



An
Coimisiún
Pleanála

Inspector's Report

PL-501263-DS-26

Development	Demolition of dwelling (in ruin) and the construction of a three storey dwelling and all associated site works.
Location	21A Leeson Park Dublin 6
Planning Authority	Dublin City Council
Planning Authority Reg. Ref.	WEB5052/25
Applicant(s)	Richard Lacey
Type of Application	Permission
Planning Authority Decision	Refuse permission
Type of Appeal	First Party
Appellant(s)	Richard Lacey
Observer(s)	Emmet Stokes
Date of Site Inspection	13 June 2026
Inspector	Killian Harrington

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1.0 Site Location and Description

- 1.1 The subject site is located in Ranelagh, Dublin 6 in an established residential area between Ranelagh village to the west and Leeson Street Upper to the east. The site (21A Leeson Park) is situated to the rear of No. 22 Leeson Park, which comprises of a row of Protected Structures in the form of 3 storey dwellings. The site is situated outside of the historic curtilage of 22 Leeson Park to the rear. This site can be accessed via a mews lane that connects to Leeson Park. Adjacent to the rear of the site are two mews dwellings which are 2 storeys in height and these properties share the lane with the site. One of these dwellings (22B Leeson Park) recently received planning permission to extend to three storeys. The subject site currently contains the remnants of a single storey stone cottage, contiguous to the mews dwellings. The surrounding area is predominantly residential.

2.0 Proposed Development

- 2.1 The proposed development consists of the demolition of existing single storey dwelling (in ruins) and the construction of a three storey, 3 bedroomed dwelling, incorporating an external terrace at second floor level and all associated site works. The proposed development will be car-free with pedestrian access from the existing mews lane that connects to Leeson Park.

3.0 Planning Authority Decision

3.1 Decision

Dublin City Council decided that permission be refused for the following reason:

1. Having regard to the design, location and configuration of the proposal it is considered that the development would fail to provide an adequate quantity and quality of usable private open space for future occupants. This would, in turn, be contrary to the provisions of Section 15.11.3 of the Dublin City Development Plan 2022 – 2028 and the Sustainable Compact Settlement Guidelines for Planning Authorities (2024) in which a minimum of 20/30 sq. m is required for the proposed development. The development would therefore set an undesirable precedent for similar type development, contravene the zoning objective of the site, the provisions

of the Dublin City Development Plan 2022 – 2028, and would therefore be contrary to the proper planning and sustainable development of the area

2. Having regard to the substandard nature and limited capacity of the lane to accommodate vehicular traffic, including emergency and service access, and in the absence of a plan for the coordinated development of the lane, it is considered that the proposed mews development would be contrary to the aims and objectives of the Dublin City Development Plan 2022-2028, section 4.3.8 of Appendix 5, in terms of the width of the laneway and given that safe access and egress for all vehicles and pedestrians must be demonstrated. The proposed development would set an undesirable precedent and would, therefore, be contrary to the proper planning and sustainable development of the area

3. Having regard to the provisions of Section 4.3.8 (Mews Parking) of the Dublin City Development Plan 2022–2028, it is considered that the proposed development, 1 no. dwelling with no incurtilage car parking accessed via a substandard laneway with existing/proposed uncontrolled parking, would result in congestion and potential road safety issues for pedestrians, service vehicles and other users along the laneway. The proposed development would, by reason of its location and lack of on-site parking provision, set an undesirable precedent for similar mews and backland developments. The proposed development would therefore be contrary to the proper planning and sustainable development of the area and contrary to Section 4.3.8 of the Dublin City Development Plan 2022–2028.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The planner's report noted that the principle of a residential dwelling is acceptable under zoning objective Z2 Residential Neighbourhoods (Conservation Areas) with an objective 'to protect and / or improve the amenities of residential conservation areas'

There were a number of Further Information Requests, which are summarised below:

1. The applicant is requested to clarify how many bedrooms are proposed

2. When item no.1 is addressed, the applicant is requested to clarify private open space provision

3. The applicant is requested to consider revising the design approach to the dwelling, including the materials and revising the second floor terrace screening details to be complimentary to the character of the area.

4. The applicant is requested to respond to the following transport concerns of the Planning Authority:

(a) The applicant is requested to demonstrate by way of revised plans and details, how the laneway serving the development meet the requirements of mews laneway widths. The applicant is directed to Section 15.13.5.4 of the Development Plan.

