



Development

The development will consist of the construction of a part two-storey, part three-storey dwelling; the provision of a new off-street vehicular parking space; all associated site development works above and below ground.

Location

Site located at the junction of La Vere Terrace and Harold's Cross Road, Harold's Cross, Dublin 6W.

Planning Authority

Dublin City Council South.

Planning Authority Reg. Ref.

WEB5415/25.

Applicant(s)

Orbitiz Limited.

Type of Application

Permission.

Planning Authority Decision

Refuse Permission.

Type of Appeal

First Party Normal Planning Appeal.

Appellant(s)

Orbitiz Limited.

Observer(s)

Philip O'Reilly.

Date of Site Inspection

24th February 2026.

Inspector

C. Daly.

1.0 Site Location and Description

- 1.1. The subject site, of area 0.01ha., of rectangular shape consists of a vacant flat plot of land with a modest sized tree at the corner of La Vere Terrace and Harold's Cross Road. The site is bounded on two sides by the gable wall of No. 1 La Vere Terrace to the east and by the boundary wall of the Mount Drummond Court flat complex to the south. The north and west boundaries are not bounded by permanent structures and there was a temporary fence in place on the day of my visit. The southern boundary wall ranges in height from 3.7m to 3.2m towards Harold's Cross Road.
- 1.2. There is no footpath separating the site from La Vera Terrace and the footpath between the site and Harold's Cross Road is relatively wide. Adjacent to the east is La Vere Terrace which consists of a line of pitched roof cottages which directly front the street, including two new dwellings close to the subject site, and there are double yellow lines on the south side of the street with on-street parking directly opposite. This is a cul de sac c.45m in length with dormer cottages on the opposite side of the street. The adjacent site to the south consists of a two storey residential terrace with pitched roof which is enclosed by walls and railings.
- 1.3. The site is c.120m south of the Grand Canal and is adjacent to a quality bus corridor.

2.0 Proposed Development

- 2.1. The proposed development, in summary, consists of the following:
 - Construction of a part two-storey, part three-storey dwelling with flat roofs which step up in height away from La Vere Terrace and towards Harold's Cross Road.
 - Off-street vehicular parking space.
 - Provision of footpath for taking in charge.

3.0 **Planning Authority Decision**

3.1. **Decision**

- 3.1.1. Dublin City Council decided to refuse permission for one reason which related to overdevelopment of the site and that the building would appear incongruous within the streetscape and would seriously injure the residential and visual amenities and would be contrary to policy on infill development in failing to complement the prevailing scale, mass and architectural design of surrounding properties.

3.2. **Planning Authority Reports**

- 3.2.1. The Planner's Report assessment noted the site's infill classification. It noted that the proposal exceeds the plot ratio and site coverage standards for the area. It noted that the principle of a house is acceptable under the Z1 zoning. It noted the contemporary design and had concerns in relation to the height and design of the house and the proposed terrace and balconies which it considered to be out of character with the area. It considered that a reduced height of two storeys would be more appropriate and it recommended private amenity space to the north by pulling back the building line.
- 3.2.2. It also considered that the applicant should consider the omission of the car parking space and use of similar materials and colours to those along La Vere Terrace. It noted that the Transportation section accepted zero parking on the site. Overall it considered the design to not be appropriate. It considered the height, excessive site coverage and plot ratio to infringe on the La Vere Terrace building line and result in a design out of character with the area.
- 3.2.3. Other Technical Reports
- Drainage Division: No objection subject to conditions.
 - Transportation Planning: Further information required.
 - Environmental Health: No objection subject to conditions.

3.3. **Prescribed Bodies**

Not applicable.

3.4. Third Party Observations

One third party observation was submitted which can be summarised as follows:

- The window designs with horizontal emphasis and the large blank facades would be discordant with the terrace and other buildings in the area.
- Overly domineering design.
- It would overwhelm the modest scale of the cottages and be out of character with the receiving environment.
- The brick façade is excessively vibrant by comparison with the existing cottages.
- The stepped-up design fails to integrate with the cottages.

4.0 Relevant Planning History

Subject Site

None.

Sites in the Vicinity

4227/23: Permission granted by the P.A. at 1 La Vere Terrace to demolish existing flat roof over part of house and construct new pitched roof to match existing.

