



An
Coimisiún
Pleanála

Inspector's Report PL-501364-DS-26

Development	Proposed 3-storey building to be used as a guest house, associated amenity spaces, and all associated site, boundary and landscape works.
Location	3 Grand Parade/37 Warners Lane, Ranelagh, Dublin 6
Planning Authority	Dublin City Council South
Planning Authority Reg. Ref.	WEB1459/26
Applicant(s)	3 Grand Parade Hosts Limited
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party Normal Planning Appeal
Appellant(s)	3 Grand Parade Hosts Limited
Observer(s)	Barry Murphy
Date of Site Inspection	
Inspector	Ciara McGuinness

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1.0 Site Location and Description

- 1.1. The application site is situated on the corner of Grand Parade and Warner's Lane, to the south of the Grand Canal. The site is at the northern end of Warner's Lane immediately adjacent to the public stairway linking Warner's Lane to Grand Parade. The site sits below the level of Grand Parade. Warner's Lane is a cul de sac which runs roughly in a north-south direction between Leeson Street Lower Upper and Dartmouth Square East, with vehicular access from Dartmouth Road to the south. Plots at the rear of houses backing onto Warner's lane are substantially developed with mews type dwellings ranging from 2 to 3 storeys on both sides of the Lane. The site is located to the rear of 37 Dartmouth Square East, a Protected Structure. The existing site plan indicates a right of way at the rear of 37 Dartmouth Square East through the site to Warner's Lane.
- 1.2. The subject site has a stated area of 80sqm. The site is currently vacant however it formerly served as a Gas Networks Ireland site and previously contained a shed. On the other (east) side of the lane, there is an ESB substation.

2.0 Proposed Development

- 2.1. The proposed development consists of 3-storey building with an area of 164 sqm with set back over lower ground floor, to be used as a guest house. A total of 6 no. guest ensuite bedrooms are proposed.
- 2.2. The site is entered at lower ground floor from Warners Lane. The lower ground floor comprises a communal breakfast area/kitchenette along with a universally accessible guest bedroom. The upper ground floor contains two guest bedrooms and the communal meeting space and phone booth. The first floor contains the other three bedrooms. A bin store area and cycle parking are provided within the site.

3.0 Planning Authority Decision

3.1. Decision

The planning authority decided to refuse permission for the following reasons;

1. The proposed development for a three storey 'guesthouse' on a restricted site is considered to constitute overdevelopment, given the intensive use of the building and the resultant design required for such as use, which would create an insensitive imbalance within the existing streetscape, failing to relate to or integrate with the existing character of the area. The development would appear visually incongruous and would have a negative visual impact on the character of the area. The development would therefore set an undesirable precedent for future developments of this type and would be considered too seriously injure the amenity of property in the vicinity and is therefore considered contrary to the proper planning and sustainable development of the area.

2. Having regard to the location of the site on a mews laneway, the constraints of adjacent road network, the proposed nature and density of development, and the zero provision of car parking or set-down space, it is considered that the proposed development would give rise to unacceptable levels of overspill vehicular and set-down activity on adjacent heavily trafficked Grand Parade road as well as on the constrained Warners Lane, and would seriously injure the amenities of the area and would endanger public safety by reason of traffic hazard and obstruction of pedestrians, cyclist and other road users. The development is considered contrary to the Dublin City Development Plan, Section 8.5.5 and Appendix 5, Section 2.4 and would therefore be contrary to the proper planning and sustainable development of the area and would set an undesirable precedent for similar developments in the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Planners Report (dated 20/04/2026) notes that the site itself is unzoned. As stated in section 14.3.2 of the Development Plan unzoned lands '*usually correspond with the location of the city's roads, bridges, train lines, or other key infrastructure installations. Development proposals in respect of these unzoned lands will be considered in accordance with the policies and objectives of the plan. Regard will also be had to their compatibility with adjacent land-uses and zonings*'. The site is located within a Conservation Area, adjacent to lands zoned Z2 'Residential

Neighbourhoods – Conservation Areas’. It is noted in the Planners Report that a guesthouse is a permissible use under this zoning, but consideration must be given to the effect on the neighbouring properties, the impact on protected structures and conservation areas and the availability of safe and convenient car parking and servicing.

