Inspector's Report
PL-501663-DS-26

Development	PROTECTED STRUCTURE: Construction of dwelling house, removal of existing conservatory and garage associated remedial works to boundary walls of property, division of gardens and all associated site landscaping and services works. Development site is listed as a Protected Structure (RPS-4686), located within a Z2 Residential Conservation Area.
Location	84, Leinster Road, Dublin 6
Planning Authority	Dublin City Council South
Planning Authority Reg. Ref.	WEB1843/26
Applicant(s)	Declan and Maeve O'Neill
Type of Application	Permission
Planning Authority Decision	Grant Permission + Conditions
Type of Appeal	Third Party Normal Planning Appeal
Appellant(s)	Harry Leech and Emma Sharke
Observer(s)	None

Date of Site Inspection	7th October 2026
Inspector	Sandra Eapen

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1.0 Site Location and Description

1.1. The subject site with a stated area of c.0.0311ha is part of a group of terraced 2-storey dwellings addressing Leinster Road in Ranelagh, Dublin 6. The subject site, No. 84 Leinster Road, is listed in the Record of Protected Structures (RPS No. 4686) in the Dublin City Development Plan 2022-28. The existing building on site is an end-of terrace, 2 storeys dwelling that addresses Leinster Road to its front and Grosvenor Lane to the side. To its rear the site is accessible via a pedestrian laneway exiting onto Grosvenor Lane. The site is bound to the side by masonry walls and wrought iron railings to the front. There are number of 2 storey, mews developments along Grosvenor Lane to the rear of Leinster Road.

1.2. The existing main building on site has a total stated floor area of c.207sqm. The dwelling is provided with red brick finishes along the front elevation. The dwelling has a 2-bay design, with 6-over-6, non-original, uPVC windows, along the front elevation. There are no side elevation windows addressing Grosvenor Lane. To the rear of the dwelling, there is a part single, part two storey extension, with different roof styles. In addition to the rear extensions, the site also includes a single storey, detached, garage structure opening onto Grosvenor Lane.

2.0 Proposed Development

2.1. The proposed development would consist of the following works:

- Removal of an existing single storey (flat roof height of c.2.4m), detached garage structure at the rear end of the site, internal floor area of c.40.2sqm
- Removal of existing single storey, lean to roof (ridge height of c.3.6m) conservator attached to the rear elevation of the main dwelling with a stated floor area of c.13sqm
- Creation of a new pedestrian entrance to Grosvenor Lane. Reinstatement of remaining original rear boundary walls and restoration of rear façade of the main dwelling.

- Construction of a new 2-bedroom, 2 storey mews dwelling with a total floor area of c.80.4sqm which will be accessed via Grosvenor Lane. Finishes proposed include red brickwork for the first-floor elevations and timber screens painted black. At ground floor level, the building is proposed to be set within the traditional render boundary wall addressing Grosvenor Lane and will have a reclaimed stone wall finish along the rear elevation.
- Subdivision of site, into c.222sqm for the original dwelling and c.89sqm for the proposed new infill dwelling. Construction of c.1.8m high masonry wall separating the two sites, with render finishes.
- All associated site landscaping and services work

3.0 Planning Authority Decision

3.1. Decision

3.1.1. Dublin City Council (DCC) granted permission for the development on 10 June 2026.

3.1.2. **Conditions**

The following conditions were included by the Planning Authority in the permission:

- Condition No. 2 Specifies Section 48 Contributions in respect of public infrastructure and facilities benefitting development.
- Condition No. 3 Requires details of the finishes to be agreed with the Planning Authority
- Condition No. 5 Requests naming and numbering to be agreed in writing
- Condition No. 7 Requires applicant to submit a Conservation Method Statement for works to the rear elevation, boundary wall along Grosvenor Lane, retention of kerbstones to the public pavement, agreeing new 1:20 scale garden gate.
- Condition No. 8 Requires the applicant to provide for 2 no. long term cycle spaces.
- Condition No. 10 Requires Noise control measures for demolition and construction phases to protect adjoining residential amenities.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The planning report dated 8 June 2026 is the basis for the decision to grant permission for the development. The planning considerations in the report can be summarised as follows:

