



An
Coimisiún
Pleanála

Inspector's Report

PL-501001-DS-26

Development

PROTECTED STRUCTURE: Removal of extension to the rear return, internal alterations, internal reconfiguration of 6 no. pre-63 studio apartments and the construction of 2 no. dwellings to the rear and all ancillary works.

Location

Rere of 65 Ranelagh, Dublin 6

Planning Authority

Dublin City Council South

Planning Authority Reg. Ref.

WEB6001/25

Applicant(s)

Bram Gaasbeek

Type of Application

Permission

Planning Authority Decision

Refuse Permission

Type of Appeal

First Party Normal Planning Appeal

Appellant(s)

Bram Gaasbeek

Observer(s)

Department of Housing, Local
Government and Heritage

Date of Site Inspection

16 June 2026

Inspector

Sandra Eapen

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1.0 Site Location and Description

- 1.1. The appeal is made in relation to a backland site located to the rear of No. 65 Ranelagh, in Ranelagh Village, Dublin. Access to the site is via pedestrian laneways located between No. 65 and 67 Ranelagh and a second laneway demarcated by a brick arch located between No. 74 and 76 Beechwood Avenue Lower. The site context primarily consists of residential dwellings (3 and 2¹/₂ storey) with commercial uses located along the ground floor of buildings along the main road.
- 1.2. The original dwelling on site, now known as 'Rere of 65 Ranelagh' is a 3 bay, 2-storey over basement semi-detached building, built in the early 19th century. A 2-storey, flat roofed, commercial building (TriBeCa Restaurant) was later constructed to the front of subject site along Ranelagh Road. The main dwelling structure currently serves as 6 no. self-contained units (stated as 5 no. 1 bedroom flats and 1 no. studio unit). The existing dwelling structure is depicted on the first edition, 6inch, Ordinance Survey maps and is a protected structure (RPS No. 6922) recorded as a "house (off Beechwood Avenue Lower) behind the Ulster Bank Ranelagh". The stated site area c.0.046ha includes areas to the rear of the existing commercial building and the pedestrian access to the site from the R117. The existing built-up area is stated as c.295.80ha.

2.0 Proposed Development

The applicant has proposed the following works on the existing structure, 'Rere of No. 65 Ranelagh':

- Removal of the non-original, flat roof, rear return extension from the existing semi-detached building measuring c.19.9sqm.
- Removal of all non-original internal partition walls on all floors and provision of new partition walls for the reconfiguration of all 6 no. apartments;
- Replacement of non-original windows and doors on all floor level with timber sash windows and new fire rated replica doors;
- Blocking of non-original openings along primary elevations with matching finishes;

- Reinstatement of original floorboards with necessary insulation;
- General repair of existing original fabric including, ceilings, stairs, handrails, cornices, roof fabric, valley gutters and rainwater goods;
- Blocking of 3 no. fireplaces;
- New ambulant access to the rear;
- 1 no. new skylight to the front plane of existing roof;
- Removal of 1no. existing large gate along the southeast site boundary;

The construction of the following structures to the rear of No. 65 Ranelagh:

- 2 no., 2 storey, 2 bedroom semi-detached dwelling within the rear garden of the original dwelling; c. 91 sqm (each)
- Private amenity terraces and front courts at ground floor level and balconies to the rear at first floor level;
- Metal roof with standing seam finishes and 1 no. skylight each;
- 1no. new pedestrian access from rear laneway connecting Beechwood Avenue Lower;

Ancillary works including site clearance, hard and soft landscaping, boundary treatments, bicycle storage, bin stores, drainage services and SuDS measures. At the planning application stage, in addition to the Architectural Drawings, the applicant had submitted a Planning Statement, Conservation Method Statement (and Photographic Record) and an Arboricultural Report.

As part of the appeal the applicant has submitted a revised arrangement for the infill dwellings:

- 1 no. 3 bed, 2 storey, detached infill dwelling proposed within the rear garden, 154sqm
- Increased setback of c.11.57m for the new dwelling from the rear façade of the original dwelling.

- 2 no. new pedestrian access from rear laneway connecting Beechwood Avenue Lower;

The applicant has submitted a set of revised Architectural Drawings, Outline Construction Management Plan (dated 12.03.2026), Transportation Statement (dated 12.03.2026) including SWEPT path analysis for small digger and Ambulance and Road Safety Audit with the first- party appeal.

3.0 Planning Authority Decision

- 3.1. A decision to REFUSE permission was made by DCC on 18th February 2026 for 1no. reason set out below

Reason No. 1

The proposal, which consists of works to the existing protected structure of six pre 63 flats and for the development of two no. 2 storey semi-detached dwellings in the rear garden of the site and all associated works, is located in an area zoned Z2 with a stated zoning objective, 'to protect and/or improve the amenities of residential conservation. Having regard to the established pattern of development in the area, it is considered that the proposed development on a restricted backland site, provides inadequate separation distances at first floor level between the proposed semi-detached dwellings and the existing protected structure on the subject site. The proposal would also result in a substandard level of residential amenity for current and future occupants in terms of poor outlook, inadequate storage provision, failure to meet minimum floor area standards, in addition to the resultant loss of communal space for the occupants of the main dwelling, a number of whom do not have access to private open space. The proposal would result in overdevelopment of the site, which would seriously injure the residential amenity for future occupants, occupants of the existing Protected Structure and neighbouring properties due to overlooking, overshadowing and overbearing impacts contrary to Section 15.13.4 Backland Housing. The proposal would also set a precedent for other similar types of substandard residential developments in the area and would therefore be seriously injurious to the amenities of existing and future residents of the area, thus being contrary to the provisions of the Dublin City Development Plan (2022-2028) and the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

Planner's Report: Dublin City Council (DCC) Planner's Report notes the following in relation to the subject application:

- The site is located within lands zoned Z2 'Residential Neighbourhood (Conservation Areas)' and the principle of development is in compliance with the site zoning
- 3 no. objections were made at application stage including combined submissions from residents of adjoining streets which raised issues on inadequate construction access, construction disturbance, impact on residential amenity, overlooking, overshadowing, overdevelopment, loss of mature vegetation etc.
- Missed opportunity to improve the residential standards of the existing unsympathetic pre-'63 works within the Protected Structure.
- The modified 6 no. units fall below the thresholds for 1 bedroom apartment standards.
- The construction of 2 no. semi-detached units would result in substantial loss in residential amenity for the occupants of the existing flats in terms of outlook to the rear, overshadowing at lower ground level and loss of communal space.
- The loss of rear garden communal open space, along with absence of private open space for existing upper floor apartment units, and absence of adequate storage in addition to the failure to meet minimum apartment standards would be considered to be cumulatively significant so as to not warrant flexibility.
- Overall proposal would lead to a substandard form of accommodation that fails to provide the appropriate standard of residential amenity for future occupants.
- Pair of semi-detached dwellings has acceptable floor areas however it is noted that the aggregate bedroom floor area and internal storage area is below the minimum required for 2-bedroom dwelling type.
- Front court area cannot be included in the private open space calculations.

- Proposed first floor balconies could negatively impact adjoining residential amenities. If the area of balconies is omitted the open space provisions will fall below the minimum standards as per Compact Settlement Guidelines, 2024
- Separation distance between the existing and proposed dwellings is considered inadequate at 8m contrary to Section 15.13.4 of the Development Plan
- Proposed 2 no. dwellings would be visually overbearing and seriously impact existing residential amenities. The site is constrained from all infill development carried out within its immediate vicinity.