The Planning Authority consider that given the restricted nature of the site the development of a guesthouse is considered to be problematic at this location in relation to the quality of the accommodation and concerns over the privacy afforded to the development and the limited access to the site at the end of a narrow lane for a multi-occupancy unit. It is acknowledged that the site may have potential to accommodate a form of infill development. In this regard, a residential-led scheme would be preferable, as it is considered likely to result in a reduced impact on neighbouring properties compared to alternative uses.

3.2.2. Other Technical Reports

Drainage Division: Recommends seeking further information in relation to a Surface Water Management Plan, Flood Risk Assessment and Basement Impact Assessment.

Transportation Planning Division: The TPD report concludes that having regard to the location of the site on a mews laneway, the constraints of adjacent road network, the proposed nature and density of development, and the zero provision of car parking or set-down space, it is considered that the proposed development would give rise to unacceptable levels of overspill vehicular service and set-down activity on adjacent heavily trafficked road as well as on a constrained mews laneway, and would seriously injure the amenities of the area and would endanger public safety by reason of traffic hazard and obstruction of pedestrians, cyclist and other road users. A refusal is recommended.

EHO: Recommends conditions

3.3. Prescribed Bodies

Uisce Éireann: Recommends conditions if permission is granted.

3.4. Third Party Observations

A third-party observation by Barry Murphy of 37 Dartmouth Square East was received by the Planning Authority. The issues raised relate to the nature of the use, overdevelopment, scale and visual impact, residential amenity, traffic, access and servicing.

4.0 Planning History

Web2768/25 – Planning permission was refused for a 4 storey building comprising office and guest house. The reasons for refusal are set out below:

1. Having regard to the location of the site within a Conservation Area and the design coupled with the height of the proposal, it is considered that the proposed development represents overdevelopment of the site, and would create an insensitive imbalance within the streetscape, failing to relate to or integrate with the existing character of the area and would harm the setting of adjacent protected structures. The development would appear visually incongruous and would have a negative visual impact on the character of the area. The development would therefore set an undesirable precedent for future development and would be contrary to the proper planning and sustainable development of the area.

2. Having regard to the location of the site on a mews laneway, the constraints of adjacent road network, the proposed nature and density of development, and the zero provision of car parking or set down space, it is considered that the proposed development would give rise to unacceptable levels of overspill vehicular and set down activity on adjacent heavily trafficked Grand Parade road as well as on the constrained Warners Lane, and would seriously injure the amenities of the area and would endanger public safety by reason of traffic hazard and obstruction of pedestrians, cyclist and other road users. The development is considered contrary to the Dublin City Development Plan, Section 8.5.5 and Appendix 5, Section 2.4 and would therefore be contrary to the proper planning and sustainable development of the area and would set an undesirable precedent for similar developments in the area.

5.0 Policy Context

5.1 Dublin City Development Plan 2022-2028

The site is located within a Conservation Area, adjacent to lands zoned Z2 'Residential Neighbourhoods – Conservation Areas'. The objective of Z2 is to 'protect and/or improve the amenities of residential conservation areas'. The site is located to the rear of 37 Dartmouth Square East, a Protected Structure.

Policy BHA2, in relation to development of protected structures, states:

That development will conserve and enhance protected structures and their curtilage and will:

(a) Ensure that any development proposals to protected structures, their curtilage and setting shall have regard to the Architectural Heritage Protection Guidelines for Planning Authorities (2011) published by the Department of Culture, Heritage and the Gaeltacht.

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

(c) Ensure that works are carried out in line with best conservation practice as advised by a suitably qualified person with expertise in architectural conservation.

(d) Ensure that any development, modification, alteration, or extension affecting a protected structure and/or its setting is sensitively sited and designed, and is appropriate in terms of the proposed scale, mass, height, density, layout and materials.

(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.

(e) Ensure that new and adapted uses are compatible with the architectural character and special interest(s) of the protected structure.