- The principle of provision of a new 2 storey mews house is acceptable within the site zoning objective Z2.
- The subdivision of the site into two plots of plot ratio of 0.68 and 0.83 each, are below the indicative standard of 1.5 to 2.0 set out for conservation areas in Table 2 of Appendix 3 of the Development Plan.
- The current proposal has a lower site coverage than previous refused proposals and has largely addressed the previous refusal reasons
- The proposed new house floor area (80.4sqm) and private open space provision (c.30.4 sqm) exceeds the minimum standards.
- Section 15.13.5.2 sets out requirements for Mews developments – proposed mews dwelling relies on the side lane for access, no setback is proposed at ground level from the rear access lane, however, this was considered acceptable as it is unclear if the remaining dwelling along the rear laneway has sufficient rear garden to allow for mews dwelling.
- Windows are proposed along the eastern elevation facing Grosvenor Lane and is considered to not result in any overlooking of the adjoining properties.
- The sunlight and daylight assessment report provided for the development indicates that the neighbouring properties will not generally be impacted.
- The mews design is considered to be modest in scale and well designed, unlikely to be out of character with the residential conservation area designation
- The proposed development was considered to not materially contravene policies and objectives of the Development Plan

3.2.2. Other Technical Reports

- Conservation Office: No objections subject to conditions

  The original dwelling structure on site is considered to be of regional significance for conservation. The proposed infill development was considered acceptable by the Conservation Office. Conservation Method Statement for the repair works to be requested as post compliance conditions, demolition of boundary wall to be limited in scope. Sensitive restoration of remaining boundary walls and repointed, new boundary wall requested between the existing and proposed dwelling, high-quality garden gate design to be submitted.

- Drainage Division: No objection subject to conditions

  Surface water management measures in compliance with requirements of division to be carried out, drainage for the proposed development to be completely separate foul and surface water system.

- Transportation Section: No objections subject to conditions

  Minimum of 2 no. cycle parking spaces to be provided for the development, dedicated storage area for bins and cost to repair works to public roads to be incurred by applicant

3.3. **Prescribed Bodies**

No reports on file

3.4. **Third Party Observations**

3 no. third party submissions were made at planning application stage, including the appellant. The issues raised can be compiled as follows:

- The proposal does not sufficiently overcome previous refusal reason – the current proposal does not improve the impact of overshadowing, does not lessen the overbearing nature and proposal still represents overdevelopment of site.
- Proposed ground floor windows would overlook adjoining dwelling at No 85.

- The ground floor area of the dwelling has been reduced from 55sqm to 39 sqm to provide for a rear garden compromising the site useability.
- First floor footprint extends the full width of the site increasing the level of overshadowing impacts from what was previously proposed
- The proposal is not compliant with the standards of residential development as prescribed in the development plan
- Would set negative precedent for similar mews development on other narrow sites.

4.0 Planning History

Reg. Ref. 3454/25 Planning permission REFUSED for the construction of a new 2 bedroom, 3 person mews dwelling at the site of existing garage, subdivision of site, demolition of existing single storey rear extensions etc at subject site.

Refusal Reasons cited are as follows:

1. *Having regard to the minimal separation between the proposed new dwelling and sites of Nos. 1 and 2 Leinster Place, which are separated from the site by a narrow laneway, the loss of private amenity space within the curtilage of the existing dwelling at No. 84 Leinster Road, a protected structure, and the failure to comply with the minimum rear garden size of 30m2 for a two-bedroomed house as set out in the statutory guidelines 'Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities', (DHLGH, 2024), it is considered that the proposal would result in overdevelopment of this restricted rear garden site, and would seriously injure the residential amenities of Nos. 1 and 2 Leinster Place by reason of overbearing impact and loss of sunlight. The proposal would therefore be contrary to the provisions of the above Guidelines, to the policies and objectives set out in the current Dublin City Development Plan (2022-2028) and to the proper planning and sustainable development of the area*.

5.0 Policy Context

5.1. Dublin City Council Development Plan 2022-28

The subject site located on lands zoned as Z2 Residential Neighbourhoods (Conservation Areas). The objective for Z2 zoning is "to protect and/or improve the amenities of residential conservation areas." Residential use is permitted under the Z2 zoning in the Development Plan.

The subject building on No. 84 Leinster Road is listed in the Record of Protected Structures (RPS No. 4686) as a dwelling house in the Development Plan.

- **Policy QHSN6 Urban Consolidation** – promote and support residential consolidation and sustainable intensification.
- **Policy QHSN10 Urban Density** – promotes residential development at sustainable densities throughout the city
- **Objective QHSNO4 Densification of Suburbs** –supports the ongoing densification of the suburbs
- **Policy BHA2 Development of Protected Structures** - ensure that development will conserve and enhance protected structures and their curtilage
- **Policy BHA14 Mews** – promotes the redevelopment and regeneration of mews lane… for sensitively designed, appropriately scaled, infill residential development, that restores historic fabric where possible, and removes inappropriate back-land car parking areas.
- **Section 15.5.2 Infill Developments** – are required to respect and complement the prevailing scale, mass and architectural design. Demonstrate a positive response to the existing context.
- **Section 15.6.13 Boundary Treatments** - Details of all existing and proposed boundary treatments, including vehicular entrance details, should be submitted as part of any planning application.
- **Section 15.11 House Developments**
- **Section 15.11.1 Floor areas** - Houses shall comply with the principles and standards outlined in Section 5.3: 'Internal Layout and Space Provision'

contained in the DEHLG 'Quality Housing for Sustainable Communities – Best Practice Guidelines for Delivering Homes Sustaining Communities' (2007).