WEB1907/22: Permission granted by the P.A. at 2 La Vere Terrace to demolish single storey side extension and construct a dormer extension, single storey extension to side and roof terrace above.

2627/19: Permission granted by the P.A. and granted on appeal (ABP ref. ABP-304691-19) at rear of 4 Armstrong Street (14 La Vere Terrace) for new part two storey and part dormer dwelling.

1442/01: Permission granted by the P.A. at rear of 2 Armstrong Street for new dormer dwelling at front of site.

LRD6028/24-S3: Permission refused by the P.A. and granted on appeal (ABP-319421-24) for LRD at Harold's Bridge Court (west of Harold's Cross Road) of 181 apartments in four blocks three to seven storeys.

5.0 Policy Context

5.1. Dublin City Development Plan 2022-2028 as varied (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 2 – Core Strategy

Objective CSO7 *To promote the delivery of residential development and compact growth through active land management measures and a co-ordinated approach to developing appropriately zoned lands aligned with key public transport infrastructure, including the SDRAs, vacant sites and underutilised areas.*

Chapter 4 – Shape and Structure of the City

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

Policy SC 16 *To recognise the predominantly low rise character of Dublin City whilst also recognising the potential and need for increased height in appropriate locations including the city centre, Strategic Development Zones, Strategic Development Regeneration Areas, Key Urban Villages and other locations as identified in Appendix 3, provided that proposals ensure a balance with the reasonable protection of existing amenities and environmental sensitivities, protection of residential amenity and the established character of the area.*

Policy SC 21 *To promote and facilitate innovation in architectural design to produce contemporary buildings which contribute to the city’s character and which mitigates and is resilient to, the impacts of climate change.*

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.*

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.

Section 15.11.3 Private Open Space

Private open space for houses is usually provided by way of private gardens to the rear of a house. A minimum standard of 10 sq. m. of private open space per bedspace will normally be applied. A single bedroom represents one bedspace and a double bedroom represents two bedspaces. Generally, up to 60-70 sq. m. of rear garden area is considered sufficient for houses in the city. In relation to proposals for house(s) within the inner city, a standard of 5 8 sq. m. of private open space per bedspace will normally be applied. These standards may be relaxed on a case by case basis subject to a qualitative analysis of the development.

Section 15.13.3 Infill / Side Garden Housing Developments

The planning authority will have regard to the following criteria in assessing proposals for the development of corner/side garden sites:

- *The character of the street.*
- *Compatibility of design and scale with adjoining dwellings, paying attention to the established building line, proportion, heights, parapet levels and materials of adjoining buildings.*
- *Accommodation standards for occupiers.*
- *Development plan standards for existing and proposed dwellings.*
- *Impact on the residential amenities of adjoining sites.*
- *Open space standards and refuse standards for both existing and proposed dwellings.*
- *The provision of a safe means of access to and egress from the site.*
- *The provision of landscaping and boundary treatments which are in keeping with other properties in the area.*
- *The maintenance of the front and side building lines, where appropriate.*
- *Level of visual harmony, including external finishes and colours.*
- *Larger corner sites may allow more variation in design, but more compact detached proposals should more closely relate to adjacent dwellings. A modern design response may, however, be deemed more appropriate in certain areas and the Council will support innovation in design.*
- *Side gable walls as side boundaries facing corners in estate roads are not considered acceptable and should be avoided.*
- *Appropriate boundary treatments should be provided both around the site and between the existing and proposed dwellings. Existing boundary treatments should be retained/ reinstated where possible.*
- *Use of first floor/apex windows on gables close to boundaries overlooking footpaths, roads and open spaces for visual amenity and passive surveillance.*

Appendix 3 – Achieving Sustainable Compact Growth

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.*

Appendix 5 – Transport and Mobility: Technical Requirements

Section 3.0 Cycle Parking Standards

Table 1 Bicycle Parking Standards for Various Land Uses

Section 4.0 Car Parking Standards

Table 2 Maximum Car Parking Standards

5.2. Relevant National or Regional Policy / Ministerial Guidelines

- Development Management Guidelines for Planning Authorities (Department of Environment, Heritage and Local Government, 2007).