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

Note – the section labelling above (a, b, c etc.), which is clearly in error, is taken directly from the development plan

The **Z2 Residential Conservation Areas** does not have a statutory basis in the same manner as Protected Structures or Architectural Conservation Areas, however they are recognised as areas that have conservation merit and importance and warrant protection through zoning and policy application.

Policy BHA9, in relation to protecting the special interest and character of conservation areas, states:

Development within or affecting a Conservation Area must contribute positively to its character and distinctiveness and take opportunities to protect and enhance the character and appearance of the area and its setting, wherever possible.

Enhancement opportunities include contemporary architecture of exceptional design quality, which is in harmony with the conservation area.

Section 15.15.2.2 sets out requirements for application for development in conservation areas. These include:

Respect the existing setting and character of the surrounding area.

- *Be cognisant and/ or complementary to the existing scale, building height and massing of the surrounding context.*
- *Protect the amenities of the surrounding properties and spaces.*
- *Provide for an assessment of the visual impact of the development in the surrounding context.*
- *Ensure materials and finishes are in keeping with the existing built environment.*
- *Positively contribute to the existing streetscape Retain historic trees also as these all add to the special character of an ACA, where they exist.*

Section 15.15.2.3 sets out requirements for applications involving development at protected structures. These include:

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.

This report should be prepared by an accredited conservation architect or equivalent conservation professional/expert.

15.13.5 Mews

Historic mews structures mainly comprised stabling with living quarters were typically two-storey in height and had an integral carriage arch for access. During the 20th Century, many older mews structures were adapted for warehouse or garage use. Mews dwellings are an integral part of backland development across the city. Mews dwellings are typically accessed via existing laneways or roadways serving the rear of residential developments. Many historic mews buildings remain within the curtilage of protected structures and are, therefore, also afforded statutory protection. The relationship between the historic main house and its mews structure remains a relevant consideration for architectural heritage protection. Dublin City Council recognises the increasing rarity of stone/brick coach houses and the need to retain and conserve all of the surviving examples. Proposals to demolish such buildings will generally not be accepted. 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 in Chapter 11. Applications for mews development should consider servicing, including the impact on existing infrastructure such as waste and water systems.

Design and Layout

The form and layout of the new development of mews structures should:

- Acknowledge the historic building plots where possible. Where a proposal extends over more than one building plot, articulation in the design and layout should be introduced to make reference to the original plot layout. The*

amalgamation or subdivision of plots on mews lanes will generally not be encouraged.

- The existing building line should be maintained where possible. The rear building line of new mews developments should be consistent with the existing mews plots where possible.*
- The sensitive adaptive reuse of existing and new mews buildings for residential purposes will be encouraged and promoted.*

Height, Scale and Massing

New buildings should complement the character of both the mews lane and main building with regard to scale, massing, height, building depth, roof treatment and materials. Development will generally be confined to two-storey buildings. In certain circumstances, three-storey mews developments incorporating apartments will be acceptable, where the proposed mews building:

- is subordinate in height and scale to the main building;*
- is maintaining the established height of existing mews roof ridgelines;*
- has an acceptable level of open space and where the laneway is suitable for resulting traffic conditions;*
- has sufficiently sized apartment units in line with the relevant Section 28 guidelines.*

Proposals for an additional set back level may be considered on a case by case basis where the additional floor is integrated within the pitched roof element of the structure or where the design and form is contemporary. The set-back should be a minimum of 1.5 metres from the front building line.

BHA14 Mews seeks ‘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.’

15.5.2 Infill Development

Infill development refers to lands between or to the rear of existing buildings capable of being redeveloped i.e. gap sites within existing areas of established urban form.

Infill sites are an integral part of the city's development due to the historic layout of streets and buildings. Infill development should complement the existing streetscape, providing for a new urban design quality to the area. It is particularly important that proposed infill development respects and enhances its context and is well integrated with its surroundings, ensuring a more coherent cityscape.