3.3. Internal Consultee Reports

Transportation Planning Division: Further Information sought on a number of issues;

- Safe access and egress for services and delivery via the existing laneway should be demonstrated
- Appendix 5 requires mews laneways to have a minimum width of 4.8m
- Table 15.1 of the Development Plan sets out requirements for mews/backland dwellings - a Services Delivery and Access Strategy is required
- While zero car parking is acceptable this should be demonstrated
- Drawings should demonstrate access of any vehicles including, emergency vehicular access and 45m radius fire emergency hose can reach new dwellings
- It is not clear whether the cycle parking spaces are covered, secured, or lit
- 5 no. cycle parking spaces for the new infill dwelling is excessive, and 9 no. cycle parking for existing units is conservative – increasing cycle parking for flats
- Concerns raised on how construction work can be carried via the laneway – requires a Construction Management Plan including Traffic Management Plan

Conservation Office: Further information sought to address overdevelopment of site.

- Proposal considered to be overdevelopment and recommends a reduction of footprint and number of units proposed on site.

- Report notes unsympathetic previous subdivision of historic plot and subdivision of building to create 6 no. flats in the Protected Structure.
- Acknowledges the conservation gain from proposed removal of internal subdividing walls, removal of non-original flat roof rear extension, replacement of non-original windows with timber sash windows, reinstatement of original openings to stair landings, reinstatement of new timber doors and architraves, general repair of existing original elements etc.
- Notes that there could be further conservation gain by reducing occupancy. Recommends a single dwelling or 2-3 no. units within the Protected Structure.
- Acknowledges the improvements in the spatial legibility of the proposed arrangement. However, distance between central kitchen units and the wall should be reconsidered.
- Insufficient information provided on the proposed demolition.
- Removal of trees (3 no.) would permanently alter the view from No. 82 and No. 63 Ranelagh.
- Proposed new builds would over-crowd and significantly diminish the character and setting of the Protected Structure.
- Detailed construction methodology required on how the works are to be carried out at the constrained site, impacts to the brick arch.
- Distance between new and existing dwelling is restricted.
- Requests submission of further information on Architectural Heritage Impact Assessment, drawings and photographs of surviving historic fabric.

Drainage Division: No objection subject to standard conditions.

3.4. **Prescribed Bodies**

3.4.1. Department of Housing, Local Government and Heritage:

- Department concurs with the Conservation Officer's recommendations and recognizes the gains in terms of architectural heritage conservation.

- The revisions proposed in the appeal is noted – reducing the number of units proposed and increasing space between existing and proposed units.
- Further clarifications are requested regarding the surviving historic fabric in the building. If permission is considered for the development, these are to be submitted and agreed post consent with the Conservation Office of the Planning Authority. The following conditions are recommended:
 - *“Please submit additional photographs of the existing fireplaces at lower ground and first floor levels; indicate if any existing window architraves survive within the Protected Structure; clarify whether of any historic floorboards survive within the Protected Structure and if so, indicate their locations on revised drawings/photographs.*
 - *Please submit 1:50 reflected ceiling plan drawings to indicate where historic ceiling plaster and decorative cornices, ceiling roses etc. survive.*
 - *Please submit comprehensive photographic record and 1:50 elevation drawings of all existing boundary walls viewed from within the site, rear garde and from the laneway their materiality and openings and*
 - *1:50 plan of the proposed drawings that accommodate proposed bin storage for the overall development in a manner that would significantly reduce the extent of demolition proposed to the substantial historic boundary wall to the laneway.*
 - *Please submit revised proposals for ‘damp-proofing’. Tanking is not supported; however, the introduction of French drains and alternative measures shall be taken to avoid sealing of the historic fabric in an inappropriate manner.*
 - *Submit revised 1:50 annotated drawings identifying all proposed hard and soft landscaping finishes including French drawings where necessary.*
 - *Submit a detailed method statement including material specifications for all proposed works to the protected structure.”*

None on file at Planning Application stage.

3.5. Third Party Observations

3 no. observations were made at planning stage with DCC. 2 of the submissions were made by groups of neighbouring residents. The concerns raised can be summarised as follows:

- Narrow laneway to the rear is the sole access for some residential dwellings only 2.5m wide, this is inadequate access for construction traffic.
- Material overshadowing and overlooking of adjoining gardens and rooms
- Inadequate services, drainage, waste collection arrangements, street lighting
- Noise, vibration, dust and construction disturbance on neighbouring units
- Loss of mature tree cover on site, important nesting habitat
- Overdevelopment and out of character with surrounding historic context.
- Proposal does not demonstrate compliance with Apartment Standards or Section 15.13.4 on Backland Development
- No direct natural ventilation within rooms – could damage historic fabric
- Inadequate fire tender/emergency vehicle/ construction vehicle access
- Existing access from R117 restricted due to restaurant operations here

4.0 Planning History

4.1. Relevant applications on subject site include:

- DCC SHEC Reg. Ref. 0557/25 – **Grant** of Social Housing Exemption Certificate (date 20/01/2026) for the refurbishment works to existing structure and construction of 2 no. new dwellings to the rear of the site.
- DCC EXPP Reg. Ref. 0416/25 – Works declared **exempt** (date 17/10/2025) – for replacement of existing plastic downpipe with cast iron pipe at the rear façade, for the removal of painted steel balconette fixed to the north-western elevation of the rear return and for the repair of damaged non -original render finish to the south-western elevation of the rear return.

- DCC Reg. Ref. 5524/05 – Permission **granted** for demolition of staircase to first floor adjoining northwest external wall and staff changing room to the rear of the existing commercial building to the front of the site.

4.2. Relevant applications within site vicinity:

- DCC Reg. Ref. 3384/99 (PL29S.119214) – permission **granted** for the conversion of existing listed building, 63 Beechwood Avenue Lower, rear of Ulster Bank -Ranelagh, from 8 studio apartments to 4 no. apartments and 3 storey extension providing 5 no. apartments.
- DCC Reg. Ref. 0769/02 – permission **refused** for the construction of a 2-storey mews dwelling on lands to the rear of 76 Beechwood Avenue Lower, Ranelagh. Refusal reasons cited over development of a restricted site, injure residential and visual amenities of the area, exacerbate parking shortfall.
- DCC Reg. Ref. WEB2091/24 – permission **granted** for the demolition of single storey leant to return to the rear and construction of a new single storey extension at No. 78 Beechwood Avenue Lower, Ranelagh.
- DCC Reg. Ref. WEB1883/21 – permission **refused** for the internal modifications and first floor flat roof extension to rear to provide one new bedroom over kitchen at Elmgrove Cottage, Rear of 76, Beechwood Avenue Lower. Refusal reason cited unacceptable overlooking of private amenity areas of neighbouring dwelling, noncompliance with Section 16.10.12 of the Development Plan.

5.0 Policy Context

5.1. Dublin City Development Plan 2022-28

All proposed works are located on Z2 land-use zoning for Residential Neighbourhoods (Conservation Areas). The objective for Z2 zoning is “to protect and/or improve the amenities of residential conservation areas.” Residential use is permitted under the Z2 zoning in the Development Plan.

A small portion of the site consisting of the laneway to the north along the commercial premises is zoned as Z4 Key Urban Villages/Urban Villages in the

Development Plan. The objective for Z4 zoning is “to provide for and improve mixed-services facilities.” No works are proposed here.

Dwelling at No.65 Ranelagh is a Protected Structure (RPS No. 6922) noted in the record as a house off Beechwood Avenue Lower behind Ulster Bank building.

The following policies and objectives are relevant to subject site:

Policy QHSN6 Urban Consolidation – promote and support residential consolidation and sustainable intensification.

Policy QHSN10 Urban Density – promotes residential development at sustainable densities throughout the city

Objective QHSNO4 Densification of Suburbs –to support the ongoing densification of the suburbs and prepare design guide for innovative housing models, solutions for infill/ back-land / mews development/ refurbishment and attic conversion.

Policy BHA2 Development of Protected Structures - development will conserve and enhance protected structures and their curtilage and will: (inter alia)

(b) Protect structures included on the RPS from any works that would negatively impact their special character and appearance.

(c) Ensure that the form and structural integrity of the protected structure is retained in any redevelopment and ensure that new development does not adversely impact the curtilage or the special character of the protected structure.

(d) Respect the historic fabric and the special interest of the interior, including its plan form, hierarchy of spaces, structure and architectural detail, fixtures and fittings and materials.

