030800, and is c.1.1km from the River Liffey 09L01. The site is within the Liffey and Dublin Bay Water Framework Directive Catchment ID09.
- 10.2. I have assessed the development seeking permission 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. The reason for this conclusion is as follows:
- Nature of works concerned, providing for a two-storey structure comprising storage, a boiler and water tanks, on zoned lands and noting existing connections to public wastewater, water supply and surface water systems.
 - Distance from nearest water bodies and/or lack of hydrological connections.
- 10.3. I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

11.0 Recommendation

11.1. I recommend that permission is refused

12.0 Reasons and Considerations

The proposed development provides for an ad-hoc and uncoordinated extension to facilitate service provision to an existing guest house/hostel. The two-storey structure, comprising both open and enclosed storage at ground level with external water tanks and a boiler house at first floor, is located to the north of and adjacent to No. 9 Camden Buildings, a property which is not demonstrated to be directly related to the commercial guest house/hostel enterprise. Given its design, appearance and finishing materials; its relationship to adjoining structures and separation from the host property it is intended to serve, the proposal constitutes piecemeal and uncoordinated development, contributing poorly to the surrounding environment. Notwithstanding the temporary duration of permission sought, the development would exacerbate a pattern of uncoordinated and ad hoc development within Camden Villas, would seriously injure the amenities of the area and would be contrary to proper planning and sustainable development.

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.”

Patricia Byrne

Planning Inspector

2nd June 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	PL-500525-DS-25
Proposed Development Summary	The structure comprises part open/part enclosed storage at ground level extending to a stated 16sq.m. A boiler house extending to 4.2sq.m.at first floor level, together with water tanks. Note: the gross floor area of the structures is stated in the application form as 12.60sq.m.
Development Address	No. 6-9 Camden Place, No. 16 Camden Street and No's 2-6 Camden Villas Camden Street Dublin 2.
IN ALL CASES CHECK BOX / OR LEAVE BLANK	
1. Does the proposed development come within the definition of a 'Project' for the purposes of EIA?	<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)	
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	State the Class here
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	

3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
<input checked="" 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. No Screening required.	
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	State the Class and state the relevant threshold
<input type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	State the Class and state the relevant threshold
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)?	
No <input checked="" type="checkbox"/>	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____ Date: _____