5.3. Natural Heritage Designations

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

- c.0.12km south of the Grand Canal PNHA (site code 002104).
- c.3.2km south-west of the Royal Canal PNHA (site code 002103).
- c.4.2km south-west of South Dublin Bay and River Tolka Estuary SPA (site code 004024).
- c.4.2km south-west of South Dublin Bay SAC and 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 first party appeal on behalf of Orbitiz Limited, the applicant, can be summarised as follows:

- The proposed development is consistent with the Z1 zoning of the site and has no adverse impact on adjoining residential amenities.
- The proposed development represents a sustainable and efficient use of centrally located lands with an appropriate design response while providing a high standard of residential accommodation for future residents.
- The stepped height design ensures it appears consistent with the dwellings on La Vere Terrace and is below the height of Mount Drummond Court to the south.
- The three storey height on Harold's Cross Road will be consistent with building heights in the vicinity and is consistent with it as a prominent road.
- The proposal is supported by Policy QHSN10 of the CDP.
- The design meets qualitative tests and is not harmful to the appearance or character of the area and it ensures no negative impacts from overlooking or overshadowing.
- The provision of a footpath and the associated set back increases the separation distance to the north aids in the height transition.
- The building would provide a strong sense of street enclosure in keeping with good urban design and street design principles and consistent with Section 4.2.1 of DMURS.
- The brick finish is consistent with the buildings in the vicinity and combined with the aluminium fin cladding will present a high quality finish. This is supported by the LRD development granted permission on the other side of Harold's Cross Road (ABP-319421-24) which uses a modern design and similar brick finish and includes 6 storey height opposite the subject site.

- There is precedent for this type of development to the north-east at Grove Road with increased height including under reg. ref. 3216/20 where it was recognised that the scale would not be unusual in the wider context.
- The design is appropriate for the immediate and wider site context.
- The plot ratio is 1.6 or including the footpath area it is 1.3 and not 2.95 as stated in the Planner's Report and this is appropriate for an 'outer employment and residential area' per the CDP.
- The site coverage is 74% and while in excess of the indicative standard the design prevent adverse effects such that the standard may be relaxed. There is no overdevelopment and the building would not be incongruous.
- The building will align with the building line on La Vere Terrace and it will appear consistent with the established streetscape, including the tree line, on Harold's Cross Road and there is potential for development to the side of 23 Harold's Cross Road.
- There is precedent for development beyond existing building lines such as at 75A Leeson Street Upper and Swan Place, North Morehampton Square (reg. ref. 3267/19 and ABP-306040-19). It noted the higher site coverage to be acceptable given the use of a vacant site and setting back the building would not have improved the streetscape.
- A strong façade is required to mark this corner site and enhance the urban realm and the passive surveillance would aid crime prevention.
- The historic map shows the site previously comprised a structure with a building frontage similar to that proposed and both frontages must be considered.
- The proposed development is consistent with policy on infill development given the nature of the design with the refusal not justified.
- Photomontages submitted to show integration.
- The new design features have regard to the wider area.
- The car, bike parking and refuse storage will be situated in the undercroft area and will be screened by the aluminium fin wall cladding.

- The appeal is supported by numerous policies of the CDP including policy QHSN5 which supports residential consolidation and sustainable intensification.
- The brick finish will also match the future LRD external brick finishes.
- The design will contribute, along with the LRD opposite, to the enhanced vitality of the street.
- Details of the alternative design proposed at pre-planning stage are included along with an example of contemporary architecture on a corner site in London.
- Various street view photos in the vicinity are submitted.

6.2. **Planning Authority Response**

The P.A. requests that the decision to refuse permission be upheld and that should permission be granted it requires a Section 48 contribution condition, a social housing condition and a naming and numbering condition.

6.3. **Observations**

A third party observation was received from Philip O'Reilly which can be summarised as follows:

- The refusal reasons are correct and reasonable.
- The design, height, plot ratio and site coverage are at odds constitute overdevelopment and it would be incongruous in the streetscape.
- The proposal contradicts the site zoning and would seriously injure the visual and residential amenities of the area.
- The design ignores the development patterns of the area.
- The site is highly restricted in size.
- The development opposite was notably smaller and in keeping with the built environment.
- There would be little to no open space and amenity.