(f) Protect and retain important elements of built heritage including historic gardens, stone walls, entrance gates and piers and any other associated curtilage features.

(g) Ensure historic landscapes, gardens and trees (in good condition) associated with protected structures are protected from inappropriate development.

Policy BHA14 Mews – *promotes the redevelopment and regeneration of mews lane... for sensitively designed, appropriately scaled, infill residential development, that restores historic fabric where possible, and removes inappropriate back-land car parking areas.*

Policy BHA24 Reuse and Refurbishment of Historic Buildings - *positively encourage and facilitate the careful refurbishment of the historic built environment for sustainable and economically viable uses...*

Following sections of Chapter 15, Development Standards, are relevant:

Infill development applications

Section 15.5.2 Infill Developments – are required:

- *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.*
- *In areas of low quality, varied townscape, infill development will have sufficient independence of form and design to create new compositions and points of interest.*
- *Ensure waste management facilities, servicing and parking are sited and designed sensitively to minimise their visual impact and avoid any adverse impacts in the surrounding neighbourhood.*

Section 15.6.13 Boundary Treatments - Details of all existing and proposed boundary treatments, including vehicular entrance details, should be submitted as part of any planning application.

Section 15.8 Residential Development - *While the minimum standards set within these sections will be sought in relation to refurbishment schemes, it is acknowledged that this may not always be possible, particularly in relation to historic buildings, 'living over the shop' projects, tight urban infill developments and in the city regeneration area designated under the Living City Initiative. In such cases, the*

standards may be relaxed subject to the provision of good quality accommodation, and where the proposal secures the effective usage of underutilised accommodation. It must be satisfactorily demonstrated that the internal design and overall layout is closely aligned to the specific needs of the intended occupiers.

Apartment applications

Section 15.9 Apartment Standards - *The Sustainable Urban Housing: Design Standards for New Apartments (December 2020) or any future amendment thereof sets out specific planning policy requirements (SPPR) for apartment developments.*

Section 15.9.2 Unit Size / Layout – *SPPR 3 sets out the minimum floor area of apartments.*

Section 15.9.3 Dual Aspect - *In prime city centre locations, adjoining or adjacent to high quality, high frequency public transport, 33% dual aspect may be accepted in locations where there are specific site constraints such as tight urban infill sites up to 0.25ha or where there is a need to maintain a strong street frontage.*

Section 15.9.6 Internal Storage - *Flexibility shall be provided in certain circumstances on a case-by-case basis.*

Section 15.9.7 Private Amenity Space - *Private amenity space shall be provided in the form of terrace, balcony or private garden and should be located off the main living area in the apartment. The minimum areas for private amenity are set out in Appendix 1 and Section 3.35 to 3.39 of the Sustainable Urban Housing: Design Standards for New Apartments (2020) for details.*

Section 15.9.8 Communal Amenity Space - *On refurbishment or infill sites of up to 0.25 ha, the communal amenity requirements may be relaxed on a case-by-case basis.*

Section 15.9.13 Refuse Storage - *Refuse storage should be accessible to each apartment stair/ lift core and be adequately sized to cater for the projected level of waste generation, types and quantities.*

Section 15.9.17 Separation Distances (Apartments) - *Separation distances between buildings will be assessed on a case-by-case basis. In all instances where the minimum separation distances are not met, each development will be assessed*

on a case-by-case basis having regard to the specific site constraints and the ability to comply with other standards set out within this chapter in terms of residential quality and amenity.

Section 15.9.18 Overlooking and Overbearance – *Overlooking may be overcome by a variety of design tools, such as:*

- *Building configurations (bulk and massing).*
- *Elevational design / window placement.*
- *Using oblique windows.*
- *Using architectural features.*
- *Landscape and boundary treatments.*

Dwelling house applications

Section 15.11 House Developments

Section 15.11.1 Floor areas - *Houses shall comply with the principles and standards outlined in Section 5.3: 'Internal Layout and Space Provision' contained in the DEHLG 'Quality Housing for Sustainable Communities – Best Practice Guidelines for Delivering Homes Sustaining Communities' (2007)..*

Section 15.11.2 Aspect, Daylight / Sunlight and Ventilation - *The orientation and layout of house units should maximise the use of natural daylight and sunlight as much as possible... Rear private garden should be sufficiently sized and orientated to ensure direct sunlight access is achieved for part of the day on March 21st. Living rooms shall not be lit solely by roof lights.*

Section 15.11.3 Private Open Space - *A minimum standard of 10 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 15.11.4 Separation Distances (Houses) - *Traditionally, a separation of about 22 m was sought between the rear first floor windows of 2-storey dwellings but this may be relaxed if it can be demonstrated that the development is designed in such a way as to preserve the amenities and privacy of adjacent occupiers.*

Back land development applications

Section 15.13.4 Back-land Housing identifies criteria to be considered for applications for back-land

Mews development applications

Section 15.13.5 Mews - *Many historic mews buildings remain within the curtilage of protected structures and are, therefore, also afforded statutory protection. ... Applications for mews development should consider servicing, including the impact on existing infrastructure such as waste and water systems.*

Section 15.13.5.1 Design and Layout - *distance between the opposing windows of mews dwellings and of the main houses shall ensure a high level of privacy is provided and potential overlooking is minimised. In such cases, innovative and high-quality design will be required to ensure privacy and to provide an adequate setting, including amenity space, for both the main building and the mews dwelling.*

Private open space shall be provided to the rear of the mews building to provide for adequate amenity space for both the original and proposed dwelling and shall be landscaped so as to provide for a quality residential environment.... If the main house is in multiple occupancy, the amount of private open space remaining after the subdivision of the garden for a mews development shall meet both the private open space requirements for the main house divided into multiple dwellings and for mews development.

Section 15.13.5.4 Access - *Car free mews developments may be permitted in certain circumstances where there are specific site constraints and where alternative modes of transport are available...*

Protected Structure applications

Section 15.15.2.3 Protected Structures - *Works to a protected structure should be carried out in accordance with the Architectural Heritage Protection Guidelines for Planning Authorities (2011) and the Conservation Advice Series published by the Department of Housing, Local Government and Heritage*

All planning applications for development/works to Protected Structures must provide the appropriate level of documentation, including an Architectural Heritage Impact

Assessment, in accordance with Article 23 (2) of the Planning and Development Regulations, 2001 (as amended) and chapter 6 and appendix B of the 'Architectural Heritage Protection Guidelines for Planning Authorities' (2011), to assist in the assessment of proposals.

Section 15.15.2.7 Fire Safety Works and Protected Structures - *Applications for fire protection works shall be guided by the principles of minimum intervention to the historic fabric and the reversibility of alterations, where achievable.*

Appendices

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

Appendix 5 Transport and Mobility: Technical Requirements

Appendix 16 Sunlight and Daylight

Appendix 18 Ancillary Residential Accommodation

5.2. **Ministerial Guidelines: Sustainable Residential Development and Compact Settlements Guidelines 2024**

Table 3.1 - Areas and Density Ranges Dublin and Cork City and Suburbs

City - Urban Neighbourhoods - The city urban neighbourhoods category includes: (i) the compact medium density residential neighbourhoods around the city centre that have evolved overtime to include a greater range of land uses, (ii) strategic and sustainable development locations, (iii) town centres designated in a statutory development plan, and (iv) lands around existing or planned high-capacity public transport nodes or interchanges (defined in Table 3.8) – all within the city and suburbs area. These are highly accessible urban locations with good access to employment, education and institutional uses and public transport. It is a policy and objective of these Guidelines that residential densities in the range 50 dph to 250 dph (net) shall generally be applied in urban neighbourhoods of Dublin and Cork.