- **Section 15.11.2 Aspect, Daylight / Sunlight and Ventilation** - The orientation and layout of house units should maximise the use of natural daylight and sunlight as much as possible… Rear private garden should be sufficiently sized and orientated to ensure direct sunlight access is achieved for part of the day on March 21st. Living rooms shall not be lit solely by roof lights.
- **Section 15.11.3 Private Open Space** - A minimum standard of 10 sq. m. of private open space per bedspace will normally be applied… These standards may be relaxed on a case-by-case basis subject to a qualitative analysis of the development.
- **Section 15.11.4 Separation Distances (Houses)** - Traditionally, a separation of about 22m 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.
- **Section 15.15.2.2 Conservation Areas** – sets out guidance for developments within Z2 Conservation Areas
- **Section 15.15.2.3 Protected Structures** – guidance on works to protected buildings

Appendices

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

Appendix 5 Transport and Mobility: Technical Requirements

Appendix 16 Sunlight and Daylight

Appendix 18 Ancillary Residential Accommodation

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

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

City - Urban Neighbourhoods - *It is a policy and objective of these Guidelines that residential densities in the range 50 dph to 250 dph (net) shall generally be applied in urban neighbourhoods of Dublin and Cork.*

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

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

2 bed house 30 sq.m / 3 bed house 40 sq.m / 4 bed + house 50 sq.m

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

SPPR 3 - Car Parking - *(i) In city centres and urban neighbourhoods of the five cities, defined in Chapter 3 (Table 3.1 and Table 3.2) car-parking provision should be minimised, substantially reduced or wholly eliminated.*

5.3. **Quality Housing for Sustainable Communities, Best Practice Guidelines, 2007**

Section 5.3.2, Table 5.1 and Table 5.2 sets out the space requirements and room sizes according to dwelling types.

5.4. Natural Heritage Designations

The South Dublin Bay SAC and NHA (Site Code 000210) as well as South Dublin Bay and River Tolka Estuary SPA (Site Code 004024) is located c.4.85km 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

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

- The laneway to the rear of Leinster Place is a different type of narrow passage that serves tiny yards at the rear of the dwellings and were in use as scavenging lanes in the 19th century.
- Dwellings here should be considered as back-to-back dwellings and the laneway should not be considered as a mews lane.
- The revised proposals fail to overcome previous refusal reasons relating to overdevelopment, overbearing, loss of sunlight and injury to existing residential amenities. Separation distance and orientation have not changed.
- Development would result in unacceptable impact to residential amenities enjoyed by 1 & 2 Leinster Place, by its proximity, visual dominance, overbearing impact to rear bedrooms and small private open space.

- The subject site cannot accommodate the proposed scale of development as it relies on constrained residential garden
- The applicants shadow study excludes autumn and winter solstices. Development will materially impact the winter daylight/sunlight received by adjoining properties and affect the quality of life of residents.
- BRE compliance is relevant but not conclusive. Development should be assessed against changes to the ADF, NSL, VSC, and APSH for neighbouring dwellings.
- The dwelling is stated as addressing Grosvenor Lane but would have direct impacts over the small laneway to the rear of Leinster Road.
- The proposal would have direct impacts on the architectural conservation setting and historic plot structure of the 1850s buildings along Leinster Rd. Conflicting with the character of the service lane and urban morphology here.
- The back land development as proposed would fragment historic curtilage of a protected structure and would be contrary to the Z2 Residential Conservation objective assigned to the site.
- The proposal if permitted would result in an undesirable precedent for a piecemeal development, which is incongruous in its scale and massing, would not harmonise with the receiving environment.
- The development would impact the tight urban context of the site, result in an overbearing an oppressive relationship with neighbouring dwellings.

7.2. **Applicant Response**

Applicant has provided a response to the third-party appeal observations. Considerations raised are as follows:

- The proposal was significantly revised to address previous refusal reasons. Revised design was developed with increased setbacks for the upper storeys, proposed fenestrations at 1st floor is oriented to Grosvenor Lane, thereby overcoming overlooking and overshadowing issues.