- The site is outside the city centre and the canal and does not represent a more efficient and sustainable use of the site.
- There are no three storey structures in the vicinity.
- The design response is negative for the neighbourhood and the density is contrary to Policy QHSN10.
- The design does not meet any qualitative test.
- The reference to four storey development in the area is in a different context to that of the site and Harold's Cross Park is not a significant amenity.
- Pre-planning discussions are not relevant.
- The development will not appear subordinate to the Mount Drummond Court building to the south.
- The receiving environment is a low key, low elevation environment not suitable for the height proposed.
- Any stepping down has no meaning given the constrained nature of the site.
- The outdoor terraces will give rise to overlooking of other properties.
- The dwelling will not integrate and will overwhelm the area.
- Questions the accuracy of the submitted montages.
- The aspect for natural light is entirely to the north which means no quality light into the main rooms.
- The ground floor bedrooms will be tombs of darkness.
- The dormer referred to the north should never have been allowed.
- There is no co-ordination of materials and no place for aluminium fin walls which are not appropriate for a historic setting.
- The reference to ABP-319421-24 is of no relevance or comparison.
- The area of Harold's Cross West has its own separate character.
- The submitted images show how uncoordinated the proposal is with the surrounding area.

- The distance with the dwellings opposite is a mere 8 metres.
- The street enclosure referred to is not substantiated.
- DMURS is not relevant.
- The 130 year old setting provides a sense of intimacy being workers cottages.
- The public realm will not be improved.
- The development at 71-72 Grove Road was granted under a previous development plan which has expired.
- The development will be so prominent as to be considered a traffic hazard.
- There will no 6 storey development in the vicinity.
- Site coverage is 100% with no ground open space and there is no basis for relaxing such standards.
- The building will overshadow buildings to the north and in the vicinity and will block sunlight and daylight.
- The site was originally the back garden of the corner two storey house which faced Harold's Cross Road and was demolished.
- The dereliction of the site does not justify the development.
- The refusal at 166A Shelbourne Road is an example of overdevelopment.
- Being so close to a major road will harm residential amenity.
- The site building line was the same as the existing houses between La Vere Terrace and Armstrong Street.
- The Mount Drummond Court development has left a disorderly street environment in the vicinity.
- The building will be well forward of the line of trees to the south which trees are irrelevant anyway.
- The comparison with the permission at Donnybrook is irrelevant given the different footprint, layout, height context and different development plan.
- The development will overwhelm the setting and residential amenity.

- There are no shops of substance in the area with the nearest at Sundrive Road outside walking distance.
- The applicant's submission is repetitive.
- La Vere Terrace was constructed with Dolphin Barn brick and incompatible red brick is proposed.
- Proper planning should achieve an improvement which will not be the case.
- The policies of Section 15.5.2 of the Development Plan take precedence and the refusal is quite clear.
- The appeal should be rejected.

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.
- Design.
- Residential Amenity.
- Transportation.
- Other Matters.

7.2. **Principle of Development**

7.2.1. I note the site is zoned under the Z1 zoning objective 'sustainable residential neighbourhood' which is "*to protect, provide and improve residential amenities*". Residential use is listed as permissible under the zoning. Noting the proposal is for a new dwelling on the site, subject to assessment in relation to impacts on residential amenities, I consider the proposed residential use of the site to be acceptable in principle.