SPPR 1 - Separation Distances - *When considering a planning application for residential development, a separation distance of at least 16 metres between opposing windows serving habitable rooms at the rear or side of houses, duplex units and apartment units, above ground floor level shall be maintained. Separation distances below 16 metres may be considered acceptable in circumstances where there are no opposing windows serving habitable rooms and where suitable privacy measures have been designed into the scheme to prevent undue overlooking of habitable rooms and private amenity spaces.*

SPPR 2 - Minimum Private Open Space Standards for House - *proposals for new houses meet the following minimum private open space standards:*

2 bed house 30 sq.m

3 bed house 40 sq.m

For building refurbishment schemes on sites of any size or urban infill schemes on smaller sites (e.g. sites of up to 0.25ha) the private open space standard may be relaxed in part or whole, on a case-by-case basis, subject to overall design quality and proximity to public open space.

SPPR 3 - Car Parking -

(i) In city centres and urban neighbourhoods of the five cities, defined in Chapter 3 (Table 3.1 and Table 3.2) car-parking provision should be minimised, substantially reduced or wholly eliminated. The maximum rate of car parking provision for residential development at these locations, where such provision is justified to the satisfaction of the planning authority, shall be 1 no. space per dwelling.

SPPR 4 - Cycle Parking and Storage –

(i) Quantity – in the case of residential units that do not have ground level open space or have smaller terraces, a general minimum standard of 1 cycle storage space per bedroom should be applied. Visitor cycle parking should also be provided.

(ii) Design – cycle storage facilities should be provided in a dedicated facility of permanent construction, within the building footprint or, where not feasible, within an adjacent or adjoining purpose-built structure of permanent construction.

5.3. Ministerial Guidelines: Planning Design Standards for Apartments Guidelines for Planning Authorities, 2025

SPPR 2 - *The following minimum apartment floor areas shall apply and statutory plans shall not specify minimum floor areas that exceed the minimum floor areas set out below:*

- *Studio apartment (1 person) - 32sqm*
- *1-bedroom apartment (2 persons) – 45sqm*

The Guidelines allows for relaxation of minimum open space requirements, minimum dual aspect ratios, minimum internal storage requirements and other standards for refurbishment schemes or urban infill schemes on sites of up to 0.25ha.

Section 6.1 states “*Planning authorities are requested to practically and flexibly apply the general requirements of these Guidelines in relation to refurbishment schemes, particularly in historic buildings, some urban townscapes and ‘over the shop’ type or other existing building conversion or refurbishment projects, where property owners must work with existing building fabric and dimensions. Ultimately, Building Regulations must be complied with, and planning authorities must prioritise the objective of more effective usage of existing underutilised accommodation, including empty buildings and vacant upper floors.*”

Appendix 1: Variation of up to 5% can be applied to widths and floor areas in all apartment types, subject to overall compliance with required minimum overall apartment floor areas.

5.4. National Planning Statement: Planning Design Standards for Apartments, Draft, June 2026

The Statement is in draft stage at present. The proposed development is not impacted by the proposed amendments in the Draft Statement.

5.5. Quality Housing for Sustainable Communities, Best Practice Guidelines, 2007

Section 5.3.2, Table 5.1 and Table 5.2 sets out the space requirements and room sizes for dwellings. The following requirements are relevant to subject application:

2 Storey Dwelling Type	2 BED/4Person House	3 BED/6Person House
Target Gross Floor Area	80 sqm	100 sqm
Min. Main Living Room	13 sqm	15 sqm
Aggregate Living Area	30 sqm	37 sqm
Aggregate Bedroom Area	25 sqm	36 sqm
Storage	4 sqm	6 sqm
Area of double bedroom	11.4 sqm	11.4 sqm
Min. main bedroom area	13 sqm	13 sqm
Min. living room width	3.6 m	3.8 m

5.6. Ministerial Guidelines: Architectural Heritage Protection Guidelines for Planning Authorities, 2011

Section 6.8.6 Discourage infilling of gardens of architectural or historical interest: *Open spaces such as these have a function in the natural illumination and ventilation of a densely developed urban area. Where surviving plot-divisions remain in the older areas of towns, these can be of historic interest as indicators of the original layout of the area... They may even contain historic fabric and these structures, and their precise alignment should be respected by any new development.*

Section 7.12 Ensuring Reversibility of Alterations: *Ideally, permitted works which affect the character and special interest of a protected structure should be reversible and such works considered temporary, to be reversed when circumstances allow. Such works might include the subdivision of important rooms or spaces within the interior of a protected structure.*

5.7. Natural Heritage Designations

South Dublin Bay SAC (Site Code 000210) and South Dublin Bay and River Tolka Estuary SPA (Site Code 004024) is located c.3.05km of the site.

6.0 EIA Screening

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

7.0 The Appeal

7.1. Grounds of Appeal

This is a first party appeal against the decision of the Planning Authority to refuse permission. The appeal grounds can be summarised as follows:

- Planning Authority has failed to adequately consider the constrained infill/back land /mews development site where a degree of flexibility is allowed.
- Insufficient regard to the pre-1963 residential status of the units. These shouldn't be assessed against modern apartments standards.
- Similar forms of back land /mews type development already existing in the area. – Reg. Ref. 2582/21 rear of No. 45 Dunville Avenue, ABP – 308189 -20 similar pre 63 development in North Circular Road.
- Additional information could have addressed the concerns raised by Conservation, Drainage and Transportation Departments.
- Alternate proposals submitted with reduction in new infill dwellings and increased separation distance between existing and proposed dwellings.
- Valuation records and electoral register data for voters from 1962-1975 show that the existing dwelling was in use as 6 no. flats prior to 1963.
- Overall development is maintained as car-free given the good access to public transport. Access to the new dwellings to be provided via the pedestrian access gate from Beechwood Avenue Lower.

- The proposed new structure blends in with the existing buildings and is designed to modern living standards and high levels of residential amenity.
- Subject site is located within the Dublin City built footprint in the MASP – compact growth, adaptation, reuse, intensification of existing site, brown field and infill development is proposed within existing built-up footprint of the city.
- The development will create a density of c.172units per ha which is acceptable on ‘city urban neighbourhood’ site locations as per Table 3.1 of the Compact Settlement Guidelines, 2024
- The 8m separation distance is consistent with the historic grain and compact urban character of the site and compliance with SPPR1 for separation distance.
- The proposed dwellings are provided with a total private open space of 44.5sqm with 27sqm provided to the rear as a terrace at lower ground level, along with 9 sqm front court and 8.5sqm rear balcony in excess of SPPR2 Minimum Private Open Space Standards for 2 bed dwellings.
- The strong bus and cycling network support a car free development and in accordance with SPPR3 on Car Parking.
- The proposed units comply with the space standards set within the Quality Housing for Sustainable Communities Guidelines, 2007.
- Development complies with the mews development guidelines, back land housing guidance and Policy BHA9 within the Development Plan.
- In response to the refusal, the applicant has submitted revised alternative proposals for a reduced infill development with a width of 7.3m compared to the previous width of 9.5m.

7.2. Planning Authority Response

DCC response received note the following

- Request the Commission to uphold decision to Refuse Permission.
- If permission is granted DCC request the conditions regarding Section 48 contributions, social housing, and naming/numbering to be included.

8.0 **Assessment**

8.1. Having examined the application details and all other documentation on file, including the report of the local authority made at application stage, 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
- Residential Amenity
- Built Heritage
- Other Matters
- Conclusion

8.2. **Principle of Development**

8.2.1. The proposed development includes refurbishment works to the existing early 19th century structure on site (now known as Rere of 65 Ranelagh) and for the construction of new infill dwellings to its rear. The site is located within Z2 - Residential Neighbourhoods (Conservation Areas) land use zoning with an objective "to protect and/or improve the amenities of residential conservation areas." Residential use is permitted under the Z2 zoning in the Development Plan. The applicant has stated that the building has been operating as multiple residential units prior to 1963 and therefore should be considered under the provisions of a non-confirming use. This was not contested by the Planning Authority in their assessment. The use of the existing structure on site for multiple occupancy is therefore considered acceptable in principle. Subject to compliance with the overall policies and objectives of the Development Plan the principle of proposed development is acceptable on subject site.