As such Dublin City Council will require infill development:

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

15.14.2 Bed and Breakfast / Guesthouses

Planning permission is required for the conversion of more than four bedrooms in a dwelling house into a bed and breakfast establishment, in accordance with Article 10(4) of the Planning and Development Regulations, 2001(as amended).

In determining planning applications for change of use to bed and breakfast, guest house, hotel or tourist hostel in residential areas, the planning authority will have regard to the following:

- Size and nature of facility.*
- The effect on the amenity of neighbouring residents.*

- *The standard of accommodation for the intended occupiers of the premises.*
- *The availability of adequate, safe and convenient arrangements for car parking and servicing.*
- *The type of advertising proposed.*
- *The effect on listed buildings and/or conservation areas.*
- *The number of existing facilities in the area.*

15.14.3 Short Term Tourist Rental Accommodation

There is a general presumption against the provision of dedicated short term tourist rental accommodation in the city due to the impact on the availability of housing stock.

Applications for Short Term Tourist Rental Accommodation will be considered on a case-by-case basis in certain locations that may not be suitable for standard residential development such as tight urban sites where normal standards of residential amenity may be difficult to achieve. Applications may also be considered in locations adjacent to high concentration of night / time noisy activity where standard residential development would be unsuitable.

5.3 National Guidance

5.1. Circular on Short-Term Letting and the Planning System - SPI, 01, 2026

- 5.1.1. Statutory National-Level Planning Policy “In order to provide a clear policy rationale for future planning guidance on short-term letting, in April 2025 a Government decision set out a policy direction which proposes restricting, through a general presumption against granting planning permission, short- term letting in cities and larger towns with a population of more than 10,000 persons at the most recent Census. This policy direction currently forms the basis for the preparation of a draft NPS. However, as part of this, it is intended that planning permission for short-term letting may be granted in limited circumstances within cities and larger towns, for example where such development would enable a viable ‘over the shop’ use or the refurbishment of a protected structure.”

5.4 Natural Heritage Designations

Grand Canal pNHA (site Code: 002104) –c. 0.1km to the north of the site

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

Principle of Development and Policy Context

- The proposed development accords with the national and regional planning policy framework which supports compact urban growth, regeneration of underutilised brownfield lands, and sustainable development within accessible urban locations.
- The principle of guesthouse accommodation at this location is acceptable.
- The site represents an appropriate location for low-intensity, car-free visitor accommodation within the existing built footprint of the city.

Scale, Design and Integration with Surrounding Context

- Concerns relating to overdevelopment, visual impact and integration with the surrounding area are not substantiated when considered in the context of the detailed design of the proposal, the varied urban character of Warners Lane and the materially revised nature of the scheme relative to the previously refused proposal.

- The proposal has evolved through an iterative design process and has been carefully informed by the physical constraints, conservation context and established pattern of development within the area.

Residential Amenity and Accommodation Quality

- The appeal submission demonstrates that the proposed development would not give rise to unacceptable impacts on neighbouring residential amenity and that an appropriate standard of internal accommodation is provided.
- Supporting technical documentation submitted with the appeal addresses matters relating to lighting, privacy, overlooking and accommodation quality.

Traffic, Servicing and Sustainable Transport

- The proposed development would not generate unacceptable traffic, servicing or set-down impacts. Concerns raised in this regard are disproportionate to the scale and operational characteristics of the development proposed.
- The appeal submission demonstrates that the proposed guesthouse can operate appropriately within this highly sustainable and accessible city location, consistent with prevailing planning policy objectives promoting reduced car dependency and sustainable movement patterns.

Technical and Environmental Compliance

- The appeal submission is accompanied by a range of supporting technical reports and assessments addressing matters raised during the application process, including drainage, flood risk, servicing, construction methodology and operational management. It is respectfully submitted that the proposed development can be appropriately serviced and constructed without giving rise to any unacceptable environmental or infrastructural impacts.

Alternative Design proposals

- The applicant has prepared a revised scheme for the Commission's consideration with reductions to the overall height and massing of the proposal.
- The proposal now provides for an overall height of 9.215m measured from the principal land level, bringing the proposal into closer alignment with the

established built form of Warner's Lane, including the neighbouring development at no's 45-47 Warners Lane which extend to 8.85m in height.