- The high boundary wall surrounding the rear open space of No. 1 Leinster Place encloses the site and restricts light entering the site. There is also an awning on the rear patio of the dwelling further restricting daylight penetration.
- The appellant has ignored the normal assessments and use of BRE recommendations for daylight and sunlight assessments. Submitted daylight assessment show that there is no material loss in daylight.
- The DCC conservation report show that the original plot size has been respected in the proposed development as the proposal is located almost within the footprint of the existing garage on site.
- The National, Regional, and local policy promote the densification of sites withing the built-up footprint of the cities. Particularly NPO 1,9,12,22, and 45 as well as RPO 3.2, 3.3, 4.3
- No. 1-4 Leinster Place has carried out major rear extensions to the rear in recent years extending to the laneway boundary further reducing the amenity space available.
- There are a number of 3-4 storey residential developments within immediate site context. 2 storey extension is not dominant in scale or massing. The cubic form of the development is extensively used in residential mews setting within inner suburbs.
- The appellants acknowledge that the design shows skill, uses sophisticated design measures, good quality materials and superior finishes.
- The appellants agent should know that the standard daylight assessment is carried out for March 21s and not for sunlight received on 21st December
- VSC, APSH, WPSH and Sun on Ground assessments were carried out for the proposal and is included in the application pack.
- The overshadowing level is to be expected in an historic, compact inner suburban site as noted in the BRE Guidelines. The worst-case scenario depicted in the appeal for 12:30- 1:30 for winter solstice would still allow sunlight to the rooflight of 1 Leinster Place.

- The proposed development is in compliance with the national, regional, local policies and objectives. The scale of development is subservient to the protected structure on site and has demonstrated compliance with daylight standards.

7.3. **Planning Authority Response**

DCC response received note that if permission is considered the following conditions be applied.

- A condition requiring the payment of a Section 48 development contribution
- A social housing condition
- A naming and numbering condition

7.4. **Observations**

None on file

8.0 **Assessment**

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

- Principle of Development
- Residential Amenity
- Overshadowing
- Built Heritage
- Other Matters

8.1. Principle of Development

8.1.1. This application seeks permission for the construction of a new 2-bedroom, 2 storey infill dwelling to the rear of No. 84 Leinster Road, Ranelagh. The site is located within Z2 -Residential Neighbourhoods (Conservation Areas) land use zoning with an objective "to protect and/or improve the amenities of residential conservation areas." Residential use is permitted under the Z2 zoning in the Development Plan. Subject to compliance with the overall policies and objectives of the Development Plan the principle of proposed development is acceptable on subject site.

8.2. Residential Amenity

8.2.1. Proposed new dwelling: A previous proposal for the construction of a 2-bedroom mews dwelling at this site under Reg. Ref. 3454/25 was refused for overdevelopment, overbearing impacts and loss of sunlight owing to the minimal separation distance with dwellings to the rear. The refusal also cited loss of private amenity space for existing dwelling at the site, as well as failure to comply with the minimum open space requirements for a 2-bedroom dwelling. The third-party appellants contend that the revised proposals do not sufficiently address previous refusal reasons and therefore permission should be refused. It is noted that there are minor discrepancies between the stated floor areas and submitted drawings. However, the changes are not significant to alter the outcome of the permission.

8.2.2. The current application seeks permission for the construction of a new 2-bed infill dwelling towards the rear end of the site, replacing the existing single storey garage structure here (internal floor area c.40sqm). The sole access for the new dwelling is proposed via Grosvenor Lane and would open onto the proposed amenity area of the new dwelling. The subdivided sites, c.222sqm and c.89sqm, are proposed to be separated by a masonry wall c.1.8m tall. The proposed new dwelling will be contained within the footprint of the existing garage on site that is proposed to be removed. Under the proposed arrangement the first-floor element of the new dwelling is setback from the rear boundary by a minimum of c.1.2m and would have an overhang of c.1.3m onto the proposed rear amenity area to the south of the new dwelling.

8.2.3. The existing dwelling on site would retain a plot ratio of 0.68 (floor area of 150sqm) and the proposed dwelling would have a plot ratio of 0.83 (floor area of 80.4sqm). The current arrangement would see a lesser footprint at ground level for the new infill dwelling (c.40.2sqm reduced from c.43.6sqm) and increased rear amenity area for the dwelling (c.30.4sqm increased from c.26sqm) from what was previously proposed. The plot ratio and site coverage for the new dwelling is within the indicative standards set for Conservation Areas within Table 2 of Appendix 3.