8.3. **Residential Amenity**

8.3.1. Refurbishment of existing building: The existing building on site is a 2 storey over basement structure which is listed in the Record of Protected Structures (RPS No. 6922) in the Dublin City Development Plan 2022-28. Currently the protected building

is in multiple occupancy, operating as 6 no. self-contained units (2no. units on each floor). On site visit, I was able to access the 2 no. basement units and one of the existing units at first floor level. I found the building in poor shape and in need of extensive repair/restoration works. The proposed works would include the demolition of a non-original, 2storey, flat roof rear extension to the Protected Structure measuring c.19.9sqm. The applicant has not included a demolition plan identifying the proposed demolition works. However, it is noted that the outline of the proposed demolition works are noted in the floor plans. The proposed refurbishment works includes restoration of original features of the house and upgrades to elevational treatment of the building, such as restoration of non-original window replacements, blocking of non-original openings along the front and rear elevations etc. The impacts to the built heritage will be assessed in detail in the section below.

- 8.3.2. The proposed revised arrangement for the protected building would not reduce the occupancy level as it will still provide for 6 no. units. The applicant has stated that the modifications to the layout will make more efficient use of the existing space as it requires less interference with the original fabric. The main entrance door and stairs along the front elevation is retained as access for the upper floor levels. Rear access to the site is proposed via a new shared entrance from the existing rear laneway. The lower ground floor units are provided with own door access via new glazed double door openings along the rear elevation from the rear garden terraces. The existing internal stairwell is retained to serve the proposed first floor apartment units. All other access arrangements are retained within the revised arrangements.
- 8.3.3. The revised arrangement will see the removal of all existing non-original, internal partition walls, and the provision of a new central pod within each unit separating the kitchen/living and bedroom areas. The table below assesses the internal floor areas of the modified units against the required standards for 1-bed apartment units as per the Planning Design Standards for Apartments Guidelines for Planning Authorities, 2025. As per Section 15.9 of the Development Plan, apartment developments are to be assessed as per any future amendments of the Apartment Guidelines.

	Dimensions of refurbished units (6 no.)
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Requirement for 1 bed apartments		Provided	Compliance
Total floor area	45 sqm	31 – 37.8sqm	None comply. Falls 16-31% below min.
Min. width living/dining	3.3m	3-4sqm	66% of units comply. 9% below min
Min. width, area bedroom	2.8m wide, 11.4sqm	2.85-3.3m wide, 12.2 -14.5sqm	Complies
Min. storage	3 sqm	1.4- 3.2sqm (approx.)	One unit 16% complies. Falls 33-56% below min
Min. private amenity	5 sqm	10sqm only for LG units	33% of units comply

8.3.4. It is noted that none of the indicated storage areas are capable of storing relatively large items. I acknowledge that some additional storage has been provided in the shared hallway for the basement units. Further additional storage can be provided in the rear amenity area. The 2025 Apartment Guidelines allows for variation of up to 5% to the widths and floor areas of apartments, subject to overall compliance with the required minimum overall apartment floor areas. The overall apartment floor areas fall below the apartment standards for all refurbished units and therefore the proposed design is not appropriate for the application of this relaxation. Although, the proposed refurbishment works would significantly improve the existing floor arrangement, a reduction in the number of units provided within the Protected Structure could have further improved the residential amenity and quality of living for the future residents of the building.

8.3.5. Rear garden area: Currently, the entire rear garden area is in two levels, the lower hard surfaced area is directly accessible from the basement level, and the upper grassed area is accessed via stairs from the upper ground floor. Currently the grassed area contains some garden structures and 3 no. trees. The trees are mature

with good canopy cover, which provides for visual cover and privacy for the rear amenity area. An Arboriculture report was submitted at the application stage to the Planning Authority. The report states that all 3 no. trees (2 no. Sycamore and 1 no. Pear) within the site are Category C of low quality and would require removal to facilitate development or due to their condition. Replacement trees are recommended. This is considered acceptable given their location are impacting structural stability of the retained boundary wall (western). If permission is considered for the proposed development, it is recommended that a condition is included requiring the tree removals to be undertaken outside of the nesting season. The rear garden is bound by c.1.8m high, rough cast, rounded top, rubble/masonry walls and currently includes a large metal gate at the southwest corner opening onto the rear laneway. This gate and the entire eastern boundary wall are proposed to be removed and replaced with timber/aluminium wall as part of the proposed development.

- 8.3.6. Except for the lower ground floor (basement) units, none of the refurbished units are provided with private amenity spaces. The applicant has stated that the front court area will be accessible to the residents. I do not consider this area to provide for good quality, usable amenity space for its residents given its, constrained nature, north facing aspect and its shared status with the restaurant unit. The existing rear garden, approximately c.260sqm in area, is currently used as communal amenity area for the existing residents of the protected building. With the proposed construction of the infill dwellings, this rear garden area will reduce to c.1.3m -2.2m wide corridor that accommodates the new shared entrance from rear laneway, entrance to the 2 no. new dwellings, bin stores and bike store area. The remaining area can only be considered as a transient space and therefore would not qualify as quality open space for future residents. The Planning Authority in its assessment also raised significant concerns with regard to the loss of rear garden communal open space for future residents of the Protected Structure. The Commission shall note that the Planning Design Standards for Apartments Guidelines for Planning Authorities, 2025, allows for the relaxation of design standards, such as minimum private/communal amenity space, internal storage, and dual aspect requirements for refurbishment schemes and smaller sites such as these with an area less than c.0.25ha. The subject site with a stated area of c.0.046ha would qualify for this exemption. However, I consider the proposed level of reduction in private/communal

amenity space to be significant and to result in inadequate residential amenity for residents of the protected structure.

8.3.7. Proposed new dwellings: The application made to the Planning Authority included proposals to construct 2 no. semi-detached, 2-storey, infill dwellings, with a stated floor area of c.91sqm, within the existing rear garden area. The units are proposed to extend across the entire width of the site, c.12.5m and placed on top of the retained/replaced boundary wall. It appears, that only the western boundary wall is proposed to be retained. The proposed 2 no. dwelling units will have an upside-down arrangement with bedrooms provided at ground level and kitchen/living/dining area provided at upper floor level. Windows are only proposed along the northern and southern elevation addressing the Coach house to the rear and existing building to the front. The 2 no. new semi-detached units are proposed to have a modern design with a hipped/mansard style roof that extends over the proposed rear / south facing recessed balconies and is flush with the side facades. The roof and upper floor side elevations of the dwelling are proposed to have standing-seam metal finishes. The rear roof profile has two different pitches to incorporate a large roof light proposed at the nave of the roof to allow natural lighting for the proposed living/kitchen/dining area at first floor level. I do not consider the proposed finishes or design to be inappropriate for the site. The proposed new dwelling is unlikely to result in any visual impact along Beechwood Avenue Lower or Ranelagh Road.

8.3.8. The floor area requirements of proposed new dwellings are assessed against the 'Sustainable Residential Development and Compact Settlements Guidelines' 2024 and 'Quality Housing for Sustainable Communities, Best Practice Guidance', 2007. The applicant has provided a detailed response addressing the requirements in the submitted documentation. Compliance of the design against the required standards is demonstrated in the table below:

Requirements for 2 BED/4Person dwelling type		Dimensions of new infill dwellings (2 no.)	
		Provided	Compliance
Target Gross Floor Area	80 sqm	91 sqm	Complies
Min. Main Living Room	13 sqm	9.6 sqm (approx.)	Falls 26% below min.