(b) As required under Table 15-1 of the Development Plan 2022–2028, all mews/backland developments must provide a Service, Delivery and Access Strategy. This has not been submitted as part of the application. The applicant is therefore requested to submit such a strategy.

(c) This division does not support a car-free development at this location. The applicant is requested to provide 1 no. in-curtilage car parking space

The applicant responded with drawings amending the appearance at second floor level and demonstrating servicing but excluded a car parking space, did not demonstrate how the development meets the mews width requirements and did not amend private open space provision.

In terms of residential standards, the planning authority were satisfied that the proposed internal layout and room sizes met Section 15 Development Standards and the minimum standards set out in Sustainable Compact Settlement Guidelines (2024). The applicant clarified that the proposal was for 2 bedrooms.

In terms of residential amenity, the applicant maintained that 15.5 sqm private open space was sufficient given the site constraints. The planning authority was not satisfied claiming that it failed to meet Section 15 minimum standards for outdoor space and the private amenity standards set out in the Settlement Guidelines. There was a concern that this could set a precedent for the area.

The applicant revised the design to be more sympathetic with a revised terrace balustrade design and palette of materials. There were no further concerns about visual impact, neighbour amenity or the general scale and massing of the proposal, which the planning authority were satisfied would not cause any overlooking or overshadowing being sufficiently removed from no. 21.

While car-free development would be acceptable at this location (Section 15.13.5.4 of the City Development Plan makes provision for car free mews developments in certain circumstances), the rear laneway's width is below the City Development Plan standards and is not sufficient to accommodate servicing, emergency, or construction vehicles according to the DCC Transport Planning division.

In terms of access and servicing, the application included drawings that showed that any servicing would be via the mews lane from Leeson Park and submitted vehicle tracking drawings that show that cars can turn on site and move in a forward motion back out to Leeson Park.

Ultimately, the DCC planner's report found that the proposal could not demonstrate safe access and egress from the site for services, emergency vehicles, pedestrians or vehicles from the surrounding properties and would therefore negatively impact on the residential amenities of the surrounding area and set an undesirable precedent. The proposal would also fail to provide an adequate quantity and quality of usable private open space for future occupants. This would, in turn, be contrary to the provisions of Section 15 and Appendix 5 of the Development Plan.

3.2.2. Other Technical Reports

- Drainage Division: No objection subject to conditions
- Transport Planning: Recommends refusal

3.3. Prescribed Bodies

No response

3.4. Third Party Observations

A number of. submissions were submitted in relation to the application and raised the following issues:

- Concern regarding construction stage and how residents will access the laneway;
- Overdevelopment of a small site;
- The building line would be out of character with the established wall of 22 Leeson Park;
- Concern regarding the demolition of the existing cottage for a development that does not respond well to the immediate surrounding context;
- Concern regarding the overbearing impact of the three-storey element on adjoining area;
- The proposal does not respect the protected structure character within the vicinity of the area;
- The design put forth is not of a high-quality design that would incorporate into the architectural character of the area.

4.0 Planning History

4.1 Subject site

Reg. Ref. 2185/20; ABP-307160-20 - Permission granted by An Coimisiún Pleanála overturning a DCC refusal for demolition of existing single storey cottage and the construction of a new split-level part 2 storey residential unit on site

4.2 Adjacent sites

22B Leeson Park

Reg. Ref. 4013/24 - Permission granted for increase height of 22B Leeson Park from a two-storey dwelling to three storey, incorporating part terrace, zinc/aluminium roof cladding, elevational changes and associated site works

5.0 Policy Context

5.1 Development Plan

Dublin City Development Plan 2022-2028

Under the Dublin City Development Plan 2022-2028 the site is zoned objective Z2; Residential Neighbourhoods (Conservation Areas) with an objective 'to protect and / or improve the amenities of residential conservation areas'. The following Development Plan policy objectives are relevant:

Policy QHSN6 Urban Consolidation

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

Policy QHSN10 Urban Density

To promote residential development at sustainable densities throughout the city in accordance with the core strategy, particularly on vacant and/or underutilised sites, having regard to the need for high standards of urban design and architecture and to successfully integrate with the character of the surrounding area.

Policy QHSNO4 Densification of Suburbs

To support the ongoing densification of the suburbs and prepare a design guide regarding innovative housing models, designs and solutions for infill development, backland development, mews development, re-use of existing housing stock and best practice for attic conversions.