- All principal windows have been enlarged in order to improve daylight penetration.
- A detailed section illustrating how natural light penetrates through the double height breakfast apace is submitted with the appeal.
- Improvement have been made to the operational and servicing facilitates and staff facilities at lower ground floor level.
- Revisions have been made to waste storage and cycle parking provision.
- Revisions are also made to the public realm to include a proposed cycle track arrangement and revised public steps and handrail at Warner's Lane.

7.2. Planning Authority Response

A response from Dublin City Council requests that the Commission uphold the decision to refuse permission. It is also requested that if granted, a Section 48 development contribution condition be applied.

7.3. Observations

One observation is received from Barry Murphy of 37 Dartmouth Square East which adjoins the subject site. The observer states that there is a right of way from the rear of his property across the site to Warners Lane. The observation can be summarised as follows;

- The appellant's characterisation of the use is evasive and unconvincing. No details are provided on how the development will be managed or operated.
- The development provides for 6 no self-contained ensuite rooms with no apparent on-site management presence and is more accurately described as short term tourist let, and not a guesthouse.
- The principal land use encouraged in Z2 residential conservation areas is housing, and other uses must *'enhance the architectural quality of the*

streetscape and the area, and protect the residential character of the area’.

The proposed development does not satisfy this test.

- The site has capacity to accommodate a modestly scaled two-storey residential, mews dwelling, consistent with the established character of Warners Lane.
- Section 15.13.5 of the Development Plan states that mews development will *‘generally be confined to two storey buildings’*.
- The height reduction of the alternative design does not resolve the overdevelopment, given the scale of the development on a restricted site, adjoining protected structures.
- The site is within a conservation area and adjoins multiple protected structures. Policy BHA9 requires that development within or affecting a Conservation Area *‘must contribute positively to its character and distinctiveness’*.
- The Service Delivery, Access and Mobility Strategy is aspirational and unenforceable.
- The construction methodology has not been adequately addressed in terms of the observers right of way, and the management of construction traffic, plant access and material deliveries.
- The proposed development will impact residential amenity by way of visual dominance and overbearing impact, noise and disturbance, and construction impacts.
- The national policy provisions outlined in the appeal does not override local development management standards.
- The following assessments have not been provided;
 - Conservation Assessment
 - AA Screening Report
 - Assessment of existing visitor accommodation as required by Policy CEE28

- A detailed Construction Management Plan
- Details of staffing levels, on-site management and operational model.

7.4. Further Responses

None.

8.0 Assessment

8.1. Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, the report/s of the local authority, and having inspected the site, and having regard to the relevant local/regional/national policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:

- Principle of Development
- Impact on Heritage
- Residential Amenity
- Access/Traffic Safety

8.2. Principle of Development

Zoning

8.2.1. The site is located on undesignated land. Section 14.3.2 of the Development Plan states that unzoned lands *“usually correspond with the location of the city’s roads, bridges, train lines, or other key infrastructure installations. Development proposals in respect of these unzoned lands will be considered in accordance with the policies and objectives of the plan. Regard will also be had to their compatibility with adjacent land-uses and zonings”*. The site is located within a Conservation Area, adjacent to lands zoned Z2 ‘Residential Neighbourhoods – Conservation Areas’. A guesthouse is a permissible use under the Z2 zoning.

Nature of Development

The third-party observer has raised issue with the nature of the use and considers that the use is more accurately described as short term tourist let, not a guesthouse.

I note that there is a general presumption against the provision of dedicated short term tourist rental accommodation in the city due to the impact on the availability of housing stock as set out in Section 15.14.3 of the City Development Plan.