Aggregate Living Area	30 sqm	32 sqm	Complies
Aggregate Bedroom Area	25 sqm	23.2 sqm	Falls 6% below min.
Storage	4 sqm	5.9 sqm	Complies
Area of double bedroom	11.4 sqm	11.6 sqm	Complies
Min. main bedroom area	13 sqm	11.6sqm	Falls 10% below min.
Min. living room width	3.6 m	3.45 m	Falls 4% below min.
Private open space	30 sqm	23 sqm, 27sqm (excl. balcony 8.5sqm)	Falls 23% - 10% below min. (Complies when balcony is included)

8.3.9. The proposed design does not comply with the floor area requirements for a 2-bedroom dwelling, as the total bedroom area and living room area falls below the required standards. Each of the dwellings are provided with separate private open space at ground level and balconies at first floor level along the rear elevation. The rear garden will have a depth between 4.8m to 3.2m and is enclosed on all sides, with the rear elevation of Coach House to the south, and by the existing/replaced boundary wall (1.85m tall) to its sides. The proposed balconies are recessed and extends, c.1.4m onto the ground floor space, thereby further restricting the daylight entering the building. Section 15.11.2 of the Development Plan require that orientation and layout of houses should maximise use of natural daylight as possible. Rear gardens are also required to be orientated to ensure direct sunlight access for part of the day on March 21st. Due to the site orientation the proposed rear gardens would only receive restricted daylight mostly during the early hours of a day. I am of the opinion that although the proposed private amenity areas meet the required quantity standards (when balcony is included), they would not meet the quality standards to provide a high standard of external amenity for the residents. Section 15.11.3 and Section 15.8 of the Development Plan, allows for the relaxation of

residential standards on a case-by-case basis subject to qualitative analysis of the development. Given the overall non-compliance with the space standards, poor quality accommodation standards and relationship with the main structure on the site (discussed further below), I do not consider the proposed design to be appropriate for the application of this relaxation

8.3.10. Separation Distance: The proposed infill dwellings directly address the rear elevation of Coach House a residential building to its rear. This building currently has no window openings along its rear elevation and therefore there is no potential for direct overlooking issues. Although the proposed rear balconies at first floor level can result in indirect overlooking issues onto the rear elevation of neighbouring properties to the side, these are mitigated to some measure by the extended side walls. No windows are being proposed along the side elevation of the dwelling. I therefore do not consider any potential overlooking issues with the rear elevation of dwellings along Beechwood Avenue Lower or Ashfield Road.

8.3.11. The northern elevation of the proposed infill dwellings would directly address the rear elevation windows of the protected structure serving habitable rooms, at a separation distance of c.8.2m. This is well below the minimum separation distance set out within the Development Plan standards or SPPR 1 of Sustainable Residential Development and Compact Settlements Guidelines 2024. As per the elevation drawings submitted, full-scale windows, c.1.5m wide and c.2.1m tall, are proposed along the front elevation of the new dwellings. It is acknowledged that the floor levels of the proposed and existing building on site are not aligned due to the difference in site levels. The applicant has also proposed some privacy measures such as timber/aluminium fins, covering vertically, half of the proposed full-scale windows along the front elevation of the infill dwellings. As per the Guidelines a reduction in separation distance can only be considered on sites where there are no opposing windows serving habitable rooms and where suitable privacy measures have been designed into scheme. I do not consider the proposed privacy measures to be suitably robust to prevent undue overlooking issues between existing and proposed units. As per Section 15.9.17 of the Development Plan reduced separation distance can be considered where there are specific site constraints and where compliance is demonstrated in terms of residential quality and amenity. As discussed earlier, I do

not consider the proposed design to provide for a high-quality residential amenity and therefore the scheme is not appropriate for the application of this relaxation.

- 8.3.12. Daylight/Overshadowing: The new dwellings are proposed to have a combined roof with a ridge height of c.7.02m. With regard to neighbouring sites, I note the rear garden of units along Beechwood Avenue Lower to contain a number of single storey structures. Given, the dense suburban nature of the site, I do not consider the level of overshadowing impacts to be significant onto the neighbouring sites. However, given the site orientation, I consider the new dwelling to result in significant overshadowing of proposed rear amenity areas and basement units of the protected building.
- 8.3.13. Section 15.13.4 Backland Housing: The refusal reason by Planning Authority state that the proposed development is contrary to Section 15.13.4 of the Development Plan on backland development. Section 15.13.4 requires new backland developments to be located not less than 15m from the rear façade of existing dwelling and with a minimum rear garden depth of 7m. The proposed development does not comply with this requirement. Relaxation to the standards set under Section 15.13.4 are acceptable where sufficient open space is provided to serve the proposed dwelling and where the proposals do not negatively impact adjoining residential amenity. In subject application, the proposed and existing units are not provided with satisfactory standard of external amenity areas. The proposed dwelling unit is also likely to result in overlooking and overshadowing impacts onto residential units provided within the Protected Structure. Therefore, I do not consider the proposed development to satisfy the requirements set for backland developments set under Section 15.13.4 of the Development Plan.
- 8.3.14. Revised Arrangement for new dwellings: The applicant has submitted a revised arrangement in the appeal, reducing the number of infill dwellings from 2 no. 2 bed, semi-detached units to 1 no. 3 bed, detached, 2 storey dwelling with a reduced footprint of c.154sqm increasing the separation distance between the existing and proposed dwelling from 8.2m to 11.5m,. The increased separation distance is also paired with amendments to the floor plan reducing the depth of the house from c.9.54m to c.7.3m. The ground floor is amended to now serve 3 no. bedrooms with the ancillary spaces like WCs and hallway located to the front. A separate access is proposed for the infill dwelling from the rear laneway in the revised arrangement.

It is noted that the revised proposals are generally in compliance with the internal floor area standards set out within 'Sustainable Residential Development and Compact Settlements Guidelines' 2024 and 'Quality Housing for Sustainable Communities, Best Practice Guidance', 2007. The exception is the minimum living room width. Private open space of 36.7-sq.m. along with 11.9-q.m. balcony, would generally meet the 40-sq.m. requirement of the guidelines.

8.3.15. I note that the revised proposals would still include a substantial level of glazing along its front elevation directly overlooking the rear elevation of existing structure on site. Given that the separation distance is still well below the minimum required by section 15.13.4 of the Development Plan and SPPR1, I would still envisage significant level of overlooking issues between the existing and proposed dwelling. The revised layout will see a very compact rear open space for the infill dwelling, measuring c.36.7sqm and addressing the rear elevation of the Coach House. Although, no overlooking issues are envisaged to the rear, I would have concerns regarding the daylight levels achieved by the revised rear amenity space. In addition to the ground floor open space the applicant has proposed a three-sided balcony at first floor level directly accessible from the kitchen/dining areas measuring 11.9sqm. Much of this space is unusable due to its tapering width which reduces from c1.795m to c.0.2m across the width of the house. More than half of the balcony is less than 1m in width. The revised proposal will retain a substantial portion of the upper rear garden area of the protected structure, c.51sqm (excluding the lower ground terraces, and bin stores areas). Although this area could serve as a communal amenity space for the refurbished apartment units, it will have substandard quality owing to the significant level of overlooking and overshadowing impacts from the proposed infill dwelling.

8.3.16. Density: The development, as proposed to the Planning Authority, would result in a total of 8 units on subject site resulting in a net density of 172 dwellings per hectare (dph). The revised arrangement of 1 no. 3 bed infill dwelling will see the density reduced to 150 dwellings per hectare. The site location can be categorised as 'City Urban Neighbourhoods' of Dublin City Suburbs and as per Table 3.1 of the 'Sustainable Residential Development and Compact Settlements Guidelines' 2024, densities in the range of 50 dph to 250 dph (net) are generally applicable on such sites. The proposed density levels are therefore acceptable at this location.