Policy QHSN22 Adaptable and Flexible Housing

To ensure that all new housing is designed in a way that is adaptable and flexible to the changing needs of the homeowner as set out in the Lifetime Homes Guidance contained in Section 5.2 of the Department of Environment, Heritage and Local Government's 'Quality Housing for Sustainable Communities – Best Practice Guidelines for Delivering Homes Sustaining Communities' (2007) and the Universal Design Guidelines for Homes in Ireland (2015).

Policy QHSN37 Houses and Apartments

To ensure that new houses and apartments provide for the needs of family accommodation with a satisfactory level of residential amenity in accordance with the standards for residential accommodation.

Section 15.2.3 Planning Application Documentation – Planning Thresholds

This section notes that planning applications should be supported by the necessary analysis and documentation to demonstrate the proposed design and rationale for a scheme. Table 15-1 sets out that all residential developments require a Housing Quality Assessment, and any development of 2 or more residential units requires a surface water management plan.

Section 15.5.2 Infill Development

Dublin City Council will require infill development:

- To respect and complement the prevailing scale, mass and architectural design in the surrounding townscape.
- To demonstrate a positive response to the existing context, including characteristic building plot widths, architectural form and the materials and detailing of existing buildings, where these contribute positively to the character and appearance of the area.
- Within terraces or groups of buildings of unified design and significant quality, infill development will positively interpret the existing design and architectural features where these make a positive contribution to the area.
- In areas of low quality, varied townscape, infill development will have sufficient independence of form and design to create new compositions and points of interest.
- Ensure waste management facilities, servicing and parking are sited and designed sensitively to minimise their visual impact and avoid any adverse impacts in the surrounding neighbourhood.

Section 15.9.18 Overlooking and Overbearance

‘Overbearance’ in a planning context is the extent to which a development impacts upon the outlook of the main habitable room in a home or the garden, yard or private open space service a home. In established residential developments, any significant changes to established context must be considered. Relocation or reduction in building bulk and height may be considered as measures to ameliorate overbearance. Overlooking may be overcome by a variety of design tools, such as building configurations (bulk and massing) and elevational design or window placement.

Section 15.11 House Developments

This section sets out a number of qualitative and quantitative standards for housing, including floor areas, aspect, daylight/sunlight and ventilation, private open space, and separation distances. This includes Section 15.11.2 that deals with Aspect, Daylight / Sunlight and Ventilation and states that 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. Bedrooms solely lit by roof lights will be considered in certain circumstances on a case by case basis. All habitable rooms must be naturally ventilated and lit. Section 15.11.4 deals with separation distances and seeks adequate distance between rear first floor windows and neighbouring properties.

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. Where feasible, the main habitable rooms (living / kitchen) should have south and/or west facades. 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. Bedrooms solely lit by roof lights will be considered in certain circumstances on a case by case basis. All habitable rooms must be naturally ventilated and lit.

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 15.11.4 Separation Distances (Houses)

At the rear of dwellings, there should be adequate separation between opposing first floor windows. 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. Careful positioning and detailed design of opposing windows can prevent overlooking with shorter back-to-back distances and windows serving halls and landings which do not require the same degree of privacy as habitable rooms.

Section 15.13.3 Infill/ Side Garden Housing Developments

The development of a dwelling or dwellings in the side garden of an existing house is a means of making the most efficient use of serviced residential lands. Such developments, when undertaken on suitable sites and to a high standard of design, can constitute valuable additions to the residential building stock of an area and will generally be allowed for by the planning authority on suitable large sites.

Section 15.13.4 Backland Housing

Applications for backland housing should consider the following:

- Compliance with relevant residential design standards in relation to unit size, room size, private open space etc.
- Provision of adequate separation distances to ensure privacy is maintained and overlooking is minimised.
- That safe and secure access for car parking and service and maintenance vehicles is provided.
- The scale, form and massing of the existing properties and interrelationship with the proposed backland development.
- The impacts on the either the amenity of the existing properties in terms of daylight, sunlight, visual impact etc. or on the amenity obtained with the unit itself.
- The materials and finishes proposed with regard to existing character of the area.
- A proposed backland dwelling shall be located not less than 15 metres from the rear façade of the existing dwelling, and with a minimum rear garden depth of 7 metres.
- A relaxation in rear garden length, may be acceptable, once sufficient open space provided to serve the proposed dwelling and the applicant can

demonstrate that the proposed backland dwelling will not impact negatively on adjoining residential amenity.