8.2.4. The new dwelling would have a rear amenity area of c.30.4sqm which satisfies the minimum requirement for a 2 bedroom dwelling as set under SPPR2 of the Compact Settlement Guidelines, 2024 and is well above the minimum private amenity space standards set within the Development Plan. The proposal would also allow for increased setback at first floor level from the rear access lane and a setback distance of c.12.32m with existing first floor elements of No. 1 &2 Leinster Place. The reduced setback is acceptable in this instance as there are no directly opposing windows here.

8.2.5. The proposed arrangement would see 2 no. bedrooms located at first floor level (c.14.6sqm and c. 9.6sqm) and a shared living/dining/kitchen area (aggregate area of c.23sqm) provided at ground floor level. Dedicated storage areas are proposed at the stair landing and under stairs. The new dwelling would satisfy the floor area requirements set for 2-bedroom /3-person, 2-storey dwelling in the ‘Quality Housing for Sustainable Communities, Best Practice Guidance’, 2007. The new dwelling is proposed to have a flat roof at a parapet height of c.5.85m from ground level. The proposed height is well below the ridge height of the existing dwelling on subject site (c.8m) and is in line with the 2-storey, flat roof element of No. 1 Leinster Place

8.2.6. No windows are proposed along the northern or western elevations of the new dwelling. Windows for the 2no. bedrooms are proposed along the eastern elevation directly addressing Grosvenor Lane. There are no directly opposing windows within the proposed first floor element of the new dwelling. The proposed windows would address the rear elevation of Leinster Place Apartment Building at a 90º angle and will have a separation distance of c.12m including the width of Grosvenor Lane, thereby, is unlikely to result in any direct overlooking issues. At ground floor level, full-scale glazed openings are proposed along the rear elevation addressing the amenity area and high-level windows are proposed along Grosvenor Lane. I do not

consider the proposed design to result in any significant overlooking issues for neighbouring dwellings. The proposed arrangement would therefore overcome previous refusal reasons under Reg. Ref. 3454/25 and is unlikely to impact residential amenities of neighbouring dwellings. The proposal would provide good quality residential amenities for future residents and allow for the further densification of a suburban site within an established neighbourhood in alignment with Objective QHSNO4 of the Development Plan.

8.2.7. Refurbishment of existing building: The existing building on site is a 2 storey, 2 bay dwelling house built in the 1870s and is listed in the Record of Protected Structures (RPS No. 4686) in the Dublin City Development Plan 2022- 28. It is stated within the application documentation that the building is currently in use as a shared rental accommodation. The applicant has stated their intention to carry out further conservation and maintenance works to the main house to return the property to its original condition as a 3-bedroom dwelling. However, this is not part of the subject application. The bedrooms and 1no. shared bathroom are provided at first floor level. The living and kitchen spaces is accommodated within the ground floor level.

8.2.8. The original dwelling structure on site had a double ridge roof with 2 no. chimney stacks located centrally and a 2-storey, hipped roof, side return. The dwelling was further extended to its rear later at different stages. Apart from the original 2 storey side return along the boundary shared with No. 85 Leinster Road, a lean-to roof later extension was constructed at the end of the side return with an additional chimney stack. A second lean-to roof extension was also constructed at a later stage extending up to the side boundary along Grosvenor Lane using lightweight materials such as corrugated metal or polycarbonate. The applicant has proposed the demolition of this single storey, c.13sqm, conservatory/storage room attached to the rear elevation of the dwelling. The applicant has however proposed to retain the existing side access onto Grosvenor Lane from the conservatory room following its proposed demolition as a separate access to the rear garden of the original dwelling for bin storage etc. A separate new opening is also proposed for the new dwelling along this section of the western side boundary wall addressing Grosvenor Lane. If permission is considered for the development, it is recommended that the applicant be requested to agree in writing with the Planning Authority an appropriate construction and demolition waste management plan.

8.2.9. The refurbishment works proposed to No.84 Leinster Road is limited to the removal of part of the existing non-historic rear extension from the rear elevation of the dwelling house. This will allow for the partial restoration of the original rear elevation of the main dwelling and refurbishment of rear garden boundaries. The removal of the conservatory room would allow for the main dwelling to retain a rear open space of c.50sqm. This is considered appropriate for 3-bedroom dwelling as per SPPR2 of the Compact Settlement Guidelines, 2024 following the subdivision of the site. Additional remedial works proposed include repair of rendered stone boundary wall along the eastern site boundary addressing Grosvenor Lane. The rear rubble boundary wall addressing the rear laneway is to be removed and reconstructed at roughly same height (c.2.1m). This wall is currently in a state of disrepair with signs of failure noticeable and therefore the proposed works are considered to be necessary. Detailed assessments regarding the architectural heritage are carried out in the following section on Built Heritage. The Conservation Officer's report does not raise any objection to the proposed scale of development at the site and recommends that if permission is granted conditions be included to ensure the sensitive restoration of remaining historic boundary walls. The proposed scale of demolition and restoration works are minor in nature and are unlikely to impact the character of the structure. I consider the proposal to be an improvement from what was proposed previously and the current scheme to represent an improved design response to the site.