- 8.2.2. The Planning and development Act 2000 (as amended) defines short term letting" as *'the letting of a house, part of a house or unit, on a professional or non-professional basis—*

(a) for a period not exceeding 21 consecutive nights, and

(b) in consideration of the making by any person (whether or not, as the case may be, the tenant or licensee) of a payment or payments to the landlord;'

- 8.2.3. The Planning and Development Acts notes that "unit" has the same meaning as it has in Article 3(1) of Regulation (EU) 2024/1028 of the European Parliament and of the Council of 11 April 2024¹ on data collection and sharing relating to short-term accommodation rental services and amending Regulation (EU) 2018/1724.]] In this regard, 'unit' means *'a furnished accommodation located in the Union that is the subject of the provision of a short-term accommodation rental service; it does not include the following:*

(a) hotels and similar accommodation, including resort hotels, suite or apartment hotels and motels as described in NACE Rev. 2, group 55.1 ('hotels and similar accommodation') and hostels as described in NACE Rev. 2, group 55.2 ('holiday and other short-stay accommodation') of Annex I to Regulation (EC) No 1893/2006 of the European Parliament and of the Council (²¹);

(b) the provision of accommodation in camping grounds, recreational vehicle parks and trailer parks, as described in NACE Rev. 2, group 55.3, of Annex I to Regulation (EC) No 1893/2006'

- 8.2.4. Based on the definitions above, short stay accommodation generally comprises self-contained space consisting of complete furnished rooms or areas for living/dining and sleeping, with cooking facilities or fully equipped kitchens. This may take the form of apartments or flats in small free-standing multi-storey buildings or clusters of buildings, or single storey bungalows, chalets, cottages and cabins. Very minimal complementary services, if any, are provided. In contrast hotels and other similar

¹ 1 OJ L, 2024/1028, 29.4.2024

accommodation including guest houses provide services which include daily cleaning, bed making and on-the-spot customer service. The proposed development does not provide for self-contained units with cooking facilities. I have also reviewed the submitted Business Plan. I note that there will be an on-site presence between 7am and 9pm. Breakfast will be provided to guests and cleaning will be undertaken. I am satisfied based on the information submitted that the nature of the use can be described as a Guesthouse. I consider that the proposed development is acceptable in principle.

8.3. Impact on Heritage

- 8.3.1. The site is within a Conservation Area and adjoins lands zoned 'Z2 - Residential Neighbourhoods Conservation Area'. While this zoning does not have a statutory basis in the same manner as Protected Structures or Architectural Conservation Areas, they are recognised as areas that have conservation merit and importance and warrant protection through zoning and policy application. Policy BHA9 (Conservation Areas) seeks to protect the special interest and character of all Dublin's Conservation Areas including those under Z2 zoning objectives. The policy states, inter alia, that *'development within or affecting a Conservation Area must contribute positively to its character and distinctiveness and take opportunities to protect and enhance the character and appearance of the area and its setting, wherever possible...'*
- 8.3.2. It is noted the houses on Dartmouth Square and Lesson Street are all listed on the Record of Protected Structures (RPS). Many historic mews buildings remain within the curtilage of protected structures and are, therefore, also afforded statutory protection. The relationship between the historic main house and its mews structure remains a relevant consideration for architectural heritage protection. Section 15.13.5.2 of the Development Plan also requires that new mews developments complement the character of both the mews laneway and the main building with regard to scale, massing, height, building depth, roof treatment and materials. I note that Policy BHA14 'Mews' seeks to *'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.'*