All applications for infill developments will be assessed on a case by case basis. In certain instances, Dublin City Council may permit relaxation of some standards to promote densification and urban consolidation in specific areas. The applicant must demonstrate high quality urban design and a comprehensive understanding of the site and the specific constraints to justify the proposal.

Section 15.13.5 Mews Developments

It is an objective of the City Council to protect the character and setting of mews dwellings and to ensure all new proposal are respectful and appropriate in its context; see also Policy BHA14 and Objective BHAO5. Applications for mews development should consider servicing, including the impact on existing infrastructure such as waste and water systems.

Section 15.13.5.1 requires that the distance between opposing windows of mews buildings and main houses shall ensure a high level of privacy with potential overlooking minimised.

Section 15.13.5.4 makes provision for car free mews developments in certain circumstances. This is where there are specific site constraints and where alternative modes of transport area available.

Appendix 5 - Transport and Mobility: Technical Requirements

Section 4.3.8 Mews Parking

Car free mews developments may be permitted in certain circumstances where there are specific site constraints and where alternative modes of transport are available. Each development will be assessed on a case by case basis.

Potential mews laneways must provide adequate accessibility in terms of private vehicular movements, emergency vehicles and refuse vehicles. A minimum carriageway of 4.8m in width (5.5m where no verges or footpaths are provided) is required. In circumstances where 266 Transport and Mobility: Technical Requirements | Appendix 5 these widths cannot be provided, safe access and egress for all vehicles and pedestrians must be demonstrated

5.2. Relevant National or Regional Policy / Ministerial Guidelines (where relevant)

Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities, (2024)

SPPR 1 – Separation Distances

It is a specific planning policy requirement of these Guidelines that statutory development plans shall not include an objective in respect of minimum separation distances that exceed 16m between opposing windows serving habitable rooms at the rear or side of houses, duplex units or apartment units above ground floor level. There shall be no specific minimum separation distance at ground floor level or to the front of houses, duplex units or apartment units in statutory development plans and planning applications shall be determined on a case by case basis to prevent undue loss of privacy

SPPR 2 - Minimum Private Open Space Standards for Houses

It is a specific planning policy requirement of these Guidelines that proposals for new houses meet the following minimum private open space standards:

- 1 bed house - 20sqm
- 2 bed house - 30sqm
- 3 bed house - 40sqm
- 4 bed + house - 50sqm

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. In all cases, the obligation will be on the project proposer to demonstrate to the satisfaction of the planning authority that residents will enjoy a high standard of amenity.

SPPR 3 – Car Parking

It is a specific planning policy requirement of these Guidelines that:

(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.

5.3. Natural Heritage Designations

The subject site is c. 3.5 km west of South Dublin Bay proposed NHA, and European sites South Dublin Bay SAC & South Dublin Bay and River Tolka SPA and c. 4 km northwest of Booterstown Marsh proposed NHA

6.0 EIA Screening

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

The first party appeal reviews the planning authority decision and planner's report and also responds to observations raised during the application. The appeal raises the following grounds against the reasons for refusal:

- The refusal disregards the existing historic specific constraints which prevent full private amenity space provision or full width road access and any concern over the existing laneway and established mews conditions is not within the control of the planning application. The mews laneway is historic and the residential dwellings are long established at this location.