8.3. **Overshadowing**

8.3.1. The appellants contend that the proposal would result in serious overshadowing impacts onto dwellings to the north, particularly No.s 1&2 Leinster Place. Both the applicants and appellants have prepared detailed daylight and shadow assessment for the proposed development. Dublin City Council Development Plan 2022-28, Appendix 16 sets out the requirements regarding Sunlight and Daylight for new developments. The updated version of the BR 209 A Guide to Good Practice - Third Edition (BRE Guidelines 2022) is given precedence in the Development Plan standards for carrying out daylight assessments.

8.3.2. The appellants submission includes a shadow study and perspective view of the existing setting, previous proposal (under Reg. Ref.3454/25) and current proposal for

11am, 12pm, 1pm and 2pm of December 21st. Although sun path angles are included for other dates most of the assessment included are based on the previous refused proposal and do not take into consideration the amendments made in the current arrangement. The appellants state that the December sun path angle continues to show considerable negative impact from the proposed arrangement onto No. 1 Leinster Place.

8.3.3. BRE recommends using APSH (Annual Probable Sunlight Hours) and WPSH (Winter Probable Sunlight Hours) to assess the loss of sunlight for an existing window over the year instead of assessing impacts for just one day of the year. APSH is expressed as percentage of total unobstructed annual sunlight hours received by a window. As per Section 3.2.6 of BRE 209 if a room can receive more than one quarter (25%) of APSH, at least 5% of WPSH in the winter months between 21 September and 21 March, then it should still receive enough sunlight. VSC (Vertical Sky Component) is a measure of the amount of visible sky reaching a window and is expressed as at the percentage of skylight received at the centre of a window. BRE recommends a minimum VSC of 27%. BRE 209 considers any reduction to have significant impact when the predicted daylight received is found to be less than 80% of the former value.

8.3.4. The applicant's daylight study, assess the proposed schemes compliance with respect to the BRE 209 guidance. The study identifies neighbouring buildings that could potentially be impacted by the proposed development including No's 1&2 Leinster Place, No. 85 Leinster Road and Leinster Hall Apartments across the Grosvenor Lane. 100% of the identified windows on surrounding properties comply with the APSH and WPSH requirements. Vertical Sky Component VSC was observed to be above the 0.8 ratio for the habitable rooms. The results suggest that the tested windows would receive sufficient sunlight when the impact of the proposed development is taken into consideration.

8.3.5. Sunlight on Ground test was also carried out for rear amenity areas of surrounding properties (No's 1&2 Leinster Place, No's 85-86 Leinster Road), which requires that at least half of the rear amenity areas of surrounding properties receive min. 2 hours of sunlight on March 21st. The before and after test results does not show any impacts. It is understood that the high site boundary walls along the southern site

boundary interfere with the daylight entering the properties to the rear. The rear roof lights would continue to receive sunlight during winter months.

8.3.6. The applicant's daylight study has demonstrated that any overshadowing impacts from the proposed development onto neighbouring amenities are within the acceptable limits set by the BRE 209 recommendations. While the appellants daylight study for the current proposal particularly focuses on one day - 21st December (shortest day of the year), the applicant's daylight assessment demonstrate all year performance of the proposed building in accordance with BRE 209 standards and therefore provides a more robust assessment of daylight/ overshadowing impacts. The Commission shall note that the BRE 209 only recommends plotting sun path for summertime as plotting winter shadows (eg. 21 December) would make even low buildings to cast long shadows (Section 3.3.15). It is acknowledged within the BRE 209 standards that in a built-up area, large areas of the ground would be in shadow in December. I consider the revised design to have reduced overshadowing impacts to dwellings to the rear due to the proposed increase in setback for the first-floor elements from the rear boundary.

8.4. **Built Heritage**

8.4.1. The proposed development consists of subdivision of the existing site at No. 84 Leinster Road, which is a Protected Structure listed in the Development Plan under RPS No. 4686. The subject dwelling on site is a late-19th century, 2-storey dwelling house. The dwellings along Leinster Road can be seen on the last edition, 6- inch, Ordinance Survey Maps (1930). All works proposed on Protected Structures are required to conserve and enhance the protected structures and their curtilage as per Policy BHA2 of the Development Plan. The applicant has submitted an Architectural Heritage Impact Assessment by a conservation grade 3 architect. The report includes a photographic survey of the existing building including interior.