- 8.3.3. The proposed development has a site area of 80sqm and a floor area of 164sqm. The height of the proposed development when measured from the ground level at Grand Parade is 8.50m and 10.9m when measured from the ground level at Warners Lane. This is over 3.5m taller than the ridge height of the adjacent dwelling at 39 Warners Lane, and over 2.5m taller than the roof level at 1 Warners Lane. (I note the roof access at 1 Warners Lane is set back from the roofs edge and does not contribute to the scale of the building from ground level.)
- 8.3.4. As outlined above, BHA14 promotes the redevelopment of mews lanes for '*sensitively designed, appropriately scaled, infill residential development*'. The development proposed is clearly of a commercial nature. I do not consider that the proposed development provides for appropriately scaled, infill residential development. Similarly, I consider that the proposed development does not contribute positively to the character or the distinctiveness of the Conservation Area as required by Policy BHA9. I am of the opinion that the scale of the proposed development would have an overbearing impact on the adjoining mews development and that it would constitute overdevelopment of the constrained site. I note that neither the application or appeal included a heritage or cultural impact assessment. I agree with the Planning Authority that a reduced scale of development, of a residential nature, would constitute a more appropriate proposal on this site.
- 8.3.5. I note that the applicant has submitted revised proposals as part of the appeal. The proposed development remains a 3-storey development with a floor area of 164sqm, however the revised proposals have reduced the height of the proposed development by 1.35m. In my opinion the proposed reduction in height does not address the scale and massing of the development which I consider to constitute overdevelopment of the site. It is my opinion that the incongruity of the proposed development within the established mews development does not achieve the appropriate balance between the benefits of a brownfield, infill development and the protection of the established character of the area.
- 8.3.6. I consider that the proposed development would materially and adversely affect the character of the Mews developments which are associated with the protected structures on Leeson St and Dartmouth Square East, and located in a Conservation Area and would conflict a number of provisions of the Dublin City Development Plan

2022-2028 in particular Policy BHA9 and Policy BHA14. Therefore, I consider that the proposed development should be refused permission.

8.4. Residential Amenity

- 8.4.1. The site is located to the rear of 37 Dartmouth Square East, a Protected Structure. The immediately adjoining plot at 38 Warners Lane is used for car parking. There is a two-storey dwelling house on the combined plots to the rear of 39 and 40 Warners Lane.
- 8.4.2. The observer, who owns 37 Dartmouth Square East, has raised concerns in relation to the impacts of the proposed development on his right of way through the site to Warners Lane. I note that the submitted drawings indicate a right of way at the rear of 37 Dartmouth Square East through the site to Warner's Lane. I consider that the proposed development has been designed to retain the right of way through the site.
- 8.4.3. The observer has also raised concerns about construction impacts. While it is acknowledged that the construction phase of development would result in some disturbance for local residents, I am satisfied that any impacts would be local and temporary in nature and that the implementation of a Construction Management Plan and Traffic Plan would mitigate against any potential significant impacts.
- 8.4.4. In terms of separation distances, the proposed development is 10.2m from the existing development at 39/40 Warners Lane where windows directly overlook the proposed development site. The proposed development is over 3.5m taller than the ridge height of this neighbouring dwelling. Given the limited separation distances and to prevent overlooking, a significant portion of the 3-storey southern elevation of the proposed development is blank. In my opinion the significantly blank rear elevation in combination with the limited separation distances and height of the proposed development, would negatively impact on the visual amenities of the existing house. It is considered that the design approach is a result of overdevelopment of the site which in my opinion requires further consideration.

8.5. Access/Traffic Safety

- 8.5.1. Primary access to the site is via Warner's Lane, with additional pedestrian access available from the adjacent public stairs to Grand Parade. Warner's Lane is approximately 5.7m in width and accommodates informal car parking along its

length. The constrained nature of Warner's Lane provides no turning area for vehicles. The second reason for refusal considers that the proposed development would give rise to unacceptable levels of overspill vehicular and set-down activity on adjacent heavily trafficked Grand Parade Road as well as on the constrained Warners Lane.

- 8.5.2. The applicant submits that the site occupies an exceptionally sustainable and accessible urban location which is highly suited to a low-car or car-free development and the development accords with the policy direction at national and local level seeking to reduce reliance on private car and promote sustainable modes of movement. The proposal is considered to be modest with a simple operational model facilitating an anticipated 9-10 no. guests at any given time. The site is in immediate proximity to public transport infrastructure, cycle infrastructure, employment centres and retail services. The applicant notes that operational strategy has been designed to minimise serving demand and avoid routine vehicular activity where possible. In this regard the applicant has submitted a Service Delivery, Access and Mobility Strategy.
- 8.5.3. The strategy outlines that the visitors arriving by taxi will be directed to set down on the Dartmouth Road and walk down Warners Lane to the development. This set down location will be registered with Google Maps. Staff will be required to avail of public transport or walk or cycle to work. Bicycle parking and shower facilities for staff are provided as part of the development. In terms of deliveries and services, linen and laundry will be managed within the development and no deliveries to the site will be required in this regard. Breakfast will be delivered each morning for guests by a private company operating in the area which uses cargo bike. Waste arrangements for Warners Lane are already in place with properties served by roadside refuse collection carried out by private refuse collection companies. The proposed development will be serviced in accordance with this arrangement.
- 8.5.4. I am satisfied that the proposed development can be appropriately managed with minimal servicing by vehicle. I am therefore also satisfied that the traffic generated by the proposed scheme would not have an adverse impact on the capacity of the surrounding road network. I do not consider that the proposed development warrants a refusal for this reason.