7.3. Design

- 7.3.1. I note the appeal has asserted that the design is appropriate for the site and surroundings particularly noting that it steps up gradually away from the adjacent La Vere terrace houses. I note the observation which strongly disputes the appeal grounds including in relation to the design and its impact on La Vere Terrace. I note the above policies in Section 5.1 including in relation to urban consolidation and infill development.
- 7.3.2. I note the appeal asserts that the plot ratio is 1.6 and that the site coverage is 74% (this excludes the ground floor parking area from the internal floor area). I note the indicative plot ratio and site coverage standards provide for the standards for the central area and the conservation area but that the site is outside the central area and outside of a conservation area. I note the plot ratio of 1.6 would align with the indicative standard for a conservation area (1.5 to 2.0) and that the site coverage would be above the 45% to 50% plot ratio for a conservation area and at 74% would be at the mid-range for the central area (60 to 90%). Noting the site location between these two type of areas and the proximity to public transport, I consider the proposed plot ratio and site coverage levels to be reasonable. I do not consider the plot ratio and site coverage to be indicative of overdevelopment.
- 7.3.3. I note the submitted proposed contiguous elevations. In relation to La Vere Terrace, I note the gradual stepping up in height towards the west away from the terrace and that the proposed height adjacent to the front elevation of No.1 La Vere Terrace would be just above the existing eaves height. There would also be a two storey height element directly adjacent to the terrace but in my opinion it would be appropriately set back from the front elevation to mitigate its impact on the street.
- 7.3.4. I note the new building would be set back from the street to provide a new footpath and that the building frontage would align with the existing building line on La Vere Terrace. I consider that it would appropriately enclose the street and provide enhanced urban presence.
- 7.3.5. I note the proposed brick finish to the external walls and the aluminium fin cladding in front of some of the ground floor windows facing La Vere Terrace which would allow natural light while providing privacy and the use of same for the vehicular parking entrance. In my opinion, this aluminium fin cladding would be appropriate for such a

contemporary building. I note the lighter colour brick on La Vere Terrace and the redbrick to the north and south along Harold's Cross Road such that I consider the proposed external finishes would reasonably integrate with the site and surroundings.

7.3.6. I note the two storey height fronting the street would otherwise commence away from No.1 and would be separated from it by the parking area. I consider this would result in sufficient setback from the terrace to result in an orderly visual transition on La Vere Terrace. The next step up to three storey height would then be further west and would be at the corner with Harold's Cross Road. In my opinion, the gradual stepping up in height, combined with the contemporary design including the modern style window openings, would sufficiently integrate with La Vere Terrace while enabling the building to read as a contemporary addition to the street. In this context, I do not consider that the dwelling would be unduly out of character for La Vere Terrace.

7.3.7. Noting the manner in which the height is broken down facing La Vere Terrace, I also do not consider that it would appear unduly bulky or overbearing on the street. I consider that the corner element would appropriately mark the end of the street where it meets Harold's Cross Road and I note that the flat height, while above the eaves height of Mount Drummond Court to the south and No. 21 Harold's Cross Road, given its limited width, would not be excessive facing west in my opinion. I do not consider that the proposed height would be significantly above the prevailing height in the area. I also consider that the modern design would add some variety to the streetscape in the vicinity which would aid in way finding. I also refer the Commission to the submitted photomontages.

7.3.8. Overall, in terms of the visual impact on the receiving streetscape and the surrounding area, I consider that the infill development would reasonably complement the existing streetscape providing for a new urban design edge and would appropriately respect and enhance the context ensuring a coherent streetscape in accordance with Section 15.5.2 (Infill Development) of the CDP.

7.4. Residential Amenity

7.4.1. I note the appeal has asserted that no issues arise in relation to impacts on residential amenity. I note the 130.2sqm dwelling would include three bedrooms. Noting the minimum floor areas provided in the Quality Housing for Sustainable

Communities guidelines (2007), the proposed dwelling would comfortably exceed the standard for a three bedroom three storey dwelling. I note the larger ground floor bedroom would include aluminium fins along part of the window that would allow in light while providing privacy which I consider appropriate given the window would directly face on to the street. I note the window opening for the smaller ground floor bedroom would be limited and should permission be granted I recommend a condition to double its width and include aluminium fins for half of the window for privacy. This, in my view, would ensure adequate access to daylight for future occupants.

7.4.2. I note that there would be a modest sized 6.1sqm terrace at first floor level that would face the street and which would be forward of the adjacent ridge line. It would be accessed from the kitchen / dining area. There would be a second floor 22 sqm terrace which would face north towards the street of La Vere Terrace, south towards Mount Drummond Court and east over the sedum roof towards no. 1 La Vere Terrace. I note no private open space would be overlooked to the south with circulation space around Mount Drummond Court located in this area and that the north end gable window of the block is a small secondary window such that I have no concerns. I also note no direct overlooking of the rear area of No. 1 La Vere Terrace would occur. However, to the north, I note the limited separation distance to the dwellings opposite would be c.7.5m. In this context, should permission be granted I recommend that the use of first floor terrace be limited to maintenance purposes only to ensure no undue overlooking of properties to the north arises.