8.3.17. Car/ Bike Parking: The proposed development is to be maintained as a car free development with only bicycle parking provided for future residents. The subject site is located within 450m of Ranelagh Luas Stop and therefore can be considered as an 'Accessible Location' as per Table 3.8 of the 'Sustainable Residential Development and Compact Settlements Guidelines', 2024. SPPR3 of the Guidelines, support the elimination of car parking in new developments located in urban neighbourhood locations. Therefore, I consider the omission of car parking to be acceptable in principle at this location for the proposed scale of development. As per the site layout submitted to the Planning Authority, each mews dwelling is to be provided with 5 no. bike parking each and the units in the protected structure are to be provided with 9 no. bike parking spaces within the rear amenity area. Cycle parking is shown as semi-vertical stands on the elevation drawings and uncovered. The DCC Transportation Section's report requested for additional bike parking for the existing units on site and provisions for cargo bike parking. As per the revised proposals the new infill dwelling is to be provided with 5 no. bike parking, and no changes have been made to the bike parking provision for the protected structure. If permission is considered, additional bike parking should be agreed in writing with the Planning Authority prior to commencement of works.

8.4. **Built Heritage**

8.4.1. Protected Structure: The application site is located to the rear of a 2 storey, commercial building at No. 65 Ranelagh along the southern side of R117, Ranelagh Road. The existing multiple occupancy building on site is a listed protected structure (RPS 6922), was built in the early 19th century and predates the commercial building which was built around 1960. The 1960s subdivision of the site for the construction of commercial unit of the site has done much damage to the historic setting and curtilage of the protected structure. The outline of the protected structure, denoted as 'Elm Grove and Pleasant Villa', is visible on the first edition, 6-inch, Ordinance Survey maps (1829-1837) and shows all of the site from Ranelagh Road (then Cullenswood Road) to the rear laneway as included within the curtilage. The Coach House building and dwellings along Beechpark Avenue Lower only appears in the

Fourth Edition of the Ordinance Survey Map (1912). The current extent of the rear garden has remained free of development following this period.

- 8.4.2. The DCC Conservation Officer's report supports the principle of infill development within the curtilage of the protected structure. The report also acknowledges that there is conservation gain from the proposed works such as reversal of some of the non-original extensions, reinstatement of internal timber panelled doors, architraves, general repair of elements and replacement of non-original windows. However, serious concerns are raised with regard to the overall number of units proposed in the scheme, as it will further intensify the associated servicing required. Although the revised proposal would reduce the number of new infill dwellings proposed on site, no changes were made at appeal stage to the arrangement within the protected structure.
- 8.4.3. Conservation Method Statement: The submitted Conservation Method Statement was prepared by a Grade 2 Conservation Architect. The Conservation Statement includes some photographic record of the interior of the structure and a very brief impact assessment of the proposals. However, the photographs appear to be cropped incorrectly and do not show sufficient details of the building. On site visit I noted several surviving historic elements within the building, such as ceiling rose, decorated architraves, stair balustrade, plaster work along the hallway and upper floors, original fireplaces, elements of original sash windows on some floors, pilasters, and fanlights. It was not clear if there are any remaining original floorboards.
- 8.4.4. Some of the smaller surviving historic fireplaces are denoted as to be blocked up in the proposed floor plans. These are however not discussed in the statement. The Statement has also not discussed the impacts of the proposed infill dwelling to the historic curtilage of the building. The status of the boundary wall and its contribution to the historic setting is also not discussed in the statement. Although general roof repairs are proposed as part of the development, no further details have been included in the statement regarding the scale of repair works. The Conservation Method Statement is therefore lacking in information and does not provide a clear picture on surviving historic fabric.

- 8.4.5. The DCC Conservation Officers report also notes that the applicant has submitted insufficient information on the historic boundary walls proposed to be removed, details of proposed demolition work, insufficient details shown on submitted photographs (regarding original chimneys, architraves), lack of information regarding surviving historic plaster detailing, location of any surviving historic floorboards etc. The Department of Housing, Local Government and Heritage has commented on the application and in general reflects the recommendations made by the Conservation Officer. If permission is considered, the Department asks that the details be agreed with the Planning Authority post consent at compliance stage.
- 8.4.6. Impact Assessment: There are currently no original windows remaining and the applicant has proposed to refurbish all remaining sash window boxes and replace all non-original PVC windows with painted one-over-one, timber sash windows. A number of smaller windows, that were inserted at a later stage, are proposed to be removed and walls to be repaired using matching brick finishes to the front and render finishes to the rear. The proposed replacement of non-original doors with historically accurate timber panelled doors would also positively impact the character of existing structure. Currently the floors are covered in vinyl. The Conservation Statement state that any original floorboards that are found will be carefully lifted, numbered, recorded and reinstated post construction works.
- 8.4.7. The proposed reconfiguration of internal partitions would to an extent restore the historic room volumes. The reconfigured design will see a central pod erected in each unit to separate the kitchen/living area from the bedroom area without room partitions using sliding doors. The central pods extend upto the ceiling in the lower ground and first floor levels. However, in the upper ground floor level these will only extend to c.2.5m height, whereas the floor to ceiling height is c.3.63m. It would appear that the proposed bathroom at upper ground floor level, is to be located directly under the original ceiling rose and the large fireplace at ground floor would overlook a narrow corridor, c.0.5m wide. For the first-floor units, 2 no. bathrooms are provided within the stair landing at the top with individual access from both units. A new rooflight insertion is proposed along the front roof plane to serve the proposed bathroom at first floor level. Installation of roof light along the front slope of a protected structures principal roof is not generally supported. The impacts of these interventions are not discussed in the Conservation Statement. The Conservation

Statement claims that existing service routes will be used where possible to minimise effect on historic fabric. However, the relocation of WC and kitchens from their existing locations will require services to be run through different sections of the historic walls. MEP services drawing has not been provided to show the proposed routes. I therefore do not consider the Conservation Method Statement to have provided a robust assessment of the potential impact the fabric and structure of the building.

- 8.4.8. It is acknowledged that the proposed refurbishment works would reverse some of the unsympathetic works carried out at the site and create a positive impact on the historic character of the protected structure. However, the applicant has submitted insufficient information to assess the extent of impacts from the proposed scale of works and their likely impacts on the special character of the protected structure. This is a potential new issue as it was not cited as a refusal reason by the Planning Authority. The Commission may wish to seek the views of the applicant. However, having regard to the other substantive reasons for refusals set out below, it may not be considered necessary to pursue the matter.
- 8.4.9. Regarding the proposed infill development, I concur with the Conservation Officer's conclusion that the site is capable of subdivision. However, I would have concerns with the extent of the infill dwelling and its impact to the historic site curtilage. The submitted drawings show the retained western boundary walls as being incorporated into the proposed new dwelling. It is understood that the entire rear section of the eastern boundary wall along the rear laneway is to be removed to accommodate the proposed works. The applicant's conservation statement has not commented on the impact of the proposed infill development on the site curtilage. The contribution of the rear garden and boundary walls to the special interest of the protected structure should have been part of the Impact Assessment. Policy BHA2 of the Development Plan seeks to protect and retain important elements of built heritage including historic gardens, stone walls, entrance gates, piers, trees (in good condition) associated with the protected structures from inappropriate development.

8.5. Other Issues

- 8.5.1. Accessibility: Currently, there is no vehicular access to the site from the public road. As mentioned earlier, access to the site is only via a pedestrian entrance, c.1.7m wide, located to the side of the commercial building from R117 and via the shared laneway, c.2.1m wide, to the rear of the site from Beechwood Avenue Lower. The rear laneway includes an arched feature restricting the height of vehicles. This shared laneway is also the primary access for other mews developments that fronts on to the path. A number of objections raised at planning application stage note the lack of access to the site and parking issues along Beechwood Avenue Lower. The Transportation Planning Division of DCC on assessing the application had sought details on the current bin arrangements along the rear laneway, emergency vehicular access to the proposed new dwelling, increase in bike parking for existing apartment units and a construction management plan.
- 8.5.2. In response the applicant has submitted a Transport Statement and an Outline Construction Management Plan with the appeal documentation. The Construction Management Plan does not discuss any specific precautionary for undertaking works to the protected structure. The Construction Management Plan in Section 2.6 mentions the use of rigid trucks, concrete delivery trucks, concrete pumps, scissor, boom and forklifts for carrying out construction works at the site. However, Section 2.7 and 5.1 state that only smaller service vehicles such as trolleys, forklifts, will be used along Beechwood Avenue Lower. It is unclear if concrete delivery trucks and rigid trucks are to deliver material for the works and how these will access the site. The Plan states that the site offices and construction compounds are proposed to be located within the site boundary. But no drawings have been submitted to show where they are to be located. Skips are proposed for waste disposal. Given the scale of proposed demolition and refurbishment works, further clarity is required on how the materials will be removed via the narrow laneway and access road. Overall, the Construction Management Plan, provides some details on how works can be carried out on the restricted site, however, I would have concerns regarding the lack of detail and contradicting information provided in the report.
- 8.5.3. Emergency access and construction traffic access has been assessed within the submitted Transport Statement. A SWEPT path assessment has been completed for a small digger/construction vehicle and an ambulance along the laneway. The front section of the new dwelling is shown to be located within the 45m radius of the main

road for Fire Truck access. Although, the applicant has sufficiently addressed some of the concerns raised by the Transportation section of DCC, it is unclear how the construction works are to be carried out particularly with regard to the delivery/disposal of materials.