- In terms of design, the mews already contains residential properties of 2-3 storeys in height and the scale, massing and design have been accepted by the planning authority, who agreed that it responds to the existing built environment. Any residential amenity issues raised during the application have been addressed through the design and the local authority raised no concerns
- In terms of private amenity space, the proposal is in fact a 2 bedroom dwelling with the upper loft functioning as a home office rather than a bedroom. On this basis and using the applicable Settlement Guidelines standard, there should be a minimum of 30 sqm open space for a 2 bed dwelling. The proposal provides 15.5 sqm. This is broadly acceptable due to the constrained nature of the site and the backland/infill context. DCC's own Development Plan does states that such requirements may be relaxed subject to a qualitative assessment of the proposal as per Section 15.11.3. The Settlement Guidelines also supports a reduction in certain circumstances. It is also noted that there are nearby parks that contribute to the recreational amenity of the area such as Dartmouth Square and Ranelagh Gardens.
- The laneway functions as a shared access mews lane and there is no evidence of traffic congestion as a result of the occupation of no. 22B in the mews. Any assertion that the laneway is substandard is not borne out by its clear function and continued use and this assertion also does not consider the urban context of the location where the existing road infrastructure has always been used and is constrained by historic plot sizes and the residential buildings on Leeson Park. There has been no material change since the previous planning permission for a dwelling on the subject site (21A). This was granted by ABP also without any in-curtilage parking and the laneway was deemed sufficient. The proposal to not include a parking space with the development at this location complies with the Development Plan and national guidelines
- There is policy support for the development of constrained infill urban sites. The Development Plan places strong emphasis on this. In addition, in the previous planning permission, the ABP Inspector's Report (ABP-307160-20) stated that the planning authority may relax normal planning standards in the interests of ensuring that vacant, derelict and underutilised land is developed. The redevelopment of the

subject site necessitates working within the constraints of the laneway and a rigid application of standards would have a sterilising effect on the site

7.2. Planning Authority Response

The planning authority request that if permission is granted the following conditions should be applied:

- A condition requiring the payment of a Section 48 development contribution
- A name and numbering condition

7.3. Observations

One observation was received, which made the following points:

- The land outside of the site is used as a vehicle turning area by all residents ensuring that no reversing is needed. If the site is developed as per the application this turning area will be blocked. There is also a question about the legal ownership of this area, which is outside of the site
- If development is consented there should be a planning condition that the existing gates are removed to facilitate all vehicular users of the lane safely and easily. The gates for 22B should also be adequate for 21A.
- The applicant in their Additional Information has alluded to an additional parking space used by no. 22B that could be used in an alternative arrangement. However this space is legally restricted to be only used by 22B.

7.4. Further Responses

n/a

8.0 Assessment

- 8.1 The proposed development compromises the demolition of the existing single storey cottage which is in ruins, and the construction of a new three storey dwelling. There is a previous planning permission for the demolition of the cottage and construction of a dwelling on this site (Reg. Ref. 2185/20/ABP-307160-20) and is proposed to be situated adjacent another three-storey mews dwelling (22B

Leeson Park) which had the additional storey granted permission under Reg. Ref. 4013/24).

- 8.2 The principle of a residential dwelling is acceptable under Z2 zoning and the design of the proposed dwelling complies with the residential standards set out in Section 15 of the Development Plan and the 2024 Settlement Guidelines for a 2 bed 4 person dwelling.
- 8.3 I have no concerns regarding appearance or visual impact due the sensitive materials proposed in keeping with the historic character of the area, its location away from the public road and its infill/backland setting in a mews lane. Although situated to the rear of a protected structure, the site has been historically and visually part of the mews dwellings and the proposal would read as a sensitive infill development of this mews. The design completes the row of mews dwellings and the proposed render finish and neat façade reflects the design of the neighbouring mews dwellings. I am satisfied that the general scale and massing of the proposal, which I note the planning authority were satisfied with, would not cause any overlooking or overshadowing being sufficiently removed from no. 21 to the east and there would be no impact on the amenity of no. 22B adjacent as it does not protrude to the rear of the building line.
- 8.4 Having reviewed the site planning history, documentation submitted, including all appeal documents and observations, and inspected the site, having regard to the relevant local/regional and national policies and guidance, it is considered that the main issues for assessment relate to (1) Residential Amenity and (2) Access and Servicing.

(1) Residential Amenity

- 8.5 In terms of residential amenity for the proposed dwelling, the applicant maintained that 15.5 sqm private open space was sufficient given the site constraints and backland nature of development. The planning authority was not satisfied claiming that it failed to meet Section 15 minimum standards for outdoor space and the private amenity standards set out in the Settlement Guidelines. There was a concern that this could set a precedent for the area.