8.4.2. No works are currently proposed to the interior of the main house or the primary front elevation. The proposed demolition works are minor in nature and are unlikely to result in any structural impacts to the Protected Structure. Minor works are also being proposed for the restoration of the rear elevation of the original dwelling structure on the site following the removal of the non-original rear extension and for

the reinstatement of remaining rear garden boundary walls. The proposed works would however impact the secondary elevation of the site along Grosvenor Lane.

8.4.3. The appellants have raised concerns regarding the principle of subdividing the site and questions the basis for considering the laneway at the rear of the site as a mews lane. The new dwelling has been designed to primarily address Grosvenor Lane and would not have any openings onto the rear laneway. There are currently a number of mews development, with a variety of design, styles and scales, along Grosvenor Lane. The existing laneway to the rear of Leinster Road is a cul-de-sac currently serving bins and provides access to the rear gardens of dwellings along Leinster Road. Although similar infill/mews developments could be constructed along the rear laneway, such developments would have to overcome major design challenges including reduced accessibility, varying width of the laneway c.3.1m to c.2.5m and further reduced setback with dwellings along Leinster Place. As the proposed new dwelling would extend up to the rear and side boundaries, permitting the development would preclude any further widening of the rear laneway in the future. However, as the proposed ground floor area of the new dwelling is contained within the footprint of the existing single storey garage building, the proposed scheme would not further reduce the available width of the existing road corridors here. I therefore, consider the site to be capable of subdivision and the proposed infill development to be consistent with National and Regional policies which promote consolidation and densification of existing urban areas.

8.4.4. The DCC Conservation Officer's report supports the principle of infill development within the curtilage of the protected structure. The Conservation Office of DCC recommended that permission be granted for the proposed development subject to conditions including Conservation Method Statement detailing measures for the sensitive restoration of boundary walls. If permission is considered, it is recommended that the applicant agree the details of the proposed works and finishes with the Conservation Office of the Planning Authority.

8.4.5. Policy BHA2 of the Development Plan seeks to protect and retain important elements of built heritage including historic gardens, stone walls, entrance gates, piers, trees (in good condition) associated with the protected structures from inappropriate development. The proposed works would allow to retain and refurbish elements of built heritage especially the stone walls to the rear and the rendered site

boundary along Grosvenor Lane. The proposed works would involve minimal loss of historic fabric within the original dwelling structure and cause minimum interference to the special architectural character of the building.

8.5. **Other Issues**

8.5.1. Parking: The proposed new dwelling would only have pedestrian access. It is noted that the site is located within Zone 2 as per Parking Area Map J of the Development Plan which requires a car parking of 1 no. space per dwelling as per Table 2 of Appendix 5 of the Development Plan. However, the Development Plan allows for a relaxation of maximum car parking standards for sites located in Zone 1 and Zone 2 within a highly accessible location. Given the location of the site within proximity of a number of public transport routes, the omission of car parking is considered acceptable in this instance. The DCC Transportation department considered the principle of mews development to be established along Grosvenor Lane. The site will be accessible for emergency vehicles and bin trucks. A minimum of 2 no. long-term cycle parking is recommended to be provided for the dwelling. As the dwelling will have ground level access from Grosvenor Lane and availability of dedicated rear garden area, I do not consider the need for a specific condition for the provision of dedicated bike parking or bin store areas.

8.5.2. Construction Traffic: Given the proximity of other residential dwellings to the site, I consider it appropriate that the applicant be requested to submit a detailed construction management plan, including measures for dust and noise mitigation, location of construction compound, demolition waste management and appropriate construction traffic management measures. If permission is considered for the development, it is recommended that an appropriate worded condition be included in this regard.

9.0 AA Screening

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

9.2. The subject site is not located within a designated site. The South Dublin Bay SAC (Site Code 000210) as well as South Dublin Bay & River Tolka Estuary SPA (Site Code 004024) is located c.4.85km of the site.

9.3. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site.

9.4. The reason for this conclusion is as follows:

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

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

10.0 Water Framework Directive

10.1. An assessment of the proposed development has been undertaken with regard to the objectives set out in Article 4 of the EU Water Framework Directive.

10.2. Having considered the nature, scale, and location of the proposed development, it is concluded that the proposal will not result in any risk of deterioration in the status of any water body, including surface waters (rivers and lakes), groundwater, transitional waters, or coastal waters. This applies to both qualitative and quantitative status, and in respect of temporary and permanent effects.