7.4.3. I note the second floor terrace of 22sqm would result in undue overlooking of properties to the north given the c.7.5m separation distance. I note Section 15.11.3 of the CDP provides for a minimum standard of 10sqm of private open space per bedspace and provides that these standards may be relaxed on a case by case basis subject to a qualitative analysis of the development. Noting that I have otherwise found the quality of the development to be reasonable with internal floor areas above the minimum required, I consider that it would be reasonable for a modest area of private open space provision to be provided in the development. In this context, should permission be granted I recommend that the area of the second floor terrace north of the external door opening be fenced off for access. This would leave a remaining area of terrace of c.9sqm which I consider satisfactory in this case.

- 7.4.4. In relation to overbearing impacts, I note the stepped height with the limited width of the two storey element, would be sufficient to avoid any excessive bulk impacts to the south, north, west and east. I note that the dwelling would align with the existing terrace and would be separated from property to the north by the street, such that I have no significant concerns in relation to overshadowing impacts. Overall, I note that the residential amenity for future residents of the dwelling would be acceptable and there would no undue negative impacts on residential amenities in the vicinity.
- 7.4.5. Based on the above assessment, I do not consider that the proposed development would seriously injure the visual and residential amenities of adjoining properties and I consider it would be consistent with the Z1 zoning objective “*to protect, provide and improve residential amenities*” and with Section 15.5.2 of the CDP in relation to infill development such that I do not consider the P.A. reason for refusal to be justified.

7.5. **Transportation**

- 7.5.1. I note the ground floor plan provides for one car parking space underneath part of the first floor element. I note the Council’s Transportation Planning section noted that zero parking would be acceptable given the proximity to public transport, amenities and active travel routes and the controlled parking in the vicinity. I note the site location within Parking Zone 2 (along public transport corridors) as the site is adjacent to the quality bus corridor on Harold’s Cross Road. Per Table 2 of Appendix 5 of the CDP, I note that the maximum car parking standard is one space per dwelling.
- 7.5.2. Noting the Transportation Planning section’s concerns in relation to the 4.8m depth of the parking space and the site’s close proximity to a quality bus corridor, I concur with the P.A. approach whereby no car parking space is required for the development. Noting this and the provision of controlled parking in the vicinity, I am satisfied that no significant traffic impacts would arise. Should permission be granted, I recommend the car parking space be omitted by condition. I note the ground floor plan demonstrates ample provision for cycle parking and bin storage such that I am satisfied that there would be adequate provision in this regard.

7.6. Other Matters

- 7.6.1. In relation to drainage provision, I note that a sedum roof would be provided above part of the kitchen area. I note the Council's drainage section had no objection subject to conditions. Noting this, that SUDS measures would be provided and that a standard drainage condition can be applied, I am satisfied that drainage matters can be adequately catered for on the site.
- 7.6.2. I note that the Environmental Health Officer recommended a construction management plan and limited hours of construction should permission be granted and I concur with this approach given the limited scale of development on an infill site.
- 7.6.3. I note the submitted pre-connection enquiry letter from Uisce Éireann that notes confirmation of feasibility for water and wastewater connections. Should permission be granted, I recommend a standard condition for this.
- 7.6.4. As part of the development, I note an area to the immediate north of the site would be allocated for a new footpath which would join with the existing adjacent footpath and this would provide a footpath where currently none exists which would be enhance the public realm. Should permission be granted, I recommend a standard taking in charge condition be applied.
- 7.6.5. I note that the P.A. recommended that should permission be granted it requires a Section 48 contribution condition, a social housing condition and a naming and numbering condition.

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.4.2km south-west of South Dublin Bay and River Tolka Estuary SPA (site code 004024) and is c.4.2km south-west of South Dublin Bay SAC (site code 000210), the nearest European sites.
- 9.2. The proposed development comprises the construction of a part two-storey, part three-storey dwelling. 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 sites 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.120m south of the Grand Canal Main Line (Liffey and Dublin Bay) (IE_09_AWB_GCMLE) canal waterbody (status “moderate”). The proposed development comprises the construction of a part two-storey, part three-storey dwelling.