9.0 AA Screening

I have considered the proposed development in light of the requirements S177U of the Planning and Development Act 2000 as amended.

The subject site is located in a fully serviced urban area and is not immediate to a European Site. The nearest European Sites (South Dublin Bay SAC and South Dublin Bay and River Tolka Estuary SPA) are located 2.7km to the east of the site.

The proposed development comprises the construction of a 3-storey building to be used as a guest house as set out in Section 2 of this report.

No nature conservation concerns were raised in the planning appeal.

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 of a European Site.

The reason for this conclusion is as follows:

- Nature of works e.g. small scale and nature of the development
- Location-distance from nearest European site and lack of connections
- Taking into account determination by LPA

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 permission be refused for the reasons and considerations set out below.

12.0 Reasons and Considerations

1. The proposed development for a three-storey guesthouse on a restricted site is considered to constitute overdevelopment, given the intensive use of the building and the resultant design required for such as use, which would create an insensitive imbalance within the existing streetscape, failing to relate to or integrate with the existing character of the area. The development would appear visually incongruous and would have a negative visual impact on the character of the mews lane and would seriously detract from the architectural character and setting of the surrounding protected structures and their curtilage, and the wider Z2 Conservation Area. The development would therefore set an undesirable precedent for future developments of this type and would be considered too seriously injure the amenity of property in the vicinity. The proposed development would, therefore, be contrary to Policy BHA9 and BHA14 of the Dublin City Development Plan 2022-2028, and would 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.

Ciara McGuinness
Planning Inspector

24th August 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	501364
Proposed Development Summary	Proposed 3-storey building to be used as a guest house, associated amenity spaces, and all associated site, boundary and landscape works.
Development Address	3 Grand Parade/37 Warners Lane, Ranelagh, 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?	☒ 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	State the Class here

be requested. Discuss with ADP.	
☐ 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	
☐ 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) (iv) Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a builtup area and 20 hectares elsewhere. (In this paragraph, “business district” means a district within a city or town in which the predominant land use is retail or commercial use.) The proposed development site has an area of 0.008ha and is therefore subthreshold.

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: _____ **Date:** _____

Appendix 2: Form 2 - EIA Preliminary Examination

Case Reference	501364
Proposed Development Summary	Proposed 3-storey building to be used as a guest house, associated amenity spaces, and all associated site, boundary and landscape works.
Development Address	3 Grand Parade/37 Warners Lane, Ranelagh, 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 site is an urban infill site in Dublin city centre. The development has a modest footprint, comes forward as a standalone project, does not require demolition works, does not require the use of substantial natural resources, or give rise to significant risk of pollution or nuisance. The development, by virtue of its type, does not pose a risk of major accident and/or disaster, or is vulnerable to climate change. It presents no risks to human health.
Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and	Briefly comment on the location of the development, having regard to the criteria listed

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 on a serviced urban infill site within Dublin city Centre. The development is removed from sensitive natural habitats, and designated sites and landscapes of identified significance in the County Development Plan.
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	EIA is not required. ✓

significant effects on the environment.	
There is significant and realistic doubt regarding the likelihood of significant effects on the environment.	Schedule 7A Information required to enable a Screening Determination to be carried out.
There is a real likelihood of significant effects on the environment.	EIAR required.

Inspector: _____ Date: _____

DP/ADP: _____ Date: _____

(only where Schedule 7A information or EIAR required)