10.3. In addition, the proposed development will not adversely affect the achievement of established environmental objectives, including the protection, maintenance, and improvement of water body status, as required under the Directive.

10.4. Accordingly, the proposed development is considered to be compliant with the requirements of Article 4.

11.0 Recommendation

11.1. I recommend that permission be GRANTED for the following reasons and considerations and subject to the following conditions.

12.0 Reasons and Considerations

Having regard to the protected status of the existing structure, the nature, scale and design of the proposed dwelling and the Z2- Residential Neighbourhood Conservation Area zoning assigned to the site, as well as, the provisions of the Dublin City Development Plan 2022 -28, the proposed development, subject to conditions, will not give rise to any undue, overlooking or overshadowing impacts on the residential amenities of neighbouring dwellings, would not adversely impact on the character or setting of the protected structure or of the surrounding area and would accord with Policy BHA2 of the Development Plan. The proposed development would therefore be in accordance with the proper planning and sustainable development of the area.

13.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

   Reason: In the interest of clarity.

2. 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; location of the site and materials compound(s); timing and routing of construction traffic; and off-site disposal of construction/demolition waste.

   Reason: In the interest of public safety and amenity.

3. A detailed construction traffic management plan shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The plan shall include details of arrangements for routes for construction traffic, parking during the construction phase, the location of the compound for storage of plant and machinery and the location for storage of deliveries to the site.

   Reason: In the interest of sustainable transport and safety.

4. Prior to commencement of development, a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) shall be prepared and submitted to the planning authority for written agreement. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

   Reason: In the interest of reducing waste and encouraging recycling.

5. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

   Reason: In the interest of public health and surface water management.

6. Prior to the commencement of development, the following details shall be submitted to, and agreed in writing with, the planning authority:

(a) A finalised Conservation Specification and Conservation Method Statement covering all works to be carried out and materials to be used in such works, prepared by an accredited Conservation Architect

(b) Details for the monitoring of the construction works by a suitably qualified architect with conservation expertise and accreditation

(c) Competent site supervision, project management and crafts personnel will be engaged, suitably qualified and experienced in conservation works.

(d) Full specification of materials, methods, finishes and/ or workmanship to ensure the development is carried out in accordance with current Conservation Guidelines issued by the Department of Arts, Heritage & the Gaeltacht,

In the event of agreement not being reached between the developer and the planning authority, the matter may be referred to An Coimisiún Pleanála for determination, and all works shall be carried out in accordance with any determination made resulting from such referral.

Reason: In the interest of the protection of architectural heritage in accordance with the provisions of the Architectural Heritage Protection Guidelines for Planning Authorities.

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

8. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

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

9. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

   Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence me, directly or indirectly, following my professional assessment and recommendation set out in my report in an improper or inappropriate way."

Sandra Eapen
Planning Inspector

21 October 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	501663
Proposed Development Summary	Subdivision of site and construction of an infill dwelling.
Development Address	**No. 84 Leinster Road, 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 be requested. Discuss with ADP.**	**State the Class here**
☒ No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
☐ No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. **No Screening required.**	
☐ Yes, the proposed development is of a Class and meets/exceeds the threshold. **EIA is Mandatory. No Screening Required**	**State the Class and state the relevant threshold**
☒ Yes, the proposed development is of a Class but is sub-threshold. **Preliminary examination required. (Form 2)** **OR**	**State the Class and state the relevant threshold**

If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	
4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes ☐	**Screening Determination required (Complete Form 3)** **[Delete if not relevant]**
No ☒	**Pre-screening determination conclusion remains as above (Q1 to Q3)** **[Delete if not relevant]**

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Inspector: Sandra Eapen Date: 21/10/2026

Appendix 2: Form 2 - EIA Preliminary Examination

Case Reference	501663
Proposed Development Summary	Subdivision of site and construction of 1 no. new infill dwelling.
Development Address	No. 84 Leinster Road, 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 proposed infill dwelling has a modest footprint of c.80.4sqm, comes forward as a standalone project. The development involves minor scale demolition works of c.53sqm. The construction would 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	**Briefly comment on the location of the development, having regard to the criteria listed**

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).	The development is situated in an urban area within built up lands. The development is removed from any sensitive natural habitats, designated sites and landscapes of identified significance in the 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 significant effects on the environment.	**EIA is not required.** **Include the following paragraph under EIA Screening (a separate heading) in the Inspectors report.**

Inspector: Sandra Eapen Date: 21/10/2026