- 8.6 The proposal is for a 2 bedroom dwelling. On this basis and using the applicable Settlement Guidelines standard, there should be a minimum of 30 sqm open space for a 2 bed dwelling. The proposal provides 15.5 sqm. This is broadly acceptable due to the constrained nature of the site and the backland/infill context and the flexibility shown in SPPR 2 in the settlement guidelines for such sites. DCC's own Development Plan states that such requirements may be relaxed subject to a qualitative assessment of the proposal as per Section 15.11.3. The Settlement Guidelines also supports a reduction in certain circumstances. The proposal provides a good standard of accommodation, the design is in keeping with the character of the area and the construction of a dwelling on the site of a ruin would complete the terrace and reinforce the traditional mews setting. It is also noted that there are nearby parks that contribute to the recreational amenity of the area such as Dartmouth Square and Ranelagh Gardens.
- 8.7 As there would be no adverse impacts on surrounding residential amenity, the proposal complies with Section 15.5.2 (Infill Development), Section 15.11.2 (House Developments) Section 15.13.4 (Backland Housing), Section 15.13.5 (Mews Developments) and Section 15.9.18 (Overlooking and Overbearance) as well as SPPR 1 of the 2024 settlement guidelines.
- 8.8 I have taken note of the neighbour observation received for this appeal. The observation confirms no objection to the principle of redevelopment or the proposed design, scale and massing but has concerns regarding access to the lane and impact on existing vehicular movements. I am satisfied that these matters have been dealt with in the next section my assessment.

(2) Access and Servicing

- 8.11 It is important to state that car-free residential development would be acceptable at this location. Not providing any car parking space in-curtilage is in accordance with Settlement Guidelines specific planning policy SPPR 3 given its nature and scale and its locational context within a 'City - Urban Neighbourhoods' location in that it is highly accessible and lies proximate to local retail, services and employment centres within the area. Section 15.13.5.4 of the City Development Plan also makes provision for car free mews developments in certain circumstances '*where there are specific site constraints and where alternative modes of transport are*

available. It states that *'each development will be assessed on a case by case basis'*.

- 8.12 The subject site is located on an existing traditional mews lane in an urban location within 350 metres of two Luas stops (Ranelagh and Charlemont) and 200 metres of a Dublin Bus Corridor along Leeson Street and there are cycle lanes on surrounding streets. There are already vehicular access points on this lane from existing properties and I note the lane from the subject to Leeson Park is quite short in length and would not appear to be a focal point for traffic congestion. It is an established mews lane and its constraints are historical and not caused by any recent developments.

According to DCC Transport Planning division, the rear laneway's width is below the City Development Plan standards and is not sufficient to accommodate servicing, emergency, or construction vehicles according to the DCC Transport Planning division.

- 8.13 In terms of access and servicing, the application included drawings that showed that any servicing would be via the mews lane from Leeson Park and submitted vehicle tracking drawings that show that cars can turn on site and the adjacent 22B Leeson Park land (also owned by the applicant) and move in a forward motion back out to Leeson Park. The appeal also reiterates this point and points to the previous planning permission (now lapsed) for a 2 bedroom dwelling permitted under Reg. Ref. 2185/20/ABP-307160-20 (see Section 4.0 of this report). I note there were no conditions attached to this permission regarding access or servicing. The appeal makes the point that the historic mews laneways are generally substandard across the city and that there is an established residential community on this lane.

- 8.14 Section 4.3.8 of the Development Plan, which clarifies that in circumstances where lane widths cannot be provided, safe access and egress for all vehicles and pedestrians must be demonstrated. The Development Plan requires under Section 15.13.5.4 that: *"potential mews laneways must provide adequate accessibility in terms of private vehicular movements, emergency vehicles and refuse vehicles"*. Volume 2 Appendix 5 Section 4.3.8 also highlights this stating that a *"minimum carriageway of 4.8m in width (5.5m where no verges or footpaths are provided) is*

required. In circumstances where these widths cannot be provided, safe access and egress for all vehicles and pedestrians must be demonstrated”.