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, to Policy QHSN 6 (Urban Consolidation) of the Development Plan which supports sustainable intensification of infill 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 design in line with policy that would reasonably integrate with the surroundings and that it would have no significant impacts of concern in relation to the receiving environment particularly in terms of visual impacts 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, 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 as follows:
 - (a) The width of the window for the smaller bedroom at ground floor level shall be doubled and half the width of the new window size shall be covered by aluminium fin screening.
 - (b) The first floor terrace shall not be used as a terrace with access allowed for maintenance purposes only.
 - (c) The second floor terrace shall only be used as a terrace for the area adjacent to the doorway and to its south and a 1.2m high wall shall be constructed to prevent the use of the remaining northern area of the roof as a terrace and access to this area shall be allowed for maintenance purposes only.
 - (d) There shall be no car parking spaces provided in the development.

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 residential amenity and sustainable development.

3. 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.

Reason: In the interest of public health.

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

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

5. The development hereby permitted shall be carried out and completed at least to the construction standards as set out in the planning authority's Taking In Charge Standards. In the absence of specific local standards, the standards as set out in the 'Recommendations for Site Development Works for Housing Areas' issued by the Department of the Environment and Local Government in November 1998. Following completion, the development shall be maintained by the developer, in compliance with these standards, until taken in charge of the footpath by the planning authority.

Reason: To ensure that the development is carried out and completed to an acceptable standard of construction.

6. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Friday inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these

times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

7. Prior to commencement of works, the developer shall submit to, and agree in writing with the planning authority, a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the development, including hours of working, noise and dust management measures and off-site disposal of construction/demolition waste.

Reason: In the interest of public safety and amenity.

8. 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.

9. 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.

Ciarán Daly

Planning Inspector

10th April 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	PL-500634-DS-26
Proposed Development Summary	Construction of a part two-storey, part three-storey dwelling; the provision of a new off-street vehicular parking space; all associated site development works above and below ground.
Development Address	Site located at the junction of La Vere Terrace and Harold's Cross Road, Harold's Cross, Dublin 6W.
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	State the Class here

<p>be requested. Discuss with ADP.</p>	
<p><input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3</p>	
<p>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?</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. No Screening required.</p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required</p>	<p>State the Class and state the relevant threshold</p>
<p><input checked="" 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)</p>	<p>State the Class and state the relevant threshold</p> <p>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.</p> <p>Construction of one dwelling on a site area of 0.01ha (site is within "other parts of a built-up area").</p>

4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
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

Case Reference	PL-500634-DS-26
Proposed Development Summary	Construction of a part two-storey, part three-storey dwelling; the provision of a new off-street vehicular parking space; all associated site development works above and below ground.
Development Address	Site located at the junction of La Vere Terrace and Harold's Cross Road, Harold's Cross, Dublin 6W.
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	Briefly comment on the key characteristics of the development, having regard to the criteria listed. The development has a modest footprint, comes forward as a standalone project, does not require substantial demolition works, does not require the use of substantial natural resources, or give rise to significant risk of pollution or nuisance. The development, by virtue of its type, does not pose a risk of major accident and/or disaster, or is vulnerable to climate change. It presents no risks to human health.
Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and	Briefly comment on the location of the development, having regard to the criteria listed The development is situated in an urban area on serviced lands. The development is removed from

<p>approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).</p>	<p>sensitive natural habitats and designated sites. There are no features of cultural or built heritage sensitivity in the vicinity of the site.</p>
<p>Types and characteristics of potential impacts</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>Having regard to the characteristics of the development and the sensitivity of its location, consider the potential for SIGNIFICANT effects, not just effects.</p> <p>Having regard to the modest nature of the proposed development, its location removed from sensitive habitats/features, likely limited magnitude and spatial extent of effects, and absence of in combination effects, there is no potential for significant effects on the environmental factors listed in section 171A of the Act.</p>
<p>Conclusion</p>	
<p>Likelihood of Significant Effects</p>	<p>Conclusion in respect of EIA</p>

There is no real likelihood of significant effects on the environment.	EIA is not required.
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Inspector: _____ **Date:** _____

DP/ADP: _____ **Date:** _____

(only where Schedule 7A information or EIAR required)