- 8.5.4. Although, not noted in the application documentation, the existing gated laneway from Ranelagh Road (R117) was also observed to serve the commercial premises to the front of subject site. On site visit I noted several commercial sized bins serving the restaurant located along this shared access. Staff of the restaurant were also found carrying cooking instruments through the subject site along the shared access to the rear extension of the restaurant building. There are other factors applicable to the subject development further restricting access to subject site. The rear laneway from Beechwood Avenue Lower, is shared between a number of other residential units. A number of these units store their bins along this laneway which further restricts the width and accessibility of the laneway. The Construction Management Plan has not addressed how third-party bins placed along the laneway would be managed during construction phase. The applicant has not satisfactorily demonstrated how the proposed works can be carried out on subject site without compromising the safety of neighbouring dwellings and associated goods.
- 8.5.5. Bin storage. At the planning application stage, the site layout denoted bin storage along the eastern side boundary wall replacing the existing masonry wall here. The drawings denote the proposed replacement boundary wall to include individual bin access doors along the laneway. The submitted drawings show 9 no. standard wheelie bins allocated to serve the existing units, 3no. within the front courtyard and 6no. along the rear terrace. The proposed new dwellings are provided with 3 no. wheelie bin stores within the shared access path between the existing and proposed structures. The revised arrangement still shows a total of 15no. bins, 12no. allocated to existing units and 3 no. for the infill dwelling. I do not consider the proposed storage area to be sufficient to cater the existing units. It is not clear from the drawings if the bin stores are enclosed. The location of the bin stores next to the rear terrace is also a concern, owing to likely visual and odour impacts.

- 8.5.6. Part V: The applicant has received a Social Housing Exemption Certificate from the Planning Authority for refurbishment to existing structures and construction of 2 no. infill dwellings to the rear of the site.

8.6. **Conclusions**

- 8.6.1. The proposed design does not comply with the floor area requirements for a 2-bedroom dwelling, the private open space, total bedroom area and living room area falls below the required standards. The revised proposal for a new 3-bed infill dwelling, has not sufficiently addressed or reduced the overlooking impacts between the existing and proposed new dwellings within the site. The new dwelling will have poor quality external amenity areas and result in significant overlooking/overshadowing impacts onto residential units provided within the protected structure. I acknowledge that the proposed restoration works to the protected structure, would result in some positive impact to the special character of the building. However, the extent of impacts to the historic fabric and special architectural interest is unclear from the submitted information. It is also noted that the applicant has not been able to demonstrate satisfactorily that necessary precautionary measures would be taken to carry out construction works safely on site without impacting adjoining/existing residential dwellings. Given the cumulative impact of the proposed works, it is recommended that permission be refused.

9.0 **AA 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 subject site is not located within a designated site, with the nearest site being South Dublin Bay SAC (Site Code 000210) and South Dublin Bay and River Tolka Estuary SPA (Site Code 004024) is located c.3.05km of the site.
- 9.3. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site.
- 9.4. The reason for this conclusion is as follows:

- Scale and size of the proposed development within an existing urban setting.
- The lack of connections to the SAC.
- Connection to public water, drain and sewer.

9.5. I conclude, on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required.

10.0 Water Framework Directive

- 10.1. An assessment of the proposed development has been undertaken with regard to the objectives set out in Article 4 of the EU Water Framework Directive.
- 10.2. Having considered the nature, scale, and location of the proposed development, it is concluded that the proposal will not result in any risk of deterioration in the status of any water body, including surface waters (rivers and lakes), groundwater, transitional waters, or coastal waters. This applies to both qualitative and quantitative status, and in respect of temporary and permanent effects.
- 10.3. In addition, the proposed development will not adversely affect the achievement of established environmental objectives, including the protection, maintenance, and improvement of water body status, as required under the Directive.
- 10.4. Accordingly, the proposed development is considered to be compliant with the requirements of Article 4

11.0 Recommendation

- 11.1. I recommend that planning permission be refused for the reasons and considerations set out below

12.0 Reasons and Considerations

Having regard to the restricted nature of the site and its location within the curtilage of a protected structure, the proposed development would fail to achieve satisfactory

standard of development and would result in poor quality residential amenity for its future occupiers. Furthermore, the development will result in substantial loss of/reduction of private amenity space, overshadowing and overlooking impacts for the protected structure which is proposed to be retained as a multiple occupancy building. The development would not satisfy the required separation distance set under Specific Planning Policy Requirement 1 of 'Sustainable Residential Development and Compact Settlements Guidelines', 2024 and is contrary to the provisions for Backland Housing set within Section 15.13.4 of the Dublin City Development Plan 2022-28. Notwithstanding the potential gains in terms of architectural heritage conservation, the Commission is not satisfied that the requirements of Policy BHA2 (Development of Protected Structures) of the Dublin City Development Plan 2022-28 and the potential effects of the proposed works on the special character and features of the protected structure has been adequately addressed in the application.

The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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."

Sandra Eapen

Planning Inspector

24 June 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	
Proposed Development Summary	Refurbishment works to a protected structure and new infill dwelling within the rear garden
Development Address	Rere of 65 Ranelagh, Dublin 4
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?	☒ Yes, it is a 'Project'. Proceed to Q.2.
	☐ 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)?	
☒ Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	Part 2, Class 10(b)(i) Infrastructure projects, construction of more than 500 dwelling units
☐ 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?	
☐ 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.	
☐ 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
☒ Yes, the proposed development is of a Class but is sub-threshold.	Part 2, Class 10(b)(i) Infrastructure projects, construction of more than 500 dwelling units

Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	
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 ☐	Screening Determination required (Complete Form 3)
No ☒	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: Sandra Eapen

Date: 24 June 2026

Appendix 2: Form 2 - EIA Preliminary Examination

Case Reference	
Proposed Development Summary	The development will consist of refurbishment of 6 no. existing units and construction of 2 no. new dwellings. (or 1 no. dwelling if revised proposals are considered)
Development Address	Rere of 65 Ranelagh
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 proposed works have a modest footprint of c. 182sqm, is a standalone project, and includes minor demolition works of 19.9sqm. The works would not require substantial natural resources or give rise to significant risk of pollution or nuisance beyond its immediate vicinity. 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)	Briefly comment on the location of the development, having regard to the criteria listed The development site is predominantly located in an urban setting and comprise of c.0.046ha backland site.

in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).	The development is removed from any sensitive natural habitats and designated sites and landscapes of significance identified in the Development Plan. The development involves works to a protected structure, with potential gains in terms of architectural heritage conservation. While the effects of such work have not been fully assessed, the effects of such are localised are not considered so significant to require EIA.
Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).	Having regard to the characteristics of the development and the sensitivity of its location, consider the potential for SIGNIFICANT effects, not just effects. 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.
Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA

**There is no real
likelihood of
significant
effects on the
environment.**

EIA is not required.

Inspector: Sandra Eapen

Date: 24 June 2026