- 8.15 The subject mews lane width is 4.6m wide at the location of the site, just below the recommended minimum width in the Development Plan. The applicant has demonstrated on the submitted autotrack drawings that safe access and egress can be provided as part of this development if the front driveway of 22B, which is under the ownership of the applicant, is used as a turning circle. Under these circumstances, the development would be acceptable. I am satisfied that these turning movements can occur without the need to alter existing access.
- 8.15 Whilst the laneway width of 4.6m is slightly below the recommended width of 4.8m, the Development Plan provides for flexibility in these circumstances provided the applicant can demonstrate safe access and egress for all vehicles including emergency vehicles. I am satisfied that the application demonstrates this.
- 8.16 I do not consider the proposal is likely to give rise to traffic safety issues given that the proposal is car free and bin collections and servicing would occur safely from Leeson Park.
- 8.17 Section 5.2.3 of the Building Regulations Technical Guidance Document B – Fire Safety provides that access for fire service pump appliances should generally be provided within 45m of the principal entrance to the building. Whilst the entrance to the subject site is 49m from the main road, the proposed dwelling forms part of a residential terrace and 45m is a general standard that cannot be applied to all urban infill sites, particularly those on historic mews lanes. The 4.6m width of the mews lane is sufficient for a fire tender access or ambulance to the site boundary.
- 8.18 Given the flexibility in the Development Plan for mews lane widths, the general accessibility of the site from both the south and the east at either ends of the laneway and the city centre location of the site, I do not share the concerns that the proposal would create an undesirable precedent. I consider that each application should be considered on its merits and as outlined above I am satisfied that the applicant has demonstrated on the architectural drawings that the appeal site can be adequately accessed for construction and essential services and vehicles can use the lane in a go forward manner.

- 8.19 Notwithstanding that specifications for access for emergency vehicles is a matter for the building regulations, I am satisfied that the applicant has demonstrated that the site can be accessed for emergency vehicles directly from the laneway and I am satisfied that bin collection can be facilitated from Leeson Park at a width of 4.6m. A previous planning permission granted by ACP where the mews lane was sufficient for a proposal with no in-curtilage parking space has been noted. A construction management plan can be conditioned in the event of a grant of permission. The proposal's acceptable design and lack of impact on neighbours, the Development Plan's preference for infill backland sites to be developed and the need to be flexible with standards in these locations and the constrained nature of the site and historic plot sizes on the mews must be considerations in this planning assessment.
- 8.20 I note in particular the compliance with the design criteria for mews developments and infill sites (Sections 15.13.5 and 15.5.2) – all of which are summarised in Section 5.0 of this report. I also note Policy BHA 14 states that it is the policy of Dublin City Council to promote the redevelopment and regeneration of mews lanes, including those in the north and south Georgian core, for sensitively designed, appropriately scaled, infill residential development, that restores historic fabric where possible, and that removes inappropriate backland car parking areas. The development as proposed would be no different to the previous permission in terms of impact on vehicle movements in this lane. I note the observation requests a condition to ensure all residents can use the existing turning circle. However, the application drawings relate to the subject site, which is in private ownership and there would be no new obstruction or traffic hazard as a result of the development.
- 8.21 In terms of other issues raised I note the observation questions the ownership of land as part of the application but the drawings confirm that the applicant is in full ownership of the subject land and adjacent land at 22B Leeson Park. The observation also raises the option that the applicant put forward as part of the Additional Information that a mews lane parking space for 22B could be utilised in an alternative design. However, this space is located on the lane and does not form part of the planning application or the curtilage of 22B itself.

(3) Conclusion

- 8.22 In conclusion, the proposed development complies with the residential zoning objectives and residential standards set out in Section 15 of the Development Plan for a backland/infill site. In particular, the proposal complies with Section 15.5.2 (Infill Development), Section 15.11.2 (House Developments) Section 15.13.4 (Backland Housing), Section 15.13.5 (Mews Developments) and Section 15.9.18 (Overlooking and Overbearance) as well as SPPR 1 of the 2024 settlement guidelines.
- 8.23 The proposed dwelling would not cause significant harm to the neighbouring residential amenity and visual amenity of the area. In addition, it is considered that there is sufficiently safe access and egress for servicing, emergency vehicles and construction vehicles and the proposal therefore complies with Section 15.13.5.4 of the Development Plan and also Section 4.3.8 of the Development Plan, which clarifies that in circumstances where lane widths cannot be provided, safe access and egress for all vehicles and pedestrians must be demonstrated.
- 8.24 I am therefore satisfied that development would be compatible with the overall policies and objectives for the zoning, would not have undesirable effects, and would otherwise be consistent with the proper planning and sustainable development of the area in accordance with the Dublin City Development Plan 2022-2028.

9.0 AA Screening

- 9.1. I have considered the proposed dwelling in light of the requirements S177U of the Planning and Development Act 2000 as amended. The subject site is located at 21A Leeson Park, Dublin 6 in an established residential area c. 3.5 km west of South Dublin Bay SAC & South Dublin Bay and River Tolka SPA.
- 9.2. The proposed development comprises demolition of dwelling (in ruin) and the construction of a three-storey dwelling and all associated site works. No nature conservation issues were raised in this 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 any effect on a European Site. The reason for this conclusion is as follows:

- Nature of works
- Location in an established residential area

9.4. 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. The subject site is located at 21A Leeson Park Dublin 6 approximately 390 metres south of the Grand Canal main line. The proposed development comprises demolition of a dwelling (in ruin) and the construction of a three storey dwelling and all associated site works. No water deterioration concerns were raised in the planning appeal.

10.2 I have assessed the development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & 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 waterbodies either qualitatively or quantitatively. The reason for this conclusion is as follows:

- Nature of works
- Location-distance from nearest water bodies and/or lack of hydrological connections

10.3 I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

11.0 Recommendation

11.1. I recommend that permission is granted

12.0 Reasons and Considerations

12.1. Having regard to zoning of the site, the infill nature of the development, the design and layout of the proposed dwelling, the policies and objectives contained in the Dublin City Development Plan 2022-2028 and the proposed access and servicing arrangements, it is considered that the proposed development would not be injurious to the amenities of future occupants or neighbouring residential properties in the area and would be in keeping with the residential character of the area, and would not would endanger public safety by reason of traffic hazard. As such, the development would accord with the provisions of the Dublin City Development Plan 2022-2028 and 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. Surface water drainage arrangements shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health

3. All necessary measures should be taken by the applicant and contractor to prevent the spillage or deposit of clay, rubble or other debris on the public road network, repair any damage to the public road arising from carrying out works and avoid conflict with between construction activities and pedestrian and vehicular movements on the surrounding public roads.

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

4. 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

5. The developer shall ensure that the development is served by adequate water supply and/or wastewater facilities and shall enter into a connection agreement with Uisce Éireann (Irish Water) to provide for a service connection(s) to the public water supply and/or wastewater collection network prior to commencement of development.

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

6. 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 Bord 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.

7. Proposals for an estate/street name, house numbering scheme and associated signage shall be submitted to and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all estate and street signs, and house numbers, shall be provided in accordance with the agreed scheme. The proposed name(s) shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. No advertisements/marketing signage relating to the name(s) of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name(s).

Reason: In the interest of urban legibility and to ensure the use of locally appropriate placenames for new residential areas

8. Site development and building works shall be carried out between the hours of 7:00 am to 6:00pm Mondays to Fridays inclusive, between 8:00am to 2:00pm on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

Reason: To safeguard the amenity of property in the vicinity

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.

Killian Harrington
Planning Inspector

25 June 2026

Appendix A: Form 1 EIA Pre-Screening

Case Reference	PL-501263-DS-26
Proposed Development Summary	Demolition of dwelling (in ruin) and the construction of a three storey dwelling and all associated site works.
Development Address	21A Leeson Park Dublin 6
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? (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)	☒ Yes, it is a 'Project'. Proceed to Q2. ☐ No, No further action required.
2. Is the proposed development of a CLASS specified in <u>Part 1</u>, 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.	
☒ No, it is not a Class specified in Part 1. Proceed to Q3	
1. Is the proposed development of a CLASS specified in <u>Part 2</u>, 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	
☒ 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)	Class 10(b) of Part 2 (dwelling units) Proposed development is a single dwelling substantially below the 500 dwelling unit threshold in Class 10(b)
2. 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: _____

Date: 25 June 2026

Appendix B: Form 2 - EIA Preliminary Examination

Case Reference	PL-501263-DS-26
Proposed Development Summary	Demolition of dwelling (in ruin) and the construction of a three storey dwelling and all associated site works.
Development Address	21A Leeson Park Dublin 6
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 of 1 no. dwelling has a modest footprint, comes forward as a standalone project, requires only minor demolition works of existing ruin and 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 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).	Briefly comment on the location of the development, having regard to the criteria listed The development is situated in an established urban area on serviced lands in Dublin city and is not in close proximity to designated sites and landscapes of identified significance in the Development Plan nor is it within the current or historic curtilage of a protected structure
Types and characteristics of potential impacts	Having regard to the characteristics of the development and the sensitivity of its location, consider the potential for SIGNIFICANT effects, not just effects.

(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 modest nature of the proposed development, its urban 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: _____ **Date:** 25 June 2026

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

(only where Schedule 7A information or EIAR required)